

09 February 2024

D Tipple & T Tipple & M Tipple
C/- Trustees of Tipple Family Trust
5/484 Cranford Street
Redwood
Christchurch 8051

Dear Tipple Family Trust,

Further Information Request for Resource Consent Application No. RM240000 – Land Use Consent for Deck and Stairs at 38 Kaiteriteri-Sandy Bay Road

I refer to your application for resource consent described above. An initial assessment of the application has been made and, pursuant to Section 92(1) of the Resource Management Act 1991 (“the Act”), further information is now being requested in relation to the application as follows:

- 1 Elevation plans showing heights from ground level of the deck and stairs, particularly the landings. These need to show heights at the different parts of the deck, particularly where they are close to internal boundaries.
- 2 More detail on the earthworks undertaken, the slope stability and effect the loading of the structures (both deck, stairs and landings) are required. Soils at this property are formed on deeply weathered granites and are susceptible to severe erosion when exposed, such as during earthworks and/or following vegetation removal. Slope failure on steeper slopes may occur if significant and prolonged rainfall results in deep saturation of the soil layer. Evidence is required that the load on the slopes is not going to result in slope failure and this is likely to need to be assessed by a geotechnical engineer with a report that demonstrates the effects are mitigated.

Additional Note:

A licence to occupy is required for the structures on the legal road. As noted in the application the stairs and part of the deck are on road reserve. This requires a licence to occupy. Note that this is not necessarily a requirement under Section 92 of the RMA I have included it here as a note.

Section 92A(1) of the Act requires you to respond to the Council by 29 February 2024 (being 15 working days from the date of this request), in one of three ways. You must either:

- 1 provide the information requested to the Council; or
- 2 advise the Council in writing that you agree to provide the information (you may wish to choose this option if you are unable to provide all the information by the date specified above); or

Tasman District Council
Email info@tasman.govt.nz
Website www.tasman.govt.nz
24 hour assistance

Richmond
189 Queen Street
Private Bag 4
Richmond 7050
New Zealand
Phone 03 543 8400
Fax 03 543 9524

Murchison
92 Fairfax Street
Murchison 7007
New Zealand
Phone 03 523 1013
Fax 03 523 1012

Motueka
7 Hickmott Place
PO Box 123
Motueka 7143
New Zealand
Phone 03 528 2022
Fax 03 528 9751

Takaka
78 Commercial Street
PO Box 74
Takaka 7142
New Zealand
Phone 03 525 0020
Fax 03 525 9972

3 advise the Council in writing that you refuse to provide the information.

Should you choose Option 2, then the Act requires the Council to set a reasonable time within which the information must be provided. Therefore, in the event that you choose Option 2, I propose that the information be provided by 30 May 2024. If you are unable to provide the information by this date, please contact me as soon as possible so that we can discuss the reasons and set an appropriate alternative date.

Please note that the Council may decline your application pursuant to Section 104(6) of the Act if it considers that insufficient information is available to enable a decision to be made on your application. This may occur if you either:

- (a) choose Option 3 above (ie, refuse to provide the information);
- (b) do not provide the requested information within the period specified in the paragraph above (or the agreed alternative date); or
- (c) do not respond at all to this information request.

In accordance with Section 88B and 88C of the Act the processing of your application will be placed "on hold" from the date of this letter to the date of receipt of the information requested or, if you refuse to provide the information, the date the advice of refusal is received by the Council.

Once the Council has received the requested information, it will be assessed to determine its adequacy and the Council will then make a decision on whether your application requires public notification, limited notification, or, whether it is able to be processed on a non-notified basis. Council reserves the right to notify your application should the further information requested above indicate that the effects on the environment are more than minor.

Also, you need to be aware that Section 95C of the Act requires your application has to be publicly notified if you do not provide the further information by the deadline stated above or an agreed alternative date, or if you refuse to supply the further information. If either of these situations applies, Council will require you to pay the notified application deposit fee before taking any further action.

Please note that the requirements of the Act outlined above are binding on you being the applicant, as well as on Council. Your opportunity to clarify or question the reasonableness of this request occurs now (within the next 15 days), not at some later date.

Please feel free to contact me if you have any questions regarding this request or any other part of this letter. My contact details are listed at the top of this letter.

Yours sincerely



Katrina O'Connor
Consultant Planner