

WELLINGTON CITY DISTRICT PLAN – DPC77

Submission form on publicly notified Proposed District Plan Change 77

Curtis Street Business Area

FORM 5 Clause 6 of First Schedule, Resource Management Act 1991

SUBMISSIONS CAN BE

Posted to	District Plan Team Wellington City Council PO Box 2199 Wellington 6011
Delivered to	Ground floor reception Civic Square/101 Wakefield Street Wellington
Faxed to	801 3165 (if you fax your submission, please post or deliver a copy to one of the above addresses) Please use additional sheets if necessary.
Emailed to	district.plan@wcc.govt.nz
We need to receive your submission by 5pm, Monday 11 March 2013.	

YOUR NAME AND CONTACT DETAILS

Full name Jitesh Patel		
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Address for service of person making submission As above		
Email Creswick@hotmail.co.nz	Phone 04 4754154	Fax

TRADE COMPETITION AND ADVERSE EFFECTS *(select appropriate)*

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

THE SPECIFIC PROVISIONS OF PROPOSED DISTRICT PLAN CHANGE 77 THAT MY SUBMISSION RELATES TO ARE AS FOLLOWS *(Please continue on separate sheet(s) if necessary.)*

1. Presumption of commercial development for the whole submission
2. **Traffic and congestion**
3. Environmental impacts including wider catchment impacts on water run-off, soil contamination, impacts on flora and fauna
4. Transmission line impacts
5. **Economic impacts**
6. Status of the concept plan

MY SUBMISSION IS THAT

(You should include whether you support or oppose the specific provisions or wish to have them amended. You should also state the reasons for your views. Please continue on separate sheet(s) if necessary.)

Presumption of commercial development for the whole site

- a. The Section 32 report makes several erroneous and misleading assumptions about development of the site. When the site was sold in 1998 it was clearly the new owner (Foodstuffs) that took on the risk in changing the zoning from Residential and Open Space. Furthermore there were several other proposals for less intensive development such as a gymnasium and small motor home park.
- b. The Council has acted with a large degree of pre determination towards zoning on the site including instructing Council Officers to prepare for a Business 2 zoning in May 2012 before any consideration of the alternatives and community consultation had begun.
- c. The Council's public notice of DPC77 is biased towards a development outcome and the choice of photo is clearly designed to present an image of an abandoned site with little environmental or community value.
- d. The Curtis Street Business Area is introduced as being to provide for increased commercial activity in the western suburbs (35.1). Provision for commercial activities was considered by the Suburban Centres Review and addressed by DPC73. It would be inappropriate to introduce new provisions when adequate provision might already exist in DPC73 while DPC73 is still subject to appeal.
- e. The Section 32 report does not provide clear evidence of a need to provide for increased commercial activity and does not properly address the effect of doing so in a new suburban centre, rather than within the established suburban centres as has been proposed within DPC73. While greater commercial activity within Karori might be an aspiration of commercial property developers within that suburb, it is not a proper consideration and there is no evidence provided that the present pattern of commercial activity is not efficient and sustainable.
- f. DPC77 introduces new rules for commercial activities specific to this site. DPC73 provides for two new suburban centre activities zones: Business 1 and Business 2. Despite this, the site appears to be so little suited to commercial activity that neither Business 1 nor Business 2 zoning is appropriate. DPC77 introduces piecemeal urban planning and local exceptions and added complexity, rather than a consistent and comprehensive set of objectives, policies and rules

3. Traffic and congestion

- a. The Section 32 Report indicates increases in traffic incompatible with the capacity of adjoining roads and the creation of unacceptable road safety risks and on-street parking demands at certain levels.
- b. Although the Traffic Assessment refers to significant potential adverse effects on Northland from the proposal, and implies significant adverse effects on Karori Road beyond the intersection with Chaytor Street, the assessment has been arbitrarily limited to only a few intersections and specifically excludes five intersections likely to have more than minor adverse effects from the proposal
- c. Greater parking provision on the site, given the risk of increased demand for on-street parking on adjoining streets, would serve to increase significantly the area of impervious surface on the site immediately adjacent to the culvert of the Kaiwharawhara Stream. Provisions made for restrictions on activities that generate increased traffic volume and parking demand appear inadequate.
- d. There will be traffic increase in Randwick road & Farm Road.

4. Environmental impacts including catchment impacts of run-off, soil contamination, impacts on flora and fauna

- a. A significant part of the site was identified within the Section 32 Report as being worthy of being set aside in order to

- b. DPC77 gives no mention to the current published Council plans for this site within the Outer Green Belt Management Plan, which shows the site being included within Council-owned open space in order to enhance the ecological corridor as a future initiative in May 2004, or the Biodiversity Action Plan 2007, which seeks to protect and enhance the natural landscape, ecosystems, homes and recreation areas within the Kaiwharawhara Stream catchment.
- c. DPC77 provides insufficient protections for soil removal and site works, given the high likelihood of contaminated soil already on site. There is no specific requirement for a soil assessment for contamination to be provided with any application for a resource consent for earthworks, despite the known history of the site.
- d. Specific restrictions on discharges that could impact on the Kaiwharawhara Stream are insufficient

5. Transmission line impacts

- a. As the site is bisected by a high voltage transmission line corridor Transpower's Transmission Line Buffer Corridors Policy (September 2012) should apply, so that no structures may be built within a 12 metre red zone either side of a centre line of the transmission lines.
- b. No consideration has been given to potential EMF exposure of employees engaged in commercial activities on the site beneath the transmission lines.

6. Economic impacts

- a. The Section 32 Report Economic Impact assessment is deficient in that it does not provide analysis of the likely impact on existing Centres – **specifically Northland**, Marsden Village and Karori – of development of a new Business Area on this site, but implies that the adverse effects would be significant in discussing vacant retail premises in neighbouring centres.
- c. The encouragement within DPC77 of multiple business uses on the site does not address possible displacement of existing businesses within nearby centres and therefore the impact on the viability of those centres, and is potentially inconsistent with the analysis within the Traffic Assessment in the Section 32 Report.
- d. DPC77 does not provide sufficient controls on activities to avoid adverse effects on the wider landscape and nearby residential areas. There is no signal within the objectives, policies and rules as to what scale and intensity of development is unacceptable on this site.

7. Status of the concept plan

- a. DPC77 provides for voluntary application for approval of a concept plan. Given the significant challenges with developing the site and avoiding adverse effects any Concept Plan should be both obligatory and publicly notified.

WE SEEK THE FOLLOWING DECISION FROM THE COUNCIL *(Please give precise details.)*

1. Withdrawal of proposed District Plan Change 77 providing for increased commercial activity in the western suburbs until any need for such provision not already provided by DPC73 has been demonstrated.
2. To give effect to Council's existing plan for this valley for the site to be within Council controlled open space to enhance the ecological corridor as indicated in "future initiatives" of the Wellington Outer Green Belt Management Plan May 2004
3. Provide specific rules to control the permissible development on the site to protect and maintain the existing vegetation on the western and eastern boundaries; and
4. Provide specific rules to control the permissible development on the site to protect and maintain a clear corridor beneath the high voltage transmission lines; and

PLEASE INDICATE BY TICKING THE RELEVANT BOX WHETHER YOU WISH TO BE HEARD IN SUPPORT OF YOUR SUBMISSION

I wish to speak at the hearing in support of my submissions.

JOINT SUBMISSIONS

We will consider presenting a joint case with others at the hearing.

IF YOU HAVE USED EXTRA SHEETS FOR THIS SUBMISSION PLEASE ATTACH THEM TO THIS FORM AND INDICATE BELOW

No, I have not attached extra sheets.

SIGNATURE OF SUBMITTER

(or person authorised to sign on behalf of submitter)

A signature is not required if you make your submission by electronic means.

Signature Jitesh Patel

Date 11 March 2013

Personal information is used for the administration of the submission process and will be made public. All information collected will be held by Wellington City Council, with submitters having the right to access and correct personal information.