

To the Commissioners
Plan Change C

Second Response from Council

At this point in the proceeding we are unfamiliar with the process, but we assume because Council have provided additional information, we should have the right to comment.

Firstly, to say we are disappointed with the Council reply is a major understatement and while it is very wordy and difficult to read and comprehend, it is also obnoxious and insulting. This Council response has destroyed what little faith the West Side residents of Te Wanaka road had that the Council would treat us fairly.

From the Commissioners Minute and Direction 1, it would appear the Commissioners clearly understood the concerns of the residents if they were left in the RTZ. This letter from Council still totally ignores these concerns, has no reference to the residents at all and offers no solution for the residents who will remain in the RTZ and in limbo for a minimum of two years and probably considerably longer.

We are not sure if Council are being naive or condescending by suggesting that being linked with a major land area plan change (Kakatangiata) is sensible and advantages for the process to proceed faster. Being grouped in with the much larger area and another potential Plan Change (B) is going to produce a long slow process with a lot more opportunity for delay.

Progressing the Commissioners suggestion of an amendment to Plan Change C only requires consultation with a few (approx. 13) landowners between the RTZ and Shirriffs Road. Most of these owners are on the corner with Pioneer Hwy and as such don't border the RTZ. We would have thought this could be covered off by Limited Notification.

All the people in this area would or should be aware that a plan change to residential has been on the books for a long period of time and they will be part of the major plan change (going forward) as well. How would this be a delay unless Council are planning to avoid consultation with them as well as part of Kakatangiata?

We disagree with the claims made in clause 3(b), Council state they are currently working on the area in question, and the planning outcomes would only be compromised if they failed to do their job properly. We would suggest that more than 80% of the work would be common, whichever way they go about the project or projects.

Council also make similar claim in clause 20 that a merger is 'complex and arguably impossible' and yet they say in clause 13 that their full assessment would have considered the option of a variation had this other programme (Kakatangiata) not conveniently come to light.

We believe a variation may attract 2 or 3 submissions at the most. We believe Council already has the bulk of the background information required (they have been working on it for years and we can provide a copy of the City West plan prepared by Council in 2010 should they require it).

We also believe Council would be better served working on the variation than having to really divert resources to prepare for an appeal in the Environment Court where we would have to challenge the entire Council process based on Statutory considerations under section 32 of the RMA, Something that wasn't considered or acknowledged by either Council or the Commissioners during or since the hearing. We believe not consulting with the residents in the RTZ is a major procedural flaw in Council

process and we now have a Commissioners minute that acknowledges that the West Side Residents are affected parties.

We could, and probably should, say a lot more about the content and arrogant tone of the Council letter but at the end of the day we are just looking to be treated fairly, which appears to be something the Council are hellbent on avoiding.

This letter and its content could have been presented in a far more positive and acceptable way but Council chose not to do so.

We have now lost all faith in Council doing the right thing and just because they say they have money set aside, there is still no guarantee the work will be finished any time soon. This project has started and stopped several times and we would assume that each time it started it also had funds approved. At least in the past, the residents have been included in the process and if the same had happened this time, the Council and the Residents wouldn't be in this situation.

This process is taking up more of our rate payers funds than is should and to see Councils recommendation in Clause 25 is really beyond belief, while it is probably very good for the lawyers, it does absolutely nothing to:

- Advance Plan Change C
- Advance the broader Kakatangiata Plan Change
- Resolve the main issue (although not acknowledged by PNCC) of leaving residents in the RTZ with no opportunity to function or do anything else.

Clause 25 is however indicative of Councils desire throughout the entire process, to not communicate with the West Side Residents in any meaningful way.

A little dialogue can solve a lot of issues.

Regards

Neil Wright
For the West Side Residents of Te Wanaka Road