

Proposed District Plan Change 81 Submission form

Absolutely Positively
Wellington City Council

Rezoning 320 The Terrace and De-listing the Gordon Wilson Flats

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

Submissions can be

Emailed to: district.plan@wcc.govt.nz

Posted to: District Plan Team
Wellington City Council
PO Box 2199
Wellington 6011

Delivered to: Ground Floor Reception
Civic Square/101 Wakefield Street
Wellington

We need your submission by Friday 25 September 2015 at 5pm

Your name and contact details

Full names: Nicola and Norbert Koptisch (File Reference: 1044-02-81)

Full address: 236 The Terrace
Wellington Central
Wellington 6011

Address for service of persons making submission:
(as above)

Phone: H: 4 977-4788
M: 021 858-018 (Nicola)
M: 0274 810-667 (Norbert)

Fax: N/A

Email: nicola@privatointeriors.com

Trade competition and adverse effects (*select appropriate*)

We could ~~X~~ could not gain an advantage in trade competition through this submission.

I am / ~~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 81 that my submission relates are as follows (*Please continue on separate sheet(s) if necessary.*)

- Rezone 320 The Terrace from Inner Residential Area to Institutional precinct
- Amend the Institutional Precinct provisions of the Wellington City District Plan:
 - 9.3 Discretionary activities (restricted)"
 - 9.3.2 The construction, alteration of, and addition to any buildings and structures on 320 The Terrace is a Discretionary Activity (restricted) in respect of:
 - 9.3.2.1 design, external appearance and siting
 - 9.3.2.2 site landscaping
 - 9.3.2.3 vehicle parking, servicing and site access
 - Non-notification / no affected persons
In respect of rule 9.3.2 applications will not be publicly notified (unless special circumstances exist) or limited notified.

My submission is that

(You should include whether you support or oppose the specific provisions or wish to have them amended. You should

See attached Appendix: **3 pages**

We seek the following decision from the Council *(Please give precise detail.)*

Keep the zone as Residential

1. Victoria University has proven that it cannot manage anti-social behavior arising from the student accommodation halls and the student union building.
2. Objectives and policies of the District Plan:
 - a. 8.2.2 To maintain and enhance the amenity values of Institutional Precincts and any nearby Residential and any nearby Residential Areas
 - b. 8.2.2.1 Ensure that the effects of activities are managed to avoid, remedy or mitigate the adverse effects on other activities within the Institutional Precincts or on properties in nearby Residential Areas. Require that where activities, buildings or structures in Institutional Precinct Areas adjoin or .face a Residential Area, they satisfy additional conditions.
 - c. 8.2.2.3 Control the adverse effects of noise within Institutional Precincts.

Rule 9.3.2 - all applications are publicly notified

1. No student accommodation to be built at 320 The Terrace
2. No public access after normal business working hours
3. The Council and Victoria University should consider other uses of the land such as infill residential housing.

I.e. the block could be sub-dived and sold on the market for new residential houses to be built.

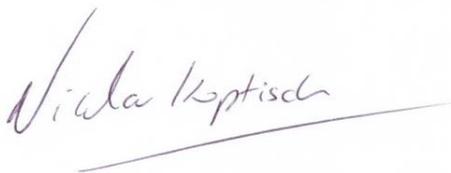
Please indicate by ticking the relevant box whether you wish to be heard in support of your submission

- I wish to speak at the hearing in support of my submission.
- ~~We do not wish to speak at the hearing in support of my submission~~

If you have used extra sheets for this submission, please attach them to this form and indicate this below

- Yes, we have attached 3 extra sheets. ~~No, I have not attached extra sheets.~~

Signature of submitter (or person authorised to sign on behalf of submitter):



Date 16/09/2015

Our submission is that:

We, Nicola and Norbert Koptisch, **oppose** the Rezone of 320 The Terrace from Inner Residential Area to Institutional precinct and we **oppose** Amending the Institutional Precinct provisions of the Wellington City District Plan for the following reasons:

We do not want any more student accommodation:

1. Victoria University will be allowed to build another student accommodation hall without any public notification. Our concern is that Victoria University is planning to expand, any additional student accommodation halls will only add to the current widespread anti-social student behavior that residents have to put up with.
2. I have been a resident and owner of 236 The Terrace for over 20 years, slowly the anti-social behavior started to worsen over the last 10 years and now my husband and I are reduced to wearing earplugs every Friday and Saturday night from students walking to and from the student accommodation buildings and the student union building. As the students are often drunk before heading down the Allenby Terrace steps there is very aggressive anti-social behavior consisting of: Screaming and yelling, fights, discarded bottles and cigarettes thrown into private property, damage to private property and graffiti.
3. We have recently joined the Kelburn residents group convened by John Blincoe, to obtain support from other residents experiencing similar problems with student anti-social behavior.

Noise nuisance from the Student union building

1. Resource consent for the student union building was granted in 2005 which allowed external parties to hire various rooms, the eastside bar and restaurant in the Student Union Building for their own events.
2. Regarding the noise from student union building for student and public events, Wellington City Council only monitors some events leaving the residents to contact the noise control officers when the noise is very loud.
3. Often the resource consent is breached as the event goes beyond midnight and the noise is over and above the allowed decibel limit. We have logged many calls only to find the noise control officers not turn up or turned up after the shut down time has been breached.

Pre-loading in the Student Accommodation Halls

1. Remember the Six o'clock swill? We now have the Ten o'clock swill from the student halls having a Ten o'clock closing of alcohol consumption in the student accommodation halls, leaving the residents to face the consequences of drunk students walking to and from the bars in the CBD.
2. Six o'clock swill - "Six o'clock closing has been seen by many commentators as teaching generations of Kiwi men to drink as fast as possible, reinforcing a culture of binge-drinking. While early closing was promoted as a way to ensure that men got home to their families at a respectable hour, critics questioned the state they were in when they arrived"



Infringement of the Quiet Residential Zones

1. Victoria University is free to commit a nuisance, and impinge on the rights of the Kelburn and Terrace residents. Remember many of the Kelburn and Terrace houses were in existence long before the student union and student accommodation halls were built in such close proximity to everyone.
2. We currently have a permanent Loss of quality of life that has occurred from the anti-social activities. We have a right to a quiet night environment as we are living in a residential zoned area. Anxiety, stress and sleep deprivation are the consequences that we have suffered from the anti-social activities.
3. If the residents move out of the Kelburn and Terrace neighborhood, these areas could turn into a student ghetto and a 'no-go zone'. Many of the houses could be at risk of deterioration, devaluation and tourism may be affected.

Accountability for the Nuisance caused:

1. For Victoria University to be fully accountable they need to:

- a. **Acknowledge reality as to the widespread problems** - Residents are now turning to radio talkback shows and newspapers to voice their concerns
- b. **Take responsibility for the problems** – If Victoria University denies the students are causing the anti-social behavior then they need to prove it is not the students.
- c. **Find solutions** – Solutions are difficult to find and implement if you do not accept the problem.
- d. **Make it happen** – If the problem is left to fester, Victoria University risks a resident taking legal action.
- e. **Look at their contribution to the community** – is Victoria University's profit being made at the expense of the problems caused to the Kelburn and Terrace neighborhood?
- f. **Look at the residents' contributions to the wider community** – being rate payers, tax payers, providing time and resources to beautify the areas from their house renovations and continual maintenance of gardens and paths.

1. **Develop a framework for Nuisance Responsibility**

- a. **Apply a nuisance framework to the Institutional Precinct Zone**
 - i. The Council is ultimately responsible for the anti-social behavior and has to ensure the residents have a quiet night environment
 - ii. The Council will need to prove to the residents how the quiet night environment will be achieved and how the anti-social activities will be prevented.
 - iii. Provide data to resident groups that is being collected by Wellington Hospital in relation to emergency admissions for drunk students.
 - iv. Use available smart technology in monitoring anti-social behavior.

b. Student Union Events

- i. All planned events at the student union building are monitored to comply with the Resource consent.
- ii. Provide adequate communication to the residents for all events at the student union, i.e. a schedule of the planned events with a management plan sent to nearby residents

c. Host Responsibility to prevent anti-social behavior

- i. Supervise all the drinking in the student accommodation halls to prevent pre-loading and leaving the accommodation halls disorderly and drunk.
- ii. Provide food with any alcoholic beverages being consumed.
- iii. Instant payment fines to be issued to students that are caught pre-loading.
- iv. Arrange transport to and from the CBD bars.
- v. Students that are caught pre-loading are banned from leaving the student halls.
- vi. Consider a complete alcohol ban and eviction for continual non-compliance.