

TO WELLINGTON CITY COUNCIL

SUBMISSION ON PROPOSED PLAN CHANGE 77

This is my second submission.

1/ I have now read four other submissions.

2/ It is clear that the Proposal should be declined on legal procedural grounds.

3/ In particular, it is clear that a Committee of the Council prejudiced the matter & its officers when it initiated Proposed Plan Change 77 by instructing officers that the site should be "Business 2".

4/ The material supporting this decision appears to have included an inadequate Section 32 Report which had been part of a previous attempt by the Council to alter the zoning of the site.

5/ That attempt had been rejected following Judicial Review proceedings in the High Court.

6/ It is significant that the Council resolved to debate the merits (if any) of this Section 32 Report, & of a "Business 2" zoning, after a formal vote to exclude the public from both the debate & the voting on the item.

7/ The public were also excluded from hearing the advice given by officers on the matter.

8/ It appears that the public were excluded following threats from the property-owner of legal action.

9/ This does not justify such an approach by a public body such as the Wellington City Council to the serious business of decision-making on District Plan & other statutory environmental matters.

10/ Inevitably, all that followed the Council's Public Excluded "Business 2" resolution was prejudiced.

11/ This includes the clearly inadequate instructions given by the Council to those who were employed to write the specialist Reports.

12/ I SUBMIT therefore that the whole proposal be rejected immediately.

If necessary, I request to be heard on this submission at an early stage of any proceedings & separately from my first submission.

SIGNED
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