

SFC 8 September 2011  
Tabled information  
reference 220/11P(a)

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Mr Wayne Newman  
Curtis Street  
WELLINGTON

**BY EMAIL**

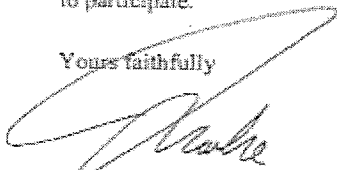
Cc Chris Fowler

Dear Wayne

**55-85 CURTIS STREET**

- 1 I understand that the residents are appearing before the Council today in relation to the above matter. I have read the Officer's report to the Council, and the reference to the Council having complied with the consultation requirements in the Act.
- 2 I do not agree that the requirements have been met. The approach seems to be that the affected residents were entitled to be notified of the RMA application for the Mitre 10 outlet because of the effects upon them, but not of the re-zoning of the land that made that application possible. That seems to me to be close to a suggestion that affected parties have a right to be notified only after the horse has bolted.
- 3 But in any event, even if the consultation requirements in the Act are as minimal as suggested, it seems to me that the consultation that is engaged in must not be misleading. Here the relevant information, and particularly the Summary Guide appears to have been misleading in two related respects - it described the relevant re-zoning as re-zoning to better reflect existing uses of the land (which is not an accurate description of the reasons for the re-zoning of the site in dispute), and it listed the sites that were being so re-zoned without including this site. The affected residents would have needed to know that these statements were inaccurate before appreciating they had to conduct further research.
- 4 It seems to me that the proposal that has been made is a sensible compromise, as it allows the merits of the re-zoning to be addressed in a manner that allows the residents to participate.

Yours faithfully



Francis Cooke