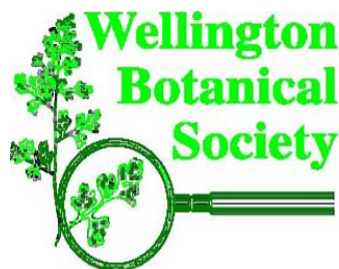


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12/12/2015

Charities Commission Registration
CC10518

Submission on Proposed District Plan Change 80

INTRODUCTION

1. The Society appreciates the opportunity to comment on the rezoning proposals in the Proposed District Plan Change 80. We would like to speak to our submission.
2. We support five of the proposed rezonings.
3. We have concerns about the four proposed rezonings where officers advise that rezoning to 'housing' is necessary because it is not efficient to have social housing on reserve land. These concerns arise from the limited nature of the Section 32 Report. Our submission recommends that the Committee asks officers for more detailed advice before making its decision on these rezonings.
4. In particular, the papers presented to the Committee in November do not explain why we now have social housing on reserve land at four different locations in the city. We want to know why, and we want to know which came first at each location, the social housing or the reserve status.
5. We accept that if the social housing pre-dated the decision to create a reserve, then rezoning the site for "housing" in the District Plan is likely to be appropriate. It is, however, hard to imagine that any past Council would knowingly have agreed to seeking gazettal for a reserve on land underneath existing housing.
6. If, however, the land was already held under the Reserves Act or zoned for "reserve" in some other way when the social housing was established, then the error/ breach in decision-making may be more serious. Having housing on reserve land has damaged the values of the reserves, and the public has been deprived of the benefits of those reserves, possibly in perpetuity. Did Council knowingly authorise the building of housing on land held under the Reserves Act, and if so, what authority did it have to do so? We acknowledge the importance of social housing, but cannot ignore the possibility that unfortunate decision-making in the past may have resulted in the loss of reserve land, albeit relatively small areas.
7. Our submission recommends that the Committee ask officers to report on whether or not previous councils had the necessary powers or authorisations to build social housing on reserve land at these four locations. If any "inconvenient truths" emerge for any of the locations, we submit that "putting it right" requires more than a simple rezoning. Our submission outlines three approaches to "putting it right".

PROPOSED REZONINGS SUPPORTED

8. We support the following proposed rezonings which will ensure consistency across a reserve management area:
 - Truby King Park, Melrose – to rezone one lot from Residential Outer to Open Space B
 - Bolton St Memorial Park – to rezone the Open Space A portion to Open Space B
 - Wilf Mexted Reserve, 11 Collins Ave Tawa – to rezone a portion from Business 2 area to Conservation Site.
9. We support the proposal to rezone Private Property at 14-16 Kotinga Street, Melrose from Open Space B to Residential Outer as both properties contain private dwellings. This rezoning corrects a mapping error in the District Plan. These sites have never been in Council ownership and have never been used for open space purposes.
10. We support rezoning of the remainder of the 49-69 Epuni St site from Open Space B to Open Space C (consistent with the adjoining Town Belt).
11. We have no concerns about rezoning Council reserve at 23 Batchelor St, Newlands from Open Space A to Residential Outer as the revocation of this reserve was agreed recently through the formal process which allows for public consultation.

PROPOSED REZONINGS OPPOSED

12. Based on the information currently available, we **oppose** the following four proposed rezonings of land from Open Space B or Conservation Site to Residential Outer or Residential Inner:
 - 190-209 Darlington Rd, Miramar – to be rezoned from Conservation Site to Residential Outer
 - 49-69 Epuni St, Aro Valley – to be rezoned from Open Space B to Residential Inner
 - 150 Cockayne Rd, Khandallah – to be rezoned from Open Space B to Residential Outer
 - 16 Punjab St, Khandallah – to be rezoned from Open Space B to Residential Outer.

RATIONALE FOR OPPOSING THE PROPOSED ZONINGS

13. The papers presented to the Committee in November 2015 show that these four sites are located within wider Council reserve areas, and that the housing on these sites was established between the 1940s and 1980s. Officers argue that continued residential development of these sites should be permitted because the residential uses have been long established, and any development (including minor upgrades such as providing sheds or carports) would require a resource consent. The Section 32 Report (Table 7) finds that the rezoning is “efficient”.

14. Our reasons for opposing these proposed rezonings are not based on the current open space and conservation values of these sites. Those values are now very low. Our concerns arise from the lack of information in the Section 32 Report.
- As noted earlier, some or all of this housing may have been developed without due consideration of the tenure/ legal status of the land under the Reserves Act. Other planning documents may also be relevant, e.g. the District Plan or equivalent in effect at the time.
 - Officers have considered only two options for resolving issues associated with the presence of social housing on reserve land at these four locations: *do nothing or amend the District Plan as proposed*. These two options were developed and applied collectively, i.e. across all four locations. We think officers should have provided site-by-site assessments given the differences between the sites, the adjacent reserves, the adjacent neighborhoods, and the age and condition of the housing.
 - No information has been provided about Council's future plans for housing on these sites. Would rezoning this section of the reserve for housing allow a future council to approve medium-density housing at these sites? The report says there is potential for subdivision at one of the locations. Would rezoning the land for housing "allow a future council to sell the land rather than retain it for social housing?"
 - No consideration has been given to the potential for better social and economic benefits by removing/demolishing the houses, and investing the associated capital and operational savings in better quality social housing "elsewhere". Given its age, some of this housing is likely to require increasing maintenance and/or costly redevelopment in the future. Perhaps better quality social housing for an equivalent number of people could be provided more efficiently at one or more other sites in the city.
 - It is not clear whether or when the Committee intends to initiate the usual formal process for revoking the reserve status of the rezoned areas. A well-advertised reserve revocation process would give interested parties such as neighbours, a further opportunity to consider how these matters should be resolved.
15. We urge the Committee to seek further advice on these issues before making its decision on the proposed rezonings.

IT'S THE PUTTING RIGHT THAT COUNTS

16. If further investigation of the history of decision-making for these sites does reveal any inconvenient truths, then the Committee has at least four options:
- Option 1: Ignore any inconvenient history, rezone the land for housing, and ignore the loss of the reserve land. This is the current proposal.
- Option 2: Rezone the land for housing and compensate the public for the loss of the reserve land by arranging a land swap to create a new reserve, or expand an existing reserve.

Option 3: Rezone the land for housing and compensate the public for the loss of the reserve land by setting a measurable target for the gazettal of new reserves in the Suburban Reserves Management Plan April 2015, and supporting the target with the necessary budget for survey work and other costs.

Option 4: Retain the existing Open Space or Conservation zoning, remove /demolish the housing, and allow or assist the housing sites to revert to open space/ conservation values over time. Address the loss of social housing by developing an equivalent supply of higher quality social housing elsewhere.

PROTECTING THE CITY'S RESERVES

17. The city's reserves play a vital role in the city's quality of life. We commend Council's forward thinking in identifying new reserves in the Suburban Reserves Management Plan (April 2015) and other management plans.
18. But we also see threats to the reserves in recent and proposed legislative and regulatory changes that Government has developed to increase the supply of land for new housing developments. We urge Council to be alert to these threats.
19. We would also like to see more rapid progress on updating Chapter 18 of the District Plan (Conservation). The current Chapter 18 became operational in July 2000, more than 15 years ago. In September 2014, officers advised that they were expecting to report to TUDC on a Policy direction for the review of Chapter 18 in the 2014/15 financial year. Has this happened?

RECOMMENDATION

20. We recommend that Council postpone making a decision on the proposed rezoning of these four areas pending the preparation of a more detailed Section 32 Report and associated advice.

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