

Emailed 30/07/2018

To our local Honourable Political Representatives

You will no doubt be aware of the recent RMA panel decision RMA/2017/1413 in regards to 153 Main Road, Redcliffs. In our view this decision supports the stance of CCRU, that the operative plan has a gap that results in a disconnect between the avoidance policy and the RUO causing it to be incorrectly applied. This decision has highlighted numerous problems in the interpretation of and details the difficult planning and legal situations created by, the omission of the previously drafted paragraph identified by CCRU.

In support of this the panel states the following:

“We consider the strict application of “avoid”, in the King Salmon sense to the RUO, would render the RUO redundant. Realistically, any new (and indeed many replacement), dwellings will increase potential risk. In our view, the application of a strict avoidance would result in an absurdity and would move perilously close to a prohibition”

It has also been made clear by the panel that as this was an RMA hearing, it would not set a precedent for other properties in the RUO.

At the 29 June meeting with Duncan, Poto, and Ruth, as representative MPs of the affected areas, CCRU brought this important point to your attention. Those attending resolved to wait for this RMA decision before taking any action. It is now a public document. <https://bit.ly/2v3zxam> The concern raised by CCRU was that while the hearing would provide a view, the fact that it would not set a precedent was problematic and would not provide a solution to the issue at hand. CCRU believe that this may result in the CCC requiring an expensive and burdensome process of RMA hearings for each property. In our view this case by case basis would lead to more hardship, uncertainty and confusion in the community.

For these reasons we once again ask you as concerned local representatives of your constituents, for your support in remedying the disconnect by the way of utilizing Section 71 of the Regeneration Act. This is to ensure that there is a clear and consistent assessment pathway that does not continue to unfairly disadvantage residents in the RUO.

As an aside on the 25 July, CCRU held a public meeting in the Sumner/ Redcliffs area which was attended by over 100 residents from 5 of the affected suburbs.

There is a ground swell of awareness and discontent surrounding this issue and this is only set to increase. A resolution is urgently required.

Please advise when we may be able to meet again as a group to discuss this request.

Many thanks for your time. Best Wishes,

Simon (CCRU, Chair)

Simon Watts (Associate Professor of Biogeochemistry)

Department of Chemistry and NERI, NUS
Southshore, Christchurch, 8062
New Zealand

+64 21 859 270 (NZ)
+65 9151 2716 (SGP)
+44 7958 028187 (UK)

Skype: simonfranciswatts
Email: sfwatts@hotmail.com

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To members of the CCC consent, planning and policy teams

You will no doubt be aware of the recent RMA panel decision RMA/2017/1413 in regard to 153 Main Road, Redcliffs. <https://bit.ly/2v3zxam> In our view this decision supports the stance of CCRU, that the operative plan has a gap that results in a disconnect between the avoidance policy and the RUO causing it to be incorrectly applied. This decision has highlighted numerous problems in the interpretation of and details the difficult planning and legal situations created by, the omission of the previously drafted paragraph identified by CCRU

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It has also been made clear by the panel that as this was an RMA hearing, it would not set a precedent for other properties in the RUO

At the 1st June meeting with CCC staff, CCRU and RMA Lawyer Gerard Cleary brought this important point to the attention of those attending. The concern raised by CCRU was that while the hearing would provide a view, the fact that it would not set a precedent was problematic and would not provide a solve to the issue at hand. CCRU believe that this may result in the CCC requiring an expensive and burdensome process of RMA hearings for each property. In our view this case by case basis would lead to more hardship, uncertainty and confusion in the community.

At this meeting and evident in the meeting minutes, CCRU indicated that they were keen to partner with the CCC in approaching the minister regarding using section 71 to tidy up this issue. CCRU felt that a show of support from the CCC would be best practice moving forward and would be of great assistance. While we understand CCC may have been waiting for the outcome of this hearing, at this moment CCRU has had no response to this request. For these reasons we once again ask you at CCC for your support in remedying the disconnect by the way of utilizing Section 71 of the Regeneration Act. This is to ensure that there is a clear and consistent assessment pathway that does not continue to unfairly disadvantage residents in the RUO.

As an aside on the 25th July, CCRU held a public meeting in the Sumner/ Redcliff area which was attended by over 100 residents from 5 of the affected suburbs. There is a ground swell of awareness and discontent surrounding this issue and this is only set to increase. A resolution is urgently required. Please advise when we may be able to meet again as a group to discuss this request.

Many thanks for your time

Best wishes, Simon (CCRU, Chair)

Simon Watts (Associate Professor of Biogeochemistry)

Department of Chemistry and NERI, NUS
Southshore, Christchurch, 8062
New Zealand

+64 21 859 270 (NZ)
+65 9151 2716 (SGP)
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Skype: simonfranciswatts
Email: sfwatts@hotmail.com

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To the Regenerate Group

You will no doubt be aware of the recent RMA panel decision RMA/2017/1413 in regard to 153 Main Road, Redcliffs, <https://bit.ly/2v3zxam> In our view this decision supports the stance of CCRU, that the operative plan has a gap that results in a disconnect between the avoidance policy and the RUO causing it to be incorrectly applied. This decision has highlighted numerous problems in the interpretation of and details the difficult planning and legal situations created by, the omission of the previously drafted paragraph identified by CCRU

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It has also been made clear by the panel that as this was an RMA hearing, it would not set a precedent for other properties in the RUO

At the 4 July meeting with Regenerate, CCRU brought this important point to the attention of those attending. The concern raised by CCRU was that while the hearing would provide a view, the fact that it would not set a precedent was problematic and would not provide a solve to the issue at hand. CCRU believe that this may result in the CCC requiring an expensive and burdensome process of RMA hearings for each property. In our view this case by case basis would lead to more hardship, uncertainty and confusion in the community.

For these reasons we once again ask you Regenerate, for your support in remedying the disconnect by the way of utilising Section 71 of the Regeneration Act. This is to ensure that there is a clear and consistent assessment pathway that does not continue to unfairly disadvantage residents in the RUO.

As an aside on the 25 July, CCRU held a public meeting in the Sumner/ Redcliff area which was attended by over 100 residents from 5 various effected suburbs. There is a ground swell of awareness and discontent surrounding this issue and this is only set to increase. A resolution is urgently required. Please advise when we may be able to meet again as a group to discuss this request.

Many thanks for your time. Best wishes,

Simon (CCRU, Chair)

Simon Watts (Associate Professor of Biogeochemistry)

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