Dear Ombudsmen

Ref. Complaint against Palmerston North City Council

This complaint is about Palmerston North City Council’s (PNCC) failure in duty of care concerning a building, blessed with the name Hautika, consented for human occupation on my property. Also relevant is PNCC’s failure under s3(c) and s14.1(a)(i) of the Local Government Act 2002, i.e. accountability and conducting business in an open, transparent and democratically accountable manner.

When I applied to PNCC for the building consent to erect Hautika I made it clear the building was for human occupation. The Building Regulations 1992 states in s3(3) that the classified use or uses of a building shall be the ones that most closely correspond to the intended use. PNCC has determined that Hautika is an accessory building with the same status as a hayshed. Turitea Wind farm has been consented in close proximity to Hautika. Consent conditions do not have to comply for accessory buildings.

Hautika has been consented for human use. Because of accessibility and contour no other principal building can be erected on the site. Hautika is remote from the Adams dwelling on a separate title.

Due to a change of domestic circumstances Hautika has become my home. I am entitled to live there because it is consented for human occupation. When the wind farm is built I will be subjected to excessive noise, i.e. consent conditions for noise do not comply at Hautika. If I sell the property the new owner is entitled to live in Hautika but will be subjected to excessive noise and loss of amenity.

PNCC failed in its duty of care by being knowledgeable about the location of the wind farm at the time I applied for consent but allowed me to proceed without discussion. There was duplicity and unsubstantiated hearsay, about which I was not consulted.

There are many other issues and these are apparent in the attached file. Thank you for considering this complaint.

Yours sincerely

John Adams