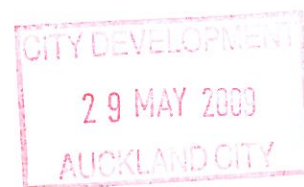


Submission No. **379**



From: Lara Burkhardt [Lara.Burkhardt@hobec.co.nz]
Sent: Friday, 29 May 2009 16:40
To: isthmusplan
Subject: Westfield St Lukes - Private Plan Change - Plan modification 8
Attachments: 20090529163614479.pdf

Submission in relation to the above is **attached**. Please confirm receipt.

Regards,
Lara Burkhardt (Associate)
Holland Beckett
Barristers Solicitors & Notaries Public
DX HP40014, Private Bag 12011, Tauranga 3143
525 Cameron Road, Tauranga, New Zealand

Direct Dial: 07 928 0197 Mobile: 027 222 8656
Office Tel: + 64 7 578 2199 Fax: + 64 7 578 8055
Website: www.hobec.co.nz

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**SUBMISSION ON A REQUEST FOR A CHANGE (PLAN MODIFICATION 8) TO THE
OPERATIVE AUCKLAND CITY DISTRICT PLAN (ISTHMUS SECTION) 1999
UNDER CLAUSE 6 OF THE FIRST SCHEDULE TO THE RESOURCE
MANAGEMENT ACT 1991**

To: The Manager - City Planning
Auckland City Council
Private Bag 92516
Wellesley Street
Auckland 1141

Submission on: Plan Modification 8 to the Operative Auckland City District Plan
(Isthmus Section) 1999

Name of Submitter: Lara Burkhardt

This is a submission on Westfield New Zealand Limited's Private Plan Change (Plan Modification 8) to the Operative Auckland City District Plan (Isthmus Section) 1999 ("District Plan") regarding the future expansion of the Westfield St Lukes shopping centre ("the Proposed Plan Change").

1. The specific provisions of the Proposed Plan Change that this submission relates to are the whole of the Proposed Plan Change being:
 - (a) Part A – Activities which lists and describes the proposed Dominant, Permitted, Restricted Controlled, Restricted Discretionary and Discretionary Activities for Area A and Area B (as appropriate) of the proposed Concept Plan.
 - (b) Part B – Development Controls which sets out the proposed controls regarding building location, maximum height, site intensity, interface controls, Exeter Road extension, location of site access, parking, loading and access, tree protection, clause 8.8.3 and other parts of the District Plan.
 - (c) Part C – Required Works and Financial Contributions in particular the provisions regarding off-site road works.
 - (d) Part D – Criteria for Assessing Applications for Resource Consent including:
 - (i) the general and additional assessment criteria proposed in relation to new buildings and alterations to existing buildings;

- (ii) vehicle or pedestrian access not meeting the locational requirements of Part B6 or Part B7.5 of the proposed Concept Plan; and
 - (iii) loading areas not meeting the requirements of Part B7 of the proposed Concept Plan.
- (e) Part E – Resource Consent Application and Notification and Service.

2. My submission is:

- (a) The Proposed Plan Change is **conditionally supported** subject to provisions to avoid or appropriately mitigate potential adverse traffic, parking, access and amenity effects on properties located on the northern side of Morningside Drive.
- (b) I own the property at number 73A Morningside Drive and will be directly affected by the Proposed Plan Change.
- (c) I consider that the existing levels of amenity enjoyed by the owners and occupiers of properties (particularly residential) which surround the subject site, particularly along Morningside Drive, should be maintained and enhanced and not further compromised by the expansion of the Westfield St Lukes centre. In particular, the activities associated with Westfield St Lukes must be required to strictly adhere to the noise standards set out in the District Plan.
- (d) I have reservations about the adequacy of provision for increased traffic along Morningside Drive. In particular, I am concerned that in order to manage the increased traffic volumes it may be proposed to remove kerb side parking on the north side of Morningside Drive, to change street management in a way that will remove kerb side parking on the northern side and restrict access to properties on the northern side of Morningside Drive.
- (e) I consider that the further development of the Westfield St Lukes centre should be required to be carried out in such a manner that access to neighbouring properties is not restricted in any way and kerb side parking in Morningside Drive is retained.

- (f) It is likely in the medium term that further commercial development and activities may be provided for by the District Plan on the northern side of Morningside Drive near the Westfield St Lukes centre. It is important, therefore that future ease of access to those properties whether developed commercially or for higher density housing under the current provisions of the District Plan be maintained.
- (g) I consider that building lines should be imposed on the Westfield St Lukes centre development that will enable future widening of Morningside Drive at least to accommodate two lanes of traffic in each direction, a centre flush median wide enough to provide for right hand turns into adjoining properties and to avoid the need to restrict direction of access to any of the neighbouring properties and to retain kerb side parking on the northern side of the road.
- (h) The Westfield St Lukes centre is by far the major traffic generator in the area and Morningside Drive is frequently congested as a result. I consider it to be essential that development is required to be designed to provide any necessary improvements to Morningside Drive and associated intersections to accommodate increased traffic flows without detriment to adjoining properties.

3. I seek the following decision from the Council:

- (a) That the Proposed Plan Change be amended to address the concerns raised above and which ensures that:
 - (i) the activities associated with Westfield St Lukes strictly adhere to the noise standards set out in the District Plan;
 - (ii) there are no limitations on access to and from the properties located on the northern side of Morningside Drive opposite the subject site;
 - (iii) kerbside parking is maintained along the northern side of Morningside Drive opposite the subject site;
 - (iv) onsite and offsite traffic effects associated with the expansion of the Westfield St Lukes centre are appropriately managed so as to avoid or mitigate adverse effects on the surrounding road

network particularly along Morningside Drive and at the St Lukes Road and Exeter Road corners including:

- to impose a building line (or similar) on the subject site sufficient to enable widening of Morningside Drive to accommodate at least two traffic lanes in each direction, between Westfield St Lukes Road and Exeter Road, a central flush median, footpaths on both sides and kerb side parking on the northern side of the road; and
 - such set-backs at the corners of Morningside Drive and St Lukes Road and the corner of Morningside Drive and Exeter Road to provide for intersection improvements;
- (v) it be a requirement under the Proposed Plan Change that all necessary improvements to Morningside Drive and associated intersections to accommodate traffic generated by the whole of the centre development be carried out at the cost of the centre owners; and
- (vi) any similar amendments to like effect or consequential changes that stem from the amendments.
- (b) In the event that the concerns raised are not adequately addressed that the Proposed Plan Change be **declined**.

4. I wish to be heard in support of my submission.

5. If others make a similar submission, I would be prepared to consider presenting a joint case with them at any hearing.



Signature: Lara Burkhardt

Date: 29 May 2009

Address for service: 32 Avocet Avenue
Maungatapu
Tauranga

Telephone/Email: (07) 578 2199 / lara.burkhardt@hobec.co.nz