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29 March 2019

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Hamilton City Council
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Proposed Plan Change 3
Temple View Boundary Alteration

Dear Mark and Alice,

Please find attached a submission on Proposed Plan Change 3 on behalf of The Church of Jesus Christ of Latter-day Saints Trust Board.

Please contact me if you have any questions.

Yours Sincerely
BLOXAM BURNETT AND OLLIVER

A handwritten signature in black ink that reads "Chris Dawson".

Chris Dawson
Planning Project Manager

Form 5

Submission on publicly notified proposal for policy statement, plan change or variation under Clause 6 of Schedule 1, Resource Management Act 1991

To: Hamilton City Council

Name of Submitter: The Church of Jesus Christ of Latter-Day Saints Trust Board

Submission on: Proposed Plan Change 3 – Temple View Boundary Alteration

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We wish to be heard in support of this submission.

If others present a similar submission, we do not wish to present a joint submission at the hearing.

We seek that Hamilton City Council adopts the Plan Change subject to the recommended changes as provided in Part 3 of this submission.

We could not gain an advantage in trade competition through this submission.

1. Introduction to the Submitter and Site

Temple View is located on the western side of Hamilton's urban boundary; south-west of the suburb of Dinsdale and north-east of Koromatua within the Waipa District. The 14ha of land subject to Plan Change 3 is located to the rear of the former Church College campus site and south of Tuhikaramea Road. The former College and the Temple straddle the southern side of Tuhikaramea Road while the Temple View settlement is located north of the road.

Temple View was established in the early 1950's, arising out of the construction of the Hamilton New Zealand Temple and the Church College of New Zealand campus. The Temple and Church College

were constructed largely by labour missionaries to the Hamilton stake, and without pay. Church activities were first held in Temple View in 1954 with the completion of construction at the Temple in 1958.

In 2005, Church leaders in Salt Lake City announced the closure of the Church College at the end of 2009. At that stage, it was envisaged that most of the Church College precinct would return to some form of pastoral use. However, a demand for community infrastructure and an ongoing Church presence within Temple View has enabled a master-planned vision for the re-purposing of the former College precinct to be developed in order to meet the needs of the growing community.

The Church of Jesus Christ of Latter-Day Saints Trust Board (the Submitter) is responsible for ongoing administration and management of The Church of Jesus Christ of Latter-Day Saints properties in Temple View and in particular to this Plan Change, the Temple and its surrounding precinct and former Church College campus with its associated Church facilities, community buildings and the Legacy Park area.

The submitter has an interest greater than that of the general public in relation to this Plan Change and owns all of the land affected by the plan change.

2. Background and Purpose to the Plan Change

Temple View was brought into the territorial boundary of Hamilton City Council in 2004 from the area administered formerly by Waipa District Council. The area included 396ha of land occupied by the Church College of New Zealand and Temple including the settlement to the west and rural land north of the site. The 14ha included within Plan Change 3 (containing the active sports areas of the Church College and part the maintenance and storage areas associated with the school) remained within the jurisdictional area of the Waipa District Council. Variation 7 to the Proposed Hamilton District Plan 2001 incorporated that 396ha into the District Plan and subsequently made this land subject to the provisions of the District Plan in 2007.

In 2014, the Submitter applied to the Local Government Commission for a minor boundary alteration to bring the remaining 14ha of the Church College campus into Hamilton City. The alteration to that boundary was granted and gazetted in July 2014 in accordance with the Local Government Act 2002 however is presently administered by the Rural Zone provisions of the Waipa District Plan. The purpose of Plan Change 3 to the District Plan is to align this piece of land with the current zoning applied to the rest of the former Church College site.

Plan Change 3 is acknowledged as having the following purposes:

- (i) Changes to the District Plan pursuant to section 81 of the Resource Management Act 1991;
- (ii) The removal of the Comprehensive Development Plan framework within the District Plan with the purpose of avoiding potential vires provisions;
- (iii) Identifying the boundary of Significant Natural Area (SNA) 43 Temple View Kahikatea; and
- (iv) Notation of a Community Focal Point to link references within amended Rule 5.5.11 and Figure 4-5 of Volume 2 of the District Plan.

In addition, minor editorial changes to descriptions, policies and methods are proposed to ensure Plan consistency and assist with administration.

3. Submission on Proposed Plan Change 3 to the Hamilton City Operative District Plan 2017

The Church of Jesus Christ of Latter-Day Saints Trust Board (the Trust Board) supports the proposed Plan Change subject to amendments. Insertions we wish to make are marked in bold and underlined, while recommended deletions are shown as ~~struck out text~~.

Unless specified below, all other changes to the District Plan as provided for by Plan Change 3 Temple View Boundary Alteration are supported in full by the Submitter.

Proposed Change	Support or Oppose	Relief Sought
5.1.4.1(a)	Support with amendments	<p>Amend Figure 4-5, Appendix 4, Volume 2, to correctly identify the existing and consented environment. The following amendments are requested to be made:</p> <ul style="list-style-type: none"> • Removal of Heritage Building A 'David O McKay Building' from Precinct 1 and associated Table amendment. This building was consented for demolition under Resource Consent 10.2016.9082.001 and has since been removed from the site. • Removal of Covered Walkway Walling from Precincts 1 and 2 and associated Legend amendment. The Privacy Wall was consented for demolition under Resource Consent 10.2016.9082.001 and has since been removed from the site. • Amend the Significant Natural Area (SNA) extent as shown on Figure 4-5 to align with the SNA extent shown on Features Map 60B at pg 312. The extent shown on Features Map 60B is correct and adopts the recommendations of the Tonkin and Taylor report contained in Appendix 8.7 of the Plan Change document.

5.1.4.2(a)	Support with amendments	The Submitter seeks the relief as outlined in respect of the submission on Section 5.1.4.1(a) of the District Plan.
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5.2 Objectives and Policies	Support with amendments	<p>The explanation following Objective 5.2.7 and its associated Policies are sought to be amended as follows:</p> <p>“A significant characteristic of the corridor along Tuhikaramea Road is <u>based on</u> the subservient and simple architectural style of the early missionary houses, used latterly that were used as teacher housing. These buildings are <u>were</u> set within an open, campus-style landscape. The corridor forms an important gateway to the New Zealand Temple of the Church of Jesus Christ of Latter-day Saints and the adjoining former Church College Campus.</p> <p>The style of the houses along Tuhikaramea Road and separation distances between them is similar, giving consistency in form. The uniformity in scale and space is reinforced by the extensive use of the standardised cream-coloured brickwork throughout Temple View and the low cement brick wall, which encloses the front yards of the houses on both sides of Tuhikaramea Road. In providing for future use and development of the Former Church College campus and the teacher housing corridor area, it is important to recognise the significant contribution that these characteristics make to the diversity and appeal of the City’s built environment. Although the school has closed, the Church College campus and former teacher houses provides an opportunity to open a new chapter in the development of the local community and its environment.”</p> <p>Reason: The second paragraph of the Explanation is outdated and reads as if the former Teacher Houses were still on site. This is not correct. All of the former Teacher Houses have been removed from site apart from the First House, which is a Category B Heritage building which has been preserved and refurbished. The existing Objective 5.2.7 and Policies 7.2.7a to 5.2.7i are appropriate and will ensure that appropriate policy guidance is provided in the coming years for development within the Temple View Zone. The second paragraph of the explanation does not assist in understanding the Objective and Policies and should be deleted.</p>
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5.3.4 Activity Status Table	Support with amendments	<p>Amendments are sought to the provisions as follows:</p> <table border="1" data-bbox="544 477 1337 714"> <thead> <tr> <th rowspan="3">Activity</th> <th colspan="5">Temple View Zone</th> </tr> <tr> <th colspan="4">Character Area</th> <th rowspan="2">Heritage Area Precinct 5</th> </tr> <tr> <th>Precinct 1</th> <th>Precinct 2</th> <th>Precinct 3</th> <th>Precinct 4</th> </tr> </thead> </table> <p>Residential Activities and Structures</p> <table border="1" data-bbox="544 757 1337 1048"> <tr> <td>a) Accessory buildings (except for within the Heritage Area)</td> <td>RD</td> <td>RD</td> <td>RD</td> <td>RD</td> <td>D</td> </tr> </table> <p>Or, insert new activity (b) and amend activity (a) as follows:</p> <table border="1" data-bbox="544 1131 1337 1368"> <thead> <tr> <th rowspan="3">Activity</th> <th colspan="5">Temple View Zone</th> </tr> <tr> <th colspan="4">Character Area</th> <th rowspan="2">Heritage Area Precinct 5</th> </tr> <tr> <th>Precinct 1</th> <th>Precinct 2</th> <th>Precinct 3</th> <th>Precinct 4</th> </tr> </thead> </table> <p>Residential Activities and Structures</p> <table border="1" data-bbox="544 1411 1337 1865"> <tr> <td>a) Accessory buildings (except for within the Heritage Area)</td> <td>RD</td> <td>RD</td> <td>RD</td> <td>RD</td> <td>D</td> </tr> <tr> <td>b) <u>Accessory buildings within the Heritage Area</u></td> <td>=</td> <td>=</td> <td>=</td> <td>=</td> <td>D</td> </tr> </table> <p>Reason: Accessory buildings are provided for in the Activity Status Table as a Discretionary Activity within the Heritage Area (Precinct 5). As currently drafted this statement is invalid however</p>	Activity	Temple View Zone					Character Area				Heritage Area Precinct 5	Precinct 1	Precinct 2	Precinct 3	Precinct 4	a) Accessory buildings (except for within the Heritage Area)	RD	RD	RD	RD	D	Activity	Temple View Zone					Character Area				Heritage Area Precinct 5	Precinct 1	Precinct 2	Precinct 3	Precinct 4	a) Accessory buildings (except for within the Heritage Area)	RD	RD	RD	RD	D	b) <u>Accessory buildings within the Heritage Area</u>	=	=	=	=	D
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b) <u>Accessory buildings within the Heritage Area</u>	=	=	=	=	D																																													

can be remedied by either an amendment to (a) or the insertion of a new 5.3.4 (b) to the Activity Table.

Amend activities (e), (ah), (ai), (al) and (bd) within the Activity Table as follows:

- (i) Amend 5.3.4 e) by changing the status of ancillary residential structures in the Heritage Area (Precinct 5) from Non-Complying to Discretionary.

e) Ancillary Residential Structures	RD	RD	RD	RD	NC <u>D</u>
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Reason: A Non-Complying status for ancillary residential structures is overly restrictive. The definition of Ancillary Residential Structures includes steps, terraces and patios and places an unnecessary consenting burden on the submitter in respect of potential future additions that may be very minor in nature. A discretionary activity status is more appropriate for these types of activities.

- (ii) Amend 5.3.4 ah) as follows:

ah) Alterations and additions to any building except:

- (i) Visitor centre
- (ii) Buildings within the Former teacher housing character corridor fronting Tuhikaramea Road
- ~~(iii) Walling separating covered walkways from Tuhikaramea Road~~
- (iv) Formal Temple entrance area elements including steps, planting boxes, retaining walls between the visitor centre, Temple Landing and Temple (refer to Volume 2, Appendix 4, Figure 4-6)
- (v) Heritage buildings and structures in Volume 2, Appendix 8, Schedule 8A: Built Heritage

		<p>ai) Alteration, demolition or removal of the boundary wall to Tuhikaramea Road and the privacy wall enclosing the covered walkways</p> <p>a) Alterations and additions to the exterior of wall separating the walkways from Tuhikaramea Road</p> <p>bd) Siting of any building or structure between Tuhikaramea Road and the privacy wall enclosing the covered walkways.</p> <p>Reason: The privacy wall adjoining Tuhikaramea Road is no longer part of the consented environment and was demolished in early 2019 accordance with Resource Consent 10.2016.9082.001. The activity status associated with those activities above may be removed from the District Plan.</p>
<p>Table 5.4.6b Building Setbacks</p>	<p>Support with amendments</p>	<p>Amend Criteria (b) Precinct 1 as follows:</p> <p>b) Setbacks are to retain the distance set by the existing curtilage wall between the walkway and Tuhikaramea Road.</p> <p>Insert new Criteria (b) Precinct 1 provision as follows:</p> <p>b) <u>5m</u></p> <p>Reason: The proposed curtilage wall consented as part of the CDP1 consent has been designed in a zig-zag pattern to replicate the former alignment of the Privacy Wall albeit in a position that is located right on the road reserve boundary. Therefore, given the removal of the curtilage wall, a numerical distance is more appropriate to avoid building dominance within the road corridor. This distance is not considered to affect the location of dwellings as shown in the consented masterplan for CDP1 (now Precinct 1).</p>

5.4.10	Support with amendments	Removal of (b) in its entirety as shown below:		
		Description	Requirements	
			Character Area	Heritage Area
		b) Berm and privacy walling separating the covered walkways from Tuhikaramea Road	Shall maintain the general spatial relationship and ratio of elements between the road edge and the privacy walling. This is visually open berm containing manicured lawn, ornamental planting, and specimen trees, with a distinct delineation of built form. Buildings shall reflect the broader architectural characteristics such as colour, form, materials and finishes and deliver on the principles of good urban design.	-

		Reason: The privacy wall adjoining Tuhikaramea Road is no longer part of the consented environment and has been demolished in accordance with Resource Consent 10.2016.9082.001. The requested changes to Rule 5.4.6 (b) above seeking to insert 5 metres in place of the curtilage wall will ensure that an appropriate setback from the road boundary will be maintained.				
5.6(a) Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria	Support with amendments	<p>Amendment to (a) as follows:</p> <table border="1"> <tr> <td>Activity Specific</td> <td>Matter of Discretion and Assessment Criteria (Refer to Volume 2, Appendix 1.3)</td> </tr> <tr> <td>vii. Childcare facility for 6 or more children, except in Temple View Zone.</td> <td> <ul style="list-style-type: none"> • B – Design and Layout • E – Heritage Values and Special Character </td> </tr> </table> <p>Reason: No specific Matters of Discretion and Assessment Criteria have been stated for childcare activities with more than 6 children in the Temple View Zone. As the listed Matters of Discretion are the same regardless of the number of children, the exclusion is unnecessary.</p>	Activity Specific	Matter of Discretion and Assessment Criteria (Refer to Volume 2, Appendix 1.3)	vii. Childcare facility for 6 or more children, except in Temple View Zone.	<ul style="list-style-type: none"> • B – Design and Layout • E – Heritage Values and Special Character
Activity Specific	Matter of Discretion and Assessment Criteria (Refer to Volume 2, Appendix 1.3)					
vii. Childcare facility for 6 or more children, except in Temple View Zone.	<ul style="list-style-type: none"> • B – Design and Layout • E – Heritage Values and Special Character 					
23.7.3 (a) & (b) General Residential Zone, and All Special Character Zones	Support with amendments	Amendment to wording of either (a) or (b) given that both rules refer to the “minimum transport corridor boundary length for a front site within the Character Areas of the Temple View Zone”, however Rule 23.7.3 (a) requires a 15 metre boundary length while Rule 23.7.3 (b) requires a 10 metre boundary length. These two rules conflict and will cause confusion. The words “within the Character Areas of the Temple View Zone” should be removed from one of the rules to avoid confusion.				
Volume 2, Appendix 1, Schedule 1.3.3	Support with amendments	<p>Amendment to Matter of Discretion E16 Temple View Character Area as follows:</p> <p>E16 - The extent to which the development would adversely affect the spatial relationship between the curtilage wall and Tuhikaramea Road, and the consistency of design of the</p>				

		<p>privacy wall separating the covered walkways from Tuhikaramea Road.</p> <p>Reason: The privacy wall adjoining Tuhikaramea Road is no longer part of the consented environment and has been demolished in accordance with Resource Consent 10.2016.9082.001. The first part of the Matter of Discretion can be retained as the curtilage wall has been reconstructed along much of the length of Tuhikaramea Road within the village.</p>
Volume 2, Appendix 1, Section 1.4.9.2	Support with amendments	<p>Amend wording of Paragraph 5 as follows:</p> <p>“Many of the structures, while appearing ostensibly sound, are now over 50 years old and no longer meet contemporary standards for building code compliance or structural integrity. With the closing of CCNZ in 2009 and a gradual decline in population numbers in the wider Temple View area, it is anticipated that buildings will be removed to allow for the repurposing of the site to encourage a more sustainable and vibrant community. The application of this design guide, in combination with the restricted discretionary consent status for building demolition, will <u>“The closure of CCNZ in 2009 has provided an opportunity to repurpose the former campus site for a combination of community, church, retail and residential activities. Future development on the site will be guided by the Temple View Zone Urban Design Guide to ensure that</u> future development has reference to the existing Temple View character.”</p> <p>Reason: The majority of the buildings on the former CCNZ campus have now been removed and the site context has changed from that which existed at the time this paragraph was written. It is no longer fit for purpose and does not provide an accurate description of the site.</p>
Volume 2, Appendix 1, Figure 1.4.9a	Support with amendments	<p>Amend Figure 1.4.9a as follows:</p> <p>The aerial photograph which underlies the map depicting the extent of the Temple View Zone is outdated and the site has not looked like this since 2012. A 2019 aerial photograph would provide a more accurate picture of the current state of the landuse within the Temple View Zone.</p>

Volume 2, Appendix 1, Figure 1.4.9b	Support with amendments	<p>Amend Figure 1.4.9b as follows:</p> <p>The aerial photograph which is contained in Figure 1.4.9b is outdated and does not reflect the nature of the Temple View zone today. A 2019 aerial photograph would provide a more accurate picture of the current state of the landuse within the Temple View Zone. In particular, Tuhikaramea Road has been completely upgraded and the curtilage walls rebuilt along much of the corridor with new residential development underway along much of the corridor.</p>
Volume 2, Appendix 1, Figure 1.4.9c	Support with amendments	<p>Amend Figure 1.4.9c as follows:</p> <p>The aerial photograph which is contained in Figure 1.4.9c is outdated and does not reflect the nature of the Temple View zone today. In particular, Tuhikaramea Road has been completely upgraded and the Kai Hall and GRB buildings completely upgraded and refurbished. A new chapel has been constructed in place of the former teacher houses. A 2019 aerial photograph from the same location would provide a more accurate context for the future development of the site.</p>
Volume 2, Appendix 1, Figure 1.4.9d	Support with amendments	<p>Amend Figure 1.4.9d as follows:</p> <p>The aerial photograph which is contained in Figure 1.4.9d is outdated and does not reflect the nature of the Temple View zone today. A 2019 aerial photograph from the same location would provide a more accurate context for the future development of the site.</p>
Volume 2, Appendix 1, Section 1.4.9.2	Support with amendments	<p>Amend wording of Paragraph 6 as follows:</p> <p>“The Temple View Zone encompasses a broad area that includes the Hamilton Temple of the Church of Jesus Christ of Latter-day Saints and its immediate environs <u>and</u> the former CCNZ campus. and the Teacher Housing that lies on either side of Tuhikaramea Road. This Zone includes <u>7 6</u> buildings, 3 stands of three trees and 1 individual specimen tree that are protected through this Plan. (See Appendix 8 and 9).</p> <p>Reason: Readability and to correct spelling mistakes and incorrect numbers.</p>

<p>Volume 2, Appendix 1, Section 1.4.9.2</p>	<p>Support with amendments</p>	<p>Amend wording of Paragraph 8 as follows:</p> <p>“As the Temple View Character Area is more diverse in character and has a greater scope for development opportunities, it has been divided into four areas: Precinct 1 being the elevated land and sports fields to the north, Precinct 2 being the flatter land to the south, Precinct 3 being the former sports fields, tennis courts and maintenance <u>maintenance</u> sheds and Precinct 4 to the south of the Temple containing existing living and visitor accommodation.</p> <p>Reason: Readability.</p>
<p>Volume 2, Appendix 1, Section 1.4.9.3</p>	<p>Support with amendments</p>	<p>Amend wording of Paragraph 1 as follows:</p> <p>“Development of the p<u>Precincts</u> within the Temple View Zone cannot occur until a Comprehensive Development Plan (CDP) (Land Use Consent) is approved. CDPs <u>will give form to the intended development and identity</u> <u>identify</u> at a broad scale the nature of the intended activities, their distribution and how they relate with the surrounding existing and proposed activities.</p> <p>Reason: Readability. The recommended changes clarify that the precincts provide high level guidance on the types of activities anticipated in each part of the Temple View Zone.</p>
<p>Volume 2, Appendix 1, Section 1.4.9.4.1(a)</p>	<p>Support with amendments</p>	<p>Amend clause (a) to read as follows:</p> <p>“An application <u>for an activity or activities within a Precinct</u> will need to address how the following outcomes will be achieved:</p> <p>a. <u>How t</u>The overall design of the Comprehensive Development Plan proposed Precinct achieveds the intended aesthetic and architectural coherence <u>with existing development</u> and is of a design, scale, form and character appropriate to its <u>Precinct</u> location.”</p> <p>Reason: Readability and clarity.</p>

<p>Volume 2, Appendix 1, Section 1.4.9.4.2</p>	<p>Oppose</p>	<p>Character Statements 1 (The Tuhikaramea Road Corridor), 2 (Former Teacher Housing Corridor on Tuhikaramea Road) and 3 (The Former Church College of New Zealand Campus) do not reflect the character of the existing and consented environment of CDP areas 1 and 2. The retention and requirement for design to respond to these statements is inappropriate particularly as the Tuhikaramea Road corridor has now been completely upgraded, the curtilage walls have been rebuilt, the former Church College campus buildings have either been removed or refurbished and the site has been significantly earth worked in preparation for residential development. It is requested that Hamilton City Council undertake a review of these character statements in respect of describing master-planned development, demolition of heritage buildings and landform changes and insert new statements subject to review and comments by the Submitter.</p>
<p>Volume 2, Appendix 4, Figure 4-5</p>	<p>Support with amendments</p>	<p>Amend Appendix 4, Volume 2, Figure 4-5 to correctly identify the existing and consented environment. The following amendments are requested to be made:</p> <ul style="list-style-type: none"> • Removal of Heritage Building A 'David O McKay Building' from Precinct 1 and associated Table amendment. This building was consented for demolition under Resource Consent 10.2016.9082.001 and has since been removed from the site. • Removal of Covered Walkway Walling from Precincts 1 and 2 and associated Legend amendment. The Privacy Wall was consented for demolition under Resource Consent 10.2016.9082.001 and has since been removed from the site. • Amend the Significant Natural Area (SNA) extent as shown on Figure 4-5 to align with the SNA extent shown on Features Map 60B on pg 312. The extent shown on Features Map 60B is correct and adopts the recommendations of the Tonkin and Taylor report contained in Appendix 8.7 of the Plan Change document. The extent currently shown on the Proposed Plan Change 3 version of Figure 4-5 is incorrect.

Features Map 51B	Support with amendments	Removal of Significant Archaeological, Historic and Cultural Sites feature '106' Built Heritage – B Ranking (Schedule 8A). The David O McKay building has now been demolished.
Features Map 60B	Support with amendments	The Submitter seeks the relief as outlined in respect of the proposed amendment to Features Map 51B of the District Plan.

The submitter seeks the relief set out in the paragraphs above along with any consequential or subsequent amendments to the text or plans that may arise from this relief.

4. Conclusion

The Church of Jesus Christ of Latter-Day Saints Trust Board commends the Hamilton City Council on its proposed Plan Change and acknowledges the efforts of staff in the preparation of that document. The suggested changes to proposed Plan Change 3 are, in most cases, minor and can be addressed through further discussions with the submitter where necessary.

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