



MNNA
Mount Newton
Neighborhood
Association

Mount Newton Neighborhood
Association (MNNA)
c/o 906 Mount Newton Crossroad,
Saanichton V8M 1S2

****FOR IMMEDIATE RELEASE****

Mount Newton residents take Central Saanich to BC Supreme Court *Flawed District processes at centre of controversy*

May 8, 2009 – Victoria, BC – Today the Mount Newton Neighborhood Association (MNNA) in Central Saanich filed in the Supreme Court of British Columbia for a Judicial Review against a recent District of Central Saanich decision. The review seeks to quash Central Saanich Bylaw #1625 – a local service area Bylaw. The purpose of the bylaw is to create a Mount Newton / Senanus Local Service Area, to construct a water main. MNNA's Supreme Court Petition asserts that the petition in support of this bylaw is flawed and insufficient on numerous grounds. MNNA seeks to quash both the petition, and the bylaws based upon it.

MNNA repeatedly requested a mediation process, as a 'win-win' to mend a community and facilitate equitable and environmentally-friendly sustainable solutions appropriate for the few wells and handful of properties actually affected, and the least costly solution for Central Saanich taxpayers. However, Central Saanich Council repeatedly refused mediation, leaving MNNA no option but to take Central Saanich to the Supreme Court.

Taxation inequities are also a bone of contention if the proposed water main goes ahead. Property taxes for the majority of the mostly A-1-zoned properties along Mount Newton Crossroad will go up by an estimated average of 39%, (whether they hook up to the service or not) while annual taxes of the Senanus Road residents demanding the service will rise by an average of just 10.9%. Further contention has arisen because those who will pay the greatest on a percentage basis towards the water main, were told the least about it. Petitions were incomplete, information included was false and misleading, and some homes received no notice whatsoever of the petition. In those cases: blasting, excavation, and an increased tax bill would have been the taxpayer's first notice.

Mount Newton Crossroad was originally constructed in 1874, and, with its scenic rural setting, has long been identified in the Central Saanich Official Community Plan as a proposed *Heritage Roadway*. An earlier Council tried to designate the valley as a *Heritage Protection Area*. District reports say "significant" blasting will be required if the water main project moves ahead. Blasting damage and related arsenic residue along with required excavation will adversely affect the hydrology of the area and the Garry Oaks and other protected trees lining the road, potentially changing the rural character of the Mount Newton valley forever.

The project proposes to extend urban services outside of the Urban Containment Boundary (UCB), against what is allowable under the Capital Regional Growth Strategy and the Central Saanich OCP Bylaws. These laws state that municipal services can only be extended beyond UCB's for reasons of pressing public health, concern for fire protection, environment, or agriculture - none of which the project addresses, as "pressing public health concerns" have never been identified in the area -- according to the District's own policy, which Council is not following. The proposed water main also won't provide enough water for agriculture or fire protection.

###

For more information contact Mount Newton Neighborhood Association:

Chris Paynter
250-885-2137

Hugh Owen
250-885-0442

Bob Bocking
250-652-6878