

'We were wrong', council concedes

By AMY JACKMAN

Wellington City Council conceded last week it made a mistake in its notification of Creswick Valley residents about the rezoning of a site in Curtis St.

The council unanimously voted not to appeal last month's High Court decision that the way council notified those affected by the re-zoning was misleading.

Last November, the Creswick Valley Residents Association sought a review in the High Court of the council's decision to allow earthworks to be carried out on the site in Northland, and to rezone the land as Business 2.

The rezoning would mean the land would be available for commercial use.

The court found the material supplied by the council to residents was misleading, the rezoning did not meet the council's own criteria, and the council did not properly identify who would be affected by the zone change and earthworks.

At last week's strategy and policy committee meeting, the council excluded the public when it debated the issue and agreed not to appeal the High Court decision.

It also voted to initiate a new plan change to again re-zone the Curtis St site and instructed officers to prepare a report on the lessons learned from the



Celia Wade-Brown
Wellington mayor

High Court decision.

Mayor Celia Wade-Brown said the committee's decision highlighted the importance of how the council communicated planning information to affected communities.

"We accept that the information we provided about this site may not have been sufficiently clear," she said.

The discussion about whether the issue should be debated in private was fierce.

The committee was advised by officers to have the debate behind closed doors so it could discuss its lawyers' advice without losing legal professional privilege.

The officers said the committee should either debate the issue in private, or in public with the legal advice in the report blacked out.

Councillor Iona Pannett said the discussion should be public

because nothing in the report was particularly sensitive, and because the public deserved to know the reasoning behind the committee's decision.

Deputy mayor Ian McKinnon agreed and said a public body should go into public exclusion only as a last resort.

"When you are a public body you have to be very careful going into public exclusion.

"We should discuss this in public because this has become a high profile matter."

Councillor Ray Ahipene-Mercer disagreed, and said although the public deserved to know the outcome, having the debate in public would limit what councillors could say.

"I understand where they are coming from, but we need to be able to speak freely on this."

Councillor Helene Ritchie said having the debate in public would backfire because someone was bound to stray into areas they were not supposed to.

The vote was a tie and Western ward councillor and committee chairman Andy Foster cast the decisive vote to put the debate into public exclusion.

Councillors Foster, Ritchie, Ahipene-Mercer, Ngaire Best, Leonie Gill and Bryan Pepperell voted to go in to public exclusion. Councillors Pannett, McKinnon, John Morrison, Justin Lester, Paul Eagle and Stephanie Cook voted against.