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RC230340



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28 November 2023

Mac Gardner  
C/- JPW Consulting  
1 Hortons Way  
Cromwell 9310

Email: [jake@jakewoodward.co.nz](mailto:jake@jakewoodward.co.nz)

Dear Mr Gardner

**FURTHER INFORMATION REQUIRED FOR RC 230340**

**LOCATION: 41 TOTARA PLACE, QUEENSBERRY**

**PROPOSAL: SUBDIVISION CONSENT FOR A TWO LOT SUBDIVISION WITH TWO RESIDENTIAL BUILDING PLATFORMS.**

Thank you for submitting the above application. The application has been reviewed and has been found to require further information.

Please forward the following information/material at your earliest convenience:

*HAIL Status*

1. Please confirm the HAIL status of the site in accordance with Regulation 6 of the NESCS. If the site is a HAIL site, please provide an assessment of this and apply for any required consents to subdivide the site.

*Access*

2. The application provided the Abley's Transport Review, prepared for RC230173, in support of the application. However, the application states that "*it is not proposed to make any changes to the access recognising that as a private road, all effects are largely limited to the immediate residents that utilise the access*". In this regard, the applicant does not appear to take up any of the recommendations contained in the Abley's review. As a result, the application appears to be inconsistent with the documentation submitted in support of the application.

How is Council to reconcile your assessment with the recommendations made by Abley's, given that they are recognised traffic experts? [Note: The applicant is advised that RC230173 has been publicly notified and one key issue for the notification issue was the rejection of the sealing recommendation made by Abley's].

3. Queensberry Irrigation Company appears to maintain the ROW (Queensberry Terrace/Totara Place) currently. Please show the extent of ROW AH, AE, AA, Y. AJ, L, M, N, J, I and E covered by the Water Supply and Right of Way Maintenance Agreement dated 20 February 2012.

4. Please provide evidence of consultation (and or written approval) that Queensberry Irrigation Company support an additional user to the ROW. Please include any discussion the applicant has had with Queensberry Irrigation Company regarding the sealing of Queensberry Terrace.
5. The application states that the access to Lot 1 will remain the same. Currently this access is unformed. Please confirm whether it is the applicant's intention to upgrade this access to Council Standards.

#### *Water supply*

6. The signed Water Supply and Right of Way Maintenance Agreement dated 20 February 2012, submitted with the application, confirms an allocation of 2500L/day for domestic water and 100000 L/day for irrigation as relied upon in the application. Please confirm Lot 17's legal right to a water allocation of 5000L/day for domestic water and 50000 L/day for irrigation.
7. Please provide evidence that the Queensberry Irrigation Company are agreeable to the water allocation be divided to serve two lots.

#### *Curtilage area*

8. The curtilage areas outside of the RBPs appear to extend in the proposed QEII covenant area. Please explain how the extent of the curtilage area is consistent with the QEII covenant.

#### *Hazards*

9. The application states that there are no hazards identified for the site , but the Otago Natural Hazards portal shows a fan form channel flowing through the gully system. Please provide an assessment of this.

#### *Reverse Sensitivity*

10. Please confirm the distance to the closest frost fan.

#### *Status of the stone cottage*

11. In the Landscape assessment a small stone cottage and three small outbuildings are identified as being located within the site. The landscape assessment suggests that this building is used for accommodation at times. Other than the landscape assessment, the application does not refer to the cottage. At the time of my site visit, when viewed from Totara Place, the cottage appeared occupied. There does not appear to be any Council records of this building (either building or resource consent). Please provide details of:
  - a) the age of the stone cottage (and outbuildings),
  - b) any records for the legal establishment of this building (and outbuildings),
  - c) how the building is serviced (in particular how wastewater is managed),
  - d) the applicant's intention for this building post-subdivision.

Pursuant to Section 92 of the Resource Management Act 1991, processing of the application will be suspended until the information is received.

Responding to this request:

Within 15 working days from the receipt of this letter you must either:

- Provide the requested information; or
- Provide written confirmation that you cannot provide the requested information within the time frame, but do intend to provide it; or
- Provide written confirmation that you do not agree to provide the requested information.

The processing of your application has been put on hold from 28 November 2023.

If you cannot provide the requested information within this timeframe, but do intend to provide it, then please provide:

- Written confirmation that you can provide it,
- The likely date that you will be able to provide it by, and
- Any constraints that you may have on not being able to provide it within the set time frame.

The Council will then set a revised time frame for the information to be provided.

If you do not agree to provide the requested information, then please provide written confirmation of this to the Council. You may also choose to object to providing the information under s357 of the Resource Management Act 1991.

Restarting the processing of your application

The processing of your application will restart:

- When all of the above requested information is received (if received within 15 working days from the date of this letter), or
- From the revised date for the requested information to be provided, if you have provided written confirmation that you are unable to provide by the original date.
- From the date that you have provided written confirmation that you do not agree to providing the requested information, or
- 15 working days from the date of this letter (if you have not provided the requested information or written confirmation), at which time the application will be publicly notified.

Once the processing of the application restarts:

If you have not provided the requested information then your application will continue to be processed and determined on the basis of the information that you have provided with the application. The Council is required to publicly notify this application pursuant to section 95C of the RMA should this information not be provided.

If you have provided all the requested information, then we will consider its adequacy and make a decision on whether your application requires notification or limited notification, or, whether any parties are considered adversely affected from whom you will need to obtain written approval in order for the proposal to be considered on a non-notified basis.

If the application is to be notified, you will be advised within ten working days of our receiving your further information.

Please do not hesitate to contact the writer at [kirstyn@planningsouth.nz](mailto:kirstyn@planningsouth.nz) if you have any questions or concerns regarding the above request or the further processing of the application.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Kirstyn Royce', written in a cursive style.

KIRSTYN ROYCE  
PLANNING CONSULTANT