
From: Gail Beck [GBeck@shortlandchambers.co.nz]
Sent: Friday, 29 May 2009 11:00
To: isthmusplan
Cc: francelle.lupis@russellmcveagh.com
Subject: Proposed Private Plan Change 8 - 80 St Lukes Road, Mt Albert

Importance: High

Attachments: 20090529105535419.pdf



2009052910553541
9.pdf (257 KB)...

Letter dated 29 May 2009 with accompanying submission in opposition.

Please acknowledge receipt.

With thanks

Gail Beck
PA to Russell Bartlett
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29 May 2009

By Email: [isthmusplan@aucklandcity.govt.nz]

Auckland City Council
Private Bag 92516
Wellesley Street
Auckland 1030

Proposed Private Plan Change 8 – 80 St Lukes Road, Mt Albert

I **attach** on behalf of AMP Capital Investors (New Zealand) Limited submission in opposition to Proposed Private Plan change 8.

Yours faithfully,



Russell Bartlett

DDI: 307 9827

cc Russell McVeagh for: Francelle Lupis [francelle.lupis@russellmcveagh.com]

**SUBMISSION IN OPPOSITION TO
PROPOSED PRIVATE PLAN CHANGE 8
80 ST LUKES ROAD, MT ALBERT**

To: Auckland City Council
Private Bag 92516
Wellesley Street
Auckland 1030

Submitters Name: AMP Capital Investors (New Zealand) Limited

Submitters Address for Service:

C/- R E Bartlett
Shortland Chambers
PO Box 4338
Auckland

Telephone: 09 309 1769

Facsimile: 09 366 1599

The application is for a change to the Isthmus Plan to expand the Business 8 zoned land presently occupied by Westfield St Lukes Shopping Centre to include additional land owned by Westfield as well as part of Exeter Street which is owned by Auckland City Council.

The grounds for this submission in opposition are:

1. The proposal is inconsistent with the purposes of the Resource Management Act 1991. In particular it fails to promote the sustainable use of resources.
2. The proposal if adopted would result in the Isthmus Plan failing to give effect to Regional Planning policies and rules.
3. The proposed zone change fails to meet the Eldamos tests.

Without derogating from the generality of the above:

4. The development enabled by the proposed plan change is excessive in scale with regard to the existing scale and development potential of identified sub-regional centres.
5. The proposal is excessive in scale for the neighbourhood in which it is located, both in respect of the land area to be included and the

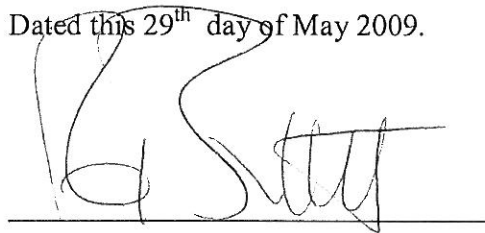
development controls intended to apply within the site. As a result, the existing amenity of the surrounding residential and mixed use areas would be significantly degraded.

6. The proposed development controls at the residential / business 8 zone interface would not provide an appropriate transition in terms of visual amenity, privacy, noise or safety.
7. The existing shopping centre is already an over-development in the suburban context where it is located. The proposed enhancements and mitigations to the traffic network referred to in the application documents are inadequate to remedy the existing difficulties or to cope with ones consequential on the development. Further, various of the roading proposals are not properly within the scope of a private plan change nor within the ability of the applicant to provide.
8. The Retail Analysis prepared in support of the application wrongly infers that the claimed shortage of retail provision in Auckland City is the result of a shortage of zoned opportunity. Accordingly, the s.32 Analysis is inaccurate and does not therefore meet the requirements of the Resource Management Act 1991.

The submitter requests that the proposed plan change be rejected in its entirety.

The submitter wishes to be heard in support of this submission.

Dated this 29th day of May 2009.

A handwritten signature in black ink, appearing to read 'R E Bartlett', is written over a horizontal line.

R E Bartlett
Counsel
AMP Capital Investors (New Zealand) Limited

