



Balfour Projects Ltd

**Private Plan Change
And Assessments Of Effects
On the Environment**

November 2007

BALFOUR PROJECTS LIMITED

Private Plan Change Request and
Section 32 Assessment of Effects on the Environment

Proposal to Rezone land at 32 Balfour Road, Parnell
from Residential 7b to Business 4 (special concept plan) Zoning.




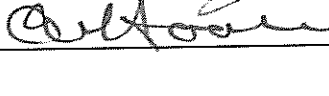

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Client No: 8611
Job No: 30786
Date: May 2007
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BALFOUR PROJECTS LIMITED
PRIVATE PLAN CHANGE REQUEST
Resource Consent Application,

Revision	1.0
Status	Final

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Private Plan Change Request
Under Part 2 of the First Schedule of the
Resource Management Act 1991

TO: Auckland City Council

Balfour Projects Limited, c/- Duffill Watts & King Limited, applies for rezoning of his property described below.

1. **THE NAME AND ADDRESS** of the owner and occupier of any land to which the application relates is as follows:

Owners: Balfour Projects Limited

Occupier: Vacant land

2. **THE LOCATION** to which this application relates is:
32 Balfour Road
Parnell, Auckland

Legal Description: Proposed Lot 2, Lot 3 DP 177570
Certificates of Title: 109C/187

3. Rezoning of land at 32 Balfour Road Parnell from Residential 7b to Business 4 (special concept plan) zoning.

4. **A DESCRIPTION** of the activity to which this private plan change relates is:


The applicant requests that Auckland City Council rezone land at 32 Balfour Road, Parnell from Residential 7b to Business 4 (special concept plan) zoning to provide for office use and residential use on the property.

A detailed description of the proposal is included in the attached report and Section 32 Assessment of Environmental Effects (AEE) which forms part of this request.

5. **RESOURCE CONSENT** would be required for any new building constructed on the property.

6. **AN ASSESSMENT** of any effects that the proposed activities may have on the environment in accordance with Part 2 of the First Schedule to the Resource Management Act 1991 is attached.

7. **THE ATTACHED** assessment of environmental effects also contains any other such information required to be included in the application by the District or Regional Plan(s) or Act or Regulations.


Signed on behalf of applicant

Russell O'Leary
Senior Planner
Duffill Watts & King Limited

Dated this ...*7th*... day of *November* 2007.

ADDRESS FOR SERVICE of Applicant:

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All invoices and correspondence relating to this resource consent application should be sent to Balfour Projects Limited, c/- Duffill Watts & King Limited at the above address.

1.0 EXECUTIVE SUMMARY

This report has been prepared by Duffill Watts & King Ltd on behalf of Balfour Projects Limited for a private Plan Change request to Auckland City Council to rezone land at 32 Balfour Road Parnell from Residential 7b to Business 4 (special concept plan) zoning. Within this report, a Business 4 (special concept plan) zoning is the requested zoning approach sought from Auckland City Council for the future zoning of the subject site for several reasons.

The change to a Business 4 (special concept plan) zoning will provide more zone consistency with that of adjoining land to the south, which is also owned by the applicant. A Business 4 (special concept plan) zoning would be a logical planning outcome for the small site as it would not introduce a further zoning and avoid the spot zoning of land at the northern end of Balfour Road, Parnell. The proposal will help resolve the future zoning and use of the 452m² rear site behind the Parnell Fire Station. The subject land contains a weed covered gully and is surplus to the future needs of the New Zealand Fire Service due to its topography. This proposed rezoning will provide for the practical and more efficient use of the land.

The assessment of effects on the environment has been prepared in accordance with Part 2 of the First Schedule of the Resource Management Act 1991 (RMA) and addresses matters relevant for the consideration of the proposal.

Overall any actual or potential adverse effects of the proposed activity on the environment will be relatively minor.

2.0 INTRODUCTION

This application report outlines the resource management issues associated with a request by the applicant Balfour Projects Limited to have the property at 32 Balfour Road Parnell rezoned for business use. The property is currently zoned Residential 7b and the applicant seeks to have the land rezoned to Business 4 (special concept plan) zoning.

The subject site is 452m² in area and is a small rear site located behind the Parnell Fire Station. The applicant seeks to provide for a range of uses on the site including office and residential uses. The applicant proposes to utilize the site in an efficient manner and the application for rezoning is proposed in order to achieve mixed use activities on the site.

Under the Resource Management Act 1991 provision is made for individuals to request a private Plan Change to an Operative District Plan. The Auckland City District Plan Isthmus Section 1999 is the Operative District Plan in respect of this proposal. This private Plan Change requests that Auckland City Council rezone land from Residential 7b to Business 4 (special concept plan) to provide for residential and office activities. This zoning provides for a range of land uses including offices and residential units as permitted activities.

It is requested that the zoning of approximately 452m² of land owned by the applicant be changed from Residential 7b to Business 4 (special concept plan) in the District Plan. A Business 4 (special concept plan) zoning would provide greater zoning consistency and avoid the spot zoning of land in the area. The proposed zoning is considered to be consistent with the zoning and character of the surrounding area. In terms of development on the site the development standards of the Business 4 (special concept plan) zone would apply to any new building constructed on the site. The Business 4 (special concept plan) zone allows for a range of uses that are compatible on the site and this zoning is considered to be an appropriate zoning for the small rear site.

The site has very sloping topography, contains a gully that runs from south to north and the majority of the land is below road level. This rear site is unlikely to be able to meet its potential or produce a high level of amenity under its existing zoning due to the changes to the zoning and land uses of adjoining and surrounding properties. The rezoning of the subject land is likely to facilitate the development of the land in a manner which would be consistent with the high standards of residential and business development in the neighbourhood.

3.0 BACKGROUND

The subject rear site is located at 32 Balfour Road and is located behind the Parnell Fire Station. The Parnell Fire Station has recently been renumbered as 34 Balfour Road and remains a key infrastructure service near the corner of Balfour Road and Gladstone Road. The New Zealand Fire Service has recently undertaken a comprehensive property review of its future needs. Fire stations are placed in strategic locations and need suitable area to manoeuvre large vehicles and need to be high above sea level. The current site is envisaged as the long term base for the Parnell Fire Station. The Fire Service has subdivided a portion of land that is surplus to its present and future needs. As a result Balfour Projects Limited, owner of adjoining land, has become the one logical purchaser for the undeveloped sloping land at the rear of the fire station. The New Zealand Fire Service remains owner of the land subject to a conditional agreement with Balfour Projects Limited.

The northern end of Balfour Road has been developed and adjoining properties to the site contain a range of non residential uses. These surrounding uses include a fire station, apartment building and office building. The applicant's adjoining land at 28-30 Balfour Road has recently been rezoned from Residential 7b to Business 4 (special concept plan) zoning. The surrounding land to this rear site has a combination of different zonings and includes Business 4 (special concept plan) zone to the south, Business 5 zone to the west and Residential 7b to the north and east. Further to the south properties on Kenwyn Street, Watt Street and Faraday Street are all zoned Mixed Use. (Refer to maps of site locality and zoning on pages 12 and 13).

This northern part of Balfour Road has a mixed use pattern of development and commercial activity would be an appropriate use of the property and fit with the surrounding land uses in the area.

The neighbouring property to the west of the subject site contains a large apartment complex on Business 5 zoned land. As a result of the height and scale of this building on the western side of the property there are negative visual dominance and shading effects upon the applicant's rear site. The applicant wants to utilize this small rear site effectively and seeks a rezoning of the land which will provide for activities such as commercial offices and residential activities upon the site.

4.0 THE SITE AND NEIGHBOURHOOD

The subject property consists of 452m² of steeply sloping land and is legally described as Part Lot 3 DP 177570. A copy of the certificate of title is attached as Appendix 1. The property subject to this private plan change is known as 32 Balfour Road.

- The subject land was amalgamated with 28-30 Balfour Road, land owned by Balfour Projects Limited.
- The subject site has recently been subdivided from the applicant's adjoining land at 28-30 Balfour Road as a result of resource consent.
- The applicant proposes to construct a building on the adjoining property to the south, 28-30 Balfour Road. The proposed neighbouring building will provide the necessary carparking for both of the applicant's sites.
- The applicant has a sale and purchase agreement with the New Zealand Fire Service with regard to ownership of the land. The Parnell Fire Station has recently been renumbered to 34 Balfour Road.
- Vehicle access to the site would be via a right of way to the proposed building on the applicants adjoining property at 28-30 Balfour Road, through levels of the covered car parking. Parking and access matters will be assessed as part of resource consent for any new building on the land.

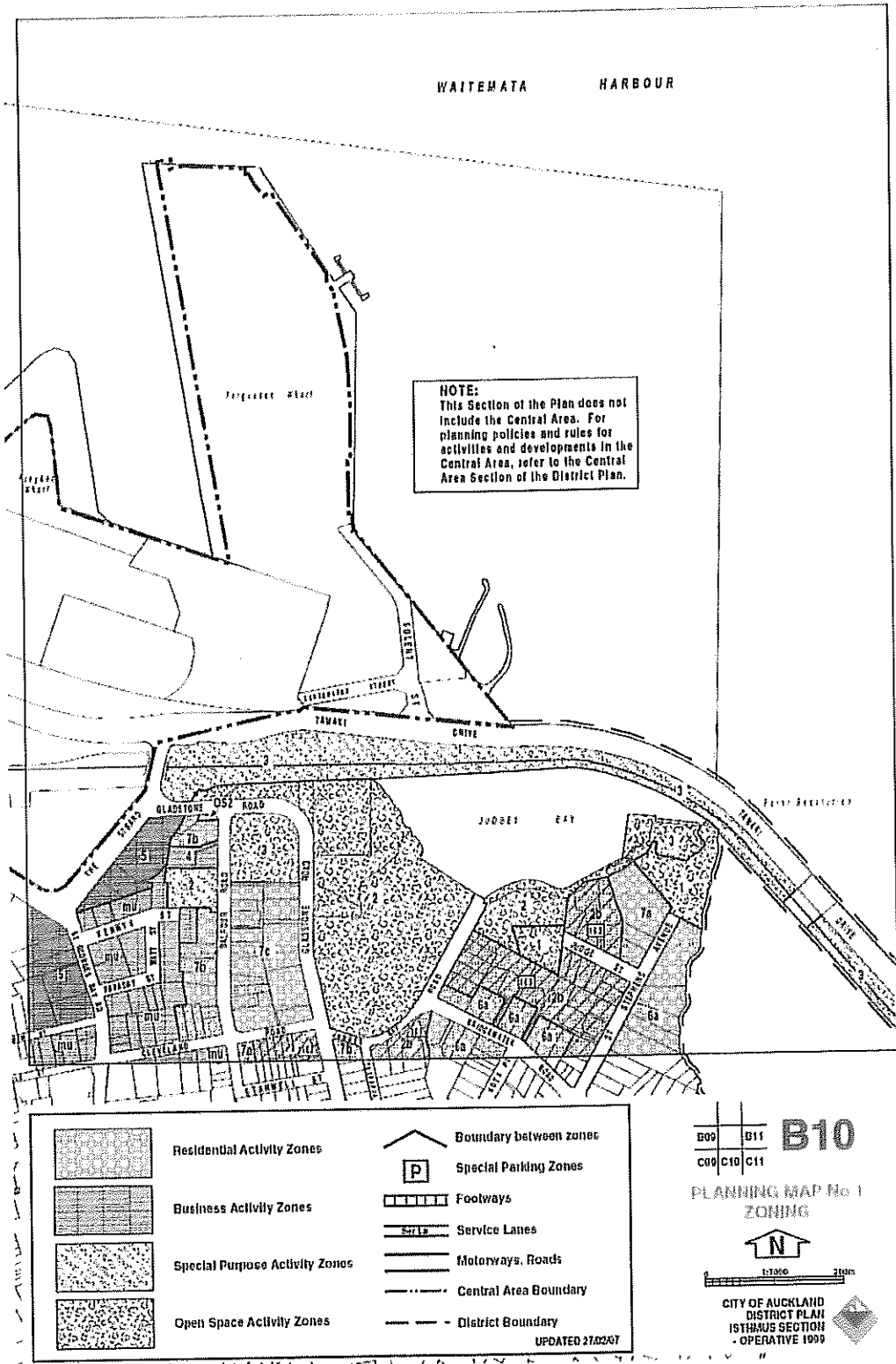
The site is separated from Gladstone Road by one property to the north. This neighbouring site is known as 112 Gladstone Road. The northern boundary of the site adjoins other Residential 7b land, and the land to the east is also zoned Residential 7b. The site is currently vacant and contains mature trees including three Pohutukawa and one Gum tree. Resource consent has been granted for the removal of the southernmost Pohutukawa tree as part of the recent subdivision consent for the property. The majority of the site has a sloping topography containing a gully that falls away to the north. The site is predominantly below the level of Balfour Road. The western portion of the site slopes steeply away to the western boundary. The western third of the site comprises a steep embankment with a slope of 30 degrees. The embankment comprises a 13m slope predominantly covered with scrub.

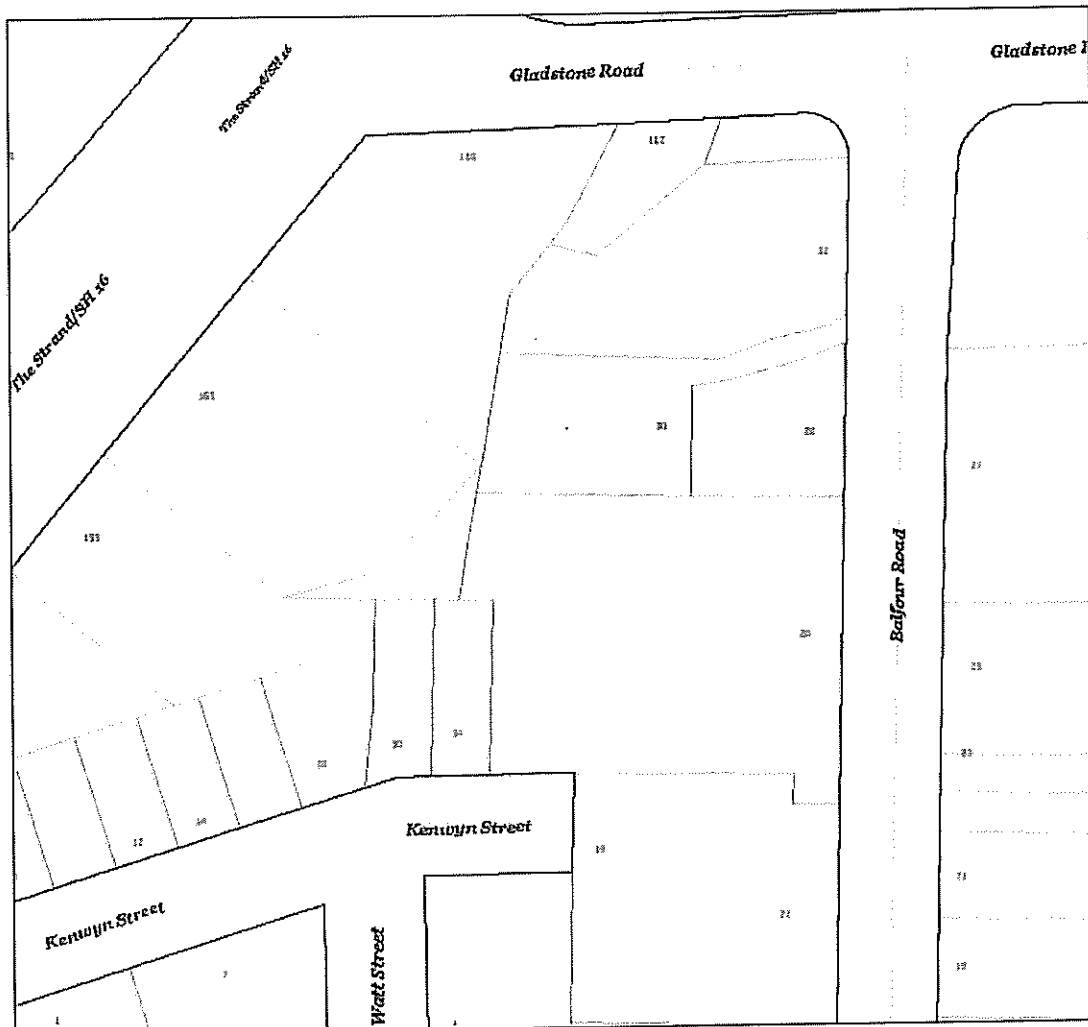
Balfour Road runs gently down from the south to its northern intersection with Gladstone Road. Attached is a location and topographical plan under Appendices 2 and 3. The southern part of Balfour Road predominantly contains residential zoned properties. The buildings on these sites comprise a mix of single dwellings, townhouses and multi-unit developments. The northern end of Balfour Road is characterized by a combination of residential, business and public service uses on the sites:

- The residential properties along the eastern side of Balfour Road; the nearest property being 25 Balfour Road. These properties are zoned Residential 7c.

- The property immediately to the south of the subject site. The site at 28-30 Balfour Road is also owned by the applicant and has been the subject of a private plan change with the zoning being Business 4 (special concept plan) (as a result of an Environment Court decision) and provides office and residential activities as permitted activities. This site was previously zoned Residential 7b.
- The property further south at 24 Balfour Road and south of all land owned by the applicant is zoned Special Purpose 2.
- The properties opposite and south of the subject site on the eastern side of Balfour Road. These properties are zoned Open Space 3 and are occupied by a tennis club, kindergarten and Gladstone Park.
- The property east of the subject rear site is also zoned Residential 7b, this adjoining site is occupied by the Parnell Fire Station.
- The property immediately to the north is also zoned Residential 7b and is occupied by offices for the Auckland Harbour Board through a resource consent dated March 1999.
- The property immediately to the west of the subject site is zoned Business 5. The property comprises a range of business activity with a high multi-level apartment building near the western boundary of the applicant's site. The building consists of two levels of carparking, entrance basement and six levels of apartments.
- Properties further south and adjoining Kenwyn Street, Watt Street and Faraday Street are all zoned Mixed Use. This Mixed Use zoning extends to the southwestern corner of the applicants land at 28-30 Balfour Road.

Below is a copy of the District Plan zoning map for this area showing the zoning of land surrounding the subject rear site.





Street Map.	Property addresses along Balfour Road, Gladstone Road and The Strand, Parnell.
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The subject rear site is at the northern part of Parnell and is located within a ridge that overlooks Tamaki Drive, the container terminal of the Ports of Auckland, and possible views of the Waitemata Harbour to the north east. The land is at the western edge of Parnell and so has good proximity to the primary transportation network including railway and the Auckland Central Business District.

5.0 THE ZONING PROPOSAL

The applicant requests that his small 452m² rear site be rezoned to Business 4 (special concept plan) from its current zoning of Residential 7b. This proposal would also see consequential changes to the height limit and height in relation to

boundary rule. A Business 4 (special concept plan) zoning would provide for a variety of business and residential activities on the site. The local character of this neighbourhood including the surrounding land uses are such that the most practical uses of the land would include offices and or a combination of offices and residential activity.

A realistic development proposal for this land once rezoned would consist of two levels of offices above ground level covered parking. The building proposed would be sited within the southeastern corner of the site. The two top levels of the building would consist of residential use.

The applicant's development intention is based upon the varied nature of land use located at the northern portion of Balfour Road, and the Mixed Use zoning of land adjoining Kenwyn Street, Watt Street and Faraday Street to the south. The applicants adjoining property at 28-30 Balfour Road has recently been rezoned to Business 4 (special concept plan) and the permitted uses under this zoning include offices and residential activities. Other factors contributing to the applicants request for a rezoning of the land are the proximity, height and bulk of the apartment building on Business 5 land at the western boundary, the close proximity of the Parnell Fire Station, closeness of the site to the city centre and economic factors.

The applicant wishes to develop his property in a practical and economically feasible way whilst also providing potential higher level residential amenity on the site for future occupants. A Business 4 (special concept plan) zoning for the small rear site would help achieve quality environmental and development outcomes. These would arise through lower level uses such as offices having lower amenity levels on this site, whilst the upper levels of residential use would utilize the upper levels of higher amenity, views and outlook. In this way overall development on the difficult site is made more affordable and an efficient use of the land is achieved.

In terms of the vegetation, the difficult to develop steeply sloping rear site is covered with low scrub and creeper. There are four trees on the property that are protected under the rules of the District Plan. These trees include mature Pohutukawa trees and a Gum tree. Three are concentrated at the northern reaches of the site. One of these trees, is an early mature Pohutukawa tree which is located in the south eastern corner of the site. The applicant has recently received resource consent approval for the removal of this tree as part of the recent subdivision consent for the rear site.