

# WELLINGTON CITY DISTRICT PLAN – DPC77

**Further Submission form on publicly notified Proposed District Plan Change 77**  
**Curtis Street Business Area**  
FORM 6, Clause 8 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>	<a href="mailto:district.plan@wcc.govt.nz">district.plan@wcc.govt.nz</a>
<b>We need to receive your submission by 5pm, Wednesday 12 June 2013..</b>	

YOUR NAME AND CONTACT DETAILS		
Full name Jitesh Patel		
Full address 59, Northland road, Northland, Wellington 6012		
Address for service of person making submission As above		
Email <a href="mailto:Creswick@hotmail.co.nz">Creswick@hotmail.co.nz</a>	Phone 04 4754154	Fax

2. I support or oppose the submission of:
<i>(Please insert the name and address of original submitter, &amp; submission number of original submission if available).</i> Myself and Our Association generally supports all submissions with the exception of Submission 1 (Naomi Cooper), Submission 5 (Madeleine McAlister), Submission 35 (Paul Francis Broughton and Susan Jane Ryan), Submission 47 (Andrew Monahan) and Submission 61 (Prime Property Group). Myself and Our Association specifically opposes: Submissions 1,5, 35, 47, 61

3. The particular parts of the submission that I support (or oppose) are:
<b>. Transmission Line Impacts</b> I supports submissions which call for adherence to the National Policy Statement on Electricity Transmission, particularly to limit the number of buildings where people are exposed to high voltage transmission lines. I fully support the Transpower submission that sensitive activities, including buildings occupied by people for 20 hours a week or more, must be excluded from a 12 metre area either side of the centre line of the transmission lines. The CVRA notes that implementation of the National Policy Statement on Electricity Transmission 2008 is a statutory requirement under the RMA. I also support the expert testimony of John Boshier (#12) in calling for full compliance with Transmission Line Buffer Corridors policy. This submission also highlights the need for the Wellington City Council to exercise a duty of care in avoiding hazards and potential liability under law.

#### 4. The reasons for my support (or opposition) are: (Please give precise details)

##### 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 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
- c. I oppose and do not support submission 1 (Naomi Cooper), submission 5 (Madeleine McAlister), submission 35 (Paul Francis Broughton and Susan Jane Ryan), submission 47 (Andrew Monahan) and submission 61 (Prime Property Group).

##### 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 maintain a regionally significant ecological corridor connecting the near-contiguous green belt of open space within the valley of the Kaiwharawhara Stream, but nothing in DPC77 recognises or implements this.
- 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

##### 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.
- a. 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.
- b. 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.

### Traffic and congestion

Several submissions also point to the failure of the section 32 report to acknowledge the cumulative impacts of the extra traffic to be generated by the Child Care Centre which is being constructed nearby the site (estimated to be a further 450 vehicle movements per day). Residents in Paisley Terrace, Creswick Terrace and Curtis Street detailed the very significant constraints and hazards that exist on the current roading network. These issues are simply not addressed in the section 32 report and no credence has been given to the considerable number of submissions received by Wellington City Council over the past few years from residents regarding the extra traffic to be generated from developing the Curtis Street site. I supports these submissions and requests that they are accorded equal weight to the technical traffic assessments in the Section 32 report.

Traffic will increase on farm road and randwick rd

### 5. I/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

### 6. Please indicate by ticking the relevant box whether you wish to be heard in support of your further submission.

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

### 7. Joint Submissions

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

### 8. If you have used extra sheets for this submission please attach them to this form and indicate this below:

No, I have not attached extra sheets.

Signature of person making further submission (or person authorised to sign on behalf of submitter)

Jitesh Patel

Date 10 June 2013

### THANK YOU FOR MAKING A FURTHER SUBMISSION

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

Note: A copy of your further submission must be served on the original submitter within 5 working days of making the further submission to the Council