

PLAN CHANGE 81:

Rezoning 320 The
Terrace and De-listing
the Gordon Wilson Flats

Section 42A Report – Hearing of Private Plan Change request, Proposed Plan Change 81 to the Wellington City District Plan – Heritage List and Institutional Precinct

To Hearing Commissioners –
 Clr Andy Foster (Chair)
 Clr Mark Peck
 David McMahon (Independent Commissioner)

From Daniel Batley, Senior Advisor (District Plan)
 Wellington City Council

Hearing date Commencing on 15 December 2015

Subject Private Plan Change request to de-list the 'Gordon Wilson Flats' and re-zone land at 320 The Terrace from Inner Residential to Institutional Precinct (with associated additions and amendments to the District Plan Provisions).

File reference 1044-02-81

Summary of the Plan Change

Relevant District Plan	Wellington City District Plan
Plan Change Number	81
Location of Proposal	320 The Terrace, Te Aro
Parts of the District Plan affected by the Proposed Private Plan Change	Planning Maps 12, 16, 17, Institutional Precinct Chapter, Victoria University Design Guide, Heritage List
Requestor	Urban Perspectives Ltd on behalf of Victoria University Wellington
Date of Approval for Notification	5 August 2015
Closing date for submissions	25 September 2015
Closing date for further submissions	10 November 2015
Legal Effect at Original Notification	Nil – this is a Private Plan Change and it only has legal effect when made operative
Submissions (Original) Received	33
Further Submissions Received	6

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B. Transportation Review	2. Property details for 320 The Terrace	2. Site location diagram
C. Urban Design Review	3. Original Submissions	3. Proposed zoning amendment
D. Noise/Demolition Management Plan Review	4. Further Submissions	4. Contour Map
E. Heritage Review	5. Other specific matters raised in submissions	5. View of escarpment
F. Proposed Planning Maps	6. Rules/Standards comparison	6. View of Gordon Wilson Flats from The Terrace
G. Summary of decisions requested		7. Proximity of the subject site
H. Council Assessment of the Gordon Wilson Flats (2012)		
I. Earthquake Prone Status of the Gordon Wilson Flats		

1. Recommendations

1. Based on the information available at the time of writing, and pursuant to clause 29(4) of Part 2 of the First Schedule of the RMA, it is recommended that:
 - A. Proposed Plan Change 81 to the Wellington City District Plan **be approved subject to the recommended amendments detailed in Attachment A of this report.**
 - B. That all submissions and further submissions be accepted or rejected to the extent that they accord with the above recommendation.
2. The recommended amendments, outlined in **Attachment A**, are summarised as follows:
 - Remove preclusion of notification on a 'limited basis' under Rule 9.3.2.
 - Include non-compliances with the height and five additional building standards (in proposed 'Appendix 4' under Rule 9.1.1.1) as part of Rule 9.3.1.
 - Amend proposed building standard 5 (in proposed 'Appendix 4' under Rule 9.1.1.1) so it applies to any building on the site.
 - Do not include Massing guideline (G11) in the Victoria University Design Guide.
 - Add a new guideline under Open Space and Landscape on 320 The Terrace to read: Minimise encroachment by buildings into the area of vegetated escarpment visible from Ghuznee Street.
 - Include 320 The Terrace as an exception under Rule 9.2.1.

2. Decision-making considerations

3. The Hearing Commissioners have been delegated the responsibility to hear and make a recommendation to the Council on the Private Plan Change request, Plan Change 81 (**Plan Change**) pursuant to section 34 of the Resource Management Act 1991 (**RMA or the 'Act'**). Therefore, the Commissioners will be recommending a decision to the governing body of Wellington City Council.

3. Introduction

3.1 Proposed Plan Change 81

4. Proposed Plan Change 81 (the **Plan Change** or **PC81**) is a private plan change request by Urban Perspectives Ltd on behalf of Victoria University Wellington (the **Requestor** or **VUW**). The Plan Change seeks to:
 - Re-zone the land at 320 The Terrace (**subject site**) from Inner Residential Area to Institutional Precinct.
 - Amend the provisions of the Institutional Precinct as they relate to this site as follows:
 - o Introduce five building standards that control height, site coverage, massing, building recession planes and side yards.
 - o Introduce a Controlled Activity for demolition.
 - o Introduce a Restricted Discretionary Activity for any building development.
 - o Amend the Victoria University Design Guide to include specific guidance for the subject site.
 - o Amend Planning Maps 12, 16 and 17.
 - Remove the Gordon Wilson Flats (**GWF** - currently situated on the subject site) from the District Plan's heritage list.

3.2 Purpose of this report

5. The purpose of this Section 42A (RMA) report is to consider a request to the Wellington City District Plan (**District Plan** or **the Plan**) and the submissions received in support and opposition to the request. A summary of the decisions sought by submitters is annexed as **Attachment G**.
6. Schedule 1 of the RMA sets out the process for the consideration of a Private Plan Change. The Plan Change was considered by the Wellington City Council's (**WCC**) Transport and Urban Development Committee (**TUD**) on 5 August 2015. This committee has the relevant delegation to consider private plan change requests. Pursuant to Clause 25 of the First Schedule of the RMA the committee agreed to 'accept' the Plan Change for processing. By accepting the Plan Change, the Council did not adopt the Plan Change as its own proposed Plan Change. It has therefore remained as a Private Plan Change request.
7. When making a request under Clause 21 of the First Schedule (Part 1), Clause 22 of the First Schedule sets out the requirements and process to be followed. In addition to this, Clause 29 (First Schedule - Part 2) specifies that the process (as it relates to Council Plan Changes) shall directly apply to a Private Plan Change. Relevant to this hearing are the following sub-clauses:
 - (3) *The person who made the request has a right to appear before the local authority under clause 8B (the hearing).*
 - (4) *After considering a plan or change, undertaking a further evaluation of the plan or change in accordance with Section 32AA and having particular regard to that evaluation, the local authority—*
 - (a) *may decline, approve, approve with modifications the plan change; and*
 - (b) *must give reasons for its decision.*
8. This report provides a recommendation under Clause 29(4) by way of a review of the material submitted in support of the Plan Change request. Accordingly, the purpose of this hearing is to consider both the merits of the Plan Change and the submissions received.

3.3 Report Methodology

9. An assessment of the Plan Change, and the decisions requested in the submissions and further submissions has been undertaken. If the descriptions or assessments provided on various aspects of the Plan Change are agreed, this report confirms agreement with these aspects. Where there are differences in opinion, matters are considered to need more assessment, or where there are omissions or inaccuracies, the report will focus on these matters. Furthermore, as provided for by Section 42A(1B)(b), where there is agreement with the Requestor's analysis and conclusions, that part of the request will be adopted.
10. To support this report, technical reports have been prepared by relevant Council staff.

Table 1: Council technical statements

Attachment	Document	Author
B	Transport Review	Soon Teck Kong, Manager (Transport Network)
C	Urban Design Review	Lucie Desrosiers, Senior Spatial Planning Advisor (District Plan)
D	Noise/Demolition Management Plan Review	Matthew Borich, Manager (Compliance & Advice)
E	Heritage Review	Vivien Rickard, Consultant Heritage Advisor

3.4 Information to support the plan change request

11. The Requestor has provided a collection of information to support the Plan Change. This is currently available on the Council website¹ and parties notified of the Plan Change were advised of where to find it.
12. While the Plan Change has been limited to the 'de-listing' of GWF and the rezoning of the subject site, VUW's stated purpose is to 'future proof' the site to facilitate the redevelopment of this particular landholding. Section 1.3 of the Plan Change states:

In 2012 Victoria University was approached by the then owners [Housing New Zealand] of the site, who wished to sell the property.

From Victoria University's perspective, the offer of the property was a unique opportunity principally because:

- *The property adjoins the Kelburn Campus and adjoins The Terrace. It thus provides an attractive opportunity to enhance connection of the existing Campus to The Terrace, to Te Aro and the wider Central Area.*
 - *The site presents a long term Campus expansion opportunity.*
 - *The site has a good 'fit' with Victoria University's Strategic Plan and its goal of strategic growth and expansion.*
 - *Such opportunities are rarely offered to the University.*
13. No specific development proposals have been included in the information supplied to support the Plan Change. As a result there is no certainty as to how the site will be developed in the future. The only commentary provided by the Requestor on the future use of the site is to say that the rezoning and accompanying de-listing will enable the site to be developed for university purposes. For these reasons, it is reasonable for this report to 'test' the proposed re-zoning in the context of the potential development scenarios enabled by this request.
 14. To understand how the site could be developed, it is important to note that the proposed change in zone (from Inner Residential Area to Institutional Precinct) will enable future development of the subject site for university purposes.

4. Site and Environs

4.1 Property details

15. The Plan Change relates to the subject site as described in the table below:

Table 2: Property details for 320 The Terrace

Address	320 The Terrace, Te Aro
Legal Description	Lot 1 Deposited Plan 363050
Owner	Victoria University of Wellington
Site area	7139m ²

¹ <http://wellington.govt.nz/your-council/plans-policies-and-bylaws/district-plan/plan-changes-and-variations/active/change-81-rezoning-of-320-the-terrace>

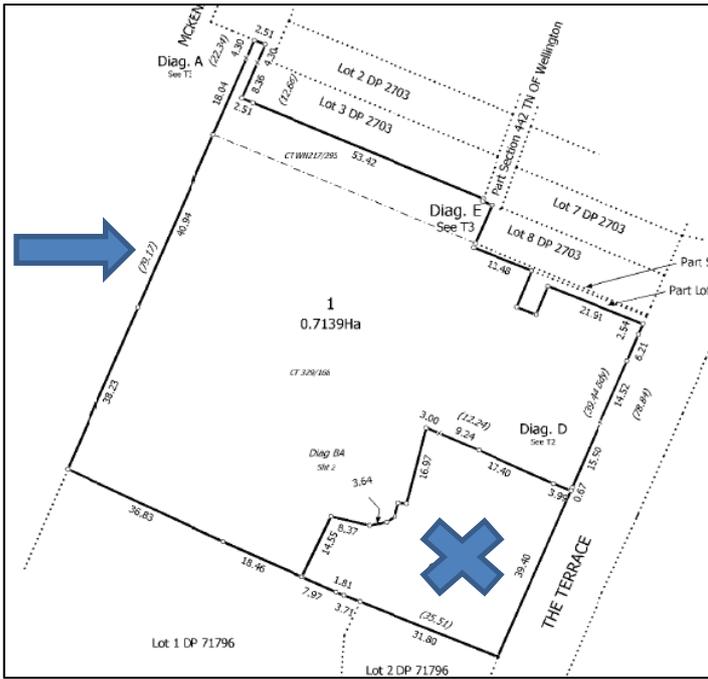


Figure 1: Site configuration

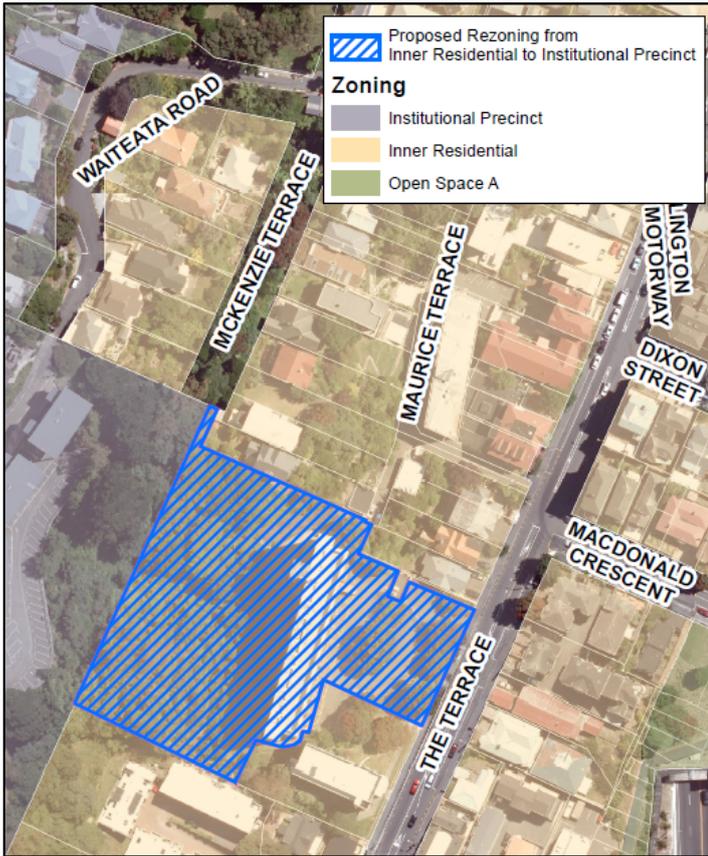


Figure 2: Site location diagram

16. As detailed in the request, the zoning change proposed to the District Plan is to amend Planning Maps 12, 16, 17 as shown on the maps annexed in **Attachment F**. The following figure highlights the map amendments.

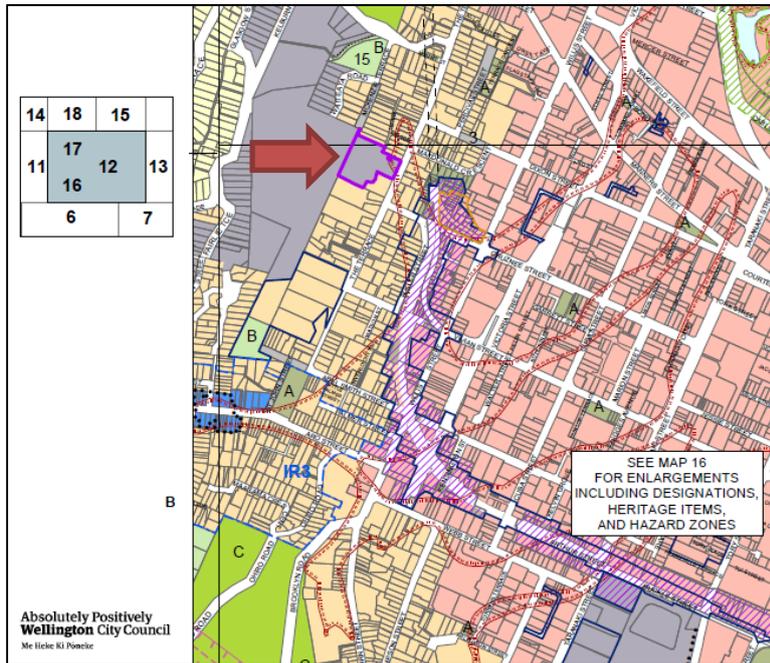


Figure 3: Proposed zoning amendment

4.2 The site and context

17. The subject site is a street fronting allotment held in a fee simple title with a variety of interests recorded on the certificate of title. These interests are not considered relevant to this Plan Change. Of particular note however is a right of way easement across the front of the subject site for access and infrastructure connections to the adjoining site at 314-318 The Terrace (McLean Flats). A further easement is registered in the northern-most corner of the subject site which is subject to a right to way to maintain underground cables².
18. The subject site's topography contains a variety of different levels rising up from the street frontage. There are two distinct platforms, the first being a lower platform at the street edge and a second slightly raised above the first where the existing building (GWF) is situated. Beyond this point the topography of the site rises quite steeply as part of a wider escarpment landscape. The escarpment forms an important part of the urban form of Wellington's central business district (**CBD**) where extensive views can be obtained from numerous vantage points around the city.

² See Certificate of Title and Title Plans included as Appendix 1 of the Plan Change request.

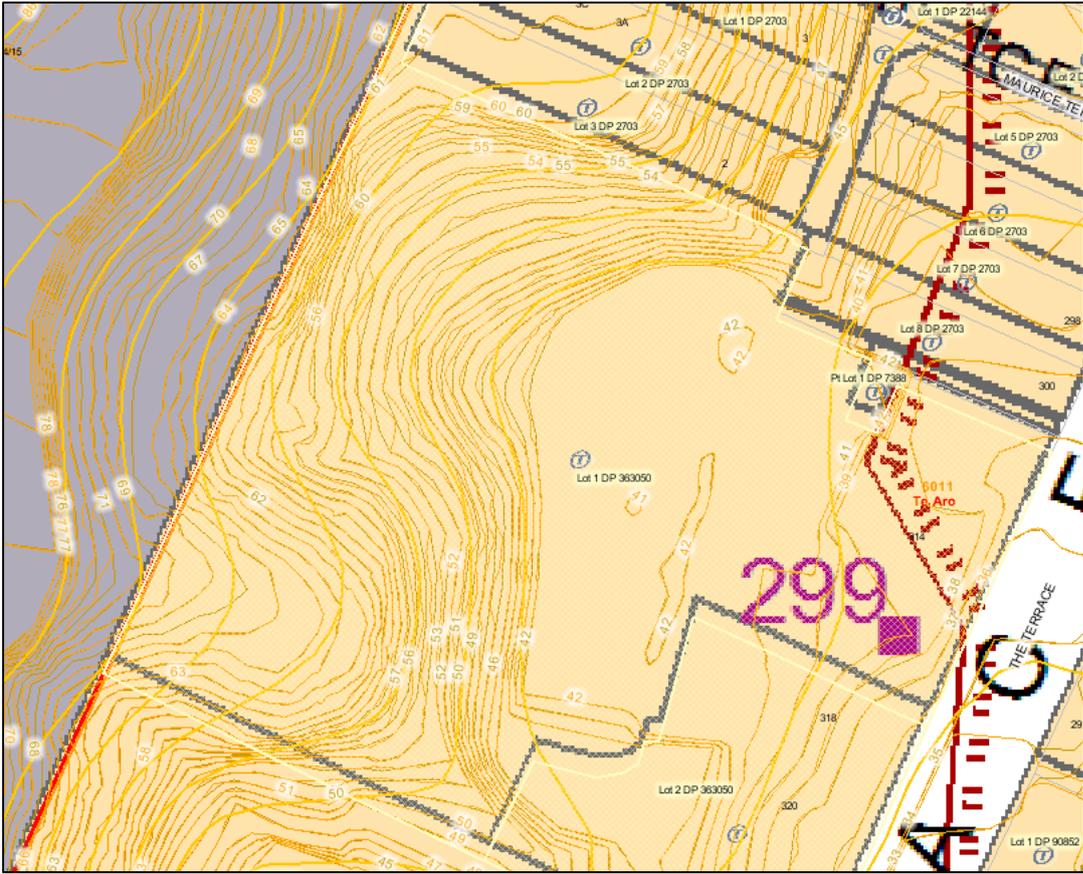


Figure 4: Contour map of subject site



Figure 5: View of escarpment behind existing buildings on subject site

19. The Terrace is classified as a Principal Road in the hierarchy of roads for the central area in the District Plan. The subject site is connected to city mains infrastructure (wastewater, water, and sewer).
20. Also of particular interest is an archaeological significance reference attached to the subject site. This reference recognises the majority of the central area as a pre-1900s settlement. Any archaeological

matters are considered as more appropriately dealt with at the resource and building consent stages of future development on the subject site. Archaeological consents are issued by Heritage New Zealand.

21. The subject site currently contains the GWF. This is listed in the District Plan as a heritage building (ref. 299). The building however does not feature on any other heritage lists or schedules such as those administered by Heritage New Zealand. The GWF building has also been described as an example of a post-war modernist social housing complex constructed as part of a government scheme in the 1950s. Most recently the building was owned by Housing New Zealand and occupied by its tenants up until 2012.



Figure 6: View of GWF from The Terrace

22. The building itself is situated at a slightly oblique angle to The Terrace and sits on the upper level of the site facing the street. Between the building and the street frontage is a car parking area surrounded by low level landscaping/vegetation. To the rear of the building is a further paved area followed by the 'foot' of a well vegetated escarpment which rises steeply to the rear boundary of the subject site and beyond to the wider VUW Kelburn campus at the top of the escarpment.
23. The GWF building itself is in a poor state of repair. A number of the building's steel features have corroded and in most instances the wooden elements are in generally poor condition and are rotting. As a result the building is considered unsafe as a number of its structural elements could fail at any time. More specifically, the GWF building was vacated in 2012 due to safety concerns with the building's structural integrity. Since then (earlier this year), the Council has listed the building as being earthquake prone³.
24. Land surrounding the subject site is zoned Inner Residential Area. This area is made up of a variety of housing typologies forming a medium density residential environment on the adjacent boundaries. Building heights in this context have been largely informed and defined by the Inner Residential 10 metre height limit. Buildings are predominantly located at the street frontage and contain low levels of private open space.

³ See Attachment I – Email regarding Earthquake Prone Status of GWF

25. Other activities in the area include the wider VUW Kelburn campus which is situated on top of the escarpment at the rear of the subject site. Te Aro School is located further south from the subject site along The Terrace. The Hotel Mercure Wellington is located across the Street from Te Aro School, also on The Terrace.
26. The subject site is also in close proximity to the CBD fringe which can be accessed from the subject site via Ghuznee Street or MacDonald Crescent.

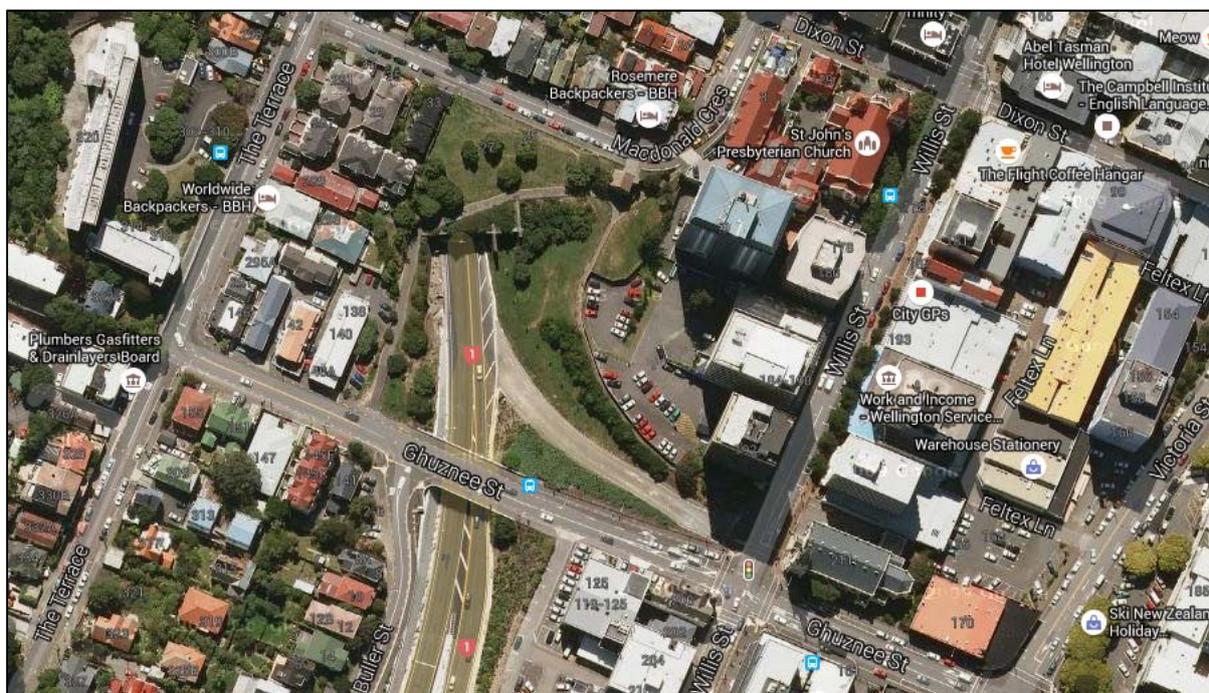


Figure 7: CBD proximity of the subject site

5. Submissions

5.1 Submissions Summary

27. Thirty three submissions, and six further submissions, were received during the notification period as set out in the following tables. Copies of all submissions and further submissions can be found at the Council's website⁴.

Table 3: Original Submissions

Sub No.	Submitter	Submitter Address	Support/Oppose
1	Anka Kuepper	107 Elizabeth Street, Mount Victoria, Wgtn	Support rezoning
2	Anna Ronberg	346 The Terrace, Te Aro, Wgtn	Conditional support
3	The Architectural Centre	C/- Christine McCarthy	Oppose in full
4	Avril Miles	344A The Terrace, Te Aro, Wgtn	Oppose in full
5	Cara Francesco	3/25 Brentwood Avenue, Mount Eden, Akl	Oppose in full
6	Craig Relph	152 Taranaki Street, Te Aro, Wgtn	Oppose in full

⁴ See <http://wellington.govt.nz/your-council/plans-policies-and-bylaws/district-plan/plan-changes-and-variations/active/change-81-rezoning-of-320-the-terrace>

7	Dorothea & Yves-Louis Sage	13 Waiteata Road, Kelburn, Wgtn	Conditional support for rezoning
8	Dan Stenton	192C The Terrace, Te Aro, Wgtn	Oppose in full
9	Dartrey & Ann Marie Lamb	36 Buller Street, Te Aro, Wgtn	Oppose rezoning
10	Denise Stephens	1/326 The Terrace, Te Aro, Wgtn	Support de-listing, oppose rezoning
11	Dennis Walton	1 Rawhiti Terrace, Kelburn, Wgtn	Oppose rezoning
12	Heritage NZ	C/- Jillian Kennemore	Neutral
13	Iain Southall	71 Todman Street, Brooklyn, Wgtn	Support in full
14	Anonymous	nil	Oppose in full
15	Terry & Jenny Cosgrove	145 Dixon Street, Te Aro, Wgtn	Oppose in full
16	John Blincoe & Wendy Walker	76B Salamanca Road, Kelburn, Wgtn	Oppose rezoning
17	John Jenner	5/227 The Terrace, Te Aron, Wgtn	Oppose rezoning
18	John Miller	101 Salamanca Road, Kelburn, Wgtn	Oppose rezoning
19	Docomomo NZ	C/- Julia Gatley	Oppose de-listing
20	Kenneth & Lynda Bowater	19A Everton Terrace, Kelburn, Wgtn	Conditional support for de-listing
21	Kenneth Davis	Suite B, Alison Building, 3 Devon Lane, Devonport, Akl	Oppose de-listing, conditional support for rezoning
22	Ken Mitchell	9/324 The Terrace, Te Aro, Wgtn	Conditional support
23	Kevin Melville	139 Waterloo Road, Hutt Central, Lower Hutt	Support
24	Living Streets Aotearoa	C/- Paula Warren	Did not state
25	Mana Newtown	C/- Josh Hutcheson	Oppose
26	Dr Ben Schrader, Michael Kelly, Chris Cochran	C/- Dr Ben Schrader, 41 Northland Road, Northland, Wgtn	Oppose
27	Nicola & Norbert Koptisch	236 The Terrace, Te Aro Wgtn	Oppose rezoning
28	Patricia Gruschow	321A The Terrace, Te Aro, Wgtn	Oppose
29	Paul Lee	53 Mulgrave Street, Thordon, Wgtn	Did not state
30	Roland Sapsford	23 Epuni Street, Te Aro, Wgtn	Support in part, oppose in part
31	Sarah Wilcox	15 St Michaels Crescent, Kelburn, Wgtn	Oppose
32	William Aitken	Po Box 36, Paekakariki	Oppose
33	Fernhill Body Corporate	C/- Geraldine Ryan, 3/324 The Terrace, Te Aro, Wgtn	Support de-listing, oppose in part rezoning

Table 4: Further Submissions

Further Sub No.	Submitter	Submitter Address	Support/Oppose
1	Cara Francesco	3/25 Brentwood Avenue, Mount Eden, Akl	Support S26
2	Cara Francesco	3/25 Brentwood Avenue, Mount Eden, Akl	Support S12
3	Cara Francesco	3/25 Brentwood Avenue, Mount Eden, Akl	Support S19
4	Cara Francesco	3/25 Brentwood Avenue, Mount Eden, Akl	Support S21
5	Cara Francesco	3/25 Brentwood Avenue, Mount Eden, Akl	Oppose S10
6	Cara Francesco	3/25 Brentwood Avenue, Mount Eden, Akl	Support S06

5.2 Framework for analysis

28. The submissions received raise a number of consistent 'themes' across the breadth of the submissions. Therefore, the submissions will be considered on a 'theme by theme' basis as follows:
- Housing Supply
 - Student Accommodation, Compliance, Noise
 - Heritage Significance
 - Design/Amenity

- Future Site Development
- Other Specific Matters
- Notification
- Connection and access

5.3 Submission Themes

29. The analyses provided in Sections 8, 9 and 10 of this report are considered to be relevant to the consideration of the submissions. Therefore, I do not intend to repeat these analyses in this section.

Housing Supply

Submissions
S03, S10, S25, S27

30. **Summary of Submissions:** The submissions are concerned with the impact of removing the GWF from Wellington’s housing landscape. The submissions state that there is housing shortage across the City. Removing the GWF is considered contrary to the Council’s strategies that seek to increase housing supply in the City.
31. The submissions consider Wellington to be well-known for its ‘good’ homes in close proximity to the City. The GWF can positively contribute to this and provide a housing option in close proximity to the central city area. Furthermore, it is considered that promoting additional housing on the fringe of the central area will have positive effects on public transport.
32. The submitters seek the following specific decisions for the Plan Change:
- The building should be upgraded and maintained for residential purposes.
 - If VUW are not willing to upgrade the building then it should be sold to someone who is willing to do so.
 - That the Plan Change be declined.
 - That the Inner Residential Area zone be retained.
 - That the subject site be offered for sale for a hotel or upmarket housing.

Heritage significance

Submissions	
In Opposition	S03, S05, S06, S19, S21, S26, S30, FS01, FS02, FS03, FS04, FS05, FS06
In Support	S02, S10, S13, S20, S22, S23, S33
Neutral	S12

33. **Summary of submissions against:** The majority of the above submissions are in opposition to the Plan Change and consider the heritage significance of the building to be understated in the Plan Change documentation.
34. Many submissions are concerned with the lack of attention given to the historic significance and rarity of the building and underappreciation for the modernist architecture example the GWF represents. The GWF is considered to be an important part of Wellington’s history. The building represents a rare building type and has a strong link to an important government housing scheme and an important New Zealand architect. More specifically, GWF is an important example of a post World War 2 social housing complex.

35. The heritage assessment is also considered to be based on insufficient information with regard to the technical and scientific significance of the building. The functional significance of the building is also considered to be higher than reported. Furthermore, the assessment is considered to be descriptive and not evidence based or balanced.
36. The heritage significance of the building is regarded to be 'considerable' and not 'moderate' as reported in the Plan Change. The building is an important heritage resource and the District Plan is the appropriate tool to protect this. It is considered that the overall value of the building will only increase over time as the historic importance of it increases.
37. The submitters also raise concern with the reasons presented in the Plan Change in support of de-listing the GWF. It is considered that the building being in a state of disrepair is not enough justification for its removal from the heritage list. The submissions highlight that VUW purchased the building knowing its condition and therefore knew the situation they were entering into with regard to the heritage status of the building. The condition of the building is considered to be due to neglect, and neglect should not be rewarded, particularly not in this case. Furthermore, the Plan Change makes reference to VUW's Strategic Plan in support of de-listing the building. The submissions consider this to be irrelevant to the consideration of the appropriateness of de-listing the GWF.
38. Further questions are raised with regard to the structural assessment of the building and the options presented to retrofit the building. The submitters consider that it should be 'exceptional' circumstances that lead to the de-listing of a building and not the convenience of business. The Plan Change outlines that retaining and redesigning the building would adversely affect its heritage status, which is also refuted by the submissions. This comes down to design techniques and the replication of proportions and not necessarily existing fabrics. Ultimately the submissions disagree with the conclusion of the Plan Change that the building is appropriate to be de-listed and that it should be retained and restored to a suitable standard. The Plan Change is incorrectly focused on the aesthetic qualities of the building instead of its overall importance. More specifically, the submissions consider the heritage and social values of the building as being more important than its physical fabric.
39. The submissions also consider the GWF to be an important physical and townscape feature and is considered to be a 'landmark' in Wellington due to its maisonette design style.
40. The submissions consider a Private Plan Change to be an inappropriate tool to consider the de-listing of the building. The heritage provisions of the Plan have been developed to manage heritage resources and therefore removing the building should be dealt with through a resource consent process under these provisions. The RMA is considered to also provide a framework for the management of historic heritage and the assessment in the Plan Change is considered not to align with this framework.
41. Furthermore, the District Plan has been recently reviewed with regard to the heritage list and the building has not been removed from the list as a result. There is a concern that by allowing this request, a precedent will be set for the removal of heritage buildings. This precedent is considered to essentially reward inadequate maintenance of a heritage building
42. The submissions question whether the current condition of the GWF is a sufficient reason to warrant its de-listing. Therefore, the best option is considered to be the redevelopment of the site.
43. Questions are also raised in regard to the earthquake prone status of the building. The potential for the site to be repurposed for teaching or other university activities is also raised.
44. Other views support the rezoning of the land provided the building is retained. These submissions also consider the remainder of the site as acceptable for development. It is also recognised that the building does not feature on Heritage New Zealand's (**HNZ**) schedule of buildings. However, the

position put forward by HNZ is considered to be insufficient and not providing any useful commentary on the suitability of this request.

45. The submitters seek the following specific decisions for the Plan Change:
- That options for refurbishment and re-use be considered.
 - That the Plan Change be declined and the building retained on Council's heritage list.
 - That Heritage New Zealand be used to inform the decision.
 - That the Inner Residential Area zone be retained.
 - That the Plan Change be approved.

Future site development

Submissions

S10, S21, S25, S30

46. **Summary of submissions:** The submissions consider the future development of the subject site and recognise that there is no pressing need for this to occur. The lack of a development proposal is not reassuring. The submitters consider that the Plan Change does not appropriately address potential concerns with redevelopment.
47. The submissions consider it necessary that the site be landscaped and appropriately fenced. Also, that public access to the site be restricted outside of normal business hours. It is also considered that the balance of the site could be developed.
48. The submitters seek the following decisions for the Plan Change:
- That the Inner Residential Area zone be retained.
 - That the rezoning be approved if the GWF is re-used.
 - That the Plan Change be approved.
 - That the Plan Change be declined.

Student accommodation, compliance, noise

Submissions

S02, S04, S06, S08, S09, S11, S14, S15, S16, S17, S18, S20, S27, S31, S32, S33
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49. **Summary of submissions:** The majority of submissions oppose the Plan Change in so far as it would further facilitate student accommodation on the subject site. As a result, the submissions consider the Plan Change to disregard community concerns with development on the subject site. The submissions raise a number of specific issues with the possibility of student accommodation occurring on the subject site. These include:
- The noise and anti-social (criminal) behaviour generated by students, in particular when they consume alcohol.
 - The rubbish generated by students.
 - The level of alcohol consumed by students and the associated effects of this.
 - The inability of the university, police and Council to control unruly students and mitigate the associated adverse effects of student behaviour.
 - Using the site for student accommodation purposes is considered to be an inefficient use of the site.
50. The submitters seek the following decisions for the Plan Change:
- That student accommodation be prohibited on the site.

- That the Plan Change be declined.
- That alternative uses for the site be explored.
- That the Inner Residential Area zone be retained on the subject site.
- That there be no public access to the site 'after hours'.
- That student accommodation be encouraged in other parts of the City.
- That surrounding residents are not excluded from being affected parties in regard to future development.
- The site be developed for housing that is on-sold on the market.
- That the noise limits for the site be the same as for the Inner Residential Area.

Connection and access

Submissions
S01, S09, S20, S21, S24, S29

51. **Summary of submissions:** The submissions are generally in support of the Plan Change with regard to this issue. The subject site provides a direct gateway and connection to the main university campus. This is considered an important consideration for future development with regard to pedestrian access ways and crossings.
52. There are some concerns raised over site access, parking and servicing for future development. Submissions are also concerned with pedestrian access in the area and the effect of increased vehicle pressure that may be generated by development of the site.
53. The submitters seek the following decisions for the Plan Change:
- That the Inner Residential Area zone be retained.
 - That the subject site be rezoned.
 - That there be no public access 'after hours'.
 - That pedestrian access to the VUW be provided.
 - That pedestrian and traffic management plans be created.

Notification

Submissions
S04, S08, S09, S11, S20, S24, S27, S28, S30, S33

54. **Summary of submissions:** The majority of submissions are in opposition to the Plan Change based on concerns that the Plan Change will result in the development occurring on the subject site on a non-notified basis. A non-notification approach is proposed for both the demolition of the GWF and also any subsequent development on the subject site.
55. The submissions consider the subject site is significant and visible from many parts of the central city area. Therefore, the Council should retain the ability to publicly notify any future development proposal for the subject site. Furthermore, the rezoning allows for a greater level of development and therefore has a range of potential effects which reinforces maintaining these rights.
56. The submissions outlined under the theme of 'student accommodation' also apply to this theme.
57. The submitters seek the following decisions for the Plan Change:
- That the Plan Change be declined.

- That the ability to publicly notify a development proposal be retained.

Design, Character and Amenity

Submissions
S04, S07, S10, S15, S16, S22, S24, S25, S33

58. **Summary of submissions:** The above submissions are concerned with the potential design and amenity outcomes for the site in the future. The submissions are influenced by current VUW designs as a precedent for development on the subject site. The development standards proposed for the site need to be adhered to and the bush areas retained. Concern is also raised with the proposed building standards, in particular the proposed height limit and the impact of future development on adjoining properties, including building bulk and shadowing. The importance of the site is considered to warrant future development to be subject to an Unrestricted Discretionary Activity status.
59. The submitters seek the following decisions for the Plan Change:
- That the Plan Change responds to, and is mindful of adjoining residents.
 - That the Plan Change provides comprehensive control on future development.
 - That a 15 metre 'yard' be required on side boundaries.
 - That the Plan Change be declined.

60. **Other Specific Matters raised in submissions**

Table 5: Other specific matters raised in submissions

Submissions	Specific Matters Raised
S08	Only seeks to retain the Inner Residential Area zoning of the subject site.
S13	Only indicates support for the Plan Change.
S20	Also, raises concern that the Kelburn Park Group was not notified.
S22	Also requests that the public be made aware of any asbestos removal from the subject site.
S23	Only indicates support for the Plan Change
S25	States that the university should expand into existing commercial buildings in other parts of the city.
S28	Only indicates opposition to the Plan Change.
S30	Seeks a more considered review of the District Plan.

6. Statutory Requirements

61. In making a decision on this private plan change, the requirements of section 74 of the Act apply and these are the same as for a Council initiated plan change. Under section 74(1) the District Plan must be changed in accordance with:
- The Council's functions under section 31.
 - The provisions of Part 2.
 - The Council's duty under section 32.
62. Under section 75(3) the plan change must give effect to any regional policy statement. Section 31 sets out the functions of the Council under the Act. Those relevant being:
- a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:

- (b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—
- (i) the avoidance or mitigation of natural hazards; and
 - (ii) the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances; and
 - (iii) the maintenance of indigenous biological diversity:
63. In addition, section 31(2) provides that the methods used to carry out any functions under subsection (1) may include the control of subdivision. Under 32(2) the Council is required to make a further evaluation before making a decision on the Plan Change.
64. The plan change must also be in accordance with the purpose and principles of the Act under Part 2, including section 5, which is the promotion of the sustainable management of the natural and physical resources of the City. In addition, the Council must recognise and provide for any relevant matters of “National Importance” under section 6, have particular regard to the “Other Matters” in section 7, and take into account the principles of the Treaty of Waitangi (section 8).
65. In order to meet the requirement of section 74(1) it is necessary to examine:
- The extent to which the plan change is consistent with the District Plan;
 - The submissions and further submissions received; and
 - How the plan change deals with any adverse effects on the environment.
66. In making a decision on a proposed plan change the Council “shall give its decisions, which shall include the reasons for accepting or rejecting any submissions (grouped by subject matter or individually)”. The Council can make changes to the proposed plan change as a result of matters arising out of submissions [clause 10, First Schedule].
67. The Wellington City District Plan has been developed as the Council’s primary means of carrying out its function under section 31 of the Act. The Plan Change is essentially to replace the current district plan provisions applying to subject site (Inner Residential Area) by applying the objectives, policies and rules for the Institutional Precinct. It is important to note that the provisions of the Institutional Precinct have already been through a comprehensive process associated with the finalisation of the current District Plan.

7. Relevant Plan Provisions

7.1 Inner Residential Area

68. The land subject to this Plan Change is currently zoned Inner Residential Area. The objectives and policies for Residential Areas place emphasis on a number of important matters within the residential environment. Of particular note in this context is a focus on enhancing the City’s natural containment, accessibility and residential amenity by promoting the efficient use and development of natural and physical resources in Residential Areas. Essentially, the policy focus for these areas is centred around maintaining the character of the older (original) suburbs close to the Central City Area.
69. Attention is also placed on providing for residential growth by encouraging suitable intensification of housing in appropriate areas and on maintaining and enhancing the character and amenity of existing residential environments. The District Plan also provides for certain non-residential activities so long as the amenity of the area is maintained and enhanced, and any adverse effects are appropriately avoided, remedied or mitigated.

70. The specific objectives and policies of the Inner Residential Area seek to enable intensification in appropriate locations provided it does not detract from the character and amenity of the surrounding neighbourhood. The overall aim is to direct development to areas where the environment is able to sustain residential intensification. Imposing controls to protect the external environment of a site whilst achieving a reasonable level of amenity for intensified residential development is also a key focus.

7.2 Residential zone activities

71. The first table in Chapter 5 of the District Plan lists the activities provided for in residential zones. In the Inner Residential Area, residential activities and buildings are a permitted activity subject to compliance with development control rules and standards.
72. A limited amount of non-residential activities are provided in the Inner Residential Area. Currently, no non-residential activities are provided for on the subject site as a permitted activity. Instead, any non-residential activities are provided for under Rule 5.4.1 as an Unrestricted Discretionary Activity.

7.3 Residential zone standards

73. Residential development standards are set out in Section 5.6 of the District Plan. These include controls on noise, vehicle parking and access, open space, and building bulk and location, amongst others. Table 6 of this report compares the existing Residential Area and Institutional Precinct rules (as proposed for the subject site). Suffice to note at this point, the Institutional Precinct, as would be expected, provides for a greater spectrum of building development than the Inner Residential Area.
74. In addition to the zone objectives, policies, rules and standards, other provisions found throughout the District Plan also apply. Examples of these include:
- Section 20 – Heritage: Introduction, Objectives and Policies
 - Section 21 – Heritage Rules
 - Section 29 – Earthworks: Introduction, Objectives and Policies
 - Section 30 – Earthworks Rules

7.4 Residential Design Guide

75. The residential design guide provides design assessment criteria for developments in a residential area that is subject to a resource consent process. The guide applies to a range of different development scenarios as set out by the residential rules. These include some small scale infill and all multi-unit developments.
76. The intention of the guide is to facilitate good design outcomes in new residential development. Specific objectives and guidelines promote development that responds to its surrounding environment, local context and the people who live in it. Key areas of focus in the design guide include character, site planning, building design and open space design.

7.5 Institution Precinct Objectives and Policies

77. The Institutional Precinct places emphasis on provision for institutional activities and the development of land in a manner that ensures the quality of the environment is maintained to an acceptable level, and enhanced where appropriate.
78. VUW, Massey University and Wellington Hospital are considered the three major institutions in areas close to the Central Area. The Institutional Precinct provides specific management provisions for these (and other more minor) institutions. These institutions are considered to make an important contribution to the cultural and economic welfare of the city and its health services.

79. The objectives and policies in this section of the Plan seek to allow the ongoing use and development of institutional land. The provisions provide for the efficient and effective development of institutional land and permit the development of these precincts for their primary purposes. Also important is the maintenance and enhancement of amenity and character values within precincts and nearby residential areas. A crucial method identified to achieve this is to control the design and appearance of all new building work. Also of importance is provision to protect pedestrian safety, improve access and promote the development of a safe and healthy city.

7.6 Institutional Precinct rules/activities

80. Chapter 9 (of the District Plan) lists the activities provided for in Institutional Precincts. The provisions allow for a wide range of activities, provided they are related to the primary function of the precinct, as permitted activities. Any activity at the permitted level is subject to the permitted activity conditions that address building height, noise, dust and lighting, amongst others. Activities in breach of one (or more) of these conditions are then treated as a Restricted Discretionary Activity with respect to the condition that is breached.
81. The construction of any new building, or any alteration or addition to an existing building, is provided for as a Controlled Activity in respect of design, external appearance, siting, verandahs, vehicle parking and site access.
82. Significant to this Plan Change is that if rezoned, all building development on the subject site would be subject to a new rule (proposed Rule 9.3.2) which lists any development on 320 The Terrace as a Restricted Discretionary Activity. Discretion under this rule is limited to design, external appearance and siting; site landscaping; and, vehicle parking, servicing and site access. This rule is proposed to be considered on a non-notified basis and is subject to consideration against the provisions of the Victoria University Design Guide.
83. Also significant to this Plan Change is that if the GWF is de-listed, the demolition of this building would be subject to the provisions in a further new rule (proposed Rule 9.2.3) which lists the demolition of the GWF as a Controlled Activity. Any demolition is to be carried out in accordance with an approved demolition management plan (**DMP**). The matters for control (under this consent) are limited to noise and amenity effects; the method, duration, timing, and hours of operation of demolition. A record of the building and its heritage values is also required prior to its demolition.
84. A further amendment proposed to the Institutional Precinct rules is the inclusion of an additional 'appendix' (containing development standards specific to the subject site) in Rule 9.1.1. These standards prescribe the parameters for development including maximum height and recession planes, site coverage, side yards and building bulk.
85. The Plan does currently not provide a clear 'pathway' for a non-compliance with the Permitted Activity condition for height. As a result, any height non-compliance would require a Non-Complying Activity resource consent as there is no specific provision for a non-compliance of this kind within the Institutional Precinct chapter.
86. In my view, this is a drafting error as no other parts of the Plan treat building height non-compliances as a Non-complying activity by default. For example, in Residential, Centres and Business Areas provision is made for a non-compliance to be treated as a Restricted Discretionary Activity. Furthermore, in my opinion the effects of a height non-compliance would be commensurate with those of a noise non-compliance (which is also treated as a Restricted Discretionary Activity) in the Institutional Precinct.
87. The Plan Change would exacerbate this issue as it has proposed to introduce five additional Permitted Activity conditions under Rule 9.1.1.1 by way of proposed 'Appendix 4' in this rule. Based on this assessment, and the fact that the Requestor has not proposed any changes to Rule 9.3.1

(Discretionary Activities (Restricted)), these inclusions would also 'end up' as Non-complying Activities.

88. It is therefore recommended that a further amendment⁵ is considered necessary to resolve this anomaly. The essence of this amendment is to amend Rule 9.3.1 Discretionary Activities (Restricted) to include non-compliances with height and the other conditions included in proposed Appendix 4 under Rule 9.1.1.1.

7.7 Victoria University Design Guide

89. Development on the subject site will also be subject to consideration against the Victoria University Design Guide. The introduction to the design guide outlines the importance of VUW as the regions premier tertiary institution and its striking physical presence on its site overlooking the city. Also referenced is commentary on the future of the university with regard to intensification and development of the main campus. The guide recognises VUW's location on the edge of the central city, but also its location within existing residential contexts.
90. The general intention of the guide is to allow for the essential development of VUW to occur in a well-planned and controlled manner. Specific focus is placed on recognising and respecting the environmental qualities that give the area its 'unique' character. This is reflected in the objectives, and associated guidelines, that address matters of massing, scale, skyline, views, circulation and elevational modelling.
91. The guide also recognises that the potential development scenarios to be considered can vary from site to site. For this reason, guidelines have been developed to specifically relate to the different parts of VUW's landholdings. The area subject to this Plan Change is 'Area 1 – Kelburn Parade East'. The guidelines relevant to this area are intended to give a degree of certainty as to the form of appropriate development and also allow for freedom in design. The approach to achieve this is to impose the lowest level of control necessary to achieve the objectives and guidelines and promote development that is responsive to the needs of VUW and the wider community.
92. The amendments proposed in the Plan Change seek to include the subject site in the 'Kelburn Parade East' section of the guide and set the context for the site with regard to the wider element of this area. More specifically the amendments recognise the subject site as providing key design opportunities for expansion of the university and to create a secondary 'front door' and better connection between the campus, city centre and Te Aro.

8. Analysis of Submissions and Issues

8.1 Introduction

93. An assessment of actual and potential effects on the environment (**AEE**) is included as Section 4 of the Plan Change request. This identifies and evaluates the following actual and potential effects associated with the Plan Change request:
- Heritage
 - University campus development
 - Streetscape and on-site design quality

⁵ See Attachment A – Recommended amendments to the proposed Plan Change provisions

- Transportation
- Residential activity area
- Demolition
- Reverse sensitivity
- Site stability and earthworks

94. The approach taken by the Requestor is to use a Restricted Discretionary Activity status as the means to assess the effects of university related activities on the environment. As stated earlier, this approach is considered appropriate in this case. However in addition, there are other matters relevant to the Plan Change that have not been considered above.

- Permitted baseline
- Cumulative effects
- Economic and social effects
- Pedestrian safety and convenience
- Natural environment and urban form

95. The submissions and further submissions are discussed below under the various effects of the Plan Change. Where I consider it necessary to expand on the assessment, or there are other actual and potential effects beyond those identified in the request, this is set out in the following review.

8.2 Effects

Heritage

Theme	Relief Sought	Submissions
Heritage Significance	<ul style="list-style-type: none"> - That the Plan Change be declined in its entirety. - That the de-listing be declined and the building re-used. - That the current zone be retained. - That the Plan Change be approved in its entirety. - That the de-listing be approved. - That the Heritage NZ submission inform any decision. 	S02, S03, S05, S06, S10, S12, S13 S19, S20, S21, S22, S23, S26, S30, S33, FS01, FS02, FS03, FS04, FS05, FS06

96. The submitters referred to above raise concerns with the conclusion that the GWF is of 'moderate' heritage significance meaning it is appropriate for the GWF to be removed (as outlined in the Heritage Assessment included as Appendix 3 to the Plan Change).

97. The Plan Change proposes to remove the GWF from the District Plan Heritage List. The effects assessment of the Plan Change considers the actual and potential heritage effects, as a result of the Plan Change, in regards to:

- Statutory and non-statutory plans
- Archaeological resources
- The impact of demolition and Heritage significance of the GWF
- Acknowledging the building in future development

98. **Statutory and non-statutory plans:** I agree with Mr Coop's assessment of the GWF in that it does not appear in any statutory or non-statutory plans as being of significance to Maori and as a result no effects arise.
99. **Archaeological resources:** I agree with Mr Coop's assessment that no above ground archaeological features exist on the subject site. I also acknowledge that there has been a significant level of excavation on the site as referred to by Mr Coop. However, I disagree with the conclusion that there will be no archaeological effects as a result of the Plan Change. The subject site is identified as having a 'high' rating of archaeological significance on Council's records. This rating is a reflection of a large proportion of the central city area being occupied in the pre-1900s. Therefore, the potential remains for sub-surface archaeological resources to be present on the site. Notwithstanding this, future development will be subject to a resource and building consent process whereby matters of archaeological significance can be dealt with. Therefore I do not consider the Plan Change to generate any significant effects that require particular attention as part of this process.
100. **Impact of demolition and heritage significance of the GWF:** The purpose of de-listing the GWF is to facilitate the demolition of the building to enable future development of the site. I therefore agree with Mr Coop's statement that the Plan Change will result in irreversible adverse heritage effects, if the request to de-list the GWF is successful. I also agree with his conclusion that these effects are commensurate to the overall heritage significance of the GWF building. It is therefore important to consider whether it is appropriate for these effects to occur.
101. To accurately establish the extent of these effects, the heritage significance of the building needs to be determined. This will assist in understanding the potential impact should the heritage resource be removed.
102. Mr Coop's assessment discusses the heritage significance of the GWF. His assessment refers to the extensive material included in the report compiled by Archifact Ltd (Mr Adam Wilde) in Appendix 3 of the Plan Change. This information has been provided in support of the de-listing and considers the GWF to be in a poor state of repair and the heritage significance of the building is only 'moderate'. Therefore, the overall conclusion of Mr Coop's assessment is that the building is of 'moderate' heritage significance and is appropriate for removal from the District Plan's heritage list.
103. Council's Consultant Heritage Advisor (Vivien Rickard) has reviewed the Plan Change. Ms Rickard accepts the methodology used and the conclusion reached by Mr Wilde that the GWF has a 'moderate' heritage rating. Ms Rickard also accepts and agrees with the 'moderate' rating of the GWF building. She further highlights that this was also the conclusion of a recent Council heritage assessment of the building.
104. It is also worth noting here that the result of the recent Council heritage assessment (completed in 2012)⁶ has not resulted in the removal of the building from Council's heritage list for a number of reasons. The purpose of the report was to 'check-in' on the building and determine if its heritage significance still remained. This is quite a different circumstance to considering whether or not the building is appropriate to be removed from the list which requires a greater level of information and detail (which is reflected in the Plan Change request).
105. Mr Coop concludes that a heritage building with considerable or exceptional heritage significance will not be lost as a result of the Plan Change. Based on the information presented in the request,

⁶ See Attachment H – Council Assessment of GWF (2012)

previous Council assessments⁷ and specific advice⁸ from Council's Consultant Heritage Advisor (Vivien Rickard) as part of considering this request, I accept the conclusion that the building is of 'moderate' significance.

106. The objectives and policies for the heritage section of the operative Plan provide for the demolition of a heritage building provided there is no reasonable alternative to demolition⁹. The main aspect for consideration in this provision is the word 'reasonable'. According to the Oxford Dictionary, reasonable is defined as meaning 'fair and sensible'.
107. The material included in Appendix 3 to the Plan Change considers the alternatives to removing the building. These include retrofitting the building for teaching or administrative purposes or for accommodation purposes. The conclusions of these assessments highlighted that retrofitting the building and repurposing it for university purposes would be unviable from an economic perspective.
108. The removal of the building is also not considered to set a precedent for the removal of a 'listed' building from the District Plan. A site, or building, that contains heritage significance also contains a number of unique aspects that can differ from site to site. The appropriateness therefore needs to be tested on a case by case basis specific to the situation at hand. Therefore, a precedent is not considered to arise as a result of this request (should it be successful).
109. This consideration and approach is also reinforced by the decision of the Environment Court for the Harcourts building¹⁰ which considered the appropriateness of a resource consent to demolish a heritage listed building. The determination of the case considered that the applicant had not undertaken a reasonable assessment of alternatives and therefore was declined. This reinforces the view that there is scope to remove a heritage listed building, provided an appropriate consideration of reasonable alternatives has been undertaken.
110. The building is also not listed with Heritage New Zealand. They have also stated no opposition to the request. Furthermore, other examples of this type and era of building exist in the City that are considered to have exceptional heritage significance. These examples (Dixon Street Flats and Berhampore Flats) also appear on Heritage New Zealand's schedules for protection. Other examples exist across the country which is outlined in Section 4.2 of the Plan Change request. From this it is also clear that the GWF sits on a 'lesser' scale of heritage significance compared to its counterparts in the City. Ms Rickard also considers the GWF to be of lesser significance to its counterparts¹¹. Whilst this does not provide for the demolition of the building, it does place the heritage significance of the GWF into a wider heritage context. Placement of the GWF within this context is one of the main factors considered, by the Requestor, to contribute to the 'moderate' rating of the GWF which is not refuted by the Council.
111. The Plan Change provides an opportunity to rejuvenate an otherwise dilapidated site and provide for an attractive connection between the university campus and the central city area. As stated above the proposed District Plan framework that will apply to the subject site (should the request be successful) is considered adequate to achieve appropriate outcomes.
112. Lastly, the structural integrity of the building has also been assessed as part of the request. The result of this assessment was that the building is 'earthquake prone' standard (i.e. buildings below 34% NBS

⁷ See Attachment H – Council Assessment of GWF (2012)

⁸ See Attachment E – Heritage advice on Plan Change 81

⁹ See Objective 20.2.1.1 and policy 20.2.1.2 of the operative District Plan.

¹⁰ See Env-2013-WLG-000027 Lambton Quay Properties Ltd v WCC

¹¹ See Attachment E – Heritage advice on Plan Change 81

and likely to collapse causing injury or death, or damage to any other property, during or following a moderate earthquake)¹². Following receipt of this request Council sought a 'peer' review of this assessment and has since included the building on its official earthquake prone list¹³.

113. In regards to the factors in opposition to the de-listing, retaining the building on the District Plan Heritage List would see a heritage resource protected into the future. Despite this, retaining this building includes a risk that the site will fall into a state of further disrepair should this application be unsuccessful.
114. Based on these factors, it is my opinion that the positive effects associated with removing the GWF from the Council's heritage list (thereby allowing for its subsequent demolition) outweigh the positive effects of maintaining it on the list. Furthermore, the potential negative effects are considered to raise no concerns for the reasons discussed above. Therefore, I consider the request appropriate for the following reasons:
- The heritage experts for both the Requestor and Council agree that the building is of 'moderate' significance (not considerable or exceptional). And, the methodology used to determine the significance is consistent across the various assessments.
 - Removal of the building will not result in the loss of an exceptional example of a building of this type and era. The building is considered to be one of the lesser examples of a building of this type and era. Two other examples of this building typology exist in Wellington, both are included on Heritage New Zealand's protection schedules.
 - Removal of the heritage building will not result in examples of buildings of this kind being completely lost.
 - The building does not feature on Heritage New Zealand's heritage schedules. Heritage New Zealand do not raise any concerns with the removal of the GWF from the Council's list.
 - Prior to demolition the building will be accurately recorded by a suitably qualified person to ensure the history of the heritage resource is not lost completely.
 - Demolishing a heritage building is provided for by the District Plan.
 - There are no reasonable alternatives to demolition in this case. Reasonable alternatives have been assessed and are concluded as being unviable options for this particular building. This is exacerbated by the earthquake prone status of the building.
 - De-listing the building does not challenge the integrity of the District Plan heritage list, nor does it set a precedent for the future. The District Plan anticipates the demolition of heritage buildings.
 - The request promotes a development opportunity that will enable an expansion of VUW which will result in social and economic benefits for the locality, the city, and the wider region.
115. **Acknowledging the building in the future:** Furthermore, the university intends to use existing elements of the GWF (where appropriate) in future development of the site. I also agree that this is an appropriate method to ensure the 'essence' of the GWF and its heritage is not lost entirely.

¹² See definition of earthquake prone under the Building Act 2004

¹³ See Attachment I – Email regarding Earthquake Prone status of GWF

University campus development

Theme	Relief Sought	Submissions
Future development	<ul style="list-style-type: none"> - That the Plan Change be declined in its entirety. - That the Inner Residential Area be retained. - That the Plan Change be approved in its entirety. - That the rezoning be approved if the GWF is re-used. 	S10, S21, S25, S30

116. The submitters raise concern with how the subject site will be developed following the removal of the GWF (if this Plan Change is successful).
117. I agree with Mr Coop's assessment of the potential effects that may arise following approval of the Plan Change (should this occur) in relation to the wider development of the VUW campus. The university intends to landscape the subject site immediately following the demolition of the GWF and explore options for pedestrian connections through the site. The Plan Change will also have the effect of 'future proofing' the subject site for university expansion. This is considered to maximise the use, efficiency, effectiveness and accessibility to existing facilities and services on the campus. These are considered to be positive effects and cumulatively significant.
118. It is acknowledged that no development proposal has been provided as part of the request. However, it is also acknowledged that this is not a required piece of information for a Plan Change request under the RMA. The proposed District Plan framework is considered appropriate to manage future development (including any demolition) and the potential adverse effects of development on the environment as discussed in the next section of this report.

Streetscape and on-site amenity

Theme	Relief Sought	Submissions
Design, amenity and character	<ul style="list-style-type: none"> - That the Plan Change be declined in its entirety. - That the Inner Residential Area be retained. - That the Plan Change be approved in its entirety. - That the rezoning be approved if development is mindful of residents. - That the bush escarpment be retained. - That the Inner Residential Area height limits be retained. - That a 15m yard be introduced for all side boundaries. 	S04, S07, S10, S15, S16, S22, S24, S25, S33

119. The submitters are concerned with the impact on residential amenity and character as a result of developing the subject site for university purposes.
120. I agree with Mr Coop's assessment of the potential streetscape and on-site amenity effects. Furthermore, the Council's Senior Spatial Planning Advisor (Ms Desrosiers) has assessed the suitability of the provisions from an urban design perspective and also considers the framework to be appropriate to manage future development and potential effects. Ms Desrosiers specifically addresses

the appropriateness of the proposed building conditions and design guide provisions and considers these acceptable and appropriate to consider and manage future development on the subject site. Further amendments are also required to the Design Guide to complement the building conditions and ensure appropriate outcomes are achieved.

121. It is worth reinforcing here that the proposed framework for the subject site is more stringent than for the remainder of the Institutional Precinct¹⁴. This will ensure the potential effects generated by a development on the subject site are appropriately mitigated.
122. As stated in Section 9 of this report, the proposed District Plan framework for the subject site is considered appropriate (subject to the recommended amendments included as **Attachment A**) to manage future development and the potential effects thereof.

Transportation

Theme	Relief Sought	Submissions
Access and connection	- That a traffic management plan be put in place.	S29

123. I agree with the assessment provided by Mr Coop. Furthermore, Council's Manager (Transport Network) has assessed the request and raises no further issues from a transportation perspective¹⁵. Mr Kong seeks to ensure that appropriate consideration is enabled through the resource consent process. I consider the Plan Change to respond to this matter adequately.

Residential activity area

Theme	Relief Sought	Submissions
Student Accommodation, Compliance and Noise Notification	<ul style="list-style-type: none"> - That the Plan Change be declined in its entirety. - That the Inner Residential Area be retained. - That the GWF be retained. - Retain public notification. - Prohibit student accommodation. - That student accommodation be located elsewhere in the city. - That the Plan Change be approved in its entirety provided student accommodation is prohibited. - That the rezoning be approved if the GWF is re-used. 	S02, S04, S06, S08, S09, S11, S14, S15, S16, S17, S18, S20, S24, S27, S28, S30, S31, S32, S33

124. The abovementioned submitters are primarily concerned with the prospect of the subject site being developed for student accommodation. Their main specific concerns relate to noise, anti-social behaviour and alcohol consumption.

¹⁴ See Table 6 in Section 9 of this report

¹⁵ See Attachment B – Advice on Transportation

125. I agree with the assessment provided by Mr Coop that relates to future development 'fitting' into the residential surrounds. Furthermore, Council's Manager (Compliance & Advice) has considered the suitability of the included Demolition Management Plan (**DMP**) as well as the noise provisions to apply to the subject site and considers these appropriate to manage any noise effects generated from the subject site.
126. The proposed District Plan framework is considered appropriate to manage future development (including any demolition) and the potential adverse effects of development on the environment, subject to the amendments included as **Attachment A** to this report. This includes any noise effects generated from future activities on the site.
127. The concerns raised in the submissions with regard to alcohol consumption and behaviour are also acknowledged. However, this is not considered a matter for the consideration of the Plan Change.
128. As outlined in Section 9 of this report, the non-notification approach proposed in the Plan Change is not considered appropriate and should be amended.

Demolition

129. I agree with the assessment provided by Mr Coop. Furthermore, Council's Manager (Compliance & Advice) has considered the suitability of the Demolition Management Plan (**DMP**) presented, as well as the noise provisions to apply to the subject site, and considers these appropriate to manage any noise effects generated from the subject site. Mr Borich also provides additional commentary on the appropriate parameters of a DMP to be considered by Council at the time of a demolition application¹⁶.

Reverse sensitivity

130. I agree with the assessment provided by Mr Coop with regard to reverse sensitivity effects.

Site stability and earthworks

131. I agree with the assessment provided by Mr Coop with regard to site stability and earthworks effects.

Permitted Baseline

132. Before considering the range of effects raised as concerns by submitters, it is worth understanding the broad nature of effects that might arise on the site 'as of right' under its current zoning. Understanding this 'baseline' helps to place some submitter concerns in context, although it is acknowledged that in no way does it negate the significance of those concerns.
133. The land is currently zoned Inner Residential Area. The purpose of this zone is to primarily cater to intensified residential development. However, the nature and scale of that development could vary on a case-by-case basis. The zone also allows for the development of some non-residential activities. For both residential and non-residential development there is a suite of standards and a design guide that control outcomes.
134. For example, permitted site coverage is 50%, which means for a 7139m² site, up to 3569.5m² could be utilised for built development. A development area of this size could provide for a number of residential units including intensified residential complexes such as student accommodation.

¹⁶ See Attachment D – Noise/DMP Review

135. Whilst the effects of this example would not generate exactly the same kinds of effects as an institutional activity, it serves to demonstrate that development of the site is permitted to occur in ways that would also potentially generate adverse effects on the surrounding area of The Terrace.

Cumulative

136. I agree with Mr Coop’s assessment of the potential effects of the Plan Change immediately following its approval (should this occur) in relation to the wider development of the VUW campus. These are considered to be positive effects and cumulatively significant.

Economic and Social

Theme	Relief Sought	Submissions
Housing Supply	<ul style="list-style-type: none"> - That the Plan Change be declined in its entirety. - That the Inner Residential Area be retained. - That the GWF be retained. - Retain public notification. - That the rezoning be approved if the GWF is re-used. 	S03, S10, S25, S27

137. The submitters raise concerns with the impact of removing the GWF on the supply of housing in the City.
138. The purpose of the Plan Change is to facilitate future development on the subject site. Any development will have potential social and economic effects. A number of positive effects could be generated as a result of the Plan Change. These can include additional jobs associated with demolition and new development and expansion of one of the City’s largest institutions, which has a range of economic and social effects.
139. The RMA provides landowners with the opportunity to make a request for a Private Plan Change to alter the Plan provisions that apply to that site. The success of a request is determined by an evaluation of the information supplied with regard to the purpose of the Act. I consider the Plan Change to be appropriate and consistent with the overall purpose of the Act as discussed in Section 10 of this report.
140. More specifically, the GWF building was vacated in 2012 due to safety concerns with the building’s structural integrity. Since then (earlier this year), the Council has listed the building as being earthquake prone. This status requires refurbishment of the building, including a structural upgrade, before it is considered safe and fit for purpose. The Plan Change documentation includes an assessment of the options for refurbishment of the building. The result of this assessment was that no practical or reasonable options exist for the building, other than demolition.
141. The Inner Residential Area comprises approximately 304 Hectares of zoned land. The Central and Outer Residential Areas also provide for residential housing supply. The size of the subject site is negligible in this context and it is considered that there is ample opportunity for housing supply across the City.
142. For these reasons the GWF building is not considered significant in the context of future or on-going housing supply in the City. Furthermore, it is also considered unreasonable to require the refurbishment of the building for the reasons detailed in this report

Pedestrian safety and convenience

Theme	Relief Sought	Submissions
Connection and Access	<ul style="list-style-type: none"> - That the site be rezoned. - That there be no public access after-hours. - That the current zone be retained. - That the de-listing be declined and the GWF re-used. - That pedestrian access be established between The Terrace and the VUW Kelburn Campus. - That a pedestrian management plan be put in place. 	S01, S09, S20, S21, S24, S29

143. The submitters seek the establishment of good and safe connections between The Terrace and the VUW Kelburn Campus. The submitters are also concerned with access being allowed to the subject site outside of normal hours.
144. Development of the subject site for institutional purposes would generate pedestrian movements to and from the site. As a result there are potential safety and convenience effects for pedestrians. The proposed District Plan framework is considered appropriate to manage development and associated effects on the environment. Pedestrian safety and convenience are matters that can be dealt with at the resource consent stage of development to ensure good outcomes are achieved.
145. Furthermore, the subject site provides an opportunity to connect the existing university campus down to The Terrace, Te Aro and the central city area. This will result in positive effects with respect to pedestrian safety and convenience for those pedestrians seeking access to the university from these areas.

Natural environment and urban form

Relief Sought	Submissions
- That the escarpment and bush be retained.	S24

146. The submitter seeks protection of the existing bush remnant and escarpment located at the rear of the subject site.
147. The subject site contains an important vegetated escarpment which contributes to the wider urban landscape and urban form of the central city area. It runs along the rear of the subject site and separates it from the existing university campus located on the upper level of the escarpment. Any development in front of the escarpment could generate potential adverse effects on the role and function it plays in the wider central city area context. Ms Desrosiers has assessed the Victoria Design Guide and considers it largely appropriate to manage development. In her report, Ms Desrosiers has suggested some minor amendments to the Victoria University design guide¹⁷. These amendments

¹⁷ See Attachment C – Urban Design Review

would ensure the integrity of the escarpment is protected and the role it plays is not diminished through development.

9. Assessment of Proposed Provisions

9.1 Discussion

148. It is important to remember that a change in zoning on the subject site (Inner Residential Area to Institutional Precinct), allows for a greater scale and intensity of development compared to that currently allowed under the residential zoning. The Institutional Precinct provisions are clear that activities permitted to occur in this area must be related to the primary purpose of the precinct, subject to conditions. The primary purpose in this case is the operation of VUW. Activities commonly associated with this purpose are teaching and administrative buildings, plant/operational buildings, associated retail outlets (for example bookstores, banking facilities, pharmacies, student travel agencies), and student accommodation to name a few.
149. The following table provides a comparison between the key development conditions/standards of the Inner Residential Area and Institutional Precinct.

Table 6: Rules/Standards Comparison

Development Control	Existing Inner Residential (subject site)	Existing Institutional Precinct	Proposed Institutional Precinct (subject site)
Noise	Mon to Sun (7am – 10pm) 50dB LAeq (15 min) Mon to Sun (10pm – 7am) 40dB LAeq (15min)	Mon to Sun (7am – 7pm) 55dB LAeq (15 min) Mon to Sun (7pm – 10pm) 50dB LAeq (15min) At all other times 40dB LAeq (15min)	Mon to Sun (7am – 7pm) 55dB LAeq (15 min) Mon to Sun (7pm – 10pm) 50dB LAeq (15min) At all other times 40dB LAeq (15min)
Vehicle parking	1 space/household unit 1 visitor space/7 household units	Requirement for 780 spaces for VUW as a whole to be met	Requirement for 780 spaces for VUW as a whole to be met
Front yard	1 metre	No requirement	No requirement
Side and rear yard	No requirement	No requirement	5m (on boundaries adjoining Inner Residential Area)
Ground level open space	35m ² (minimum dimension 3m)	No requirement	No requirement
Site coverage	50%	No requirement	50%
Maximum height	10 metres	Set out in Design Guide – Vary across sites (2 to 6 storeys)	10 metres (except as provided for on map in Appendix 4)
Building Recession Planes	2.5m: 45°, 56°, 63° & 71° (depending on lot orientation)	No requirement	2.5m: 45°, 56°, 63° & 71° (depending on lot orientation) On boundaries adjoining Inner Residential Area
Building massing	No requirement	No requirement	No building within 10m of an Inner Residential Area boundary shall exceed 30m in length

150. The above table highlights that the proposed building conditions/standards in the Plan Change have been proposed at a level commensurate with those for the surrounding Inner Residential areas. In particular for height, building recession planes, site coverage and side yards.
151. The existing Institutional Precinct noise provisions specifically manage development at the boundary with an Inner Residential Area. These are commensurate with the noise provisions that currently apply to the subject site. Furthermore Council's Manager of Compliance and Advice (Matthew Borich) considers the current operative noise provisions for the Institutional Precinct to be appropriate for management of future development of the subject site¹⁸.
152. The relevant design guides (Residential and Victoria University) aim to achieve similar outcomes, in particular achieving good design and promoting development that is responsive to the needs of the landowner and the wider community. Council's Senior Spatial Planning Advisor (Lucie Desrosiers) has considered the suitability of the Victoria University design guide to manage development on the subject site¹⁹. Ms Desrosiers considers the design guide to be appropriate (subject to the proposed amendments in **Attachment A**) for future development on the subject site to ensure it is of good quality and responsive to the context it is set within. The amendment in **Attachment A** specific to the design guide seeks to add more guidance with respect to protecting the escarpment to the rear of the subject site.
153. In regards to the proposed building standards, the intention of the building mass standard is to manage the bulk of a future building by restricting the continuous length of any façade. In particular, in close proximity (within 10 metres) to an adjoining Inner Residential property²⁰. Ms Desrosiers and I, share the opinion that this standard (as proposed) is not completely appropriate. Ms Desrosiers considers that building mass is something that should be managed across the whole site. As a result an amendment to the proposed standard is recommended²¹.
154. The Requestor has also provided subsequent amendments to the Design Guide to Ms Desrosiers, as outlined in her report, to compliment the building massing standard. Ms Desrosiers has considered the proposed amendments and considers these an appropriate addition. However, it is recommended that the guidelines be simplified. More specifically, proposed Massing Guideline (G11) provides guidance on the articulation of new buildings on the subject site. Ms Desrosiers recommends that this guideline be simplified to provide further clarity²².
155. The existing Controlled Activity Rule 9.2.1 would still apply to development on the subject site. Given that the Plan Change proposes a new Restricted Discretionary Rule for all development on the subject site, an exception is necessary to exclude the subject site from Rule 9.2.1²³.
156. Lastly, the non-notification provision included in proposed Rule 9.3.2 is not appropriate for development on the subject site. Whilst there is no concern with the proposed preclusion of full notification, the additional preclusion of limited notification is not supported. It is recommended that the reference to no directly affected parties be deleted and a note be added to Rule 9.3.2 that states that where there is a non-compliance with one of the Permitted Activity conditions (Rule 9.1.1) then Rule 9.3.1 shall also apply²⁴. This means that where there is a non-compliance with one (or more) of

¹⁸ See Attachment D – Comments on Existing Noise Provisions

¹⁹ See Attachment C – Urban Design Comments

²⁰ See proposed Appendix 4 in the Plan Change (Building Standard 5)

²¹ See Attachment A – Recommended amendments to the proposed Plan Change provisions

²² See Attachment A – Recommended amendments to the proposed Plan Change provisions

²³ See Attachment A – Recommended amendments to the proposed Plan Change provisions

²⁴ See Attachment A – Recommended amendments to the proposed Plan Change provisions

the conditions then a merits based assessment is made under Rule 9.3.1 (specific to the non-compliances). The Council will also undertake a notification assessment based on whether the potential effects are appropriately mitigated.

9.2 Conclusion

157. Based on the assessment above, and subject to the recommended amendments²⁵, the proposed building conditions/standards for the subject site (as seen in Table 6 above) are considered to be appropriate for future development on the site.
158. Furthermore, subject to these amendments, the Restricted Discretionary Activity rule (Rule 9.3.1) that addresses activities that do not comply with one or more of the building standards/conditions for Permitted Activities in Rule 9.1.1 is also considered appropriate.
159. The use of a Restricted Discretionary Activity status (Rule 9.3.2) is also considered appropriate to control new built development on the subject site. The matters of discretion under this rule, in conjunction with consideration of the Victoria University Design Guide, will enable efficient and effective assessment of future development applications.
160. The Controlled Activity Status for demolition on the subject site is also considered appropriate to manage the potential effects of that activity on the surrounding environment. This is reinforced by the comments made by Mr Borich in his review of the proposed demolition management plan in the Plan Change²⁶.

10. Statutory Considerations

10.1 Purpose and Principles of the RMA

161. The Plan Change must be consistent with the purpose and principles set out in Part 2 of the Act. This part of the RMA provides a framework against which all the functions, powers and duties are to be exercised for the purpose of giving effect to the Act.
162. Sustainable management is the overriding purpose of the Act and reads as follows:

Section 5 Purpose

- (1) The purpose of this Act is to promote the sustainable management of natural and physical resources.
- (2) In this Act, **sustainable management** means managing 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—

²⁵ See Attachment A – Recommended amendments to the proposed Plan Change provisions

²⁶ See Attachment D – Noise/DMP Review

- (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, or mitigating any adverse effects of activities on the environment.

163. This purpose embodies having a healthy natural environment that at the same time allows people and communities to provide for their own reasonable needs now and into the future. It is important to note that sustainable management is not 'anti' development. It is about ensuring that if we change the way we use our environment, those changes are on balance positive (for people and for the natural environment) rather than negative.
164. The Plan Change will enable the site to be redeveloped which will have benefits to the university, the city, and the wider region. Mr Coop concludes that the change in zoning (and delisting the GWF) will enable the site to be incorporated into the wider university campus. I accept his further conclusion that the proposed provisions will enable the development and use of the site in a way that will provide for the social, economic and cultural well-being and health and safety of the university and the wider community.
165. There are some potential effects (as discussed in Section 8 above) that could occur as a result of development on the subject site. In particular there is potential for effects to occur on the local surrounding environment (for example additional traffic movements and visual and other amenity effects). These effects must be taken into account in forming an overall judgement about whether the purpose of the Act will be served by approving the request. In my opinion, the likely impacts in terms of sustainability will overall be minor, even though some individuals may experience a range of effects that are different from the environment they currently experience.
166. I consider the Plan Change to achieve an appropriate balance between enabling development and limiting potential adverse effects. My views in this regard are subject to the recommended amendments included in this report²⁷. My views are also based on confidence that any potential effects of development can be appropriately managed through a resource consent process. Therefore, it is my opinion that the Plan Change is consistent with the purpose of the RMA.
167. Furthermore, I accept Mr Coop's conclusions in regard to the remainder of Part 2 of the RMA (s6, s7, s8). Of particular note, section 6 of the Act refers to "*the protection of historic heritage from inappropriate subdivision, use, and development*". For the reasons outlined in this report, I consider the Plan Change to be consistent with these parts of the Act (based on the evaluations and discussions in this report). In particular I do not consider the Plan Change to be 'inappropriate development' under section 6 of the Act. Therefore, I do not consider it necessary to add any further comments.

10.2 Section 31 – Council's Functions

168. Section 31 establishes the functions that each territorial authority is required to fulfil in giving effect to the RMA in their district. Two key functions are:
- to achieve the integrated management of the use, development and protection of land and associated natural and physical resources; and
 - the control of the actual and potential effects of the use, development and protection of land.

²⁷ See Attachment A – Recommended Amendments

169. The Plan Change is consistent with these functions. The proposed District Plan provisions (subject to the amendments proposed in **Attachment A**) is considered appropriate to manage activities within the subject site so that potential adverse effects on adjoining Inner Residential land uses are appropriately addressed.

10.3 Section 32 – Evaluation report

170. Under Section 32 of the RMA, a proposed Plan Change (including any Private Plan Change) must be accompanied by an evaluation report at the time of notification. The Requestor has this responsibility in the case of a Private Plan Change request and one has been included in the Plan Change documentation.

171. An evaluation report must:

- Examine the appropriateness of objectives in achieving the purpose of the RMA.
- Examine the appropriateness of the provisions (policies and methods) in achieving the objectives, in terms of their efficiency and effectiveness, risks, and other reasonably practicable options.
- Contain a level of detail that corresponds to the scale and significance of the effects anticipated from the proposal.

172. Section 32(2) requires that the benefits and costs be assessed in terms of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment. If practical, these benefits and costs should be quantified.

173. As this Plan Change relates to the rezoning of land and the de-listing of a heritage building, only those provisions relevant to these matters need consideration. It is important to note that the Plan Change does not propose any changes to existing, objectives and policies in the Plan. The Institutional Precinct objectives and policies have been tested through a notification and decision-making process and it is reasonable to conclude that they achieve the purpose of the RMA.

174. Section 3 and 5 of the Plan Change address whether the Plan Change is in accordance with Part 2 of the RMA. The focus of the evaluation is firstly on whether the existing objectives and policies are the most appropriate for the purpose of this Plan Change and thereby consistent with the purpose of the Act. Secondly, the evaluation is focused on the proposed additions and amendments to the provisions of the Institutional Precinct section in terms of effectiveness and efficiency, and appropriateness in achieving the purpose of the objectives and policies.

175. I generally agree with the views and conclusions of Mr Coop in his evaluation with regards to Part 2 and Section 32 of the Act. I provide a summary of my position on these matters in the following paragraphs.

176. The evaluation provided examines the appropriateness of objectives as required by the Act. As stated above, these objectives have been tested through a separate decision-making process and are therefore considered appropriate. Furthermore, Mr Coop has put these objectives into context and outlines how the Plan Change is consistent with the promotion of sustainable management. Equally, the policies of the Institutional Precinct have previously been tested and are therefore considered appropriate in achieving the objectives.

177. In my opinion, the evaluation contains detail at an adequate level that corresponds to the scale and significance of the effects anticipated from the proposal. I am satisfied that the framework, established as a result of the Plan Change, meets the tests outlined in Section 32 of the RMA. The specific amendments and additions proposed are consistent with and appropriate to their respective objectives and policies.

178. Earlier sections of this report have already discussed the background to the proposed Plan Change and the reasons for it. The Plan Change also clearly outlines the need for the change which I do not disagree with. Therefore, I do not propose to repeat those discussions but rather place them within the evaluation framework provided by Section 32.
179. Notably, in evaluating the appropriateness of the proposal, including its efficiency and effectiveness and costs and benefits, a single key alternative has been considered. The key alternative is that of retaining the GWF on the heritage list and retaining the Inner Residential zoning. This would essentially mean that to remove the GWF and/or redevelop the site, a resource consent would be required and assessed under those provisions.
180. A key benefit of the Plan Change is that a clear and specific framework of objectives and policies will be applied to the site to manage future university development. The proposed framework has been tailored to provide for future university activities and to address the characteristics of the site.
181. As a result, this framework and the associated rules for the subject site will ensure that resource consents are needed to redevelop the site. The framework and rules have regard to the potential adverse environmental effects and sustainable management more generally. The alternative of retaining the Inner Residential Area zoning provides a less certain policy environment for future development. The objectives, policies and rules of this zone (Inner Residential) provides certainty for the establishment of residential development. Therefore, I consider that the proposal provides a more certain means by which to judge future development applications of an institutional nature on the subject site.
182. In regards to the heritage listing of the GWF building, as stated earlier the Plan anticipates the demolition of a heritage listed building where the Council is convinced that there are no reasonable alternatives. I consider that an adequate level of information has been included in the Plan Change that explores the reasonable alternatives to demolishing the GWF building. The proposed de-listing the GWF and rezoning of the subject site will promote and provide for the sustainable management of this resource. Therefore, I consider the removal of the GWF from the heritage list appropriate with regards to the provisions of Section 32.
183. **Evaluation of recommended modifications (s32AA):** Various amendments to the Plan Change are proposed in my report. These changes relate solely to the proposed rules and design guide.
184. The Act requires that, where changes are proposed after completion of the original evaluation report, a further evaluation must be made of the provisions. The required evaluation only needs to be completed with respect to the changes that are proposed.
185. Therefore, to satisfy s32AA, a further evaluation must address the changes that are covered in the recommendations of this report. The discussion in the following paragraphs summarises the further evaluation that I have undertaken in preparing the recommendations of this report. However, my entire report should be read as an evaluation of the appropriateness of the Plan Change and the recommended amendments.
186. The first of the amendments I have recommended aims to remedy an anomaly in the provisions. As referred to earlier in this report there is no clear pathway in the Plan to address non-compliances with the proposed new building conditions.
187. The second of the amendments relates to the proposed non-notification clause for any new development and is based on the evaluation of the actual and potential effects of the Plan Change. This amendment also responds to submitter concerns with regard to the potential effects of any future development on the subject site.
188. Further amendments are recommended to the Victoria University Design Guide to strengthen or make more obvious the focus on residential amenity and wider design outcome concerns.

189. In my opinion, the recommended amendments do not change the basic intent of the Plan Change, or make it significantly more challenging for the Requestor to achieve its development intentions. In terms of the Act, I consider that the recommended amendments will result in environmental and social gains and further contribute to the sustainable management of the subject site. However, there may be the potential for some slightly greater economic costs placed on the Requestor, in particular with regards to the change to the non-notification clause. I consider that the recommended amendments will not adversely affect any economic growth that might have otherwise been associated with the provisions as proposed in the Plan Change.
190. I consider that the Plan Change and recommended amendments will achieve a higher level of efficiency and effectiveness through introducing additional clarity and guidance to the development process. This will also have benefits to the community as it will enhance understanding of how amenity and environmental concerns will be assessed by the Council when considering a resource consent application for the subject site. Importantly, I consider that the recommended amendments provide added confidence that any potential adverse effects will be identified and managed. As a consequence, I also have confidence that a resource consent application could still be appropriately processed without notification, or with limited notification.
191. I consider that the recommended amendments do not create any degree of internal inconsistency (within the zone provisions overall) or external inconsistency (within the District Plan as a whole). Overall, I consider that the amendments are all necessary for achieving the purpose of the Act. I conclude that the change in zone is not inconsistent with and is an appropriate way to achieve the purpose of the RMA as it provides more certainty and acceptable environmental outcomes.

10.4 Relevant policy statements and plans

192. Mr Coop has considered the Wellington Regional Policy Statement and Regional Strategy in Section 5 of the Plan Change. I accept Mr Coop's assessment and consider that the Plan Change will either not be inconsistent with the directions provided in these documents, or will give effect to specific aspects of them.
193. The Plan Change will facilitate the construction of buildings for university purposes. Whilst the university is a significant regional resource, this Plan Change is not an issue of regional significance, and the information provided in the Plan Change outlines that effects at the city-scale are also not significant. It is however a matter of local significance, which is why the Council should have regard to concerns about amenity and environmental effects.

10.5 Other statutory and non-statutory documents

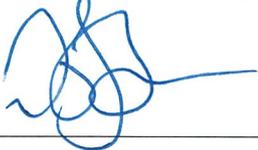
194. Section 5 of the Plan Change also provides consideration of the Wellington City District Plan and whether any other non-statutory documents exist that are relevant. The comments made by Mr Coop are accepted. Therefore, I do not consider it necessary to provide any further comments on these matters

11. Conclusions and Recommendations

11.1 Conclusions

195. The proposed Plan Change will establish a specific regulatory framework for consideration of future applications for the subject site, to enable the development of the site for institutional purposes. At the same time its intention is to ensure that external effects (such as those on neighbourhood amenity) are well assessed and managed. To achieve these aims the Plan Change proposes that the subject site be rezoned from Inner Residential Area to Institutional Precinct.

196. The proposed Plan Change will also result in the de-listing of the Gordon Wilson Flats from the District Plan Heritage list.
197. Having regard to all the matters addressed in this assessment, it is my overall conclusion that, subject to the specific amendments to improve clarity and effectiveness, proposed Plan Change 81 will achieve the sustainable management of the site and its immediate surrounds. It will also not be inconsistent with the overall structure and intent of the District Plan and will not lead to significant adverse effects on nearby residential areas.
198. The proposed Plan Change has also been assessed against a range of statutory considerations in the RMA. Having regard to this evaluation, and the original evaluation prepared by the Requestor, it is my opinion that Proposed Plan Change will (subject to the recommended amendments):
- be consistent with the RMA's Purpose and Principles;
 - be the most appropriate means of achieving the Act's purpose;
 - fulfil the Council's required functions; and
 - be consistent with other strategic documents.

	Name	Signature
Author	Daniel Batley Senior Planning Advisor District Plan, WCC	
Approver	John McSweeney Manager District Plan. WCC	