

# 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	
<b>Posted to</b>	District Plan Team Wellington City Council PO Box 2199 Wellington 6011
<b>Delivered to</b>	Ground floor reception Civic Square/101 Wakefield Street Wellington
<b>Faxed to</b>	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.
<b>Emailed to</b>	district.plan@wcc.govt.nz
<b>We need to receive your submission by 5pm, Monday 11 March 2013.</b>	

YOUR NAME AND CONTACT DETAILS		
Full name	Andrew Monahan	
Full address	29 Kainui Road, Hataitai, Wellington	
Address for service of person making submission	As above	
Email	Phone	Fax
amonahan@paradise-net.nz	021 772350	

TRADE COMPETITION AND ADVERSE EFFECTS <i>(select appropriate)</i>
<input type="checkbox"/> I could / <input type="checkbox"/> could not gain an advantage in trade competition through this submission.
<input type="checkbox"/> I am / <input type="checkbox"/> am not directly affected by an effect of the subject matter of the submission that:
(a) adversely affects the environment, and
(b) does not relate to the trade competition or the effects of trade competitions.
Delete entire paragraph if you 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 <i>(Please continue on separate sheet(s) if necessary.)</i>
As attached

**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.)*

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

**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.
- I do not wish to speak at the hearing in support of my submissions.

**JOINT SUBMISSIONS**


- If others make a similar submission, please tick this box if you will consider presenting a joint case with them at the hearing.

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

- Yes, I have attached extra sheets.  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 	Date 11/3/2013
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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.



Specific provisions of proposed plan change 77 that my submission relates to are as follows:

- Sign restrictions are too restrictive for a commercial zoned site and should read the same as Business 1
- Definition of retail should be consistent with 'Business 1' under plan change 73. Additional rules in relation to retail should be removed for example council are proposing that definition of 'Yard based Retail' needs to include at least 50% of the retail area as yard. Bunnings in Lyall Bay effectively has no yard area but I believe the council would consider this as their intention of a 'Yard' based retail.
- Residential use should be a permitted activity as it currently is over a large portion of the site therefore only protecting what is currently permitted
- Height limit of 6 metres from existing ground level is unworkable. This restriction alone will preclude all commercial activities particularly as the site is currently a valley and most likely require extensive earthworks to raise the site.
- Council state they would look preferable on a mixed commercial activity to one large entity and to have a 'pre-approved- concept plan. I am not clear as to the reasoning behind this but in reality no consent or construction would take place by the property owner unless a tenant had been found for the full site as it would not be economically viable to construct with only a tenant for part of the site. Also the possibility of finding a number of smaller tenants prior to construction within a reasonable timeframe are virtually nil under the current economic conditions. These clauses do not allow the land owner to seek a reasonable economic return. I don't believe Council should be pre-determining what use or mix of use will go on the site. The two references to 'Pre-approved compact plan' and a 'mix of commercial activity' should be removed.

My submission is that:

- I support in part with the need to re-zone the site to a commercial activity but with amendments some as stated above while also retaining the existing use rights for outer residential under the existing zone.
- It should be emphasized that the site is small in the wider area of the Western suburb and Wellington city, the site has been previously been used for commercial activities as a tip and council depot. The western suburbs cater for a large population but with very limited land for extension, it is also largely accepted that the area is under catered for retail wise.
- It is important to note that the site is privately owned and in my opinion the site clearly has very limited aesthetic value and in its current form, has no commercial activity and is in no way contributing to any social and economic needs of the Western Suburbs and wider city.
- The site clearly has some commercial appeal particularly in relation to retail with the site having previously been owned by Foodstuffs, the current owner has an agreement with Mitre 10 to construct a retail store, I have also dealt with other potential retailers for the site. The location provides a great demographic and a large population to encourage commercial activities.
- I believe the plan change as it stands will create a plan that says it has the intention of creating a commercial zoning which is needed in the area and would create positive social

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and economic conditions BUT in reality the proposed site specific rules or restrictions which have been added will make any viable commercial activity on this site non compliant and extremely difficult to gain consent for therefore defeating the intended purpose.

- I believe that council have been over conservative in order to please the immediate neighbours without fully appreciating the greater benefits to the city and allowing the land owner to find an appropriate commercial return on the land.