

**NOTIFICATION REPORT PURSUANT TO SECTIONS 95A TO 95F
OF THE RESOURCE MANGEMENT ACT 1991**

**RESOURCE CONSENT APPLICATION FOR LAND USE CONSENT, PURSUANT TO SECTION 9(3) RMA FOR
PARTIAL DEMOLITION AND ADDITIONS AND ALTERATIONS TO ALL SAINTS CHURCH**

THE APPLICANT:	THE WELLINGTON DIOCESAN BOARD OF TRUSTEES C/O MATT SOONG
LOCATION:	338 CHURCH STREET, PALMERSTON NORTH
LEGAL DESCRIPTIONS:	PART SECTION 838 TOWNSHIP OF PALMERSTON NORTH
ZONING:	INNER BUSINESS ZONE
ACTIVITY STATUS:	DISCRETIONARY ACTIVITY

As per section 42A(1A) of the Resource Management Act 1991 (RMA), this report does not repeat information included in the application under section 88(2) and Schedule 4, except where doing so here adds value to the consideration of the Application. I am familiar with the site and the surrounding environment, having undertaken several site visits.

A. THE PROPOSAL

1. The Wellington Diocesan Board of Trustees (the “**Applicant**”) has lodged an application for resource (land use) consent with Palmerston North City Council.
2. The full extent and details of the application is described in section 2.3 of the document titled “*The Wellington Diocesan Board of Trustees Proposed Earthquake Strengthening and Site Redevelopment All Saints Church 338 Church Street, Palmerston North Assessment of Effects on the Environment Prepared in Accordance with S88 and the 4th Schedule of the Resource Management Act 1991*”.
3. For convenience, I summarise the primary components of the proposed works below:
 - (i) Partial demolition to a portion of the existing church building, including the removal of the existing baptistery.
 - (ii) The addition of a new lobby and reception area with a curved canopy and glazed frontage to Church Street. The area of additions total 396m².
 - (iii) Seismic upgrade and repair to the existing building.
 - (iv) A new accessible entrance into the main space of the church.
 - (v) Construction of a new roof.
 - (vi) Construction of new entrances to the ‘West’ (north) Porch and ‘South Aisle’ (west) of the building.
 - (vii) Construction of a new covered walkway along the ‘South Aisle’ (west) edge of the church, serving a new office space on the western boundary of the site.

(viii) Create new landscaping to integrate the overall design to the streetscape and public realm, including works within legal road.

4. An artist's impression of the proposed canopy and glazed frontage is shown in Figure 1 below. This should be read in conjunction with the proposed plans submitted with Appendix C of the application. A 'walk-through' computer-generated 3D model has also been presented by the applicant for reference (available via https://youtu.be/7NI_RnxiPW0).

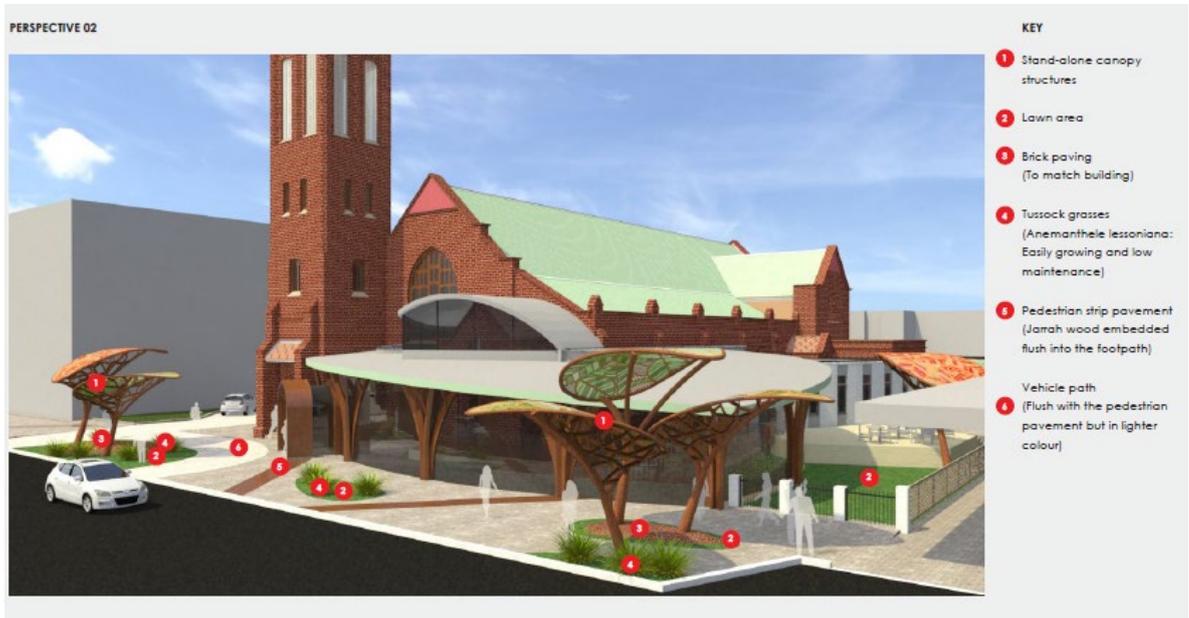


Figure 1: Plans of proposed works from Church Street (Excerpt from Appendix D of application)

5. There are no matters in this application relating to sections 11, 12, 13, 14 or 15 of the RMA.

B. THE SITE AND SURROUNDING AREA

6. A detailed description of the site and the surrounding environment is provided in the following documents submitted with the application section 2.2 of the "Assessment of Effects on the Environment" and pages 14 – 42 of "Appendix G Heritage Impact Assessment". I do not repeat the description contained within these reports but summarise some relevant details below.
7. The subject site is located near the centre of the Palmerston North Central Business District, on the south-eastern side of Church Street. The site is approximately 6308m² in area and legally described as Pt Section 838 TN OF Palmerston North (held in Record of Title WN497/137). An aerial image is shown in Figure 2 below.
8. The Church building was originally constructed in 1913-14 and was designed by Frederick De Jersey Clere in the gothic revival style. The main church building presents as a rectangular plan dominated at its west elevation by a rectangular bell tower.
9. The front portion of the building contains the Tower; the Baptistry; and, the West Porch. The interior of the building is symmetrically designed around a central nave adjoined by northern and southern aisles. Regularly placed arches of jarrah support the roof frame. The rear portion of the main building contains the Sanctuary; Chapel; Organ Chamber; and Clergy Vestry.

10. The exterior of the building is described by Heritage Architect and Conservor, Mr Ian Bowman, as follows¹:

“The church has a main gable facing the street extending the full length of the church with a south gabled transept over the organ chamber. The chapel has a gabled roof parallel with the main roof and the north and south porches both with gables at right angles to the main gable. The tower porch has a skillion roof extending from the base of the tower and the west porch has a stepped gabled roof facing the street. The baptistery, choir and clergy vestry have flat roofs. The exterior has exposed brick walls, parapets, buttresses with gabled copings, string courses, hood moulds, and a plinth at the base. The baptistery parapet has blind arcading as does the top of the tower. The tower has corner and intermediate pinnacles, also of brick”.

11. The main building connects to the Church Hall at the rear of the site via an existing linkway. This church hall was constructed in 2010 and incorporates part of the circa 1918 Sunday School.
12. Parking for the church is provided on both the northern side and to the rear of the building, providing some 83 carparks in total. Vehicular access to the site is available from Church Street. A landscaped area and children’s playground area is provided to the west of the building.
13. The liturgical orientation of the building/site differs from the liturgical compass point, but is used for consistency of reference as used in the application. This is shown in the image below and referred to in this manner hereafter in this report.

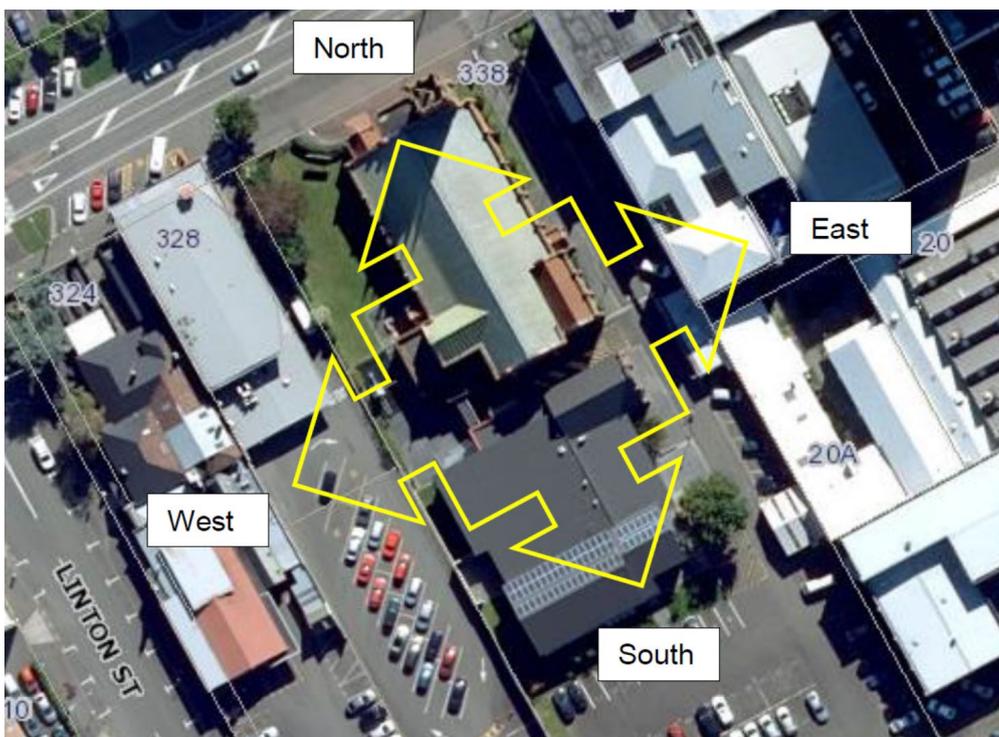


Figure 2: Aerial Image of Subject site with liturgical

¹ Application Documents: Appendix B – Conservation Plan, pages 14-15.

14. The site occupies a prominent location at the south western edge of The Square. There is a visual connection between the south-western quadrant of The Square. The site is surrounded by a series of heritage listed buildings and cultural/civic spaces, including:

CATEGORY 1				
Ref	Building/Object	Address	Legal Description	HPTNZ Ref.
13	Grand Hotel Building	331-341 Church St	Sec 677 and Pt Sec 678 Town of Palmerston North	192
10	Square Edge (Former City Council Building)	45-48 The Square	Pt Sec 676 Town of Palmerston North	-
14	Hitching Post	The Square		1259

C. RELEVANT STATUTORY DOCUMENTS

15. Sections 95 to 95F of the RMA outlines a consent authority's obligations and discretions in making a notification decision. The Palmerston North City District Plan (the District Plan) is the relevant planning documents in relation to the required notification decision of the application.

D. DISTRICT PLAN - RULES AND ACTIVITY STATUS

16. The subject site is located within the Inner Business Zone in the District Plan. All Saints Church is listed as a *Category 1 building* (Heritage Reference No: 1). Heritage New Zealand Poutere Toanga also lists the Church as a *Historic Place Category 1 building* (Reference number 191). Church Street is a Pedestrian Street in Section 20: Land Transport of the District Plan (table 20.6.1.5; Figure 20A.4).
17. The relevant sections of the District Plan applicable to the proposal are outlined in:
- Section 11 - Business Zones;
 - Section 17 - Cultural and Natural Heritage; and
 - Section 20 - Transportation of the District Plan.
18. Resource Consent is required under the following District Plan rules:
- (a) **Rule 17.8.1** for total or partial demolition of the exterior of any scheduled building or the destruction of any scheduled object.
 - (b) **Rule R17.2.2** for external alterations and additions to a Category 1 Scheduled Building.
 - (c) **Rule R11.6.2.1** for alterations and additions to an existing building which fails to comply with the relevant performance standards under Rule 20.4.2(b)(iii)(a).
 - (d) **Rule R11.6.2.2** for the construction, external alterations and additions that do not comply with the performance standards for permitted activities (in R11.6.1.2). The proposal does not comply with the following performance standards:
 - (d) *Minimum building height* – the minimum height of the entrance canopy is 3.0 metres (8 metres is required).
 - (e) *Ground floor height* – the Church will remain single storey and will not extend along the full width of the Church Street frontage.
 - (f) *Maximum frontage width* – the ground floor tenancy (the Church) will have a maximum width of more than 10 metres.
 - (e) **Rule 20.5.1** as the proposal does not meet the permitted activity rule for the Inner Business Zone (20.4.2(b)(iii)(a)) in relation to parking adjacent to a pedestrian street. The proposed additions and alterations will increase the floor area of buildings on the site to 2329m². The

site therefore would exceed the maximum parking allowance of 23 carpark spaces for the building (1 space per 100m²). The proposal is to retain the existing 83 carpark spaces on the site.

15. Under Rule 17.8.1, the proposal is assessed as a **Discretionary Activity**. Under Rules 17.2.2, 11.6.2.1, 11.6.2.2 and 20.5.1, the proposal is a *Discretionary Restricted Activity*. Overall, the proposal is assessed as a **Discretionary Activity** under the District Plan as per s87A(4) of the RMA.

E. ASSESSMENT OF ADVERSE EFFECTS ON THE ENVIRONMENT [s95A(8)]

16. As a Discretionary Activity a consent authority can exercise full discretion as to the effects it considers. I consider the proposal will have adverse effects in relation to:
- (a) Effects on Heritage
 - (b) Urban Design and Streetscape Effects
 - (c) Parking and Effects on the Safe and Efficient Operation of the Roving Network
 - (d) Construction Effects
17. To facilitate the assessment of these above stated adverse effects, the applicant has provided the following reports, along with an Applicant's Assessment of Environmental Effects:
- (a) Conservation Plan
 - (b) Plans of Streetscape work
 - (c) Heritage Impact Assessment
18. The applicant also provided a record of consultation with:
- (a) Written support from Wiremu Kingi Te Awe Awe, a Rangitane Kaumatua
 - (b) A letter from Heritage New Zealand²
 - (c) Written approval from Wallace Property Company Limited (Development Manager)
19. In assessing the effects of the proposal I have had regard to the expert assessments provided with the application, in addition to the review reports of the following Council experts:
- (a) Mrs Chessa Stevens – Heritage
 - (b) Mr Morten Gjerde – Urban Design
 - (c) Mr Chris Lai - Traffic

Effects on Heritage

20. The applicant has provided a report by their Heritage Consultant, Mr John Brown. His assessment is included in Appendix G of the application. Mr Brown concludes in his assessment that:

“The proposal will result in an obvious change to the existing heritage building and affect the physical fabric of the building at specific locations. There will be some adverse effects arising from the alteration of the existing building through a loss of original fabric, and a partial obscuring of the original form of the building from the west and north elevations in terms of the existing viewing experience. Without mitigation, such as the reuse of the stained-glass windows and relocation of the font, these effects could be significant and unacceptable.”

² I do not consider this to formally constitute a written approval under the Act.

However, the proposal has introduced several mitigation measures through its design, so that on balance these adverse effects are considered to be moderate and acceptable.”

21. Mrs Stevens has reviewed the application and comments as follows:

The removal of the baptistry wall, in particular, will negatively impact on the building, as has been noted by both Heritage NZ and the Applicant’s own Heritage Impact Assessment – though the latter does not provide a detailed assessment of this impact. Similarly, the heritage assessment does not discuss in detail the impact of removing fabric and/or the damage that will be caused by adding doors and joining the addition to the existing building. The building is scheduled, in part, in recognition of its design, which has remained largely unchanged since construction, and the role that it plays in the streetscape. The architectural (design), contextual (townscape) and landmark values of the building, as well as its commemorative values and its level of representativeness and authenticity, will all be impaired to varying degrees by the proposed addition.

While it is acknowledged that the church wishes to carry out these modifications for reasons that include improving accessibility and versatility of use, the proposal as it stands does not represent the minimum level of intervention necessary to achieve these outcomes. The proposed addition is positioned on the two most prominent sides of the building, including the street elevation, which is a matter of discretion under rule R17.7.2e. It also conflicts with the assessment of significance and recommendations made in the Conservation Plan (R17.7.2h). While the proposed addition is glazed, the drawings provided with the application do not accurately demonstrate the glazing as it will appear, and arguably create a false sense of the transparency that can be achieved.

Similarly, images provided in the application demonstrate that the proposed addition will affect the setting of the existing building (R17.7.2f) and will become dominant feature of the building, especially when viewed from the northwest (R17.7.2d). As the Applicant’s Heritage Impact Assessment notes, the proposal will have a “moderate permanent adverse effect on particular near views and experiences from the west”.

...

The adverse effects of the proposed removal of the baptistry and of the addition to the north and west elevations on the heritage values of the building will be more than minor, even with the mitigation offered”.

22. The applicant has also identified in the application that there could be potential effects on historic heritage during the construction period. The applicant intends to manage these effects by way of a Construction Management Plan (CMP). This will detail a full construction methodology identifying areas of historic heritage value to be retained; employ methods which avoid damage and/or protects existing historic fabric during construction; and, establish monitoring protocols (among other things).
23. The site is a recorded archaeological site (T24/37). Modifications to the subject site during the construction phase may also affect the site of a former 19th century school hall, which is a recorded). The applicant will obtain an archaeological authority from Heritage New Zealand Pouhere Taonga prior to conducting the works.
24. I have had regard to the expert advice from both the applicants and the Councils heritage experts. I am of the view that the heritage effects of the proposal will be more than minor.

Effects on Urban Design and Streetscape

25. The proposed building will result in modifications to the building's primary (street-facing) elevation and new works within the public realm of Church Street. An *Urban Design Context Analysis* is included in Appendix D of the application. The proposal has also been reviewed by Morten Gjerde, an Urban Design Consultant for the Council, who comments as follows:

"The building adopts a well-recognised gable form associated with Christian buildings internationally. Visual interest and impact are enhanced though the asymmetrically placed tower. The building is largely constructed of brick, which adds visual warmth into this part of the Square and, together with the detailing at openings and around edges, creates visual interest at yet another scalar level.

The proposal is to add a single storey, curvilinear, glazed area to the north and west of the existing building. In the process, the Baptistry, situated in the centre of the north (street) elevation, would be removed. The new building would help the church address a number of other shortcomings in the current building layout including access for people with disabilities, social spaces and a more generous, inviting entry point. In addition to the new attached building form, several small freestanding structures are planned within the site and on the adjacent street to provide areas for informal conversation and visual interest. The Assessment of Environmental Effects, the structural and architectural plans (appendix C) and the Urban Design Context Analysis (Appendix D) together provide a useful representation of the proposed work.

...

The building additions attached to the existing church building will significantly impact the architectural coherence of the listed building and this will in turn impact on the surrounding streetscape. The new area of building will interrupt the coherence of the gable structure upon which the design of the church building is based. Longer distance views toward the building, in which the building's silhouette is the primary visual element, would be largely unaffected.

While the church is constructed of brick, an organic material, its form is highly rectilinear and ordered. This is a quality that engenders visual strength and imageability. It is clear in my mind that that highly organic plan form of the addition will conflict with this. This is largely because the addition seeks to assume prominence over the existing building by advancing further toward the street and because of its opacity. Despite the glazed walls of the addition, the roof is expansive and fully opaque. This will, during daylight hours, limit depth of visibility through the new structure. The new structure would be seen prominently in front of the church from the vantage point of people in the street and the southwest edges of the Square.

It has also been proposed to extend the project out into the street. Several freestanding 'tree' elements would be situated along the footpath in front of the site and a curving portion of the new addition would also extend out across the street boundary. These aspects of the proposal would affect streetscape perceptions, not least because the project would seem to appropriate part of the street".

26. Having regard to the information provided within the application and the advice of Mr Gjerde, I consider that the urban design and streetscape effects of the proposal could be more than minor on the environment.

Parking and Effects on the Safe and Efficient Operation of the Roding Network:

27. The existing church is served with some 83 on-site, the majority of which are located at the rear of the building. The activity exceeds the maximum number of carparks permitted for a site on a pedestrian street. It is acknowledged that the proposal will increase the Gross Floor Area of the building, however, the total number of carparks remain unchanged. The proposal has been assessed by Council's Traffic Engineer, Mr Chris Lai, in this regard. Mr Lai was comfortable that the proposed changes will not increase the maximum congregation size, or the number of carparks utilising the vehicle crossing across the pedestrian street.
28. As shown in *Figure 1* above, the proposal also involves a vehicle path over part of the footpath/pedestrian space on Church Street. Vehicles can enter at the existing crossing and turn right, manoeuvring in front of the church, then exiting over the kerb into Church Street. It is noted that the surfacing and material treatment of this area will signal a predominantly pedestrian space and it is understood that vehicular of this area will only be used on occasion and in a controlled manner, such as for funeral hearses.
29. Having regard to the advice received by Mr Lai, I conclude that the effects of the proposal with respect to parking and effects on the safe and efficient operation of the roading network will be no more than minor.

Construction Effects

30. Construction is estimated by the applicant to take 10 – 12 months to complete. The applicant has assessed the construction effects of the activity and notes a number of mitigation measures, as summarised below:
- a. dust generated from the coring of the bricks will be limited through water spraying and cladding the structure in weatherproof shrink wrap.
 - b. Dust from trucks dumping materials, such as hardfill, can be minimised by wetting.
 - c. Construction hours would be limited to between 7.30 and 18.00 weekdays and possibly on a Saturday.
 - d. Noise generated will be within the times and limits set out in NZ Standard 6803:19699 'Acoustics – Construction Noise'.
 - e. Construction effects will be managed by way of a Construction Management Plan (CMP).
 - f. Pedestrian and vehicular traffic will be managed through a Traffic Management Plan (TMP)
31. With the above measures offered by the applicant, I am of the view that the construction effects of the proposal will be no more than minor on the environment.

Effects Conclusion:

32. Overall, I consider that the actual and potential effects of the proposal on the environment will be more than minor.

E. SECTION 95A - PUBLIC NOTIFICATION ANALYSIS:

The Council must follow the steps outlined under Section 95A, in order, to determine whether to publicly notify an application for resource consent.

Step 1: Mandatory public notification in certain circumstances:	YES	NO
Has the applicant requested public notification?		X
Is Public Notification required under s95C?		X
Is the application made jointly with an application to exchange recreation reserve land under s15AA of the Reserves Act 1977?		X

*Note: If any of the above matters apply, the application **must** be publicly notified and steps 2, 3 and 4 are not required.*

Step 2: Public notification precluded in certain circumstances:	YES	NO
Does a rule or NES preclude notification of the application?		X
Is the application for 1 or more of the following but no other activities? A controlled activity; and/or Restricted-discretionary or discretionary activities for:		X
- A subdivision of land		X
- A residential activity [s95A(6)] ³		X
- A boundary activity [87AAB] ⁴		X

Note: If any of the above matters apply go to step 4. If none of the above matters apply go to step 3.

Step 3: Public notification required in certain circumstances:	YES	NO
Does a rule or NES require public notification of the application?		X
Will the activity have, or is likely to have, adverse effects on the environment that are more than minor.	X	

G. NOTIFICATION CONCLUSION

33. In accordance with **Section 95A(7)(a)** the adverse effects on the environment are considered to be more than minor. As such, the Council must publicly notify the application.

³ **Residential activity** means an activity that requires resource consent under a regional or district plan and that is associated with the construction, alteration, or use of 1 or more dwelling houses on land that, under a district plan, is intended to be used solely or principally for residential purposes.

⁴ **Boundary activity** Is an activity that requires a resource consent because of the application of 1 or more boundary rules (but no other district rules) and, no infringed boundary is a public boundary.

Recommendation prepared by



Ryan O'Leary
Contracted Planner
DATE 5 June 2020

DECISION



Simon Mori
Head of Planning Services (delegated authority)
DATE 8 June 2020