

Proposed District Plan Change 82: Minor Zone Changes & Associated Text Changes

Section 32 Report: Plan
change rational -
consideration of alternatives,
benefits and costs

December 2017

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1. Introduction: Purpose of Section 32 Report

This plan change proposal is the result of ongoing monitoring of the Wellington City District Plan (the District Plan). It does not involve any major changes to existing objectives and policies. Instead, the plan change makes minor zone changes and associated text changes to ensure the District Plan functions in a way that most effectively and efficiently achieves the purposes of the Resource Management Act 1991 (RMA).

The Council is required to undertake an evaluation of the proposed Plan Change before the Plan Change can be publicly notified. This duty is conferred by Section 32 of the RMA, which sets out what an evaluation report must cover:

(1) An evaluation report required under this Act must -

- (a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
- (b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
 - (i) identifying other reasonably practicable options for achieving the objectives; and*
 - (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - (iii) summarising the reasons for deciding on the provisions; and*
- (c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*

(2) An assessment under subsection (1)(b)(ii) must :

- (a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
 - (i) economic growth that are anticipated to be provided or reduced; and*
 - (ii) employment that are anticipated to be provided or reduced; and*
- (b) if practicable, quantify the benefits and costs referred to in paragraph (a); and*
- (c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

Best practice advice from the Ministry for the Environment encourages an iterative evaluation process with the main goals being that:

- Objectives, policies and methods are well tested against the purpose of the RMA; and
- The anticipated benefits of introducing new regulation outweigh the anticipated costs and risks.

This report is Wellington City Council's response to this statutory requirement. It documents the analysis that has taken place so that stake-holders and decision-makers can understand the rationale for the proposed plan change.

2. Statutory Context

2.1. Purpose and Principles of the RMA

The purpose and principles of the RMA are set out in Part II of the Act.

The purpose of the RMA is to promote the sustainable management of natural and physical resources. Section 5 of the RMA describes this purpose as the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while:

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) avoiding, remedying and mitigating any adverse effects of activities on the environment.*

Part II also includes other sections, with the most pertinent provisions in this case being the requirement of Section 7 to give particular regard to:

- (b) the efficient use and development of natural and physical resources*
- (c) the maintenance and enhancement of amenity values*
- (f) maintenance and enhancement of the quality of the environment*

Section 8 of the Act requires the principles of the Treaty of Waitangi to be taken into account.

2.2. Consultation

The proposed amendments to the District Plan have been discussed with potentially interested parties. Details of this consultation are provided in later sections of this report.

Consultation on the entire proposed plan change will also be undertaken with parties identified in the First Schedule of the RMA, specifically:

- Ministry for the Environment
- Port Nicholson Block Settlement Trust
- Te Runanga O Toa Rangatira Inc.
- Greater Wellington Regional Council
- Department of Conservation
- Heritage New Zealand

3. Description of the Plan Change

This plan change comprises seven minor zone changes across the City. They have been identified as necessary by various users of the District Plan, including Council staff. Two minor text changes are also proposed to support one of the zone changes.

As noted above, the overall Plan Change does not involve significant changes to existing objectives and policies. Instead, minor zone changes are proposed to ensure the effective and efficient functioning of the District Plan.

The proposed changes include:

- Volume 1: Objectives, Policies and Rules - Two minor changes
- Volume 3: Maps - Seven minor zone changes

4. Proposed Changes to Volume 1: Objectives, Policies and Rules

4.1. References to design guides for the Mt Victoria and Thorndon Character Areas

These changes support the zone change described in Section 5.5 below.

4.1.1 Chapter 4 – Residential Area Objectives and Policies

It is proposed that the list of methods and explanatory text under Policy 4.2.2.1 be amended to ensure that the design guides for the Thorndon and the Mt Victoria North Character Areas are taken into account when assessing resource consent applications in these Areas.

The Residential Design Guide was introduced via District Plan Change 72 (DPC72) (Residential review). The Design Guide applies to development in all Residential Areas of the City and provides appendices for specific parts of the City (including Thorndon and Mt Victoria). However, this did not replace the existing design guides for the Mt Victoria North Character Area and the Thorndon Character Area which provide additional guidance for the consideration of resource consent applications in these Areas.

Proposed Changes - Amend the methods and explanatory text for Policy 4.2.2.1 as follows:

Policy 4.2.2.1 Maintain the character of Wellington’s inner city suburbs.

...

METHODS

- *Rules*
- ~~*Residential Design Guides*~~

...

Building proposals will be assessed against the Residential Design Guide (including the Thorndon and Mt Victoria appendices), the Thorndon Character Area Design Guide and the Mt Victoria North Character Area Design Guide, as relevant to the proposal.

4.1.2 Chapter 5 – Residential Area Rules, Standards and Appendices

Under Rule 5.3.5, the construction, alteration of, and addition to residential buildings, accessory buildings and residential structures in the Thorndon and Mt Victoria North Character Areas requires a resource consent as a Discretionary Activity (Restricted) in respect of:

- *design (including building bulk, height, and scale), external appearance, and siting (including landscaping, parking areas, vehicle manoeuvring and site access)*
- *provision of parking and site access*

It is proposed that the side note associated with Rule 5.3.5 be amended to make it clear the design guides for the Thorndon and Mt Victoria North Character Areas are relevant to the consideration of resource consent applications under this rule. This change supports the amendments outlined in sections 4.1.1 and 5.5 of this report.

Proposed Changes - Amend the side note for Rule 5.3.5 as follows:

Rule 5.3.5

...

Note, section 3.2.4 requires a Design Statement to accompany any application for resource consent that is to be assessed against the Residential Design Guide, the Thorndon Character Area Design Guide or the Mt Victoria North Design Guide, as relevant to the proposal.

4.2. Section 32 Considerations

It is considered that the proposed amendments described above are appropriate to achieve the goals of the District Plan and the purpose of the RMA. The benefits are considered to outweigh the potential costs, as summarised below. This analysis is relevant to considering the efficiency, effectiveness and appropriateness of the proposed plan change, as required under Section 32 of the RMA:

- The costs (or disadvantages) of the amendments are considered to be low given that they clarify the intention that the design guides for the Mt Victoria North and Thorndon Character Areas be taken into account when resource consents are required for sites in these Character Areas. This is consistent with current practice.
- The benefits of the amendments include greater clarity as to how the relevant objectives and policies of the District Plan are to be given effect to through District Plan rules, standards and other methods. In particular, the changes will reduce ambiguity in the assessment of resource consent applications. If these changes are not made, the possibility of misinterpretation and unintended environmental outcomes will be an ongoing risk.

5. Volume 3 – District Plan Maps

5.1. Zone Change - 142 Tauhinu Road, Miramar

A zone change is proposed to address the split zoning of a Council-owned property in Miramar. Details of the zone change are shown in Attachment 1 of this report.

The house at 142 Tauhinu Road, Miramar straddles the boundary between Open Space B (shaded green) and Outer Residential Area (shaded yellow), as shown in Figure 1.



Figure 1: Location (circled) and District Plan zoning of 142 Tauhinu Road, Miramar

- The houses numbered 130-144 Tauhinu Road are all owned by the Council, as part of its social housing portfolio
- These houses and the adjoining reserve are all on the same title. The title does not have reserve status
- The houses are managed by City Housing and the Open Space portion is managed by Parks, Sport and Recreation
- The split zoning was identified through a routine check by Council's Property Team.

Residential activities are inconsistent with the provisions of the Open Space B zone. Future additions and alterations to the existing house could trigger the need for resource consent, even though the Open Space land involved is not considered to have open space or conservation values. It is therefore considered appropriate to rezone this portion to Outer Residential. This would be consistent with how the site is used and allow it to be appropriately managed as part of the Council's housing portfolio.

5.1.1 Section 32 conclusions

The proposed zone change is considered to be appropriate to achieve the goals of the District Plan and the purpose of the RMA. The benefits are considered to outweigh the potential costs, as summarised below:

- The costs (or disadvantages) of the zone change are considered to be low given that the site is already developed and used for residential purposes (with associated existing use rights). Due to its topography and adjoining development, the site is not readily available for open space use. The area involved is small, compared to the size of the wider area of the adjoining portion of Open Space B (natural environment) land.
- The benefits of the zone change include enabling the housing stock to be efficiently managed. It also provides a logical boundary between the areas of Open Space B and the Outer Residential Area and creates an accurate expectation regarding future development of this site. Not proceeding with the zone change would expose the site to the risk of unnecessary resource consents and associated costs.

5.2. Zone Change - 16 Terrace Gardens (Flagstaff Hill), Te Aro

A zone change is proposed to reflect the current and intended future use of an inner city park at 16 Terrace Gardens (see photograph in Figure 2 below). Details of the zone change are shown in Attachment 2 of this report.



Figure 2: Photograph of Flagstaff Hill Park

Figure 3 shows the location and zoning of a Council-owned property known as Flagstaff Hill (16 Terrace Gardens). It is accessed via Flagstaff Lane, from the western side of Willis Street in the vicinity of Willis Street Village. The site has been used as a park since 1972, but was only acquired by Council in 2015.

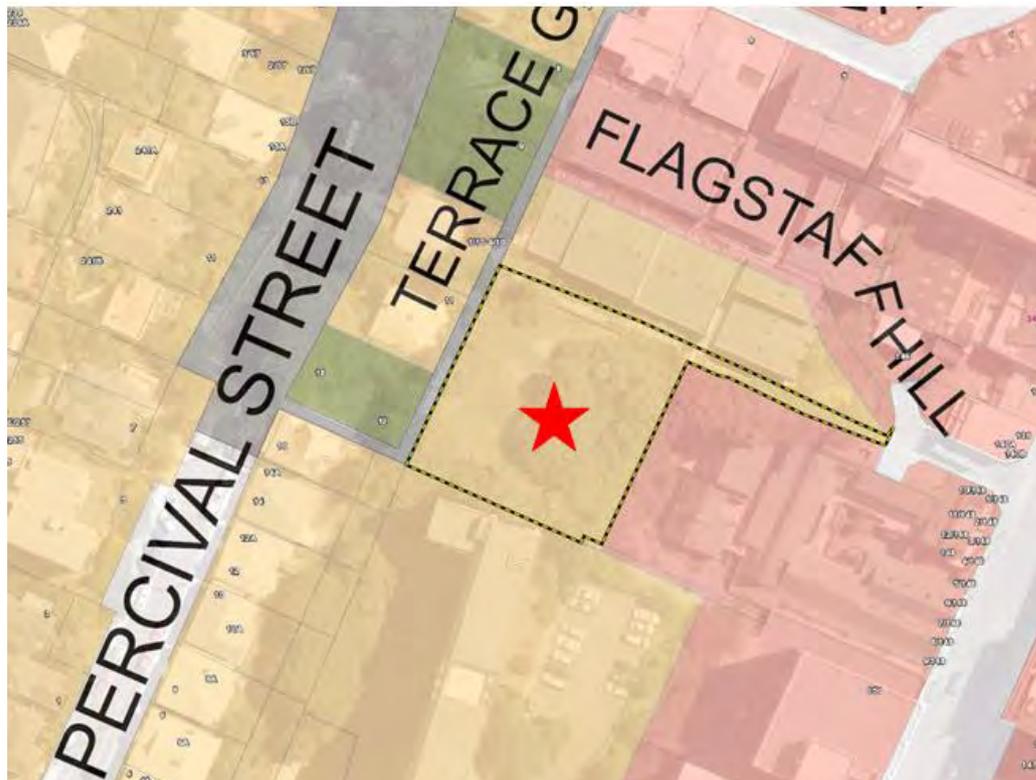


Figure 3: Location (star symbol) and current zoning of 16 Terrace Gardens

The property is currently zoned Inner Residential (shaded orange), reflecting the adjoining residential land use and zoning to the north, west and south. It also reflects the earlier private ownership of the site. Now that the site has been secured by the Council for long term use as an inner city park, it is appropriate to change the zoning to Open Space A (Recreational Facilities). A zoning of Open Space A is consistent with the zoning of other Council-owned green spaces in the vicinity, such as 8, 9 and 12 Terrace Gardens (shaded green in Figure 3).

5.2.1 Section 32 conclusions

The proposed zone change is considered to be appropriate to achieve the goals of the District Plan and the purpose of the RMA. The benefits are considered to outweigh the potential costs, as summarised below:

- The costs (or disadvantages) of changing the zone from residential to open space are considered to be low given that the site is already being used for open space purposes and will remain as such. .
- The benefits of the zone change include greater clarity regarding the current use of the site and expectations regarding its future use and development. The proposed Open Space A (Recreational Facilities) zoning is in keeping with similar Council-owned land in the vicinity.

5.3. Zone Change - 7C Melksham Drive, Churton Park

A zone change is proposed to reflect current and intended future use of an reserve lot in Churton Park. Details of the zone change are shown in Attachment 3 of this report.

Figure 4 shows an area of Churton Park to the north of the shopping centre including a 1,436m² land-locked, Council-owned lot with a street address of 7C Melksham Drive. The lot is part of a wider bush-covered gully that Council holds as a recreation reserve. This lot is zoned Outer Residential (shaded yellow), whereas the wider reserve is zoned Open Space A (shaded green). This zoning anomaly stems from the timing of subdivisions and plan changes in the area.



Figure 4: Aerial photographs showing location (star symbol) and District Plan zoning of 7C Melksham Drive, Churton Park

The Outer Residential zoning of 7C Melksham Drive creates an inaccurate expectation of its future use and development. Accordingly, it is proposed that the zoning of this property be changed from Outer Residential to Open Space A (Recreational Facilities). The proposed zoning is in keeping with the intended use of the property and the zoning of the wider recreation reserve.

5.3.1 Section 32 conclusions

The proposed zone change is considered to be appropriate to achieve the goals of the District Plan and the purpose of the RMA. The benefits are considered to outweigh the potential costs, as summarised below:

- The costs (or disadvantages) of changing the zone from residential to open space are considered to be low given that the site is already being used for open space purposes and the intention is to keep it that way.
- The benefits of the zone change include greater clarity regarding the anticipated use and development of this site. The change will also provide a logical boundary between the areas of Open Space A (Recreational Facilities) and the Outer Residential Area.

5.4. Zone Change - 43 Peppertree Lane land exchange, Woodridge

A zone change is proposed to facilitate a land exchange to resolve a private residential encroachment on to an adjoining Council reserve. Details of the zone change are shown in Attachment 4 of this report.

Figure 5 shows a residential property at 43 Peppertree Lane, Woodridge. This property is zoned Outer Residential. The owners of the property have informally (and mistakenly) encroached on to an adjoining Council-owned scenic reserve (see star symbol). The reserve is zoned Open Space B (Natural Environment) and extends from Colchester Lane (to the south) to Mark Avenue (to the north).



Figure 5: Aerial photographs showing the encroachment (star symbol) of 43 Peppertree Lane, Woodridge, onto the adjoining Council reserve

It is likely that bulk earthworks associated with an earlier subdivision inadvertently extended beyond the boundary for 43 Peppertree Lane onto the adjoining reserve. Over the years, the owners have fenced the informal encroachment and landscaped it with lawns and gardens. The following photograph in Figure 6, taken from the street frontage, shows that the encroachment is not readily visible beyond the site.



Figure 6: Photograph showing street frontage of 43 Peppertree Lane, Woodridge

In September 2016, the Council agreed in principle for the informal encroachment to be exchanged for an area of bush in the rear yard of 43 Peppertree Lane. This exchange will also include a financial contribution from the private owner to cover the different land areas involved. To facilitate this land exchange, it is proposed that the areas be re-zoned accordingly, as shown in Figure 7.

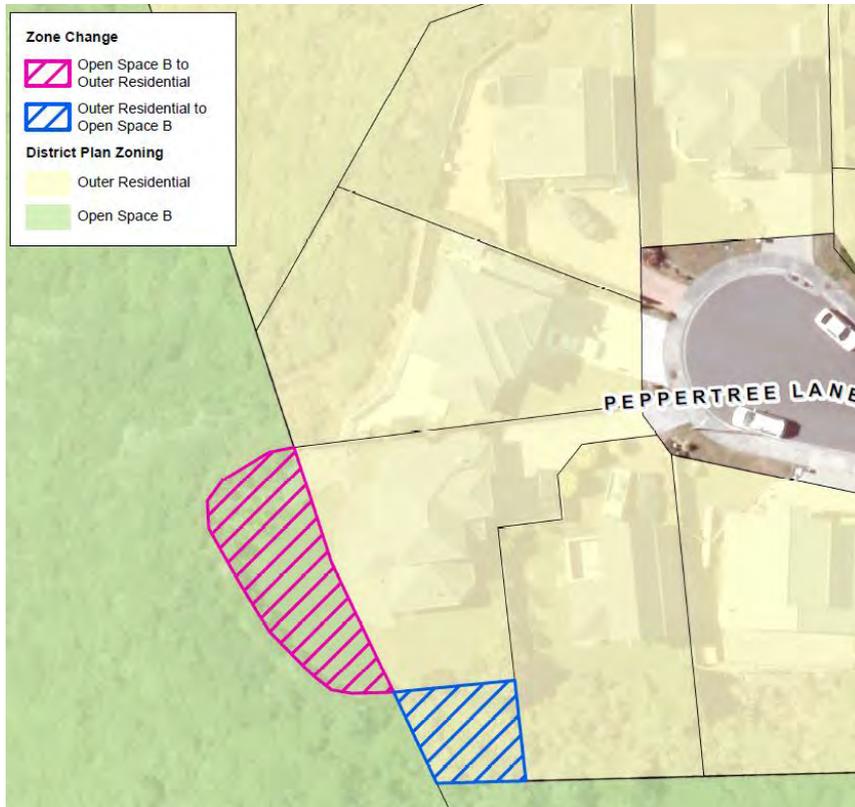


Figure 7: Proposed rezoning of the land exchange at 43 Peppertree Lane, Woodridge

5.4.1 Consultation

In March 2017, Council's Property team sent letters to the following parties to explain the proposed land exchange:

- 24 Peppertree Lane
- 41 Peppertree Lane
- Newlands Paparangi Progressive Association
- Seton Nossiter Park Working Group

No responses were received and the proposal was formally notified under the Reserves Act 1977. Submissions closed 12 June 2017, with no substantive issues being raised.

Further interest is considered to be unlikely. However, members of the public will have further opportunities to formally submit on the zone change when this proposed plan change is publicly notified under the RMA.

5.4.2 Section 32 conclusions

The proposed zone change is considered to be appropriate to achieve the goals of the District Plan and the purpose of the RMA. The benefits are considered to outweigh the potential costs, as summarised below:

- The costs (or disadvantages) of the zone change are considered to be low given that the area of recreation reserve involved is small and relatively inaccessible. Also, it is

considered that any future development of 43 Peppertree Lane will still be in keeping with the scale of neighbouring development, even though it will be slightly larger.

- The benefits of the zone change include greater clarity to District Plan users regarding the anticipated use and development of the land areas involved. The zone change will also provide a logical boundary between the areas of Open Space B (Natural Environment) and Outer Residential Area.

5.5. Zone Change - St Gerard's Monastery land exchange, Mt Victoria

A zone change is proposed to facilitate a land exchange to secure ownership of an existing access path to a council-owned reserve adjoining St Gerard's Monastery. Details of the zone change are shown in Attachment 5 of this report.

Figure 8 shows the land involved in the proposed land exchange, including the current land parcels and their ownership. The existing access path crosses the land that contains the St Gerard's Monastery building; this property is owned by the Institute for World Evangelisation (ICPE). An unformed access leg extends between the Council reserve and the Oriental Terrace zig-zag pathway that provides pedestrian only access between the top of Hawker Street and Oriental Parade. The unformed access leg sits between the eastern side of the St Gerard's property and a ICPE-owned residential property at 1 Oriental Terrace.



Figure 8: Showing the land involved in the proposed St Gerard's land exchange

In early 2016, the Council resolved to undertake the land exchange under the Reserves Act 1977. The formed path is to become part of the Council reserve. In return, the unformed access leg will become part of the residential property at 1 Oriental Terrace. The ICPE intends to sell 1 Oriental Terrace to help fund seismic strengthening of St Gerard's. The triangular piece of land between the formed path and the unformed access leg will also become part of 1 Oriental Terrace given that it is separated from St Gerard's by the formed path.

Rearrangement of the boundaries will be carried out through a subdivision under the Reserves Act 1977, as shown in Figure 9, which also shows existing and proposed easements:

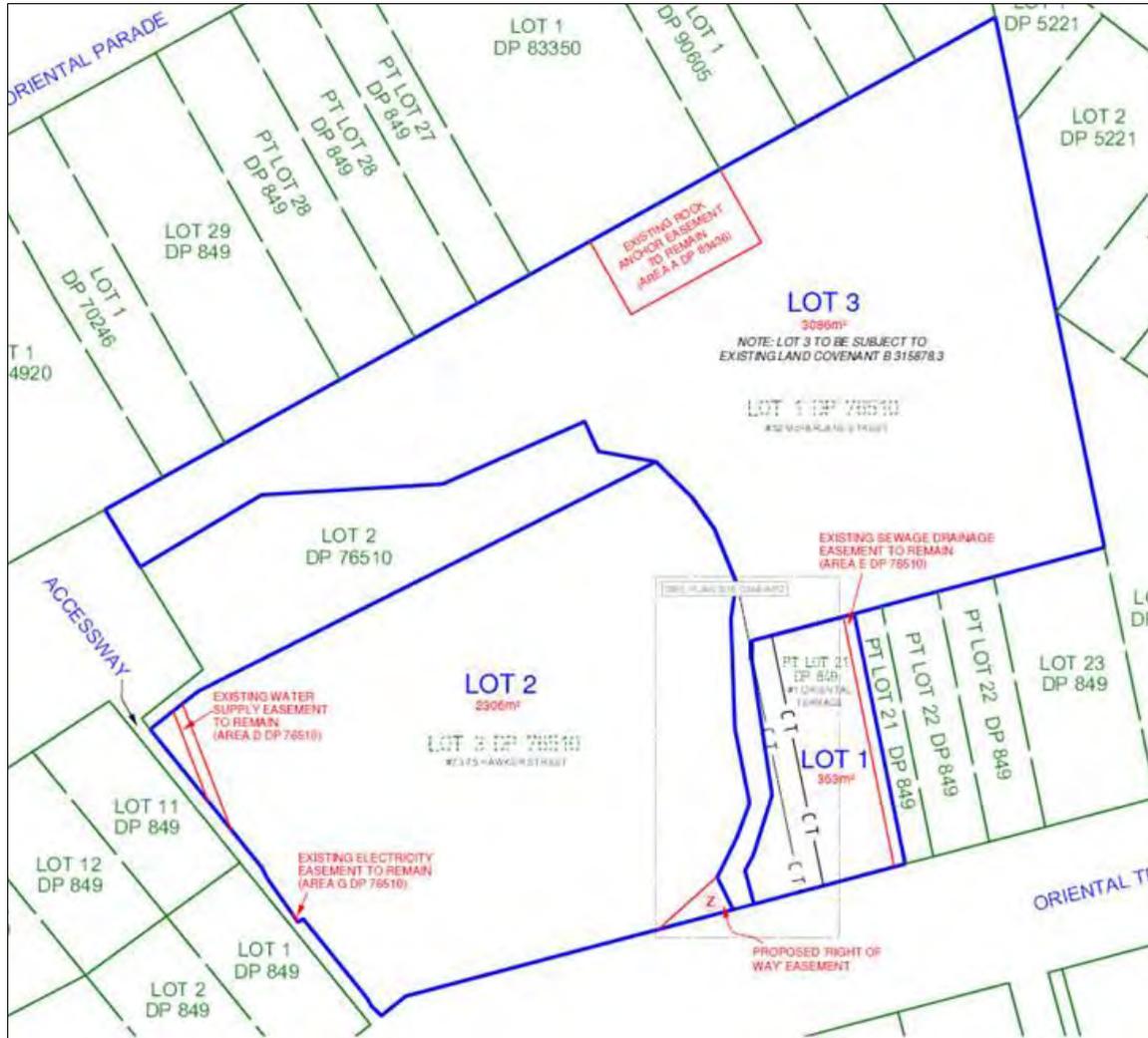


Figure 9: Proposed subdivision to facilitate St Gerard's land exchange

The Council's resolution to proceed with the land exchange is subject to a District Plan change under the RMA to rezone the land involved (as shown in Figure 10):

- The formed access path will be changed from Inner Residential to Open Space, in keeping with the Open Space B zoning of the wider reserve, and
- The unformed access leg will be changed from Open Space B to Inner Residential, in keeping with the zoning of 1 Oriental Terrace and the triangle of land from the St Gerard's lot.

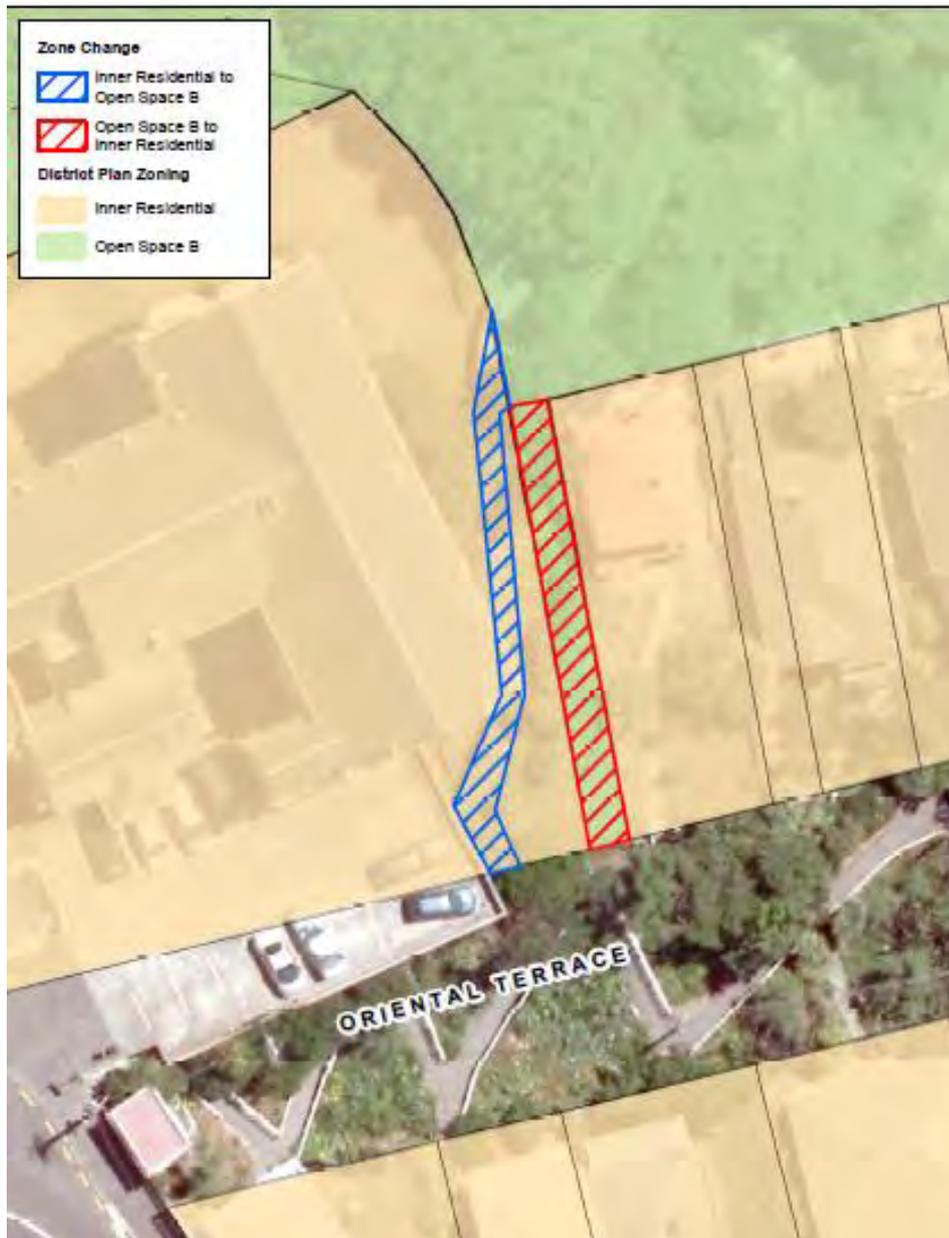


Figure 10: showing zone change proposal

5.5.1 District Plan Context

In considering the appropriateness of the proposed zone change, the following comments on the wider District Plan context are provided:

- St Gerard’s Monastery & Church buildings are Category 1 Historic Places on the New Zealand Heritage List/Rārangī Kōrero. They are also on the District Plan Heritage List. The District Plan listing will stay with the new Lot 2 and therefore does not need to be amended (apart from noting the new legal description once the subdivision is finalised).
- 1 Oriental Terrace is not listed on the New Zealand Heritage List/Rārangī Kōrero or the District Plan Heritage List.
- The main concerns that have been expressed by various stakeholders have focussed on the effects that future development of an enlarged 1 Oriental Terrace could have on the views of St Gerard’s and the character of the Oriental Terrace zigzag path. It is therefore useful to examine the District Plan

standards that would apply to any redevelopment of 1 Oriental Terrace through the Inner Residential zoning :

- 1 metre front yard requirement.
 - 50% maximum site coverage
 - 35m² ground level open space requirement.
 - Maximum building height of 10 metres, plus Building Recession Planes in relation to the external boundaries of the site (an extra 1 metre is also allowed for gables)
 - One onsite parking space per household unit (although the ICPE has indicated that it could make vehicle spaces available on its existing vehicle deck to any future development of 1 Oriental Terrace).
- There are a number of viewshafts in relation to St Gerard's that are protected through Central Area provisions. However, these provisions only relate to the city-facing façade of the monastery.
 - Maximum height limits also apply to Oriental Bay sites to protect views of St Gerard's from Oriental Bay. However, 1 Oriental Terrace sits outside the areas to which these height limits apply.
 - The St Gerard's site and the properties along the Oriental Terrace zig-zag path are within the Mt Victoria North Character Area (as shown in Figure 11). Rule 5.3.5 of the District Plan, requires a resource consent for 'the construction, alteration of, and addition to residential buildings, accessory buildings and residential structures' within the Mt Victoria North Character Area. This rule applies even if a proposal complies with the Permitted Activity standards of the Inner Residential Area. Any future redevelopment of an enlarged 1 Oriental Terrace would require a resource consent under this rule. The application would be assessed in relation to the Design Guide for the Mt Victoria North Character Area (noting the minor amendments proposed under sections 4.1.1 and 4.1.2 of this report). The Design Guide includes a clear expectation that any work will complement the form and character of St Gerard's and the surrounding neighbourhood.



Figure 11: Mt Victoria North Character Area (1 Oriental Terrace – see star symbol)

- While the properties in Oriental Terrace are in the Mt Victoria North Character Area, they are not in the Mt Victoria North/St Gerard's sub area (see Figure 12), of the Mt Victoria appendix of the Residential Design Guide. As a result, these properties are not subject to the rules requiring a resource consent to demolish a pre-1930 building (or remove architectural features etc). However, as discussed above, it is considered that any future development of an enlarged 1 Oriental Terrace would still be well-controlled under Rule 5.3.5.



Figure 12: The Mt Victoria area covered by the Mt Victoria North/St Gerard's sub area of the Residential Design Guide (1 Oriental Terrace – see star symbol)

- An alternative option to specifically manage the development of an enlarged 1 Oriental Terrace would be tailored 'spot provisions' within the rules of the Inner Residential Area. However, site-specific provisions are not considered to be best planning practice. Specific provisions for this site could have the effect of making the plan more complicated. Such an approach does not support efficient and effective plan provisions. The effects of future development of 1 Oriental Terrace can be sufficiently managed through existing plan provisions.

5.5.2 Consultation

As noted above, community consultation has already occurred under the Reserves Act 1977, including the involvement of the following WCC Business Units:

- Parks, Sport and Recreation – Open Space and Recreation Planning
- Property

Representatives from these business units agree with the proposed plan change for the reasons outlined above.

Individual discussions and correspondence about the proposed zone change have taken place with parties that demonstrated interest in the earlier Reserves Act 1977 process:

- Marion Evans – an Oriental Terrace resident who is interested in the character and heritage values of the Oriental Terrace zig-zag and the house at 1 Oriental Terrace
- Heritage New Zealand staff
- Mt Victoria Residents' Association (MVRA) representatives
- Redemptorist Fathers Trust Board – no response

Overall, these parties are:

- Concerned about effects on the heritage value of St Gerard's Monastery site
- Concerned about effects on the character and amenity values of Oriental Terrace properties and the zig-zag pathway

Heritage New Zealand notes that the District Plan provisions will require consideration of St Gerard's in the assessment of any future development of 1 Oriental Terrace. Marion Evans and MVRA, remain concerned that the administration of Rule 5.3.5 and the assessment of final building designs would be subject to the discretion of the Council's resource consent planners and urban designers. They are concerned that there are few rights for adjoining owners or the wider public to have a say on the future development of an enlarged 1 Oriental Terrace.

An incorrect email address explains a lack of response from the Oriental Bay Residents' Association (OBRA). However, the issues raised by Marion Evans, MVRA and Heritage New Zealand staff are likely to be similar to potential OBRA concerns.

5.5.3 Section 32 conclusions

The proposed zone change is considered to be appropriate to achieve the goals of the District Plan and the purpose of the RMA. The benefits are considered to outweigh the potential costs, as summarised below:

- The costs of the zone change are considered to be low given that the area involved is small and that any future development of 1 Oriental Terrace will be sufficiently managed through the existing provisions of the Inner Residential Area and the Mt Victoria North Character Area.
- The benefits of the zone change include accurately reflecting the existing use of the land involved and providing a sensible zone to manage the future use and development of an enlarged 1 Oriental Terrace. The zone change also supports a land exchange that will secure future access to the Council reserve while at the same time protecting the heritage values of St Gerard's monastery and church.

5.6. Zone Change – 6 Campbell Street, Karori

A zone change is proposed to support the Council's recent purchase of a 541m² residential property at 6 Campbell Street, Karori. Details of the zone change are shown in Attachment 6 of this report.

As shown in Figure 13, the property adjoins the former St John's Church site (1,020m²) on the corner of Karori Road and Campbell Street. Residential properties adjoin the site to the south, with commercial and community activities to the west, including the Mobil Station and the Karori Event Centre (under construction).



Figure 13: Aerial photograph showing the location and District Plan zoning of 6 Campbell Street, and neighbouring land uses

The Council acquired the St John's site some time ago and it was rezoned from Outer Residential to Centres through DPC 73 (Suburban Centre Review) to help address a recognised shortage of commercially zoned land in the Karori Town Centre vicinity. The Council's intention is that the St John's site be commercially developed in a way that complements the character and vitality of the Karori Town Centre. More recently, Council purchased the adjoining property at 6 Campbell Street to improve options for the future development of this corner site.

It is therefore considered appropriate to rezone 6 Campbell Street from Outer Residential to Centres so that future development of the combined site can be managed in an integrated way under the District Plan.

Any new buildings will require a resource consent application under the provisions of the Centres Area. The application will be assessed against the Centres Design Guide and standards aimed at the protection of the amenity of residential neighbours. For example, while the maximum building height is 12 metres in the Centres Area (compared to 8 metres under the current Outer Residential Area), the following standards apply when a site adjoins a Residential Area:

- Buildings and structures must comply with the building recession plane requirements at any point along a boundary adjoining a Residential Area and must be no higher than 3 metres within 5 metres of a Residential Area boundary (Standard 7.6.2.3.1)
- All windows above ground floor level and within 5 metres of and facing a Residential Area boundary shall have privacy glazing (Standard 7.6.2.6.1)

- Any deck, terrace or balcony with a finished level that is 1.5m or more above ground level measured at the boundary shall be no closer than 5 metres to an adjoining Residential Area boundary (Standard 7.6.2.6.2)
- The Centres rules also set standards for noise emitted on the site and received at residential boundaries (Standards 7.6.1.1.5) and for fixed plant noise (Standard 7.6.1.2)

The photograph in Figure 14 shows the existing development at 6 Campbell Street and the neighbouring properties. The above standards will apply along the common boundary with the residential properties at 8 and 8a Campbell Street. It is noted that there is a driveway running along this boundary. As this driveway cannot be built over, it will provide an additional buffer from future development at 6 Campbell Street.



Figure 14: Photograph showing 6 Campbell Street and adjoining properties

The Campbell Street frontage of the St John's site is subject to secondary frontage provisions that control vehicle parking areas and ground level activities to maintain an active building edge. It is proposed that the secondary frontage be extended across the 6 Campbell Street frontage. Details of the proposed change are shown Attachment 8 of this report.

5.6.1 Consultation

The Council's purchase of 6 Campbell Street has been reported in local media, including social media channels such as the 'I Love Karori' Facebook group.

Individual letters have been sent to residential neighbours in the vicinity. An onsite meeting took place with the adjoining neighbour at 8a Campbell Street, to fully explain the rules and standards that apply in the Centres Area.

The key concerns of residential neighbours relate to any adverse effects that development of 6 Campbell Street under the Centres Area would have on their amenities compared to the current zoning. Potential adverse effects include:

- Noise from vehicle servicing – especially if it was a supermarket with frequent, large deliveries
- Visual appearance
- Shading and visual dominance – especially for immediately adjoining properties

However, as discussed above, it is considered that the provision of the Centres Area will ensure that these concerns are well controlled.

5.6.2 Section 32 conclusions

The proposed zone change is considered to be appropriate to achieve the goals of the District Plan and the purpose of the RMA. The benefits are considered to outweigh the potential costs, as summarised below:

- The main cost (or disadvantage) is the loss of residential-zoned property. However, this cost is considered to be low as the proposed Centres zoning provides for mixed use development, including residential use above ground level. Potential effects for residential neighbours from future development of the corner site are considered to be well provided for in the rules and standards of the Centres Area.
- A key benefit of the zone change is that it will help fill a shortage of commercially zoned land in the Karori Town Centre. The proposed zoning will clarify the anticipated use and development of 6 Campbell Street and is in keeping with adjoining commercially zoned properties.

5.7. Zone Change - 2A Myrtle Crescent, Mt Cook

A zone change is proposed to address the split zoning of a privately-owned property in Mt Cook. Details of the zone change are shown in Attachment 7 of this report.

The property concerned is shown in the following aerial photographs (Figure 15). It has frontages to Myrtle Crescent and Douglas Street (2A Myrtle Crescent and 9 Douglas Street respectively).



Figure 15: Aerial photographs showing the location of 2A Myrtle Cres (star symbol), also known as 9 Douglas St

Figure 16 shows that most of the property is zoned Centres (shaded blue). However, a small triangle along the Myrtle Crescent frontage of the site is zoned Inner Residential (shaded light orange).

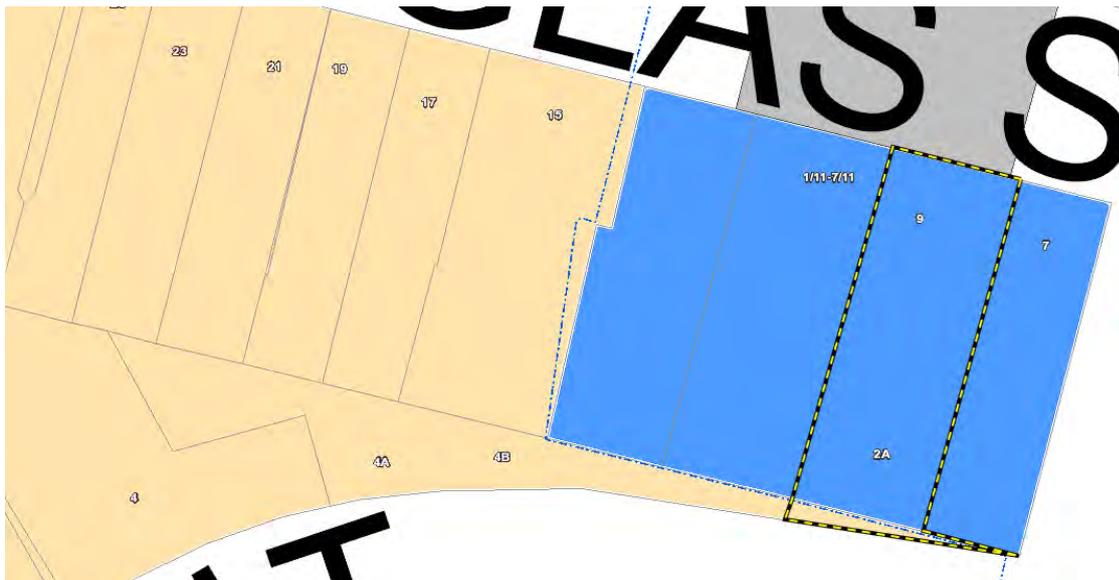


Figure 16: District Plan zoning of 2A Myrtle Cres (9 Douglas St)

This split zone stems from a subdivision of the adjoining property at 4A/4B Myrtle Crescent around 2002, when the triangular portion was incorporated into 2A Myrtle Crescent. The purpose of the subdivision was to provide vehicle access from Myrtle Street to a garage on the ground floor of a building constructed on the site in 2002, as shown in Figure 17.

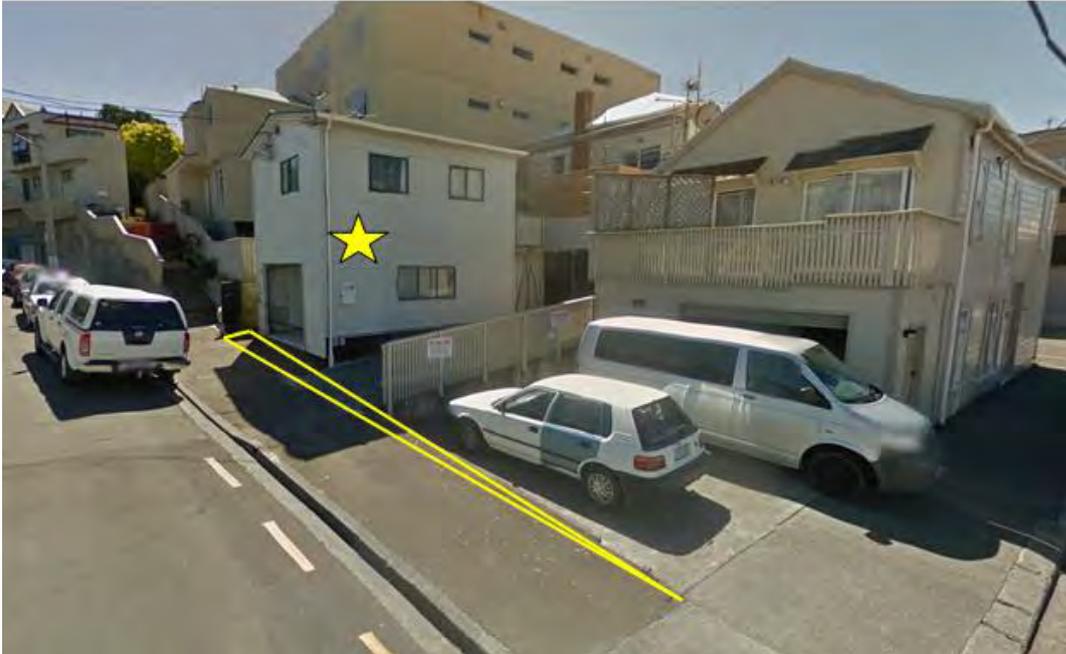


Figure 17: Photograph showing the existing building at 2A Myrtle Crescent and triangle of land zoned Inner Residential

An Inner Residential zoning is not considered appropriate for this triangular portion of the property given the existing use and zoning of both the property itself and neighbouring sites. It is not clear why a zone change was not considered at the time of the 2002 subdivision. Unless a zone change takes place, the Inner Residential rules will trigger the need for resource consent for any future development of the wider property, even if this development is provided for in the Centres Area.

Accordingly, it is proposed that the zoning of the triangular portion be changed from Inner Residential Area to Centres.

5.7.1 Section 32 conclusions

The proposed zone change is considered to be appropriate to achieve the goals of the District Plan and the purpose of the RMA. The benefits are considered to outweigh the potential costs, as summarised below:

- The costs (or disadvantages) of the zone change are considered to be low given that the area involved is small. Also, any future development of the overall property will be appropriately managed under the Centres provisions.
- The benefits of the zone change include conveying a clear expectation regarding the anticipated use and development. The zone change will also provide a logical boundary between the zones involved. The current zoning does not make sense in relation to the current use of the site and places unnecessary restrictions on the use of a property that is largely zoned commercial.

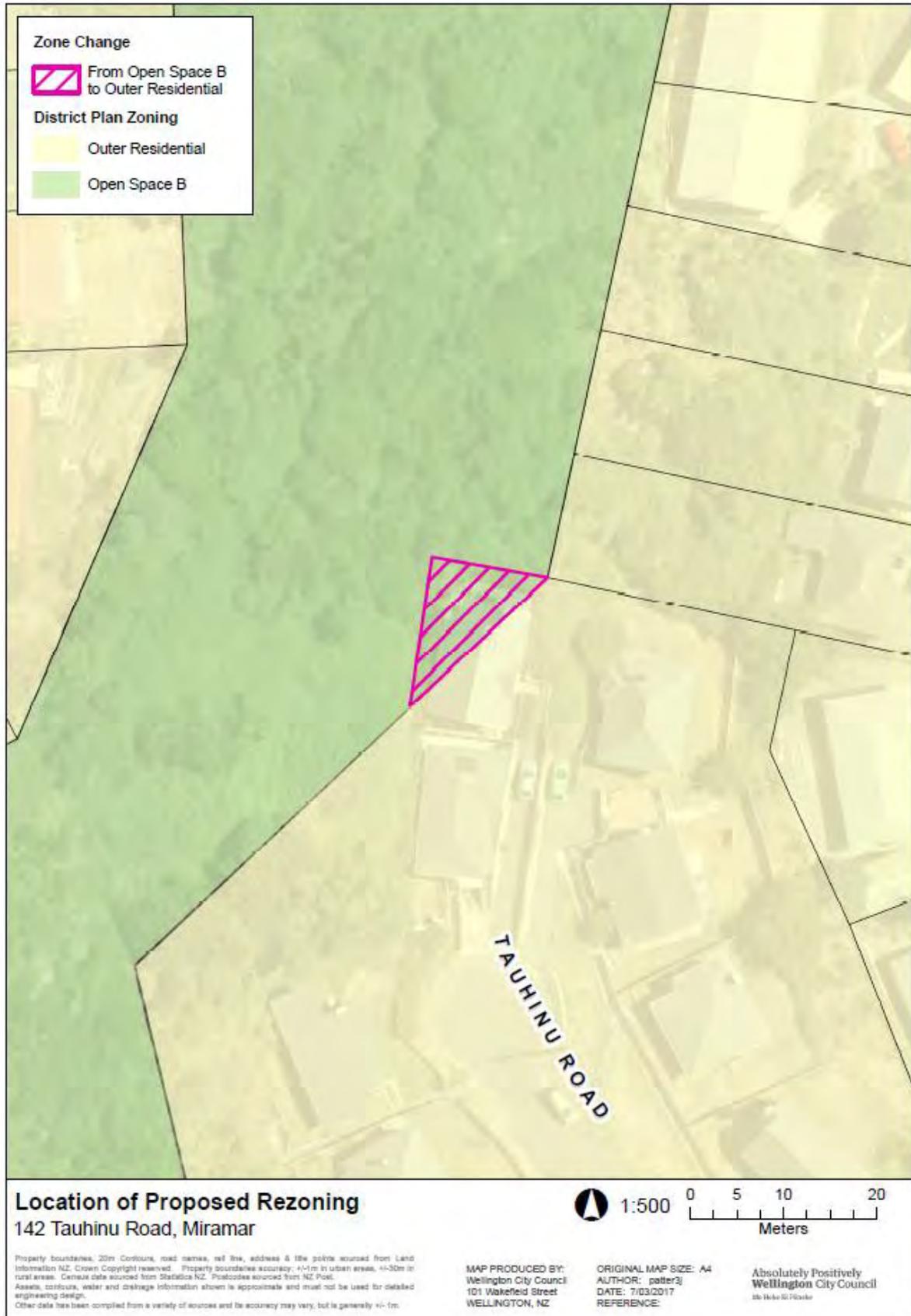
6. Overall Section 32 Conclusions

The purpose of proposed Plan Change 82 is to enable the efficient and effective functioning of the District Plan under the RMA. This approach is considered to be the most appropriate way to achieve the purpose of the RMA for the following reasons:

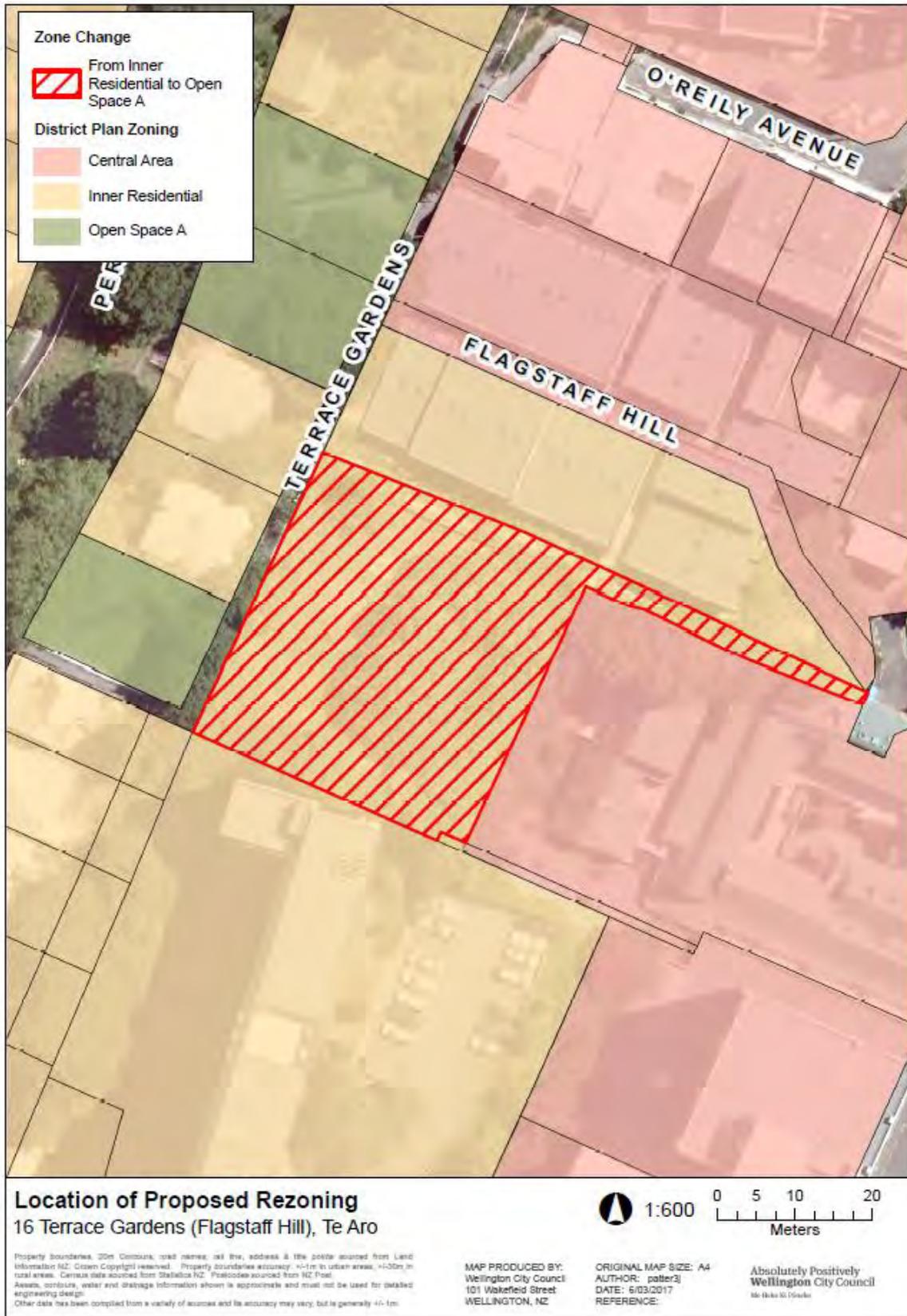
- The proposed amendments are designed to effectively and efficiently address targeted issues in ways that are consistent with the objectives and policies of the District Plan while avoiding major disruption to the overall approach of the District Plan
- The minor zone changes will accurately reflect the purpose the land involved. This provides clarity around current and future land uses and provides for the efficient use of the land
- The proposed amendments avoid unnecessary effort and associated costs until a major District Plan review is carried out
- Overall, it is considered that the benefits of these amendments outweigh their costs.

Attachments

Attachment 1: Zone Change – 142 Tauhinu Road, Miramar



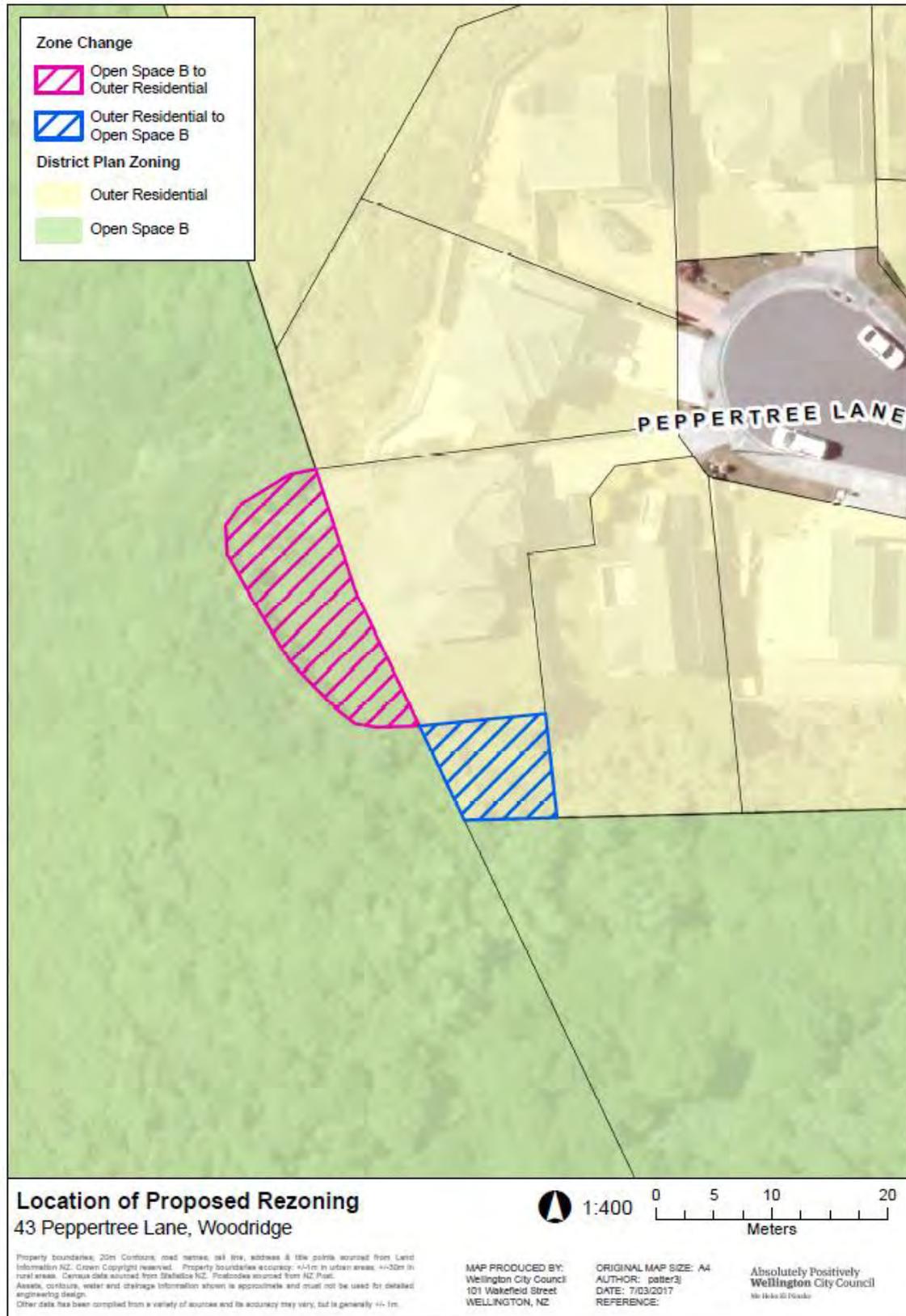
Attachment 2: Zone Change – 16 Terrace Gardens (Flagstaff Hill)



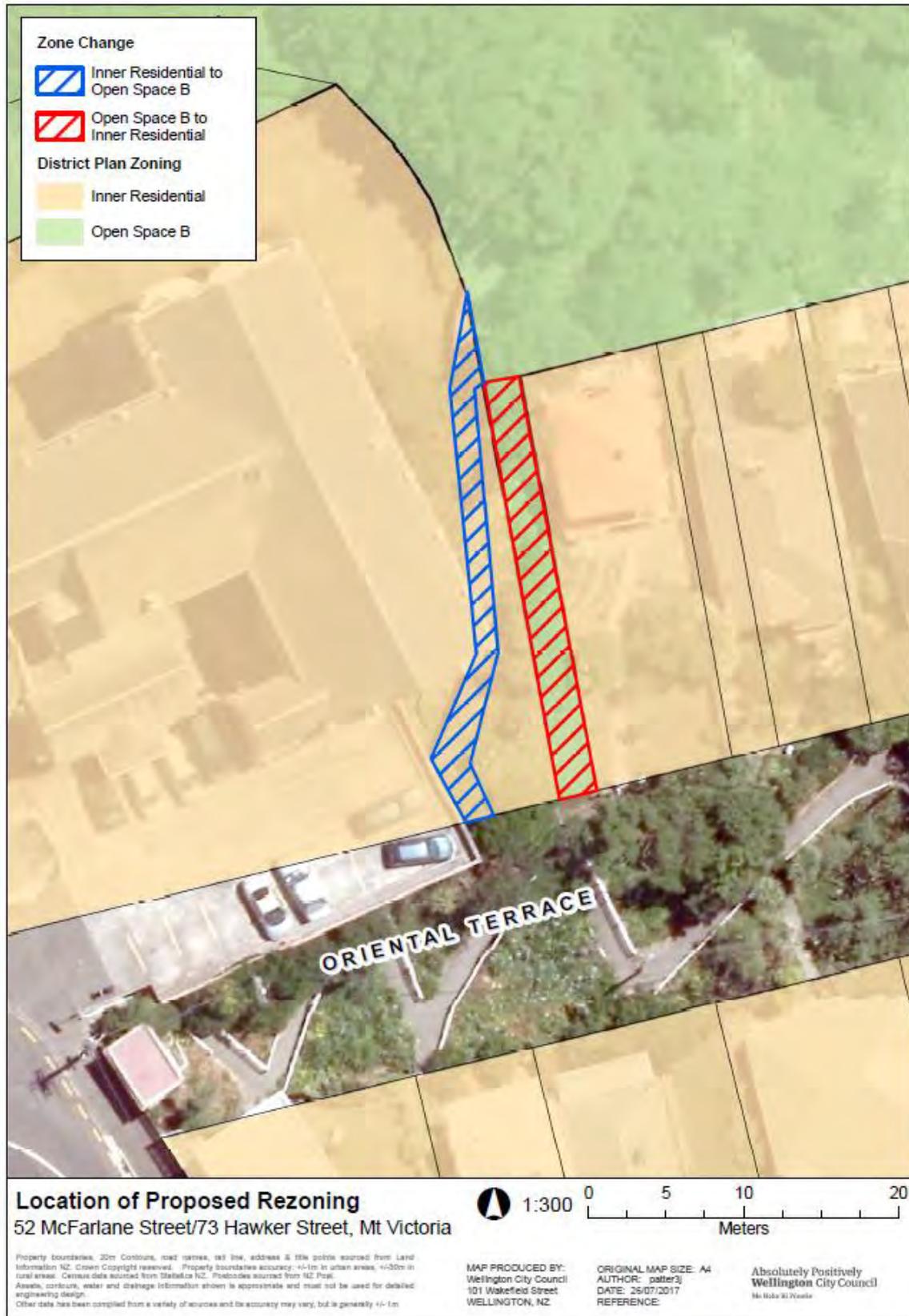
Attachment 3: Zone Change – 7C Melksham Drive, Churton Park



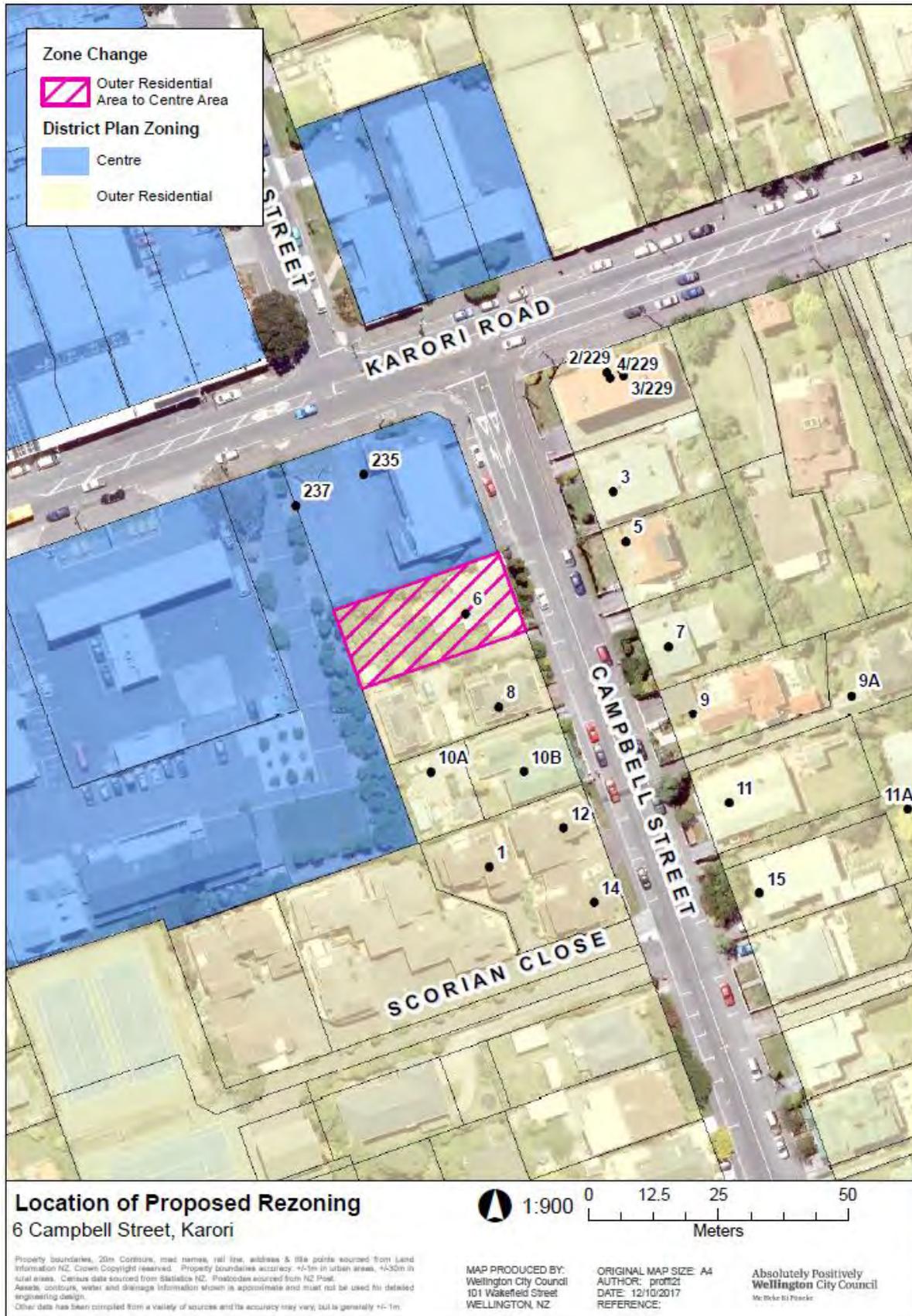
Attachment 4: Zone Change – 43 Peppertree Lane, Woodridge



Attachment 5: Zone Change – St Gerard’s Monastery, Mt Victoria



Attachment 6: Zone Change – 6 Campbell Street, Karori



Attachment 7: Zone Change – 2A Myrtle Crescent, Mt Cook



Attachment 8: Extension of Secondary Street Frontage – 6 Campbell Street, Karori (Planning Map 48)

