

Further Submission on NPDC's Notified Proposed District Plan

Response ID:70 Data

1. Further submitter details

1. Name of further submitter

Wayne O'Keeffe

2. Contact person (if different from above)

Wayne O'Keeffe

3. Email Address

The Council will serve all formal documents by email. Where there is no email address provided, the documents will be posted to the postal address stated below.

w.okeeffe@yahoo.com.au

4. Postal Address

36 Robe Street

5. Phone Number

021611445

6. I am:

A person who has an interest in the proposal that is greater than the interest of the general public. (In this case, also explain the grounds for saying you fall in this category; or

7. Please state the grounds as to why you come within the category selected above.

I reside directly next to the property

2. Council Hearing

8. Do you wish to be heard in support of your further submission?

Yes

9. If others make a similar submission would you consider presenting a joint case with them at a hearing?

Yes

3. My Further Submission(s)

10. The specific further submissions in support or opposition and the decisions sought for NPDC's Proposed District Plan are as follows:

Please only insert one further submission point at a time, there is the ability to add additional points further down.

I support/oppose the submission of: (state the submission number, name and address of the person making the original submission)

Taranaki Cathedral Church of St Mary/Taranaki Anglican Trust Board - Kathryn Hooper - Landpro Limited / 170 57
Vivian Street New Plymouth 4310

Submission No./Point No. (of the original submission)

Provision

Do you support or oppose the original submission?

Oppose

The reasons for my support/opposition are: (state the nature of your further submission, giving reasons)

Reason's for opposing multi Zone request.

st Mary's church currently have an existing use to conduct normal church activities.

The proposed GRZ does allow for community based activities to take place and ensures that commercial activity takes place in more appropriate zones than in residential zoned areas.

The applicant and the council are currently under a judicial review regarding its current resource consent, development and activities proposed. It would be inappropriate for a change of use or zone be considered before due process has been followed in this respect.

Predominantly commercial activities create noise as noted in the multi zoned land use description.

The closest neighbours to the church are residential zoned and residents reside on these titles.

The process for district plan change all be it publically notified is not followed well by general land owners and this would not be a fair notification to surrounding land owners and perhaps you could say a deceptive way to go about a change of land use and zoning as the submitter could have and should of made the request for zone change during their latest application for a change of use and development, although this would have made the application notifiable, which was avoided heavily during the application.

The vast majority of the multi zoned land to the west of the church is residential dwellings.

Multi Zone will create large traffic flow into residential streets were children play, skateboard, ride bikes etc..particularly around Marsland hill.

There needs to be a clear differentiation between the CBD and residential, Vivian street has been identified in numerous documents as that point of demarcation.

It is clear from this description that General Residential Zoning will no longer be appropriate for the Cathedral site as the activities are not consistent with the intent or purpose of this zone.

Prior to the latest consent under judicial review, the zoning was very suitable for the church, this statement simply confirms the inappropriate nature of the current change of use from normal church activity to a commercial activity.

Removing the main entrance and exit via the main road Vivian street, leaving the only entry and exit via the residential side of the church, the danger to resident's further inanced by a near doubling off expected traffic from some 900 vehicle movements a week to almost double if not more than doubled if the full potential is actually brought to fruition.

The focus of this zone is residential, tailored for living activities. The Cathedral and the future use of this site are therefore not considered consistent with the Medium Density Residential Zone.

Could not agree more, the proposed activities for the land are not in line with its current zoning hence the judicial review.

The Cathedral site touches on the City Centre Zone in the north east corner, diagonally opposite through the Vivian Street/brougham street intersection (i.e. The Nice Hotel).

Yes let's not forget the cemetery. Hardly appropriate for a multi use zone. A peaceful residential zone would be more fitting, with particular reference to the significance of the site to the public and its buried.

Height management areas are applied in the city centre with taller buildings permitted around the edges of the Huatoki Basin. This reflects existing building heights and open spaces and protects important views to the sea. Viewshafts are also in place to ensure that views from public places are maintained

Given the council's current trend to approve projects namely st mary's and 32 vivian street (36 present over the 10m height restriction at 13.3m) to name 2 this is a rather bold statement to include.

Mixed Use Zone This appears to be the most appropriate and logical zoning. The site is adjoined by (proposed) Mixed Use zoning to the North for the full frontage on the opposite side of Vivian Street, and to the West on the opposite side of Robe Street.

As previously stated all properties to the west of the church are residential, and the opposite side of Vivian Street

being the CBD side is more fitting to that zoning.

This zone is predominantly characterised by larger scale, bulky buildings (such as warehouses and wholesale shops) orientated towards the motorised customer, with parking usually provided on-site. Some of these buildings are set back from the road with car parking provided in front of the building, while others are positioned up to the street with parking areas provided at the side or the rear of the building. Generally no verandahs are provided.

Parking as explained is already of major concern to the residential zone surrounding the Church. It is currently not possible for the current user to provide sufficient off street parking onsite in line with the current district plan, given the majority of the land is now either cemetery or church building's how would this be achieved for future expansion, and fit in with the surrounding residential status of land?

This zoning appears to be the most logical given the site adjoins this zone on two sides, and the use of the site is consistent with the intent of the zone, and the activities that are anticipated to occur there.

To the west, south-west are residential dwelling's unlikely to be replaced with any type of commercial activity, to the south a hugely significant Wahi tapu site and majority to the east, south-east residential dwelling's and again the cemetery. How logical the change I guess depends on the perspective/objectives of the onlooker.

"The zone provides for a compatible mixture of commercial services, recreational and/or community activities" and it is noted that the Cathedral (a 'community activity') has always been compatible with its surrounding use, for the reason that the surrounding use around the site is diverse and mixed. Future use may extend to activities that could be considered more commercial in nature, if not precisely in their intent to be commercial in the financial sense of the word, at least in the effects they will have that feel (for example special events, tourism, workshops and community gatherings).

Agreed the church has been compatible with its existing use, community work, wedding and funeral proceeding's, religious worship and associated activities. To change this to a function facility and hold wedding function's which we all know head into the night, loud music and alcohol/drunks is not fitting for the current and proposed residential zone, nor in line with a educational facility for children. To say that there is no intent to create a revenue stream for the church is very unlikely to be correct and I put forward that is the main reason for the request to change use and zoning. Proposed Policy MUZ-P1 is to allow activities which are compatible with the role, function and predominant character of the Mixed Use Zone, while ensuring their design, scale and intensity is appropriate, including: 1. commercial service activities; 2. supermarkets; 3. community facilities; and 4. sport and recreation activities

Community use and activities are permitted under existing use in both the current zone and the proposed zone change.

'Community Facilities' is directly relevant to the Cathedral and means land and buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It includes provision for any ancillary activity that assists with the operation of the community facility.

There is more than enough funding and donation avenues available to continue these activities, as has been proven by the current financial contributions to reinstate the church and earthquake proofing, which has now also flowed into a commercial development foremost and the repairs at a later date. An interesting use of intended donation's in itself.

In conclusion to change this site imbedded in the residential side of the fringe of town where residential meets business would be to the detriment of the residents if allowed. The current activities fit within the current and proposed zoning . The Church has large land adjacent to the title in question, within the proposed multi use zone, let that be the place for such commercial activities. St Aubyn street, Moturoa is also a state highway with pedestrian crossings, why is it so prudent a Church is given special treatment?

The planning team received this back in November last year and yet still approved a project clearly even on the applicant's account not suitable for its zoning.

I seek that the whole (or part) of the submission be allowed/disallowed (give precise details of the decision you want the Council to make)

Requested decision from NPDC

Keep the land residential zoned

Define the existing use of the title prior to 2020 to clear confusion.

Ensure that the land use remains residential with allowance for that existing use as defined.

Ensure no alcohol licenses are to be given for this residential zoned land.

Withhold any decision until after the judicial review underway is complete.

More appropriate public notification for such a significant change.

I support/oppose the submission of: (state the submission number, name and address of the person making the original submission)

Taranaki Anglican Trust Board - Jenny Goddard / 126 17 Frank Wilson Terrace Welbourn New Plymouth 4312

Submission No./Point No. (of the original submission)

125.2

Provision

Do you support or oppose the original submission?

Oppose

The reasons for my support/opposition are: (state the nature of your further submission, giving reasons)

This should have been dealt with during the application for Building consent of proposed works already granted, should the applicant have required the tree to be removed this should have been brought forward well before now and been assessed correctly at the time of application by professionals in the field. Clearly the applicant knew at the time the tree required to be removed but neglected to be forthcoming with the information. Dishonest and deceptive.

I seek that the whole (or part) of the submission be allowed/disallowed (give precise details of the decision you want the Council to make)

Leave the notable tree schedule as it is,

Instruct the planning team to withdraw the building consent and have the applicant re-apply truthfully with full disclosure.

I support/oppose the submission of: (state the submission number, name and address of the person making the original submission)

Taranaki Anglican Trust Board - Jenny Goddard / 126 17 Frank Wilson Terrace Welbourn New Plymouth 4312

Submission No./Point No. (of the original submission)

125.1

Provision

Do you support or oppose the original submission?

Oppose

The reasons for my support/opposition are: (state the nature of your further submission, giving reasons)

This is exactly why we require these building's protected. The clear intent here is to destroy the history of the township for financial gain, sighting any reason possible to achieve this. if the current owners have so poorly neglected there investment how can they be entrusted to not do the same at the cathedral? Heritage New Zealand has funding to restore and retain such building's. If developers are allowed to continue to buy up these

properties and build outside of the district plan, i.e over height we lose all of the towns history.

I seek that the whole (or part) of the submission be allowed/disallowed (give precise details of the decision you want the Council to make)

Have the building's safe guarded against demolition and loss of heritage. Heritage list.

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Taranaki Anglican Trust Board - Jenny Goddard / 126 17 Frank Wilson Terrace Welbourn New Plymouth 4312

Submission No./Point No. (of the original submission)

124.1

Provision

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Oppose

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I seek that the whole (or part) of the submission be allowed/disallowed (give precise details of the decision you want the Council to make)

Have the building's safe guarded against demolition and loss of heritage. Heritage list.

4. Note To Further Submitter

A copy of your further submission MUST be served on the original submitter with 5 working days after it is served on the local authority. Contact details for all submitters can be found on the Proposed District Plan page of the NPDC website.

Please note all information provided in your submission, including your personal information, will be made publicly available.

Your submission (or part of it) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of it):

it is frivolous or vexatious,

it discloses no reasonable or relevant case,

it would be an abuse of the hearing process to allow the submission (or the part) to be taken further,

it contains offensive language,

it is supported only by material that purports to be independent expert advice, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

11. I understand that details of my submission will be made publicly available and I must serve a copy of my further submission to the original submitter within 5 working days of making my further submission.

I understand

5. Thank You!

Thank you for your further submission. Formal acknowledgement of your further submission will be provided once processed and accepted by Council.

Email a copy of my further submission(s)

Aug 24, 2020 23:28:15 Success: Email Sent to: w.okeeffe@yahoo.com.au