

# PORIRUA CITY COUNCIL

PO Box 50 218, Porirua 5240

## FORM 13



### **SUBMISSION ON APPLICATION CONCERNING RESOURCE CONSENT THAT IS SUBJECT TO PUBLIC NOTIFICATION OR LIMITED NOTIFICATION BY CONSENT AUTHORITY.**

*Sections 95A, 95B, 95C, and 96 Resource Management Act 1991*

**To:** Porirua City Council

**Full Name of Submitter:** Pauatahanui Residents Association Inc.

**This is a submission on an application from** *(State Name of Applicant)*  
Darryl Ellis

**The application is for a resource consent for:** *(Briefly describe the type, proposed activity, and location of the resource consent).*

The application is for a resource consent for: Lot 1 DP7316 at 15 Paekakariki Hill Road Pauatahanui, a retrospective application for a resource consent to legalise additional Cafe seating capacity from 35 to 65.

**The specific parts of the application that my submission relates to are:** *(Give details)*

This submission applies to all parts of the application

**Our submission is -**

We oppose the application for increased seating and any extension of Groundup Cafe: see the attached pages for the detail of our submission.

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**The reasons for making our submission are:**

The Pauatahanui Residents Association is a registered charity and rule 3A of its certificate of incorporation includes-

3. Objectives of the organization

- a] To act as a voluntary organization supported by its members, to promote development beneficial to the whole community of Pauatahanui, [This includes Pauatahanui, Paekakariki Hill, & Judgeford; all adjacent rural localities of Porirua City] by organizing or participating in projects designed to:
- Maintain or improve the community & its environment for all residents, while preserving its rural character & scenery.
  - Promote the advancement of environmental protection or improvement to its rivers & waterways, with particular emphasis on the Pauatahanui Inlet.
  - Encourage residents to preserve and protect its flora and fauna.
  - Preserve, protect and record the unique history of the area, both Maori & European.

Mr. Ellis's Groundup Café business is already significantly affecting the residents of this community and the PRA after extensive consultation and investigation opposes the application for reasons explained in detail in the report attached to this submission form.

*I seek the following decision from the consent authority: (Give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought)*

The details of this submission are in the attached pages to this form. The following is a summary of PRA's position-

#### **DECISIONS SOUGHT:**

1. That the application to increase licensed customer numbers from thirty five to sixty five be denied.
2. That any improvements to the building to better cater for the existing 35-person limit is approved.
3. That the current parking issues between Mr Ellis and other business operators on the same site are resolved first, and that their parking rights under their leases are respected. This should include the Landlord providing clearly defined access and parking areas for each business, by fencing if necessary.
4. That any estimate and planning for off street parking spaces required for the Café include car parks for staff members and allow access for trade deliveries to the Store and Café. Calculations of the number of off-street car parks required should be the same as that for other commercial premises in the Pauatahanui area, should not include on-street parking and should conform to PCC guidelines.
5. That any considerations to traffic flow and impact are based on analysis of volumes and high-traffic periods conducted by a neutral third party, and also allow for the effect of traffic generated by Transmission Gully Motorway construction.
6. That the Council make clear that the public parking spaces on the street are for use by any members of the public, irrespective of their patronage of the Café.
7. That Council polices the time limits on public car parking regularly, particularly during peak periods.
8. That due to sewerage and parking limits, the 35-patron limit is monitored and enforced by the Council given Mr Ellis' current behaviour of regularly exceeding this number.
9. That Council ensures that no seating in the front of the premises intrudes on the footpath.
10. That Council ensures the previous trade and private entrance belonging to the Store is kept clear before and after the Landlord replaces the door, due to safety concerns around this access being blocked.



11. That the retrospective aspect of this application is noted, to discourage other businesses and consent applicants from failing to follow prescribed Council processes.
12. That the serious deficiencies within this application are acknowledged, including superficial accounting for traffic issues and the lack of respect for, or consultation with, the two adjacent businesses on the same site.
13. That any proposed changes to the site should consider the environmental effects on the adjacent Wildlife Reserve.
14. That this application for retrospective consent is considered under current rural zone rules and policies that apply to Pauatahanui Village.

. We wish to be heard in support of our submission

~~\* Pursuant to section 188A of the Resource Management Act 1991 we request that you delegate your functions, powers, and duties required to hear and decide the application to 1 or more hearings Commissioners who are not members of the local authority.~~

Ken McAdam. Chair. Pauatahanui Residents Association

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

25/02/2014

Date

*(A signature is not required if you make your submission by electronic means)*

Address for service of person making submission:

c/- The Secretary

Pauatahanui Residents Association

407 Grays Road

PO Box 54141

Mana 5247

Telephone No: 04-233 6698

email: <pauatahanuiresidents@gmail.com>

Contact person [name and designation, if applicable]:   

Erica Nicholls . Secretary, PRA

#### NOTES TO SUBMITTER

- The closing date for serving submissions on the consent authority is the 27<sup>th</sup> February 2014.
- Public submissions on the proposal must be delivered to: Chief Executive, Porirua City Council, PO Box 50218, Porirua City; or via e-mail to [submissions@pcc.govt.nz](mailto:submissions@pcc.govt.nz) no later than 4 p.m. on 27 February 2014.
- You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the consent authority. The name and address is -

Darryl Ellis

c/- CGM + Foster (Att. Angela Foster)

PO Box 16019

Wellington 6021