

APPLICATION FOR RESOURCE CONSENT

WESTMOUNT SCHOOL
301-305 ORMOND ROAD, AND 32 KING STREET, GISBORNE.

GISBORNE EDUCATION TRUST



27 October 2009



INSIGHT (GISBORNE) LIMITED
PO BOX 986

GISBORNE 4040

APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88
OF THE RESOURCE MANAGEMENT ACT 1991
(PD) DISTRICT LAND USE

To: The Manager Environment & Planning
 Gisborne District Council
 PO Box 747
GISBORNE

1. The Gisborne Education Trust applies for resource consent (district land use) to extend buildings, amend the timeframe of consent, and access arrangements for the Westmount School, established on a property zoned General Residential. The aspects of the proposal which require resource consent include:
 - Activity Status;
 - Yard Requirements;
2. The applicant is the owner of the properties.
3. The location to which this application relates is more fully described in the supporting information. The property has legal and physical access to Ormond Road. The property address is 301-305 Ormond Road and 32 King Street.
4. The legal description of the land is:

Legal Description	Land Area (m ²)	CT	Current Owner
Lot 2 DP 4158	0.0868 m ²	GS108/14	J Blampied, K Smith, J Vigis, T Lewis, M Chrisp and others

Lot 8 Blk 5 DP 1424	0.1669m ²	GS3B/338	J Blampied, K Smith, J Vigis, T Lewis, M Chrisp and others
Lot 2 DP 2721	0.0835m ²	GS25/918	J and P Vigis

5. Applications for any other necessary consents, permits, licenses and authorisations will be lodged separately.

6. I attach, in accordance with the Fourth Schedule of the Resource Management Act 1991, an assessment of environmental effects in the detail that corresponds with the scale and significance of effects that the proposed activity may have on the environment. The assessment and other supporting information appended forms part of this application.

7. I attach other information required to be included in the application by the District Plan, the Regional Plan and the Resource Management Act 1991.

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Bev Muir
Insight (Gisborne Limited)

27 October 2009

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 Gisborne Education Trust
 303 Ormond Road

GISBORNE 4010

Attention: The Trustees

1 INTRODUCTION

This report has been prepared in accordance with the requirements of section 88 of the Resource Management Act 1991. It is intended to provide the information necessary for a full understanding of the proposal and any actual or potential effects that the activity may have on the environment.

2 THE PROPOSAL

The proposal encompasses several changes to the buildings, duration of consent and operation of Westmount School located at 301-305 Ormond Road and 32 King Street, Gisborne. The components of this application are:

- Proposed new buildings and building extensions
- Proposed additional access to the school from King Street entrance
- Proposed extension of duration of consent from 2013 to 2020

3 BACKGROUND

The Gisborne Education Trust presently operates Westmount school, which is a private school located at 301-105 Ormond Road, and 32 King Street. Part of the property was previously used as the St John's Anglican Church, but has been used for educational purposes since 1988.

The main building is operated as the school hall, with outdoor activities, lunch and play breaks accommodated in the open grass area adjacent to the buildings. Other buildings on the site are used for classroom and administrative, or utility purposes.

Since its establishment in 1996, the school has proved very successful, and over the years the roll and activities have expanded. The maximum roll for the school is 70 pupils, and this consent application does not seek to alter that maximum.

The Trust was permitted to use the property in reliance on existing use rights, however various consents have been issued in the interim that have allowed the expansion of the school to its current level.

The Trust ultimately expects to outgrow this property, and relocate to another site. Existing consents limit the term of the school to 2013, however this consent seeks to amend that date to 2020, for the reasons described below.

In the interim, the Trust needs to upgrade its facilities in order to provide for activities on the site during the time of its occupancy.

4 PREVIOUS CONSENTS

Consents for the site have been granted to the Gisborne Montessori School for up to 23 pupils, and for the Te Kura Kaupapa Maori O Nga Uri A Maui to allow the temporary use of the site for a Maori Language School for 25 students.

Consent PD203107A was issued on 13 January 2004 and expired on 13 January 2008. The consent was for the expansion of the school (40 pupils), including a relocatable building. A full waiver of the onsite carparking requirement was granted as part of that consent.

Consent PD204073A was issued on 4 November 2004 and expired on 31 January 2008 and gave consent for the expansion of the private school. This consent provided for the use of 305 Ormond Road as a classroom, library, lunchroom and storage area.

Consent PD207001A was issued on 27 February 2007 and expires on 31 January 2013. This consent was for the expansion of the school roll for up to 70 students, and to use the dwelling at 32 King Street to provide 2 new classrooms and teachers' facilities by constructing two removable classrooms on the site. An extension of the duration of the previous consents was also sought.

After consulting with neighbours, a 2.4 metre fence was erected on both sides of the King Street property, and it was agreed that access to the property would not be via King Street.

In the assessment of this application it was noted that there were seven on site car parking spaces in addition to a concrete 'drop-off' driveway area, and adequate manoeuvring space was also provided.

5 SITE AND LOCALITY

The site has frontage to two roads, Ormond Road which is classified as an 'arterial road' in Appendix 12A of the District Plan, and King Street, which is a 'local road'. Mangapapa is a long established residential area of the city characterised by mainly single storey dwellings. Ormond Road has several non-residential activities in this area, in association with its arterial status.

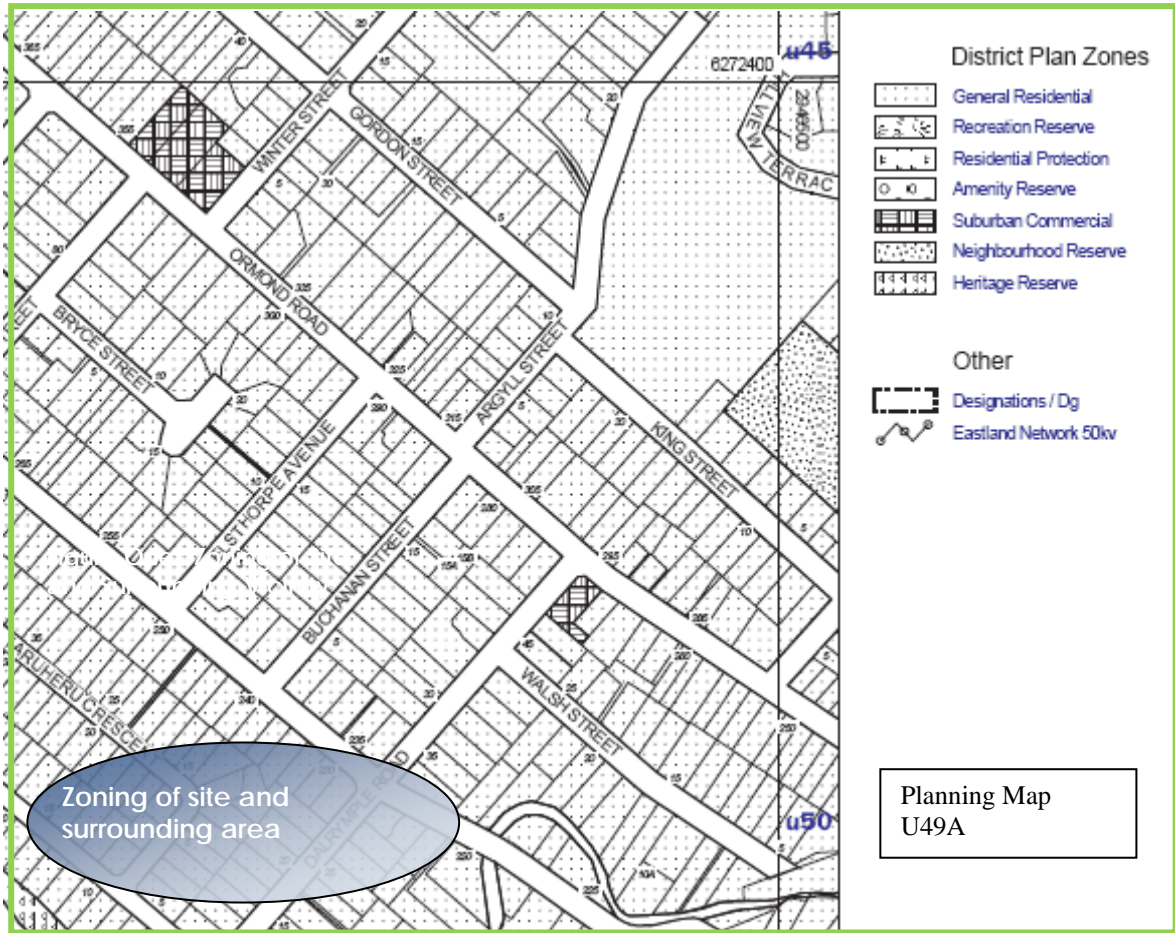


Figure 1

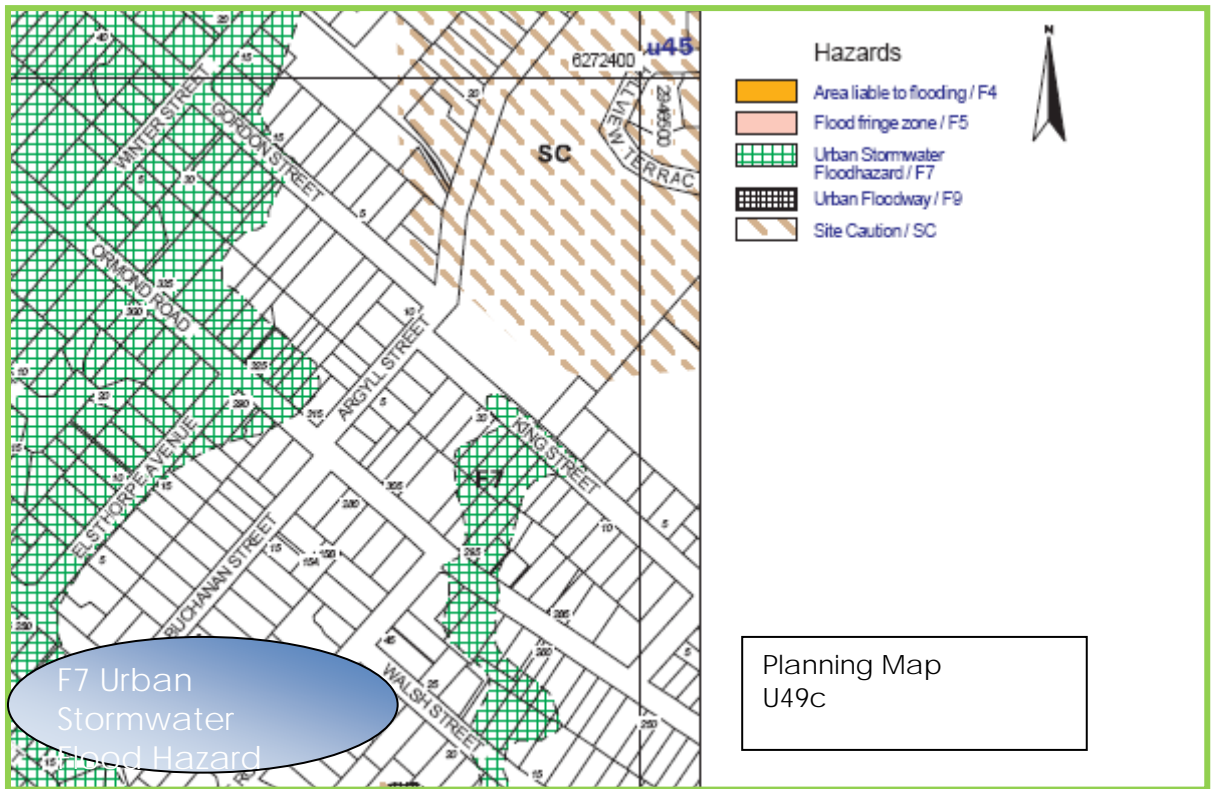


Figure 2



Figure 3: Aerial Photo showing site location and buildings in relation to neighbours

5 CONSENTS & TERMS

The resource consent status of the proposal is discretionary. The consent is sought for a term of eleven years, concluding in 2020. Within the rules for residential zones, educational institutions for more than 21 pupils are a Discretionary Activity, (Rule 17.20.2).

Yard requirements are specified for permitted Educational Institutions, but not for those considered as a Discretionary Activity. It is considered that generally the same standards would be desirable, however, all yards will be able to be fully addressed within the Discretionary Activity assessment.

6 PLANNING INSTRUMENTS

The planning instruments applicable to this application include:

- The Resource Management Act 1991 ;
- The Operative Gisborne Regional Policy Statement;
- The District Plan. (Part Operative Regional Land and District Plan)

6.1 Resource Management Act 1991

Sections 104 and 104B set out the assessment criteria for the consideration of a Discretionary Activity. Section 108 of the Act prescribes the nature and extent of conditions that may be imposed in granting resource consent.

All of these statutory considerations are subject to Part 2 of the Act which sets out the purpose and other guiding legislative considerations.

It is considered that any environmental effects associated with the proposal will be no more than minor. There will be no particular adverse effects on the life supporting capacity of natural resources. Nor will there be any notable effects on future generations.

There are no matters of national importance described in section 6 of the Act that are relevant to this application.

Section 7 of the Act requires that particular regard be given to the following matters:

- The maintenance and enhancement of the amenity values;
- The efficient use of physical and natural resources;
- The maintenance and enhancement of the quality of the environment;

Section 8 requires that that the Principles of the Treaty of Waitangi are taken into account.

6.2 The Regional Policy Statement (RPS)

The RPS was prepared by the Gisborne District Council and made operative in October 2002.

It sets out a policy framework for managing resource use activities in an integrated manner across the Gisborne District. It was prepared under the Resource Management Act 1991.

The Plan provides broader-level objectives and policies promoting the sustainable management of the Region's natural and physical resources. Lower-tier plans such as the District Plan develop these objectives and policies in sufficient detail to enable individual proposals to be comprehensively assessed.

6.3 The District Plan

Planning Maps u49 a, b and c apply and are attached. The maps identify the site as having a General Residential zoning, with a small portion of Lot 8 covered by the 7 Urban Stormwater Flood Overlay. No other natural hazard restrictions are identified for the site or immediate area.

Ormond Road is identified as an Arterial Route under Appendix 12A – Roading Hierarchy.

The planning controls affecting the site are outlined in the table in Appendix 2.

6.4 Objectives and Policies

The District Plan seeks to enable the use of residentially zoned land in a manner that satisfactorily addresses adverse effects on the environment, including effects on surrounding residents. A key issue at section 17.2 is the acknowledgement that amenities can be adversely affected because of the development of other land.

The objective at section 17.5 is to maintain or enhance residential amenity values. Section 17.6 deals with policies for maintaining or enhancing residential amenity values. The relevant general policies are addressed in the assessment of environmental effects.

Policy 17.6.7 is to manage the effects of activities (including non-residential activities) by:

- Ensuring buildings are at a scale and are sited in a manner that avoids, remedies or mitigates adverse effects;
- Encouraging the location of such activities in the Inner Residential zone and adjacent to Principal or Arterial Roads;
- Ensuring all reasonable steps are taken to avoid nuisance and to protect the safety of residential areas and the associated amenity values, and to avoid remedy or mitigate conflicts with adjoining land uses;
- Where necessary provide for adequate fencing and landscaping;
- Ensure that hours of operation are appropriate.

Associated traffic effects are to be managed by providing adequate, practical on-site car parking and to ensure that the level of traffic generated by a proposal is appropriate to the area.

The objectives and policies promote the control of noise relative to human health issues and matters of compatible land uses.

Activities should be able to:

- Contain noise emissions in a manner that promotes the health and safety of individuals and the community and which will not significantly alter the ambient noise levels;

- Maintain noise limits at a level consistent with the character of the receiving environment.
- Avoid adverse impacts on people's health, in particular the effects of night-time sleep interference;

The objectives and policies relating to noise are given effect partly through the rules in Chapter 11 of the Plan. The proposal will be able to comply with these rules.

The assessment of environmental effect below, will show that the proposal will be consistent with the relevant objectives and policies for the zone.

7

ASSESSMENT OF ENVIRONMENTAL EFFECTS

Schools and other educational facilities are mainly located within residential areas, and providing they are able to control potential environmental effects such as noise and traffic, are generally well tolerated within the community.

This proposal relates to an existing activity, and does not seek to alter the roll number, but will provide for further building on the site and for the drop off and collection of mainly younger students from King Street. King Street carries less traffic than Ormond Road and could provide a safer and more convenient alternative access arrangement for younger children. It is not proposed to remove the access for Ormond Road, as this will still be used by staff, parents, and some of the older children who cycle to school.

Other aspects such as parking and noise would be largely unaffected by the current proposal, except in regard to the construction of facilities, and the dropping off and collection of students from King Street.

The extension of the term of consent has been requested due to the effects of the current economic recession, which has delayed the applicant's proposed relocation of the school to another site. The current term of operation at the site ceases in January 2013, and the proposed extension would allow a further seven years occupation.

The School has operated since 1996, and during that time has successfully integrated into the surrounding environment. Efforts are made by the school to be good neighbours, and be considerate to the

surrounding property owners, and this is reflected in the lack of complaints received in relation to the school.

7.1 AMENITY VALUES & DESIGN

The amenity values potentially affected by this application relate to the extension proposed for the building at 32 King Street, the proposed addition of two new buildings on the Ormond Road properties, and the proposed access arrangements from the King Street entrance.

7.1.1 Buildings:

Previous approval has been granted for the extension of buildings within 32 King Street, however, the applicant wishes to vary the footprint of these new classrooms and extensions to better meet their classroom needs, and a small portion of the extension will be located outside of the approved footprint area.

The alterations are required to provide more study space for self directed learners within the senior school.

The portion of the extension subject to this application extends the classroom building towards the front boundary on the northwestern frontage. The new addition will be located 3.0 metres from the front boundary, and between up to 1.3 metres from the side boundary.

At present, the property is effectively screened by the existing solid clad fences on either side boundary, however, when the school eventually relocated from the site, these fences may be removed, and the visual aspects of the proposal would be more apparent.

Front yards provide a visual and physical separation from the street. The front yard is not specified for educational institutions considered as discretionary activities, however, for permitted activities, a front yard of 4.5 is specified. This is also the yard requirement for residential buildings within the zone.

The streetscape contains properties with single residential dwellings. The setbacks are fairly uniform except in relation to 18 King Street, which contains buildings set back a similar distance to the proposed extension. The opposite side of King Street is not developed for

residential purposes, and provides open space that would compensate for building within the usual front yard.

It is considered that the erection of the additions up to 3.0 metres from the front boundary would have little or no effect on the visual amenity of the area for the following reasons:

- Fences and vegetation are able to be erected and planted within front yards that provide effective screening of properties and remove the open space aspects of front yard setbacks
- In this case, the open space provided on the opposite side of King Street compensates for any reduction of the open space within the front yard of the subject site.
- The site will comply with the total site coverage requirement, including the extension.
- The building extension will be designed and completed to a high standard that will visually improve the view of the structure from the road.
- The low fence and trees planted in the front yard provide some screening of the main building (as shown below).



Photo 1: 32 King Street front yard details



Photo 2: View along King Street showing open space on opposite side of Street (toe of slope).

Although the side yard requirement is not specified, as the building may eventually revert to residential use, the standards for residential structures have some relevance.

The classroom (former dwelling) is located between 1.3 and 1.4 metres from the side yard. The proposed extension will be consistent with this distance, extending towards the front yard, and the garage, as shown on the attached plans. As mentioned, previous consents have approved the bulk of this extension, and the effect on the adjoining neighbour would be minimal as the existing building is constructed a similar distance from the boundary.



Photo 3: Details of side yard and proposed location of extension.

The proposed new classroom/utility buildings on 301-303 Ormond Road are proposed as a second stage development to provide extra classroom and utility space for students and staff as required. The buildings will be designed so that the option of relocating them is available if they are required when the school moves to another site. For the purposes of this application, these classrooms will require assessment as permanent buildings on the site.

The classrooms will be built in accord with the yard requirements specified for permitted educational institutions, having 2.0m side yards. The classroom proposed on the eastern corner of Lot 8 would be 192 m², with the classroom on Lot 2 being 130 m². Both classrooms would be single storey buildings constructed in materials that are compatible with the surrounding residential environment.

The proposed classroom at 305 Ormond Road would be screened by existing structures and fencing. The proposed classroom for 301-303 Ormond Road would be located towards the rear of the section, with fencing, existing vegetation and fencing providing some softening of the visual effects. Lot 8 is a large site, and each of the three sites comprising the school would remain within the permitted site coverage requirements for the zone.

7.1.2 Access

The amenity aspects of pupils being dropped off and collected from King Street would be confined to the noise from voices and vehicles, and temporary parking for the drop-off of students adjacent to the property. Traffic and parking issues will be discussed below. Students will access the main school site via the driveway and along a foot access located beside the existing garage building.

Factors that would reduce the impact on the amenity of King Street include that older students normally cycle to school, and there will frequently be more than one child per family being dropped at the school from each vehicle.

Any effects from noise would be temporary. Every effort will be made to ensure that vehicle based drop offs are carried out in consideration of the surrounding neighbours.

7.2 TRAFFIC

This consent proposes to amend the existing arrangement whereby students access the school via Ormond Road only. Ormond Road is a busy arterial route that is particularly well used during the school drop off and collection period. Although older children, staff and any parent or visitor requiring parking, will continue to use this access, it is felt that a safer option for younger children will be to access the school via the quieter King Street.

A previous consent canvassed this issue, and at that point it was agreed not to use King Street, however, it is considered prudent to review this arrangement now in the interests of safety and to a lesser extent, convenience.

King Street is a quiet residential street with good on street parking availability, and low on street parking demand. Adequate space is available for dropping off and collecting children, and in conjunction with this, the opposite side of the road is undeveloped for residential purposes, and not interrupted by vehicle crossings.

The Council's Traffic Manager has commented that he believes this generally to be a safer option for the school, and acceptable within the King Street environment.

Car parking arrangements will be unaffected by this proposal.

7.2 F7 Urban Floodway

As the proposed buildings are not residential, the rules for this overlay will not be triggered by the proposal in relation to building height.

7 CONSULTATION

The applicant will consult with the adjoining neighbours, and will supply any affected parties forms that are signed as soon as possible.

Ormond Road has a high level function as an arterial route and carries significant traffic volumes. For this reason, it is not considered that the properties on the opposite side of Ormond Road would be affected by the proposal, as there would be minimal visual effects, and any noise

from vehicles entering and leaving would be mitigated by normal traffic movements on Ormond Road.

Other persons consulted are Council officers in the Traffic and Planning sections.

District Plan Assessment

RULE	REQUIREMENT	TRIGGERED	ACTIVITY STATUS	NOTE
General Rules				
17.16.2(a)	Nuisance	N	Permitted	
17.16.2 (b)	Barricades	N	Permitted	
17.16.3 (a)(c)(i)(iii)	Lighting & Glare	N	Permitted	
17.16.4	Height	N	Permitted	
17.16.6	Building length	Y		1
17.16.8	Radiofrequency	N	Permitted	
Activity Status				
17.20.2	Educational institutions (including early-learning and day care facilities) for 21 pupils or more	Y	discretionary	2
Noise				
11.12.2.1	L ₁₀ Noise	Y	Permitted	
11.13.1	Construction noise	Y	Permitted	
Urban Floodway				
5.22	Any new residential building to have minimum floor levels as specified.	N	Permitted	3

1. The proposed classroom block on 305 Ormond Road will be 20 metres in length. This is consistent with normal classroom design, and in this case will be screened by the existing buildings and fencing on the site, and able to be assessed as part of the discretionary aspects of the consent.
2. The school has a maximum roll of 70 students.
3. The buildings will be for school purposes, not residential, and will therefore not trigger the general rule. The applicant may wish to raise the floor level to protect their property at their discretion. No further solid fencing or earthworks that will change the permanent level of the land are proposed.

