

Neighbours bring in lawyers



Consents

Helen Harvey

helen.harvey@stuff.co.nz

Neighbours of Taranaki Cathedral have started legal proceedings to stop the 121-year-old vicarage from being moved as part of the \$15 million cathedral restoration project.

Wayne O'Keeffe, and a couple who do not want to be named, have hired a Wellington lawyer to instigate a judicial review into the New Plymouth District Council's (NPDC) handling of the resource consent application to move and renovate the building.

The vicarage is due to be shifted about 20 metres towards Vivian St.

They want to confirm that the council has followed due process as they believe aspects of the overall vicarage restoration project go against the district plan.

However, as the challenge is against the council, and the cathedral project team have all the necessary consents, it is still proposed to move the vicarage this week depending on the weather.

O'Keeffe said their lawyer is confident they have a good case.

"It's for us to show there has been a breach of the resource management act."

The legal challenge alleges breaches have been made around the height of the vicarage.

Built in 1899, its height exceeds District Plan rules of 7.5 metres, which becomes an issue once it is moved as it should be treated as a new building.

NPDC has previously said it had an exemption.

O'Keeffe and the couple will lose their views when the building is moved. He said he was also upset about the lack of consultation and what he sees as the council bending the rules.

"If they followed the correct



Wayne O'Keeffe and another neighbour have now started legal proceedings in regards to the old vicarage building that is being moved next to St Mary's cathedral. A shed next to the old vicarage was removed yesterday.

SIMON O'CONNOR/STUFF

process and it turns out they're allowed to do it, then so be it. But everybody has to follow the same system and the same set of rules."

Other concerns are car parking, and changing the use of the vicarage from residential to commercial, which would see the bottom floor used for functions and events and the upper storey for education.

But Cathedral Remediation and Design Manager Jenny Goddard said, in an emailed statement, they had followed due process.

"As we have all the necessary consents to undertake our project, we intend to proceed. Obvi-

ously however, if any new legal requirements arise as a result of any challenges, we will comply with those."

NPDC Chief Operating Officer Kelvin Wright said NPDC had been made aware of a legal challenge but it was too early to say what this will mean for the project.

"As a responsible regulator, this application went through a rigorous and comprehensive resource consent process and we are confident the correct decision has been made to allow the vicarage to be moved."

Moving and restoring the vicarage is part of a redevelopment



project that will include earthquake strengthening the cathedral and a new contemporary building, Te Whare Hononga (the house that binds).

Estimates in the resource consent application suggest that when the project is finished, tourism and other events on the site

will generate more than 230 vehicle movements a day, on average. Moving the vicarage will create about 19 parks on site.

The application said while the number of parks was "significantly less" than the district plan allowed, discussions with the NPDC "are currently under way with regard to making changes to the street-side public parking on Robe and Vivian streets".

The changes would add 120-minute parks along the streets where commuters currently park, the application said.

A shed next to the vicarage was taken away on the back of a truck yesterday.