

Tanya Copeland

From: Emma Dixon <edixon@cfma.co.nz>
Sent: Thursday, 1 February 2024 11:32 am
To: Tanya Copeland
Subject: FW: RC230278 - Further Information Request
Attachments: Section 348 Certificate - AG & KE Huffadine.pdf; 746090 - 037395 Section 348 certification over Lot 2 DP 490222 and Prt Sec 20 Blk IV Cromwell SD.pdf; 15705_05 _Water supply plan.pdf

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Hi Tanya

I have been speaking with the client and rather than install a take off the piped portion of the water race, they will extend the pipe all the way up to Scrubby Creek, and have an independent take off this creek in a similar location to the existing one, that way they are both completely independent of each other. I have attached an amended water supply plan now.

No easements will be required with this option either, as the pipe will be completely on the applicants land.

The water tests went off to the lab yesterday so should have results back early next week.

Thanks

Kind Regards

Emma Dixon Resource Management Planner
BSc

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Please note I work part time, Mon – Thurs 9.00am – 3.00pm



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From: Emma Dixon
Sent: Monday, January 29, 2024 12:21 PM

To: Tanya Copeland <Tanya.Copeland@codc.govt.nz>
Subject: RE: RC230278 - Further Information Request

Hi Tanya

Thanks for your email. I was just back on deck last week, so am slowly working my way through all the emails and pull as much of the info that you have requested, so apologies for the delay.

I have addressed the majority of your queries below, however have not received the water testing kit as yet so cannot provide you with the water test results.

Please see my comments below in red:

Kind Regards

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From: Tanya Copeland <Tanya.Copeland@codc.govt.nz>

Sent: Thursday, January 4, 2024 2:59 PM

To: Emma Dixon <edixon@cfma.co.nz>

Subject: RE: RC230278 - Further Information Request

Hi Emma,

Happy new year. Hope you managed to get a bit of a break.

Thanks for your response to my s92(1) request for this application, I know it was a bit of a big one to deal with. I have reviewed it and have determined that more information is needed in order to fully satisfy the request. I have also determined that there are potentially other resource consents that may be required for the proposal which I have also discussed. I am interested at this stage to give you the opportunity to provide additional detail or commentary on this to help me understand whether these further consents are required or not prior to officially determining whether a s91 deferral is needed.

1. Subdivision vs Boundary Adjustment

I appreciate that it is difficult for customers to understand how a proposal of this nature is likely to be considered by Council. As a planning team, are always available for a pre-application meeting or able to review proposals prior to lodgement to ensure that a proposal is drafted and submitted with the best chance of progressing through the process easily.

Council has previously obtained a legal opinion with respect to boundary adjustments and how they are determined given the absence of a definition within the District Plan. Our legal advice confirms that the nature of the new boundaries within the application does not meet the threshold for being a boundary adjustment. The new boundaries are in entirely new locations, especially with respect to the intersecting road parcel. Council will be assessing the application as a subdivision pursuant to Rule 4.7.4 (iii) and as applicable also to Rule 4.7.6L (e). Please provide any additional assessment that you may deem necessary.

I have taken a look at Rule 4.7.4(iii) and the only part of this rule that seems to apply in a round about way is part (b) as the land being taken from one title and added into another is 1.8ha, which is less than 2ha. However, if it wasn't for the legal road this part of the land would be directly included in existing Section 13 SO 572093, instead we are having to create a 1.8ha allotment. This 1.8ha lot is being amalgamated with the large lot, providing a total area of over 550ha. Therefore it can also be considered that we are in compliance with this part of the rule. All other parts of the rule (a), (c), (d) and (e) are not relevant in this instance.

2. Water Supply

Council needs to assess the adequacy and appropriateness of a potable water supply at the time of resource consent, to ensure consents are not granted that are not able to be given effect to. Given the amendment to the water supply you have now proposed, can you please provide details of the proposed water take (where it is coming from – e.g. Water race, spring, irrigation pipe) and a plan showing the location of the take and a revised scheme plan showing any easements which may be required. Please also supply evidence of the amount of water available from the water supply as Council needs to confirm the quantity of water will be sufficient to supply the dwelling and provide the buffering within the four 30,000 L tanks. A water test to confirm the potability of the water is also required. Depending on the information provided, additional consent may be required pursuant to Rule 4.7.3 (v) for a breach of 4.7.6G (b).

Attached is a plan showing the proposed method of providing a water supply to the proposed platform, this is to be from a piped portion of the existing water race (noting that the source of this water is from Scrubby Creek). I have ordered the water testing kit and will submit the results to you once I receive them. The applicant is expecting that treatment will be required and this will be done prior to entering the house, this will likely be a UV system (as a minimum). This same water race is currently serving a down stream property for residential potable use (with treatment).

The volume of water required to be taken will be limited to the 1,000 litres per day, being the minimum volume required for a residential property for potable water. No easements will be required as this is all entirely on the applicants land, with the exception of the small portion where it crosses unformed legal road, but alongside the portion of driveway that is to be constructed within the unformed legal road.

There is an existing ORC water take approval from this water source for a total volume of 357,820m³ in a 12 month period, an additional 365m³ per year will not create any adverse effects to this water source and is within the permitted take volume specified in the ORC plan for residential use.

We note that a bore, spring or a well is not a possible solution in this instance.

3. Access track

The information you have provided confirms that earthworks required for the access track breach standard 4.7.6J of the District Plan. The standards allow a cut batter to exceed 2m for a maximum length of 3m, whereas the exceedance described is 6m. My assessment is that this will trigger an additional resource consent as a restricted discretionary activity under Rule 4.7.3 (vi) and also potentially under Rule 4.7.4 (i) as a breach of 4.7.6L 1 (b). I had noted that points (a) – (c) of 4.7.6L(1) were not complied with in my

application, hence a Discretionary Activity consent was required under Rule 4.7.4(i). Apologies if that was not clear. However, I did not include 4.7.6J (a), in the original application but did complete an assessment against the relevant provisions in the RFI response provided to council dated 18 December 2023.

For completeness, the following points of 4.7.3(vi) are deemed relevant to this application and have been assessed as follows (due to the breach of standard 4.7.6J):

(5) – The Geotech report confirms that due to the large amount of rock present, the proposed batters created by the earthworks will be stable and no adverse effects will result from this proposal as they relate to slope stability.

(6) – The area of earthworks proposed is modest at approx. 970m², and has been designed to be as small in area as possible, this will assist in limiting the duration of the earthworks. The contractor will likely undertake the works in summer due to the likelihood of the ground being frozen during the winter months, the site for the earthworks is north/north east facing so will have access to good sun to prevent the site from becoming muddy for long periods of time during and immediately after rain events.

(7) – the contractor will ensure the fill batters to the north of the platform are regressed as soon as is practicable, following the completion of the works. The re grassing will be in a pasture mix suitable for the climate of the site. The cut faces to the south of the platform will not need revegetated as they will be rock.

(8) – There is a small amount of surplus fill (40m³) that will be disposed of on site, in a suitable location and revegetated to ensure that it does not scour or become a dust nuisance

(9) – The landscape report that was submitted with the application confirms that given the great distance that fleeting views of the site can be obtained from, there will be no adverse effects on the landscape values attributed to this site.

4. Right of way

I am not able to locate the section 348 approvals that you have mentioned as they do not appear to be tied to either of the properties in the normal way. I need this information to confirm the legality of the right of way to determine whether upgrades are needed. **Please see attached all relevant 348's approved by council. No further upgrades are required as there will not be any additional users created as part of this application.**

5. Solar panels

The construction of solar panels on the site may trigger additional resource consent under Rule 4.7.4 (i) as a breach of standard 4.7.6L 1 (a).-

If the applicant chooses to go with a ground mount structure at the time a future dwelling is constructed, which will likely be preferable to ensure it can't be seen outside of the site, then yes this rule will need to be triggered, however if they believe that the solar panels can be erected on the roof of the future house, then this rule will not be triggered.

It is expected that a future consent will be required to be submitted to council (under Rule 4.7.2), once the house design has been chosen, so as part of that application, an assessment can be undertaken on the chosen method of power supply at that time.

Happy to have an advice note included that highlight the possible future need for a consent for the solar panels.

6. Other potential additional consents

In addition to the above, I consider that further resource consents may be required.

Existing hut – there does not appear to be a relevant resource consent for a residential activity for this hut. I would be interested in information which you might have to either demonstrate existing use rights, or determining whether the hut may require resource consent as a residential activity/second residential activity.

I do not have any information to hand on this hut as we are working for Double Rock Ltd who are responsible for the consent application, so cannot comment on whether or not consent may be required for this hut. If council are concerned on this matter then the monitoring department can use their powers to enquire, however in the interim I have queried the Jones lawyer to determine if there is any information that they can provide that may assist. I will let you know when I hear back from them.

Earthworks for the building platform – Can you please confirm the quantity of earthworks required for the building platform and whether this would form part of the application or not. The plans submitted show cut/fill batters and I need to understand whether this is indicative of future works or whether it would be undertaken as part of this application. **The earthworks proposed will provide a level bench area for a future house, therefore no additional works should be required.**

Thanks

Tanya

Tanya Copeland
Planner - Intermediate



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From: Emma Dixon <edixon@cfma.co.nz>
Sent: Monday, December 18, 2023 2:26 PM
To: Tanya Copeland <Tanya.Copeland@codc.govt.nz>
Subject: RE: RC230278 - Further Information Request

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Hi Tanya

Apologies for the delay in coming back to you on this one, I have been waiting on others to provide information to me. Some of which I still don't have, however in order to keep things moving I have answered as best I can and submitted back to you.

Thanks

Kind Regards

Emma Dixon Resource Management Planner
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From: Tanya Copeland <Tanya.Copeland@codc.govt.nz>

Sent: Tuesday, October 24, 2023 1:32 PM

To: Emma Dixon <edixon@cfma.co.nz>

Subject: RC230278 - Further Information Request

Hi Emma,

I have attached a further information request for this application – Grant Hensman and Ann & Robin Jones


Please give me a call if you have any questions on it.

Cheers

Tanya Copeland

Planner - Intermediate



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