



RESOURCE MANAGEMENT  
AND  
TOWN PLANNING  
CONSULTANTS

**JOHN CHILDS  
CONSULTANTS LTD**

P O. BOX 52-077  
AUCKLAND 1352

## **SECTION 32 REPORT PROPOSED PLAN CHANGE 454 GREAT NORTH ROAD GREY LYNN**

### **1.0 PREAMBLE**

This report is a consideration of the alternatives, benefits and costs associated with a Plan Change application to change the Auckland Operative District Plan 1999 in relation to the site at 454 Great North Road, Grey Lynn. (Lot 1 DP 30936 Lot 2 DP 23466 Identification 306475) It has been prepared in terms of Section 32 of the Resource Management Act 1991 (The Act).

The Plan Change proposes:

1. A new zoning for the land being Mixed Use.
2. A scheduling of the building as a heritage building in Appendix I of the District Plan.
3. Removing a scheduled tree notation from the site.

The changes are a result of a detailed evaluation of the site by consultants to the Owners, looking amongst other things at heritage, amenity, traffic and infrastructural issues.

The Section 32 analysis concludes that the benefits of a Plan Change to the City and Community, outweigh the retention of the existing zoning and other District Plan provisions.

### **2.0 CURRENT DISTRICT PLAN PROVISIONS FOR THE PROPERTY**

This is the Auckland City Operative District Plan – Isthmus Section 1999

- Map D07
- Residential 6a –Residential 6a
- Surrounding zonings

West – Special Purpose 2

### East/South – Mixed Use

- Opposite Residential 6a/7a
- Scheduled Tree Macrocarpa D07/29
- Road Hierarchy – District Arterial Road

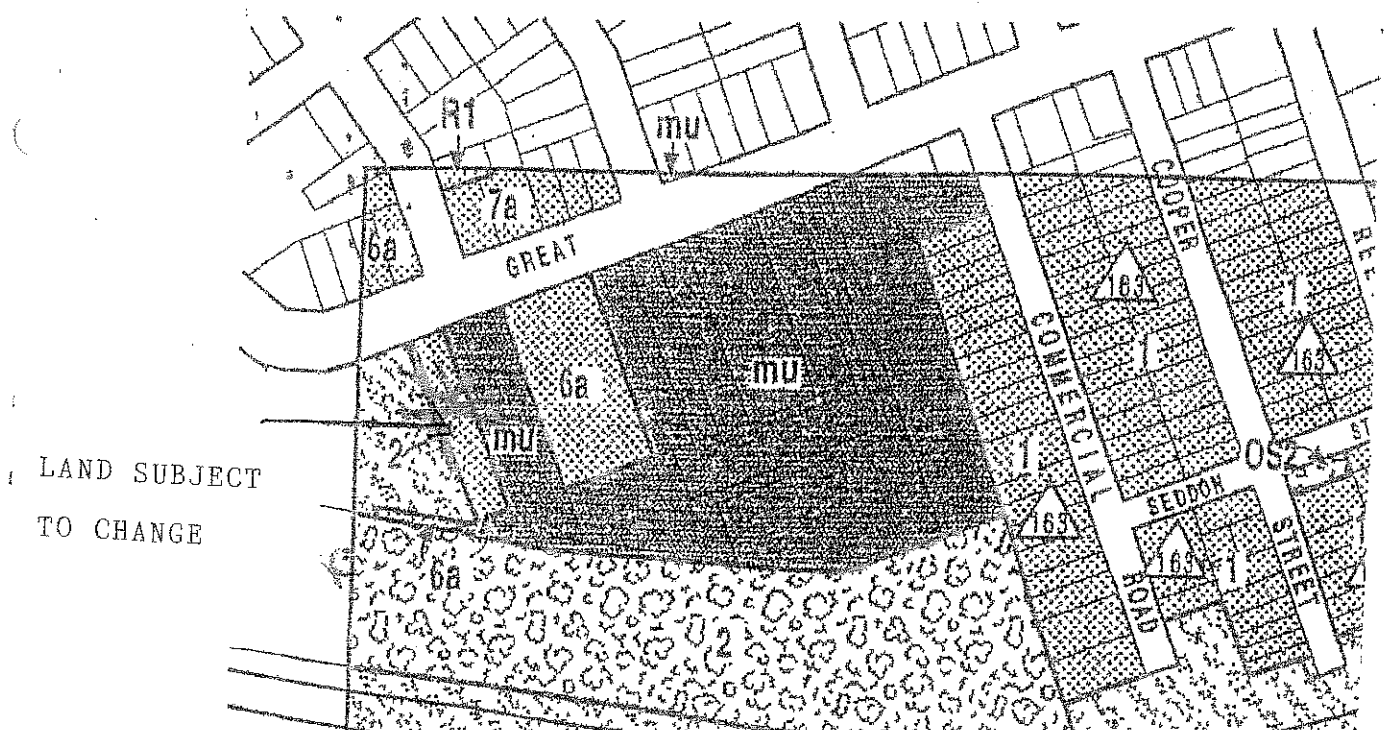
## 3.0 THE SITE

The property is a generally rectangular front lot 1477m<sup>2</sup> in area. It rises from the road before following gently to the rear. There is also an east/west cross fall. The building on the site a former convent is currently used as a boarding house.

Surrounding development includes a recently completed block of 64 apartments on the Eastern boundary (444 Great North Road). This is a four level development. It has a Floor Area ratio of 1.87:1. Beyond the apartment block to the East are commercial uses including numerous sites selling motor vehicles. This site extends along the Southern boundary of Number 454 Great North Road.

To the west is St Josephs School including playgrounds and school buildings. Beyond it is St Josephs Church. Opposite is residential development. A short distance to the West is the Grey Lynn Shopping Centre.

The site is defined on the plan below.



#### 4.0 STATUTORY CONSIDERATIONS

Section 73 (2) of the Resource Management Act (RMA) allows any person to request a territorial authority to change its District Plan.

Part 2 of the Schedule 1 of the Act 1991 deals with requests for changes to a District Plan.

In Clause 21 (1) it states that:

*“Any person may request a change to a District Plan”.*

Any such application is required to be in writing:

1. To explain the purpose of and reasons for it (22 [1])
2. Contain an evaluation under Section 32 of any objectives, policies, rules or other methods proposed (22[1])

Section 32 (3) and (4) outlines the matters to be covered by any evaluation.

3. *“An evaluation must examine –*
  - a) *the extent to which each objective is the most appropriate way to achieve the purpose of the Act; and*
  - b) *whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives*
4. *For the purposes of the examination, an evaluation must take into account –*
  - a) *the benefits and costs of policies, rules, or other methods; and*
  - b) *the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods”.*
5. *“Where environmental effects are anticipated, the request shall describe those effects, taking into account the provisions of Schedule 4, in such detail as corresponds with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change, policy statement, or plan. (21 [2])*

In this report the Section 32 matters are assessed under the following headings:

- The extent to which each objective is the most appropriate way to achieve the purpose of the Resource Management Act;
- Whether, having regard to their efficiency and effectiveness, the proposed policies, rules and other methods are the most appropriate for achieving the objectives;
- The benefits and costs of the proposed policies, rules or other methods and the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.

#### 4.1 REASONS AND PURPOSES FOR THE CHANGE

In the Auckland City District Plan (Isthmus Section), the site is zoned Residential 6a. The zoning provisions spell out the objectives, policies and rules for this site. In addition a tree is scheduled on the site.

Problems have arisen with these provisions because:

1. The site is effectively a spot zone with Mixed Use / Special Purpose 2 Zones surrounding it.
2. Plan Change 71 has reinforced this spot zone situation by rezoning the property to the East Mixed Use.
3. As a result of the zoning position the level of development on either side and behind is considerably greater particularly in terms of height than that of this site where the height limit is 8 metres.
  - Mixed Use
    - Allowed 15 metres (but subject to height in relation to boundary limitations)
    - Floor Area Ratio  
Basic 2:1  
Maximum 4:1
  - Special Purpose 2
    - 10 metres within 20 metres of a residentially zoned boundary 12.5 metres other.
    - Building coverage – 35%
    - Minimum landscaped permeable surface – 30%
4. The scheduled tree has been removed pursuant to a decision of the Heritage Manager Auckland City Council on 11<sup>th</sup> October 2006 – refer Attachment H.

5. A Heritage Assessment of the site by Mathews and Mathews Architects. This indicates:
  1. The Convent is a relatively rare building type and demonstrates the important role of the Catholic Church in New Zealand.
  2. It forms part of a broader group of buildings built in the Grey Lynn Shopping Centre in the 1920's.
  3. The building was designed by Thomas Mahoney which was one of the most substantial and productive architectural practices in the late 19 Century.
  4. The building uses classically derived styles in the eclectic manner.
  5. The interior is significant in demonstrating the lay out and functioning of this "comparatively rare building".
  6. The building has been associated with the Roman Catholic Church and has been a substantial feature of the Grey Lynn Centre for over 80 years.
  7. The building contributes to the streetscape of this part of Great North Road.
  8. It makes an important contribution to the character of the Grey Lynn Shopping Centre.
  9. It is a landmark in this part of Grey Lynn.
  10. It has group significance and forms part of the complex of buildings built for the Roman Catholic Church in this part of Grey Lynn.
  11. It retains its original layout, generally intact and with much of its original detail.

It is on this basis that the applicants have decided that the exterior of the building should be scheduled in the District Plan. It is also a guide for further development or use of the building in the future years.

6. The Residential 6a rules do not reflect how the land should be developed given the adjacent zoning pattern and the potential non residential activities the convent building may be suitable for.

The owners of the site consider that the District Plan needs to be changed to reflect the mixed zoning situation, the heritage building and the tree removal.

This report and the attached reports supports this approach.

## 4.2 THE EXTENT TO WHICH EACH OBJECTIVE IS THE MOST APPROPRIATE WAY TO ACHIEVE THE PURPOSE OF THE ACT

### Comment

The purpose of the Act is outlined in Section 5 of the Resource Management Act.

- "(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 wellbeing and for their health and safety while –*
- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
  - (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
  - (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment."*

Environment is defined in Section 2 of the Act as including:

- "(a) Ecosystems and their constituent parts, including people and communities; and*
- (b) All natural and physical resources; and*
- (c) Amenity values; and*
- (d) The social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) of this definition or which are affected by those matters."*

Section 2 of the Act defines "amenity values" as

*"those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes:"*

Section 6 of the Act identifies Matters of National Importance, which need to be recognised and provided for in achieving the purpose of the Act. The following matters are of relevance to the proposed plan change:

- (a) *The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (b) *The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- (c) *The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- (d) *The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (e) *The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*
- (f) *The protection of historic heritage from inappropriate subdivision, use and development.*

*Section 7 deals with 'Other Matters' which, in achieving the purpose of this Act, persons exercising functions and powers under the Act shall have particular regard to.*

*The following 'Other Matters' are considered to be of particular relevance to the proposed plan change:*

- “(b) The efficient use and development of natural and physical resources:*
- (c) The maintenance and enhancement of amenity values:*
- (d) Intrinsic values of ecosystems.*
- (f) Maintenance and enhancement of the quality of the environment:*
- (g) Any finite characteristics of natural and physical resources.”*

Section 8 provides that:

*In achieving the purpose of the Act, all persons exercising functions and powers under it, in relation to managing the use, development and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).*

**The manner in which the Council carries out its function of controlling the actual and potential effects of the use and development.**

The District Plan uses the technique of zoning to carry out this function. This is explained in Section 3.4.1 "The Plans Method".

### **Zoning**

*The concept of zoning as the basic technique of land use control is retained in the Plan. Although this is less directive than in the past, the adopted technique of "activity areas" continues the practice of grouping areas of similar character. This technique recognises the present-day pattern of activities and allows a range of future opportunities for development in keeping with the character and amenities of those areas. Within activity areas, there is flexibility which allows for the location of a range of activities which can be serviced by the infrastructure in the area, and which are compatible with its character and amenities.*

### **Development**

*Within the overlying pattern of activity areas, the Plan provides opportunity and guidance for sensitive and responsible development based on a careful evaluation of environmental, amenity and infrastructure opportunities and constraints. Consequently if the rules are observed satisfactory environmental outcomes will result. (Part 3 Page 4)*

In terms of these statements the Council has allocated a Residential 6a zoning on the land. Zoning is the appropriate technique for dealing with the development of this site. Zoning is also the most appropriate method of achieving the purpose of the Act. However given the mixed zoning pattern in the immediate area with more intensive zonings on either side and behind another zoning is considered more appropriate to the land.

In addition Part 5C Heritage indicates that:

*The Plan addresses the heritage conservation issues in a variety of ways, from general zoning practices to development controls. This Part focuses on identifying selected heritage items, groups, categories and the areas which require particular protection measures and procedures.*

- **Implementation**

*This sets out the methods of implementation adopted by the Plan; including particular interpretations and definitions and sets out the Plan's rules under the following headings:*

- *Buildings, Objects, Heritage Properties or Places of Special Value;*
- *Conservation Areas;*

- *Trees;*
- *Archaeological Features;*
- *Geological Features;*
- *Maori Heritage Sites;*
- *Views.*

Pages 3-4.

In this case the Matthews and Matthews report (Attachment B) indicates the heritage values of the building and site. As a result the building is considered to be of special value warranting its scheduling in the District Plan.

#### **4.3 WHETHER HAVING REGARD TO THEIR EFFICIENCY AND EFFECTIVENESS THE POLICIES, RULES OR OTHER METHODS ARE THE MOST APPROPRIATE WAY OF ACHIEVING THE PURPOSE OF THE ACT.**

Objectives Policies and Rules are the most appropriate way of achieving the purpose of the Act. The question is whether the Residential 6a zoning is appropriate to this site.

The Residential 6a Objectives and Policies include:

##### **7.6.1**

***To provide for medium intensity residential neighbourhoods in appropriate locations.***

##### ***Policies***

- *By directing these zones to areas where the environment is able to sustain residential development at medium intensity.*
- *By imposing controls on developments which protect the external environment of the site, while achieving a reasonable level of amenity for multi-unit dwellings (medium intensity developments).*
- *By permitting a wider range of activities in these locations than is permitted in the lower intensity zone, while maintaining the appreciated amenity.*
- *(By promoting quality and innovative design solutions for developments of 4 or more residential units by requiring the application of urban design criteria).*

### 7.6.6.2 STRATEGY

*The Residential 6 zone tends to be less spacious and often more diverse in form than the Residential 5 zone. These areas have aesthetic conditions which set them apart from higher intensity areas and are often characterised by favourable aspect, principally orientated to the northern slopes.*

*Residential 6 is the most significant residential zone on the Isthmus because in its application, it covers the largest area of residential land.*

*Areas within the zone are reasonably accessible to local open space and leisure opportunities, public transport, community facilities and business areas and are generally located on roads which distribute traffic from the primary network. The drainage systems in these areas are generally able to cope with residential development at higher densities than presently reflected in the existing built environment.*

*~~(This zone recognises the need for further development while retaining and sustaining a reasonable level of amenity. The zone's controls compliment and build upon the characteristics of the area zoned for medium intensity. This zone allows for further development while retaining and sustaining a reasonable level of amenity with more generous density limits are permitted in the residential 6 zone compared with the Residential 5 zone than in. The zone is divided into two sub-zones; Residential 6a and 6b zones.~~*

The zoning relates to areas rather than specific sites. The abutting sites do not have a residential zoning. This is a spot zone. Given the abutting zonings, the site does not represent an appropriate location for a medium intensity residential neighbourhood. This is because on the Eastern / Southern side is a zoning / development which is high intensity and on the other side is a school development. The development to the east is a 64 residential unit complex with a FAR of 1.87:1.

In relation to heritage items:

1. As outlined in the heritage assessment the building has heritage value and should be scheduled in the District Plan.
2. The fact that the scheduled tree has been removed warrants its scheduling in the District Plan being removed.

In summary the current zoning is a spot zone which does not reflect the most appropriate method of achieving the purpose of the Act.

#### **4.4 THE BENEFITS AND COSTS OF THE PROPOSED POLICIES, RULES OR OTHER METHODS AND THE RISK OF ACTING OR NOT ACTING IF THERE IS UNCERTAIN OR INSUFFICIENT INFORMATION ABOUT THE SUBJECT MATTER OF THE POLICIES, RULES OR OTHER METHODS.**

In considering whether a plan change is the most appropriate way to achieve the Act's purpose (Section 32 (3)(b), an analysis has been made of the alternatives. As an alternative, or in addition to the District Plan provisions, the Council could consider the use of such methods as the provision of information, services or incentives, and the levying of charges to achieve the purpose of the Act with respect to the proposed development of the land.

None of these alternative methods will enable the Council to carry out its RMA function of managing potential effects on the environment. It would leave the existing zone in place thereby limiting development on the site and requiring any proposal outside the rules to be subject to resource consent applications. It would also not recognise the heritage value of the former convent building nor the tree which has be cut down.

#### **Alternatives:**

Alternatives are considered below as follows:

##### **4.4.1 Do nothing approach – i.e. no plan change.**

##### **4.4.2 Another zoning.**

##### **4.4.3 Changed zoning plus a heritage listing of the building and a recognition of the demolished tree.**

##### **4.4.1 Do Nothing**

This would mean the current Residential 6a Zone would remain with the scheduled tree notation. This is obviously the simplest approach in that it involves no change to the District Plan and no costs.

The disadvantages are

1. It limits the extent of development that may occur on the site.
2. It does not allow without a resource consent for non residential usage of the site nor further development.
3. It does not recognise the historic (heritage) building which could be demolished without a resource consent. This brings with it loss of an important local building which as indicated in the Heritage Assessment has considerable heritage significance.

4. It does not recognise that the scheduled tree has been cut down.

#### **4.4.2 Another Zoning**

This could be a Special Purpose 1 Zone to match the School site to the west or a Mixed Use Zoning to complement the zoning of the site next door. It could also be a higher density Residential 7a zoning.

#### **The advantages of this would be:**

1. It could if it was a Residential zoning allow further development to occur. This development could be residential or business or a combination of both.
2. It could reflect the Mixed Use / Special Zonings on either side and behind and the more intensive levels of development it permits.
  - Mixed Use - 2:1-4:1 FAR  
- 15 metre height limit up to five floors
  - Special Purpose 2 - 35% building coverage or 10-12.5 metres high (3-4 storeys)

#### **The disadvantages are:**

1. What is a suitable zoning.
2. The delays and costs involved
3. It does not deal with the heritage issues

In terms of alternative zonings three options were considered:

#### **1. Special Purpose 2**

This is the zoning of the Roman Catholic School to the west. The zone description indicates this zone applies to primary, intermediate, secondary and tertiary educational and other specialised research facilities. This zoning permits educational type activities. Buildings used for recreational purposes, health care services, places of assembly are a discretionary activity.

**Advantages:**

1. It allows the site to be used for more educational type activities.
2. The level of development would be increased by a greater height limit from 8 metres to up to 12.5 metres.

**Disadvantages:**

1. It assumes that there is a demand for Special Purpose 2 activities whereas the Roman Catholic Church recently sold the land to the current owners.
2. The site in itself is probably too small to accommodate another school.

**2. Mixed Use Zone**

This is the zoning of the site to the east and behind. This zoning provides for a variety of residential and commercial uses. It allows development up to 15 metres high and with bonuses a Floor Area Ratio of 4:1.

Relevant Objectives and Policies are:

**a) Objective**

***To allow the development of vibrant urban areas by enabling a diverse and compatible mix of residential, business, educational and leisure activities in areas of the City, close to the Central Area or existing town centres, which have easy access to public transport service.***

**Policies**

- *By applying a Mixed Use zone to allow the development and enhancement of mixed use urban areas where opportunities exist to live, work, learn, shop and undertake leisure activities.*
- *By providing for Mixed Use zone areas close to main public transport routes.*
- *By encouraging buildings to be adaptable to other suitable activities over time.*

**b) Objective**

***To ensure that any adverse environmental or amenity impact of activities within the zone on adjoining activities or on adjacent Residential or Open Space zones is avoided or mitigated.***

## ***Policies***

- *By managing potential compatibility issues within development, between developments and their neighbours, and between developments and public spaces, including roads and open space, through the application of design criteria and rules, while recognising that amenity values in this zone are lower than in Residential zones.*
- *By limiting noise levels at the interface between neighbouring Residential zones and the Mixed Use zones, and within residential developments in the Mixed Use zones.*
- *By adopting controls which seek to protect privacy and amenity of occupants in adjoining Residential zones.*

## **Advantages:**

1. It would allow further development of the site.
2. It would allow the former convent building to be used for non residential purposes without a major resource consent process.
3. It would be consistent with the objectives and policies of the zone as the site is located close to the CBD and is within walking distance of the Grey Lynn Town Centre and is located on a main public transport route.
4. It removes the spot zone.
5. It would be more reflective of the mixed land use character in this part of Grey Lynn.
6. There are no adjoining residential zones. The nearest residential zone is over the road.

## **Disadvantages:**

1. Time and costs of a Plan Change.
2. More intensive developments could adversely impact on other sites.
3. **Residential 7 Zoning**

This depending on the sub classification would allow residential development up to 20 metres high at a density of 1 unit per 200m<sup>2</sup> plus some ancillary non residential development.

**Advantages:**

1. Would allow higher density development.
2. Would potentially allow taller buildings.

**Disadvantages:**

1. The spot residential zone remains.
2. It would not prevent the building being demolished.
3. Time and cost of Plan Change.
4. If the building remains it would not allow further development.

**4.4.3 Changed Zoning**

This would involve another zoning plus the building being scheduled in the District Plan plus the scheduled tree notation removed.

**Advantages:**

1. Recognises the heritage building and prevents its removal without a resource consent.
2. Recognises that the scheduled tree has been removed.
3. Allows flexibility through a resource consent process for non residential uses of the heritage building.
4. It will allow more efficient use of the land.
5. Potentially it would allow further development of the land.

**Disadvantages:**

1. Costs and time of Plan Change.
2. Prevents the building on site being reused without a resource consent process.
3. Prevents the heritage building being demolished / externally altered without a resource consent.

### **Non Regulatory Methods**

These could include research, education, training, providing information and brochures. This approach would not address Resource Management concerns for the site and consequential effects on the environment.

Information relating to the Plan Change is an appropriate method in conjunction with changing the provisions of the zone.

### **Requested Approach**

1. A mixed use zoning
2. A Category B listing on the building
3. Removal of the tree scheduling is considered appropriate.

### **Benefits**

1. The new zoning would be more reflective of the sites location next to a Mixed Use Zone on a main road and close to the Grey Lynn Town Centre.
2. It will recognise the heritage building.
3. It will reflect the tree removed from the site.
4. A more appropriate level of development would be allowed behind the heritage buildings.
5. As the site is within 30 metres of a residential zone any further development will be subject to a resource consent process and potentially Urban Design Panel input.
6. It will allow more efficient use / development of the land.

### **Costs Include:**

1. Financial costs associated with the statutory processing and possible defence of the change.
2. Possible increased monitoring and enforcement costs.
3. Additional restrictions / controls that will apply.
4. Additional costs for applications in preparing resource consents.
5. Loss of open space at the rear of the building.

6. Increased traffic using the site arising from additional development.

### **NO ACTION**

If no action were taken the benefits / costs would include:

#### **Benefits**

1. Greater certainty
2. Keeping development within existing rules
3. No costs involved in a Plan Change
4. District Plan remains unchanged

#### **Costs**

1. More resource consents required for developments not complying with these rules.
2. The potential loss of the heritage building.
3. Less certainty for the community.

### **4.5 RISKS ASSOCIATED WITH AVAILABLE INFORMATION**

Section 32(4)(b) of the Act states:

- (4) *For the purposes of this examination, an evaluation must take into account –*
  - (b) *The risk of or acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.*

It is considered that there will be no risk of acting or not acting as there is sufficient information available to indicate that a Mixed Use zoning is an appropriate RMA technique for the site in terms of the policies, rules and other methods.

The Plan Change accords with the District Plans approach to developing / recognising land by way of zoning and as reflected in the Objectives and Policies regarding Mixed Use sites.

## **5.0 OTHER DOCUMENTS**

The following documents are considered to be relevant:

- 5.1 Regional Policy Statement (Operative 31 August 1999)**
- 5.2 Proposed Plan Change 6 to the Regional Policy Statement (notified 31 March 2005)**
- 5.3 Auckland City Growth Management Strategy**

## **5.1 REGIONAL POLICY STATEMENT**

This document indicates that:

1. The region will need to accommodate continued population growth (2.3.1).
2. Urban development threatens several environmental qualities (2.3.2).
3. *"To promote transport efficiency and to encourage efficient use of natural and physical resources, including urban land, infrastructure and energy resources". 2.5.1.6 (Strategic Direction)*

### **2.6.1.2 seeks**

*To encourage urban intensification along selected nodes and transport corridors, achieve high standards of amenity within the existing urban area and avoid conflicts between incompatible land use.*

## **5.2 PROPOSED PLAN CHANGE 6**

In the Proposed Change the Grey Lynn Town Centre is identified as a High Density Centre and Corridor. Such Centres are considered suitable for urban intensification

*"due to physical and locational characteristics". (Appendix D1)*

### **2.6.5(1)**

Indicates that in relation to such centres:

*"Urban intensification is to occur at specific locations... to provide the focus for the regions residential commercial and retail growth".*

### 3.2.6.5

*Development with high density centres and corridors should be in a form that supports compact mixed use environments.*

This proposal which involves a possible mixed use development at a higher density than that allowed under the current zoning is considered to be consistent with these documents.

## 5.3 AUCKLAND CITY GROWTH MANAGEMENT STRATEGY

This document sets out where when and how the city will grow.

Surrey Crescent / Grey Lynn has been identified as an area of change / urban living community. It is a Priority two Centre. Planning for growth will start as resources become available and when needed. This site is within the 800 metres radii around the town centre area of change.

An area of change is an area that can support increased growth.

The requested re zoning will be consistent with this document as it will allow increased development.

## 6.0 ENVIRONMENTAL EFFECTS

Specialist Reports covering heritage, infrastructure and traffic are submitted with the application.

Clause 22 of the first schedule states:

*“(2) Where environmental effects are anticipated, the request shall describe those effects, taking into account the provisions of Schedule 4, in such detail as corresponds with the scale and significance of the actual and potential environmental effects anticipated from the implementation of the change, policy statement, or plan”.*

a) *Any effect on those in the neighbourhood and, where relevant, the wider community including any socio-economic and cultural effects:*

### **Comment**

The proposed change will allow for more intensive development of the site but behind the existing building. This will have positive effects on the neighbourhood in that a heritage enclave created by the former convent, St Josephs Church and the Grey Lynn Library will be retained. Any taller building will be located at the back of the site. Its design and appearance will be controlled by design and appearance controls in the District Plan.

- b) *Any physical effect on the locality, including any landscape and visual effects:*

**Comment**

The proposal will have physical and traffic effects on the locality. The heritage assessment indicates the landmark significance of the Former Convent building. Its retention will insure a feature of this part of Grey Lynn will remain with any potential development located at the back of the site. This will reduce any adverse effects on the streetscape.

Specialist reports are submitted on the heritage implications.

The Traffic Report looks at how traffic effects can be managed should further development occur on the land.

- c) *Any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:*

**Comment**

The site is a modified one. No particular eco-systems have been identified.

- d) *Any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural, or other special value for present or future generations:*

**Comment**

The change will protect a building which has special value to the community. It is a building which has heritage significance.

This change will allow this building to be retained for present and future generations.

- e) *Any discharge of contaminants into the environment, including any unreasonable emission of noise and options for the treatment and disposal of contaminants:*

**Comment**

Noise levels are controlled by the District Plan.

Drainage issues are dealt with in the attached report.

Other contaminants, should they arise, will be controlled by other statutory documents (i.e. Regional Plans).

- f) *Any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.*

**Comment**

No hazardous issues have been identified in relation to this site.

- g) *Impacts on other sites.*

**Comment**

The Plan Change will mean that the front half of the site will retain the existing building. Any new development should it occur will be at the rear. It will have some effect on abutting sites but as no design has been prepared the nature of the effect cannot be measured. However the District Plan rules, assessment criteria and potential urban design implications will be addressed should further development occur on the site.

**7.0 CONSULTATION**

A number of groups have been identified as being potentially affected by the Proposed Plan Change. The retention of the building has been discussed with:

1. The developer of the complex at 444 Great North Road.
2. Representatives of the Roman Catholic Church in relation to the implications for the Church and the School.
3. Residents on the opposite side of Great North Road.
4. There is also a sign on the site indicating possible further development on it.

Refer attached correspondence (Attachment F)

**8.0 CONCLUSION**

The above analysis indicates:

1. The District Plan accepts that zoning is an appropriate method of achieving the purpose of the Act. This includes objectives, policies and rules. It also recognises scheduling buildings amongst other things as a means of protecting heritage buildings.
2. The site has a Residential 6a zoning. It is a spot zone wedged between a Special Purpose 1 Zone and a Mixed Use Zone.

3. The zoning needs to be changed to more reflect it suitably for a Mixed Use Zoning. The site is consistent with the Objectives and Policies of the Mixed Use Zone.
4. The District Plan needs to schedule the building and remove the demolished tree.
5. Alternatives such as no change to the zoning and an alternative zoning have been evaluated and have been dismissed.
6. Changes to the District Plan have been prepared to allow the building to be protected and further development and delete the scheduled tree.

A copy of the Proposed Plan Change is attached.

In summary the main changes are:

1. A mixed use zoning.
2. A Category B listing of the building to give flexibility as to how it can be used in the future.
3. Deleting the scheduled tree listing.

**John Childs**

**29<sup>th</sup> September 2006.**