

# Proposed District Plan Change 81 Submission form

Absolutely Positively  
**Wellington** City Council  
Me Heke Ki Pōneke

## 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:** Kenneth John Bowater and Lynda Karen Bowater

**Full address:** 19a Everton Terrace  
Kelburn  
Wellington 6012

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

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M: 021 162 2345 (Lynda)  
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### Trade competition and adverse effects (*select appropriate*)

We could  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.*)

#### 2. Change the zoning of 320 The Terrace to Institutional Precinct

2.1 Change the zoning of 320 The Terrace from "Inner Residential" to "Institutional Precinct" with corresponding change to district plan maps 12 and 16.

#### 3.4 Insert into 9.3 discretionary activities "Restricted" the following rules:

...

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.

#### Appendix 4: Permitted Building Standards for 320 The Terrace

4.0 Objectives: Main Campus

Circulation

01 To improve public access to and within the university.

**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.)*

See attached Appendix: **Our submission is that**

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

We seek the Council to:

either

retain the zoning of 320 The Terrace as "Inner Residential"

or

ensure as a condition of the change of zoning of 320 The Terrace to "Institutional Precinct", in respect of rule 9.3.2, that all applications are publicly notified. Public notifications should ensure that no adverse impacts on Kelburn and Te Aro residents result from what the university builds on this site, and how it uses it. And, in particular, that the site is never used for student accommodation purposes, for student union event purposes or to facilitate public access after normal business working hours.

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

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

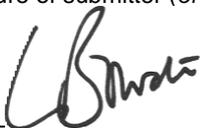
**Joint submissions**

- 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 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 19/09/2015

## Appendix:

**Our submission is that** Wellington City Council either retains the zoning of 320 The Terrace as “Inner Residential”, or ensures that Kelburn residents continue to be notified of Victoria University’s intended use of the site.

In particular, we strongly object to the university *ever* using the site for student residential purposes, for student union event purposes or to facilitate public access after normal business working hours.

We do not object to the buildings being removed from the Heritage List, or to teaching and research spaces being developed to replace them.

### **Our situation:**

We have lived in our own home in Everton Terrace for 16 years. About five years ago the drunken and anti-social behaviour of university students, particularly those first year students residing at Weir House, reached a level that became very concerning for us. This is when we started picking up their alcohol-related litter on our regular running and walking routes, and lodging complaints about the litter and the extreme noise with the Council.

In 2013 we made a connection with a local group of residents convened by John Blincoe, who were also very concerned with the deteriorating behaviour of students who spill out of Weir House at 10.00 pm to congregate in Kelburn Park to continue to ‘pre-load’ with alcohol before heading down Everton Terrace into town. This practice is now common on each Wednesday, Friday and Saturday night during semester time and during the day on weekends when the weather allows.

Our Kelburn Park group has formally met with representatives of Victoria University, Weir House, Wellington City Council and the Police on multiple occasions, and often exchange emails around concerning events. Jenny Bentley, Director of Campus Services at the university, chairs the meetings. We continue to attend these meeting, but to date we and the other residents have been dissatisfied with the university’s and the Council’s responses to our concerns.

Indeed we consider the Council and the university appear to be more interested in the income generated by an increasing student residential population, than encouraging a vibrant, attractive and diverse neighbourhood that includes considerable, law abiding families and young professionals. It feels like Wellington is being supported to become the ‘new Dunedin’, the ‘premier’ destination for students whose primary focus is to party rather than study.

Through Nicola Koptisch’s recent efforts to alert local residents we became aware of the university’s plans for the Gordon Wilson Flats at 320 The Terrace, and wish to raise awareness of our experience in order to prevent the future use of the site for student residential or student union event purposes. Frankly we are surprised that the Kelburn Park group members were not notified by the Council directly as a matter of course.

Our home was our sanctuary and our submission is written from the heart.

## **A Why we consider the site should never be used for student residential purposes:**

### **1 We have no confidence in the university’s interest to manage student behaviour**

Our experience in working with the university since 2013 has demonstrated that the university has consistently failed to pay due attention to the impact of their operations on local residents. We consequently have absolutely *no confidence* that it will take appropriate responsibility for the anti-social behaviour of the students it hosts in any new hall of residence.

While there are some apparent standards of behaviour for students while they are on its own property,<sup>1</sup> the university knowingly transfers the responsibility for monitoring the anti-social behaviour of these students, once they leave the halls of residence, to the long-suffering residents.

For instance, in response to complaints from their own students at Weir house who actually want to sleep or study in the evening after 10.00 pm, the university has determined that these student residents have the right to do so. Some halls even have alcohol-free zones.<sup>2</sup> The university solution is to force their drunken students off their premises so their impact affects other residents instead. Apparently local residents are not afforded the same right to quietly enjoy their own property.

Jenny Bentley has repeatedly stated the university holds the view that it has no responsibility for its students once they have left university premises. Residents are expected to telephone the Council’s Noise Control or the police in order to log incidents of anti-social behaviour and hopefully get some resolution, which during university semesters can be as often as three nights a week (Wednesday, Friday and Saturdays) and during the day over sunny weekends when students congregate in Kelburn Park.

Many of our Everton Terrace neighbours won’t log complaints because the noise nuisance per each group of students is generally transient, and phoning Noise Control elicits no response from the Council. The Council applies a stand-down for 15 minutes before they will consider sending someone to investigate and by then the students concerned have moved on. In this way making phone calls late at night is yet another inconvenience after being rudely awakened. However, we understand the frequency of complaints about the level of noise generated by students at the park itself has led to the 15 minute stand down being waived.

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<sup>1</sup> However, we are now *not* convinced the university manages students appropriately even on their own property given Alistair Craib’s recent experience of Kathryn Jermyn Hall: <http://www.stuff.co.nz/dominion-post/news/71987027/battle-between-drunk-vuw-students-and-neighbours>; and other residents’ reports on the excessive noise levels resulting from student union events.

<sup>2</sup> A blog ‘*Guide to Victoria University Student Accommodation*’ recommends prospective students opt for an alcohol free floor, and then go and party on the other floors when they feel like it, in order to get the best of both worlds.

From our discussions with other local residents in our street, most of them regularly experience being awoken at night *multiple times* as groups of drunken and disorderly students make their way down to town. Students generally 'pre-load' on alcohol in their hall, and/or in Kelburn Park. They get moved on from their hall at 10.00 pm – a phenomenon that residents are now calling 'the 10 o'clock swill'. Local residents are then usually awoken again as the same groups of students return to their hall in the early hours of the following morning, many hours later.

Our experience of other landlords, who have students renting properties in our area, has been much better. If complaints are made and the landlords are NZ based, they generally take steps to ensure their tenants are respectful of the neighbours.

## **2 More students' halls of residence means more fear for our neighbourhood**

The university's poor response to local residents' concerns, and the escalating anti-social student behaviour has caused us and our neighbours considerable stress and anxiety. Every time we hear the start of an event at Kelburn Park we now have a stress response. We particularly feel for our neighbours on Salamanca Rd and Rawhiti Tce, as noise naturally travels upwards, and, although it doesn't feel like it, we are somewhat protected by being down in the gully below Kelburn Park.

Further, we often have our grandson staying over-night and we are anxious that his sleep will be disturbed every time he stays, and that he will become inconsolable. There are also other babies and toddlers living in the area whose sleep is regularly disturbed by screeching or chanting drunken students, particularly as they move down our street to town.

We, and our neighbours, are fearful of confronting students who are behaving badly outside our properties. It is disgusting to see them urinating and vomiting in public, and generally they are so drunk an intelligent conversation cannot be had. Their behaviour can become increasingly intimidating if they are approached.

Filming or photographing the students, for identification purposes, has also been unsuccessful in our experience. From the timing of anti-social incidents the problem is clearly poorly managed university students, yet the university continues to insult local residents by suggesting that the culprits cannot be proved to be residents of their halls. Police, university and Council have all advised us, for our own safety, to not intervene and to not take photos.

The ear piercing screams of female students has also caused great stress to some of our neighbours as we are aware of a number of rapes and assaults that have occurred in our area. We feel we put ourselves at risk to investigate such incidents, yet as good citizens we feel we should investigate these incidents to determine whether a woman is being attacked.

## **3 More students halls of residence means more hazardous littering**

On the mornings following student drinking sessions residents are faced with cleaning up the alcohol-related and takeaway litter left in our streets and walkways, or putting up with living in a degenerated environment. While Weir House occasionally organises the perpetrators of the Kelburn Park parties to clean up the park, they have not responded to requests to clean up the alcohol-related litter on the walkway below Weir House or on Everton Terrace. On one occasion we even met a non-drinking student who was so embarrassed by his cohort that he moved them on and cleaned up after them. He collected two full recycling bags of litter from the one event on the park before he gave up.

We have notified Everton Hall about the excessive litter building up in the (once attractive) gardens out the front of the Hall, but never received any acknowledgement or action. We have given up cleaning this up ourselves, which we did until earlier in 2015. The armchair dumped in the bush outside Everton Hall, and the couch thrown into the town belt below the fountain, were amongst the last straws.

Sadly, too, school children are required to walk past broken glass and abandoned partially consumed bottles of alcohol to get to Clifton Terrace School. The occasional Council street sweeper doesn't manage the litter problem, which is largely on the footpaths and in the gardens alongside the path.

## **4 More student halls of residence mean Kelburn and Te Aro have become 'Student Party Central'**

We have lived in Everton Terrace for 16 years now, and over the past five years the drunken and anti-social behaviour of students, particularly those residing at Weir House, has worsened considerably. While the student union considers it has been a tradition, since the 1970s, for university students to have the occasional drunken event at Kelburn Park where they leave the park strewn with beer cans, we are told this was a few times each year in the 70s rather than three times a week.

Most local residents we know are university graduates who don't begrudge the occasional 'venting of steam' during orientation and at the end of semesters, but three nights a week for most of the year is completely unacceptable. We consider we have a stronger traditional of the quiet enjoyment of our own properties (our own experience being 1999-2010). In the past we loved living in this location, but are considering selling to move elsewhere as both the university and the Council appear to have an agenda of turning our neighbourhood into a squalid student ghetto or 'Student Party Central'.

The Council and the university appear to be more interested in the income generated by an increasing student residential population, than in encouraging a vibrant, attractive and diverse neighbourhood that includes law abiding families and young professionals. The planned zone change will simply escalate this problem if Gordon Wilson Flats become another student hall of residence.

As educationalists we have begun to wonder how the deteriorating behaviour of students is impacting on their academic performance. Again, the university appears to be concerned more with income from an increasing number of halls of residence than encouraging students to achieve academically. Students may well fare better academically if they are not in a university-run hall of residence environment.

As proud Wellingtonians, we're also concerned about what tourists think of the alcohol-related litter, which is clearly in view of the popular Cable Car route to Kelburn.

## **B Why we consider public access via the site after normal business working hours unacceptable:**

As already outlined above, our Kelburn neighbourhood has extensive experience of the unacceptable noise level of drunken Weir House students making their way past our properties into town following the 10 o'clock swill to consume yet more alcohol, and their noisy return trip back to their hall of residence in the early morning hours. We expect that the quiet residential neighbourhood in the area of 320 The Terrace would be highly at risk of this regular night-time nuisance on top of the current student union event nuisance, and local residents will be left with the burden of cleaning up after them.

In our experience the university is not a responsible host, and we would not expect complaints to be dealt with in a way that meets residents' expectations that they can quietly enjoy their own homes.

Indeed, it is more likely that local residents would have their properties devalued, as ours surely has. Who would want to buy into an area where drunken noisy students regularly keep you awake at night? The Council and the university have remedies available to these issues, but choose to not invoke them.

## **Other considerations we strongly support concerning the university's use of its halls of residence and, potentially, Council by laws:**

- 1 Reconfigure the current stock of halls of residence:** The number of university halls of residence is already substantial. We don't want to see any more built, and the use of the current stock could be reorganised to reduce the adverse impacts on local residents. Our experience is that the anti-social behaviour of first year students at Weir House is much more problematic than the mature and overseas students who reside at Everton Hall. We recommend the university house first year students in the CBD area, and house more mature students in residential areas like Salamanca Road.
- 2 Desist cheap Wednesday drinks:** We recommend the Council and the university work together to discourage local businesses promoting cheap student drinks on Wednesday nights in the CBD. This would mean one more night's sleep per week for sleep deprived residents.
- 3 Manage the transport of alcohol to the halls of residence:** The new supermarket planned to be built in Cable Car Lane, in Lambton Quay, will only facilitate the purchase and transport of alcohol for students who use the Cable Car to get to Weir House and other halls in the area. The Council and the university must give some consideration to how the transport of alcohol into the halls can be better managed. Our residents' group have observed on numerous occasions students secreting large bags and boxes of alcohol into Weir House via the back entrances.
- 4 Liquor bans or managed events on university property:** While the Kelburn Park residents group has supported having a liquor ban in the park, and surrounding streets, to date there has been no support from the Council. Any effort by the university seems to have been directed at abdicating their responsibility by foisting this onto the Council. In any event, the onus for getting any action when needed would appear to be pushed yet again onto local residents. If a liquor ban is not possible we recommend the university encourages students to *drink moderately* in its own indoor areas, under responsible supervision and *with effective noise control* in place. If the plans for a large lawn at 320 The Terrace is met, we can only imagine how popular it would be for drunken student outdoor parties that will disturb the local residents over an extensive area.
- 5 Remove alcoholic litter discarded in residential areas:** To date no effective effort has been made by the university or the Council to remove alcoholic litter discarded by students in Salamanca Road, down the walkway below Weir House and on the footpaths and adjoining gardens down Everton Terrace following drinking events in Kelburn Park. In the absence of a liquor ban, local residents must not have to manage this problem or have to live in a degenerated environment.