

## Wellington City District Plan - Omnibus Plan Change

### Rezoning of Government House, 1 Rugby Street, Newtown

#### Scope of Proposed Change

To rezone Government House (1 Rugby Street) from High Density Residential Zone to Open Space Zone to recognise the characteristics of the site, established land use activities and the cultural and social importance of the site.

#### Background

Council officers have identified that High Density Residential Zone (HRZ) may not be the most appropriate zone for 1 Rugby Street (Government House) and has recommended that the zoning be reconsidered.

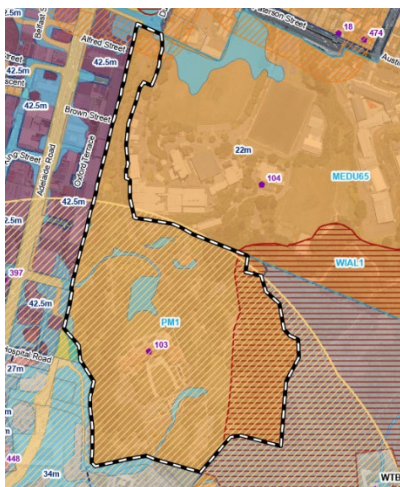
#### The site:

The (124,506 m<sup>2</sup>) site is located south of Rugby Street and is zoned HRZ under the 2024 District Plan.

The site contains Government House (ref: 103), a scheduled heritage building, the Mount View Asylum Wall (former) (ref: 10), a scheduled heritage structure, as well as Te Ranga a Hiwi (ref: 129) a Taranaki Whānui ki Te Upoko o Te Ika Category A scheduled Site and Area of Significance to Māori (SASM). The site is designated as The Prime Minister (PM1). The PM1 designation purpose is that Government House and the grounds are used for vice regal purposes as the Wellington residence of the Governor General, and activities are restricted to those provided for in the conditions of the designation.

The site is located south of Rugby Street, and borders the Wellington Town Belt to the east, Wellington East Girls' College and Wellington College to the north, Wellington Regional Hospital and a small section of public green space used by Kaicycle Urban Farm and Composting to the south. To the west the land is zoned City Centre Zone (CCZ) and is occupied by a mixture of residential and commercial buildings. The site sits across the road to the south-east of the Basin Reserve, which is also a scheduled heritage item.

The site is shown below, with the 2024 District Plan zoning and applicable notations and overlays provided on the right.



- High Density Residential Zone
- Flood Hazard Overlay - Inundation Area
- Flood Hazard Overlay - Overland Flowpath
- Heritage Building (SCHED1)
  - Ref 103: Government House
- Sites and Areas of Significance to Māori - Extent (SCHED7)
  - Te Ranga a Hiwi
- Designation Setbacks (State Highway Designation)
- Helicopter Noise Advisory Overlay
- Designations
  - PM1 - The Prime Minister

#### Heritage New Zealand Pouhere Taonga:

In addition to the District Plan notations shown above, the New Zealand Heritage List/Rārangi Kōrero identifies Government House as a Category 1 heritage building (ref. 218) and Mt View Asylum Garden Wall as a Category 2 listed item (ref. 1407). The site is also afforded protection under the Heritage New Zealand Pouhere Taonga Act 2014 as an archaeological site (ref. R27/385).

#### History of the site and zoning:

The site was originally part of the Wellington Town Belt, which was set aside as public open space in the original Wellington town plan. The town belt is recognised in the Special Purpose Wellington Town Belt Zone and remains an important feature in the city's landscape, providing a green backdrop around the central city and inner suburbs. Although the Government House site was alienated from the town belt, its largely green, unbuilt character continues to contribute to the open space of the town belt and cultural landscape of the Te Ranga a Hiwi ridgeline.

There are various buildings on the site but the dominant character, from the entrance through the whole site, is that of a parkland, with lawns, planting and associated park features such as paths and seats. The green character of this parkland and the formal gardens provide an appropriate aesthetic and grand-scale setting for the vice-regal residence. The existing open space character is therefore consistent with the current vice-regal use and with the site's cultural and Wellington Town Belt origins.

Under the 2000 District Plan the site was split zoned, with the Rugby Street access leg zoned as Inner Residential Area and the remainder and majority of the site was zoned Open Space B ([Map - District Plan](#)).

Policy 3(c)(ii) of the National Policy Statement on Urban Development 2020 requires that land within a walkable catchment of the edge of the CCZ must enable building heights of at least 6 storeys (unless subject to a 'qualifying matter'). Consequently, the whole Government House site was zoned HRZ. Notably, the scheduled heritage building and SASM on the site would both be qualifying matters preventing 6 storey development; however, this could conceivably occur elsewhere on the site where it could be demonstrated that any effect on cultural and heritage values were acceptable.

Noting the qualifying matters (heritage and SASMs) it is not clear why the site was rezoned from primarily Open Space B under the 2000 District Plan to HRZ. There is no record within any Issues and Options Paper or Section 32 Report prepared as part of the District Plan Review as to whether retaining the 2000 District Plan split zoning or Open Space B zoning (ie zoning the site as OSZ) was considered prior to notification of the Proposed District Plan (now being the operative 2024 District Plan).

No submission was received from the Office of the Prime Minister with respect to the zoning.

#### **Issue**

That the High Density Residential Zoning of the Government House site does not appropriately reflect the characteristics of the site, including its relationship with the scheduled heritage building and SASM, or the vice regal activities that occur there.

## 2024 District Plan - Strategic Direction

The following objectives in the Strategic Direction chapter of the 2024 District Plan are relevant to this issue:

<b>CC-O2</b>	Wellington City is a well-functioning Capital City where:  1. A wide range of activities that have local, regional and national significance are able to establish and thrive;  ...  6. Values and characteristics that are an important part of the City's identity and sense of place are identified and protected.
<b>HHSASM-O1</b>	Significant buildings, structures, areas, and sites that exemplify Wellington's historical and cultural values are identified, recognised and protected.
<b>HHSASM-O3</b>	The cultural, spiritual and/or historical values associated with sites and areas of significance to Māori are protected.

## Assessment of Options

### Relevant Options

There are two options for addressing the issue, these being:

1. Status quo, the whole site remains as High Density Residential Zone; or
2. Rezone the site as Open Space Zone.

### Cost/Benefit Assessment

#### Option 1: Retain the status quo, the whole site remains as High Density Residential Zone

This option sees the site remain as HRZ. In the Plan HRZ *"are used predominantly for residential activities with a high concentration of build of buildings and other compatible activities"*. That said, in the case of Government House the key influence on development is the PM1 Designation. The PM1 designation's purpose is that Government House and the grounds are used for vice regal purposes as the Wellington residence of the Governor General. The PM1 designation does not provide for private residential development to be constructed on the site.

While the HRZ does permit residential activities on the site, these could only be constructed under the zone provisions either by, or with approval from, the Requiring Authority. This reduces the likelihood of the residential development potential enabled on the site from being realised.

The costs and benefits of retaining the status quo are as follows:

<b>Costs</b>	<b>Benefits</b>
<i>Environmental</i> <ul style="list-style-type: none"><li>• Residential development on the site would detract from the established heritage values.</li><li>• Potential loss of open space attributes, including visual landscape.</li><li>• Residential development of the site would detract from the heritage values, including the historically significant Government House gardens and the Wellington Town Belt setting.</li></ul>	<i>Environmental</i> <ul style="list-style-type: none"><li>• Potential enabling of activities and buildings permitted in the HRZ, thereby contributing to theoretical residential development capacity.</li><li>• If existing designated activities remain, an environmental benefit will be retention of the ecological benefits associated with the Government House gardens, including ecological habitat and biodiversity.</li></ul>

<p><i>Economic</i></p> <ul style="list-style-type: none"> <li>There are no economic costs associated with this option.</li> </ul> <p><i>Social</i></p> <ul style="list-style-type: none"> <li>Under the current zoning there is potential for public access to the Government House building and gardens at specific times, which could be removed if residential development occurs. This would reduce the social benefits (ie recreation benefits) associated with this land.</li> </ul> <p><i>Cultural</i></p> <ul style="list-style-type: none"> <li>The SASM provides cultural benefits that will remain regardless of the zoning. Therefore, there are no direct or indirect cultural costs specifically attributable to the rezoning.</li> </ul>	<ul style="list-style-type: none"> <li>Retention of the visual amenity that the gardens and relatively undeveloped land parcel provide to the wider city.</li> </ul> <p><i>Economic</i></p> <ul style="list-style-type: none"> <li>Should residential development occur, there would be an economic benefit to developers.</li> </ul> <p><i>Social</i></p> <ul style="list-style-type: none"> <li>Should residential development occur, there would be a social benefit in the form of housing supply.</li> </ul> <p><i>Cultural</i></p> <ul style="list-style-type: none"> <li>The SASM and heritage listed building provide cultural benefits that will remain regardless of the zoning. Therefore, there are no cultural benefits specific to retaining the status quo.</li> </ul>
<p><i>Effectiveness and Efficiency</i></p> <p>This option would allow the site to continue its current use. However, it is not the most effective way to recognise the heritage and cultural significance of the site or its established landscape values.</p> <p><i>Overall Evaluation of Option 1</i></p> <p>The activities occurring within the Government House site are largely determined by the designation, and retaining the HRZ is not an inappropriate option at this time. However, to better reflect the characteristics of the site, in particular the nationally significant heritage building and SASM, and reflect the site's historical and spatial relationship to the adjacent Wellington Town Belt Zone, this zoning is not the preferred option.</p>	
<p><b>Option 2: Rezone 1 Rugby Street as Open Space Zone</b></p>	
<p>This option is for the site to be rezoned as Open Space Zone (OSZ).</p> <p>Objective OSZ-O1 sets out the purpose of the OSZ as follows:</p> <p><i>"Open space areas are predominately used by the public for a wide range of passive and active <u>recreation activities</u>, and may accommodate open space <u>community activities</u>, in such a way that maintains, and where possible, enhances the predominant <u>character</u> and <u>amenity values</u> of the Open Space Zone, which include:</i></p> <ol style="list-style-type: none"> <li><i>1. An open and spacious <u>character</u>;</i></li> <li><i>2. A low level of built form and development; and</i></li> <li><i>3. <u>Buildings</u> and <u>structures</u> are predominately ancillary to recreation or <u>conservation activities</u>".</i></li> </ol> <p>The OSZ caters for both passive and active recreational activities with limited associated facilities, buildings and structures. The OSZ permits activities such as informal recreation activities, organised sport and recreation activities, gardens including community gardens, construction, maintenance, alteration of or addition to footpaths and tracks and, open space community activities in existing buildings.</p>	

Activities not covered in OSZ-R1 – OSZ-R10 will require resource consent for a discretionary activity. Construction, alteration of, and addition to, buildings and structures in the OSZ are permitted when they meet standards around maximum height, height in relation to boundary, maximum gross floor area (100m<sup>2</sup>) and maximum building coverage (10%). Any building activities exceeding the permitted activity standards would require resource consent for a restricted discretionary or discretionary activity, depending on the extent of non-compliance with the standards.

While the use of the site for Government House does not directly align with the purpose of the OSZ, this zoning is considered to be a better fit in terms of the characteristics of the site and established activities occurring there. While the site is not publicly accessible at all times, its function serves a public purpose, and public access is available at times. Additionally, it is heavily vegetated, with the gardens recognised for both historic and conservation purposes. The site provides a high level of visual amenity when viewed against the backdrop of the Wellington Town Belt (for example, from the CCZ/Basin Reserve). Zoning the site as OSZ would offer a level of protection to the established vegetation.

The costs and benefits of Option 2 are set out below:

Costs	Benefits
<p><i>Environmental</i></p> <ul style="list-style-type: none"> <li>Potential loss of theoretical residential development potential. In the context of the designation this cost is not likely to be realised.</li> </ul> <p><i>Economic</i></p> <ul style="list-style-type: none"> <li>Potential loss of economic benefits for developers that would result from residential development of the site. In the context of the designation this cost is not likely to be realised.</li> </ul> <p><i>Social</i></p> <ul style="list-style-type: none"> <li>Public access to Government House is available at specific times but and this would not change under the rezoning. Therefore, there are no identified social costs associated with the rezoning.</li> </ul> <p><i>Cultural</i></p> <ul style="list-style-type: none"> <li>The SASM provides cultural benefits that will remain regardless of the zoning. There are no cultural costs associated with the rezoning.</li> </ul>	<p><i>Environmental</i></p> <ul style="list-style-type: none"> <li>Rezoning the site as OSZ (and deterring residential development from occurring there) would assist to prevent loss of vegetation at the periphery of, and forming the public perception of, the Wellington Town Belt.</li> <li>Ecological and biodiversity benefits associated with the retention of the historically significant gardens and green space character.</li> </ul> <p><i>Economic</i></p> <ul style="list-style-type: none"> <li>There are negligible economic benefits associated with the rezoning.</li> </ul> <p><i>Social</i></p> <ul style="list-style-type: none"> <li>Public access to Government House and the gardens is available at specific times but and this would not change under the rezoning. Therefore, there are no identified social benefits associated with the rezoning.</li> <li>Intrinsic open space values are high for this site, regardless of any restrictions on public access.</li> </ul> <p><i>Cultural</i></p> <ul style="list-style-type: none"> <li>The SASM provides cultural benefits that will remain regardless of the zoning. Therefore, there are no direct or indirect cultural benefits specific to the rezoning.</li> </ul>

### *Effectiveness and Efficiency*

This option is an effective and efficient way to resolve the issue. As outlined, the OSZ is consistent with both the current use of the site and its potential future uses, responds to the heritage and SASM notations, and reflects the proximity of the Wellington Town Belt. This is an effective option as it offers clear guidance in the District Plan regarding the site's purpose and intended use. The use of Government House will be able to appropriately continue, and the zoning will be appropriate for the future use.

### *Overall Evaluation of Option 2*

The rezoning of the site from HRZ to OSZ will have limited effect on existing patterns of land use. While the HRZ seeks to enable residential development, the constraints imposed by the PM1 designation, heritage building and SASM mean that such development could not be realised in this location.

Rezoning the site to OSZ will provide better recognition of the established Government House building and gardens. The proposed zoning recognises the very high historical and cultural significance of the site. This is considered a social and cultural benefit. Given the existing constraints on development on the site (namely the designation, heritage building and SASM), there will be negligible environmental, or economic social or cultural costs associated with the change.

For these reasons, Option 2 is the preferred option.

### **Risk of Acting/Not Acting**

There is sufficient information to understand the risks associated with acting and not acting.

Noting the development constraints imposed by the heritage building and SASM under the current 2024 District Plan, the risk of not acting (retaining the status quo) is potentially limited at this time. However, there are recognisable social, cultural and ecological benefits that could be lost if the site is developed for residential purposes. Should the PM designation be removed, then there is a risk that the HRZ zoning will provide for the established site characteristics to be compromised.

Conversely, rezoning the site as OSZ will increase the potential for the existing use and characteristics of the site to be retained regardless of the ownership of the land. The primary risk associated with this option is a perceived loss of residential development potential; however, for the reasons described in this assessment it is unlikely that this potential would be realised.

Therefore, the risks of not acting are considered to outweigh the risks of acting in this case.

### **Consultation**

The Council's Parks Sport and Recreation Team are supportive of the proposed rezoning.

Government House has been consulted about the change. Due to the presence of the SASMs and heritage items, mana whenua and Heritage New Zealand Pouhere Taonga (NZHPT) have also been consulted.

Feedback received to date is detailed in the table below:

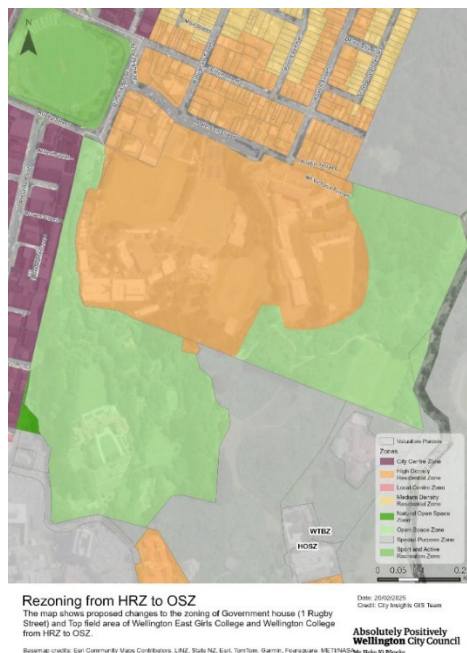
<p><b>Government House</b></p>	<p>Representatives for Government House have confirmed that they support the change, on the basis that this sees the site revert to its 2000 District Plan zoning.</p> <p>Government House has requested an additional amendment to the Introduction of the OSZ to reflect that Government House is a notable site located in this zone. Therefore, the following amendment is recommended:</p> <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>The Open Space Zone caters for both passive and active recreational activities, with limited associated facilities, buildings and structures. Open spaces within this Zone are primarily recreation reserves. They include a wide range of spaces, from small local suburban playgrounds and ‘pocket’ parks in the City Centre, to larger playing fields or open grassed areas. Some of the open areas are located near waterbodies and the coast, others are located within urban areas and contribute to an attractive living environment within the City. <u>The historic Government House is also located within the Open Space Zone and subject to Designation PM1.</u></p> </div>
<p><b>Heritage New Zealand Pouhere Taonga</b></p>	<p>Supports the proposed change, subject to any comments or feedback from the landowner or administering agencies.</p>

### Recommended Option

Following the assessment above, Option 2 is the preferred option. Rezoning the site to OSZ will fit the use and purpose of the Government House site.

Recommended Change
--------------------

1. **Rezone the whole of 1 Rugby Street Newtown, from HRZ to OSZ. The recommended change is shown in the map below:**



- 2. Add the following sentence to the Introduction to the Open Space Zone Chapter:**

The historic Government House is also located within the Open Space Zone and subject to Designation PM1.

