

Re: Review of Compensation Offer

Shirley Chow <shirley.chow@terra.co.nz>

Mon 15/05/2017 5:08 p.m.

Inbox

To: Viren Sharma <viren.sharma@terragroup.co.nz>;

Cc: douglas.mitchell@aucklandcouncil.govt.nz <douglas.mitchell@aucklandcouncil.govt.nz>;

To: Viren

Cc: Douglas.Mitchell@aucklandcouncil.govt.nz

Right of Entry Consent 3A Alma Crescent, Papakura

Hi Viren

Thank you for your email and its enclosure dated 2 May 2017.

Referring to the letter from the property owner of 54 Clevedon Road, it was unfortunate that he had missed the opportunity to construct the waste water pipeline at the time of verbally agreed by previous owner of 3A Alma Crescent. If it were installed at the right time, there is no need to delay the subdivision developments for six years and provide financial compensation as per stated at present.

Allowing an access for the construction, we will suffer the following:

1. Suffer from construction noise during the construction period which disturbs our quiet and peaceful life. This case has made us so stressed and frustrated for the past three years.
2. Building extra manhole so close adjacent to the existing one and just next to our house will reduce our house value and also affect the Chinese culture of Feng Shui.
3. Lack of privacy, as we allow strangers to enter our property during the construction period. We will have to employ a site Engineer (1) to observe the site activities and advise immediate remedy in case any damage to our property (2) to secure any unauthorized person entering into our house.
4. Occupy our land for building the sewage manhole, as a result, we cannot have any further development within that area. Also, our existing vegetable patch will be dismantled too. Building an extra manhole will increase the

chance of overflow/blockage problem. If this happens, it will create further disturbance to our private land.

The property owner of 54 Clevedon Road shows us how to justify over our suffering with their offer of \$4000 in compensation.

Please forward the above messages to the property owner of 54 Clevedon Road. Thanks.

Best Regards

Shirley Chow

On 9 May 2017 at 12:42, Viren Sharma <viren.sharma@terrargroup.co.nz> wrote:

Hi Shirley

Look forward to your response on/ before 15th May 2017.

Kind regards

Viren Sharma

From: Shirley Chow <S.....@aucklandcouncil.govt.nz>
Sent: Monday, 8 May 2017 5:34 p.m.
To: Viren Sharma
Cc: douglas.mitchell@aucklandcouncil.govt.nz
Subject: Re: Review of Compensation Offer

Hi Viren

Sorry, I have a lot of work in office by this week, I will reply you on/before 15MAY. Please don't push us too close & too much will make us feel stress, thanks!

Best Regards
Shirley

On 8 May 2017 at 08:55, Viren Sharma <viren.sharma@terrargroup.co.nz> wrote:

Hi Shirley

How are getting on with the review of this compensation offer?

Please do let me know by Wednesday of this week - 10/05/2017. I do need to provide a feedback to the applicant.

Kind regards
Viren Sharma

From: Viren Sharma
Sent: Tuesday, 2 May 2017 11:59 a.m.
To: Shirley Chow
Cc: Douglas.Mitchell@aucklandcouncil.govt.nz
Subject: Re: Actions & Summary of Meeting held on Sunday: 2nd April 2017

Hi Shirley

Thank you for replying to my email and the request to progress this negotiation.

To avoid further delays, the owners of 54 Clevedon Rd have considered your concerns and request for compensation.

Please find attached a letter from the owners of 54 Clevedon Rd offering compensation to reach settlement.

I am also attaching a completed consent form to be signed-off by yourselves as the property owners of 3A Alma Crescent providing the required access, once you accept this offer.

If you require any clarifications, please call me on [021 670 170](tel:021670170).

kind regards
Viren Sharma

From: Shirley Chow <sh>
Sent: Thursday, 27 April 2017 5:36 p.m.
To: Viren Sharma

To

30th April 2017

Airey Consultants Ltd.

P.O. Box: 39101.

Howick.

Dear Ian,

Subdivision 54 Clevedon
Road, Papakura.

As you are well aware that we have an outstanding mortgage of \$300k on this property. In addition to that we have taken an additional mortgage of \$85K for the cost of subdivision developments.

This property owners (both me and my wife) have no job or income. I am a retired person with no superannuation at this moment.

This particular subdivision was our retirement plan and has ended up nowhere for the past six years from 2011, simply because of the neighbour's disagreement for access to complete the waste water system. The previous owners had verbally agreed to allow the drainage to be upgraded as needed.

I understand that the current neighbour is looking for financial compensation to allow access.

Therefore, we are willing to pay a sum of \$4000.00 (four thousand only) as a compensation.

Please pass this on to them.

Thank you.

N. G. R. Nair & S. K. T. Amma.

Tharukamani

Re: Actions & Summary of Meeting held on Sunday: 2nd April 2017

Viren Sharma

Tue 2/05/2017 11:59 a.m.

To: Shirley Chow

om>;

Cc: Douglas.Mitchell@aucklandcouncil.govt.nz <Douglas.Mitchell@aucklandcouncil.govt.nz>;

 2 attachments (300 KB)

54 Clevedon Rd_Settlement Offer.pdf; 54 Clevedon Rd_Applicant Consent Form.pdf;

Hi Shirley

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I am also attaching a completed consent form to be signed-off by yourselves as the property owners of 3A Alma Crescent providing the required access, once you accept this offer.

If you require any clarifications, please call me on 021 670 170.

kind regards
Viren Sharma

From: Shirley Chow <shirley.chow@cityofpapakura.govt.nz>

Sent: Thursday, 27 April 2017 5:36 p.m.

To: Viren Sharma

Cc: Douglas.Mitchell@aucklandcouncil.govt.nz

Subject: Re: Actions & Summary of Meeting held on Sunday: 2nd April 2017

To: Viren

Cc: Douglas.Mitchell@aucklandcouncil.govt.nz

Right of Entry Consent 3A Alma Crescent, Papakura.

Hi Viren

Thank you for your email dated 24 April 2017.

We are sorry that we are unable to attend the meetings on 30 April or 7 May 2017, due to

recently unexpected workload situation for the coming three weeks. The earliest day we can cater for the next meeting will be 21 May 2017 (Sunday) 2pm afternoon to be held at Airey Consultants office in Howick.

After consultation with our solicitor the contents of the Section 460 LGA 1974 and its related act of Public Works Act 1981, we are aware of the procedure how to protect our right.

Thanks for conveying our concerns to draw attention of the property owner of 54 Clevedon Road and their agents (Airey Consultants).

Please accept our apology for rescheduling the time of meeting.

Best Regards

Shirley Chow

On 24 April 2017 at 14:14, Viren Sharma <viren.sharma@terragroup.co.nz> wrote:

Hi Shirley

Thank you for getting back to me.

As I explained at the last meeting held at your residence on 2nd April 2017, Council needs to urgently progress these negotiations.

Cancelling the two meetings scheduled in April 2017 and rescheduling it to 22 May 2017 will add further delays (approx. 2 months). I encourage you to meet within the next fortnight by 8th May 2017. You have indicated that you can meet on Sundays' after 2pm. Can we meet either on Sunday 30th April 2017 or Sunday 7th May 2017?

As Council Offices will be closed on Sunday, we will have to meet on site. However, we have been offered a meeting room in the offices of Airey Consultants in Howick on a Sunday. What would be your preference?

I will also now forward your other/ 3rd concern i.e. loss of earnings whilst attending meetings, to the property owner & their agents (Airey Consultants) to also consider alongside your earlier two concerns.

Please consider this request and advise me of your decisions by this Thursday 27th April 2017 to allow me to make the necessary arrangements to meet.

kind regards
Viren Sharma

From: Shirley Chow <

Sent: Wednesday, 19 April 2017 4:59 p.m.

To: Viren Sharma

Cc: Douglas.Mitchell@aucklandcouncil.govt.nz

Subject: Re: Actions & Summary of Meeting held on Sunday: 2nd April 2017

To: Viren

Proposed development at 54 Clevedon Road and Right of Entry Consent 3A Alma Crescent.

Thank you for your email dated 4 April 2017.

Shortage of housing in Auckland is not our primary concern. We are only interested in the problem solving for the wastewater pipeline running along our private property, which has been made us so frustrated for several years.

As discussed in the meeting on 2 April, we are appreciated to hear that some form of compensation can be reached if possible, which had not been initiated during our previous meetings with the development consultant for the past two years. It was just wasted time and wages lost for us.

In addition to the topics (i) and (ii) raised out in the email dated 4 April, we have another major issues to be raised to support our arguments for the discussion in the next meeting.

Timing for the next meeting on 26 April 2017 9 AM is not appropriate for us. Timing for the next meeting on 26 April 2017 9 AM is not appropriate for us. We are not easy to get a holidays/day off. We would like to change it after 22May17 2PM (Mon-THU) or any Sunday after 2PM

We will lose wages about NZ\$300 (3 X\$100) for the meeting to be held on 22MAY17. The cost will be reimbursed from the owner of 43 Clevedon Road. Please inform the owner of 54 Clevedon Road about the reimbursement accordingly.

Best Regards

Shirley Chow

On 5 April 2017 at 17:12, Viren Sharma <viren.sharma@terrargroup.co.nz> wrote:

Hi Shirley

I have received the text messages advising that you are going away for Easter Holidays and would reply after Easter.

The first negotiation meeting is booked for Thursday 20th April 2017 - just after Easter.

As requested, on this occasion I will extend the response due date.

Please advise me after Easter, on Wednesday 19th April 2017, if you would be attending the negotiation meetings.

As a result of the extension, I am cancelling the scheduled meeting on Thursday 20th April 2017.

However, the next negotiation meeting is booked for Wednesday 26th April 2017 between 9am – 11.30am at Auckland Council - Manukau Office.

I look forward to hearing from you.

kind regards
Viren Sharma

From: Viren Sharma
Sent: Tuesday, 4 April 2017 4:48 p.m.
To: Shirley Chow
Cc: Douglas Mitchell
Subject: Actions & Summary of Meeting held on Sunday: 2nd April 2017

Hi Shirley Chow, Kam Shing Chan and Ka Lai Chow

Thank you for meeting Stella Miao and myself on Sunday - 2/04/2017, at your property - 3A Alma Crescent (11.30am - 12.30pm) to discuss your objection regarding the construction of the proposed waste water pipeline to service the development at 54 Clevedon Road.

I take this opportunity, to re-confirm that Stella and myself are acting on behalf of Auckland Council. Please contact Douglas Mitchel at Auckland Council – Manukau Office to verify our details.

Please find below, a summary of discussions held on site:

Council's Role:

1. Explained Auckland Council's role and the s460 LGA 1974 process as noted in my email of 22nd March 2017 to Shirley Chow (also copied to Douglas Mitchel at Auckland Council)

3A Alma Crescent - Property Owners:

2. The property owners of 3A Alma Crescent have re-iterated their objection regarding the proposed right of entry. However, they have agreed to re-consider Council's invite to attend a facilitated negotiation meeting and respond by Easter weekend – Thursday 13/04/2017 by either accepting or declining the invite
3. Concerns raised about proposed works disrupting their lifestyle and devaluing their property

Project Details:

4. The proposed waste water pipeline will be public – to be maintained by Council
5. Access point for the proposed construction works would need to be through the common boundary between 54 Clevedon Rd & 3A Alma Crescent

Agenda Going Forward

The following meeting dates have been set aside to progress mediation:

- a. 1st meeting between all parties: Thursday 20th April 2017 between 9am – 11.30am at Auckland Council - Manukau Office.
- b. 2nd Meeting – Wednesday 26th April 2017 between 9am – 11.30am at Auckland Council - Manukau Office.

We will be facilitating to achieve an amicable outcome. The meeting will have a structured agenda where both parties can outline their position details, requirements, concerns, etc.

We suggest you consider the following topics as raised, for discussion:

i. Disruption to lifestyle

ii. Devaluation to the property with the construction of waste water pipeline at 3A Alma Crescent, Papakura

If during these series of facilitated meetings, the affected parties do not reach an agreement, we shall prepare a report to be presented to Auckland Council's regulatory committee for a hearing and decision.

I look forward to hearing from you shortly.

Kind regards

Viren Sharma – 021 670 170