



KAIKŌURA
DISTRICT COUNCIL



22 August 2022

KAIKOURA TRUSTEE COMPANY LTD
1516 STATE HIGHWAY 1
MANGAMAUNU
KAIKOURA
7374

Dear Sir/Madam

Request for Further Information- Application SU-2022-1843-00 at 1516 State Highway 1

Under section 92 of the Resource Management Act 2001(RMA), it is requested that the following additional information be provided:

- Written approval is required of the following neighbours for any adverse effects as a result of a subdivision that does not comply with minimum lot size standards and density standards:
 - 1456 State Highway 1 at the southern boundary
 - Douglas Poharama at the northern boundary
 - KiwiRail (requiring authority of designation on the eastern boundary)
- Please provide a landscape assessment due to the location being in a significant landscape area overlay, for the effects that the proposal may have on the surrounding environment. It is important that this assessment addresses colour, scale, location, and landscaping. Refer to assessment matters for guidance – **Chapter 25.6** of the district plan.

Under section 92, you have 15 working days to:

- Provide the information
- Provide written notice to the Council agreeing to provide the information
- Provide written notice to the Council refusing to provide the information

If you agree to provide the material but cannot supply the information within the 15 working days, the Council must set a reasonable time for you to provide the information and will inform you of this date in writing. This is to avoid unreasonable delays in the processing of resource consents. Therefore, if you cannot provide the information within 15 working days, please provide an approximate timeframe in which you believe this information can be supplied.

If you refuse to supply the information requested the Council must publicly notify your application. While the Council must process your application, it may be declined on the grounds that there is inadequate information to make a decision

Kaikōura – A Sustainable Community
Official Correspondence: Executive Officer, PO Box 6, Kaikōura 7340
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Your application will be on hold for 15 working days or until the information is provided to the Council as describe above. Please see relevant legislation on the backside.

If you have any questions regarding any of the above, please do not hesitate to contact me during office hours at 319-5026.

Yours faithfully

Zachary Burns
Planning Officer



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CC

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Relevant Legislation under the Resource Management Act 1991

[92 ((Further information, or agreement, may be requested))

(1) A consent authority may, at any reasonable time before the hearing of an application for a resource consent or before the decision to grant or refuse the application (if there is no hearing), by written notice, ((request)) the applicant for the consent to provide further information relating to the application. [92A Responses to request

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(1) An applicant who receives a request under section 92(1) must, within 15 working days of the date of the request, take 1 of the following options:

- (a) provide the information; or
- (b) tell the consent authority in a written notice that the applicant agrees to provide the information; or
- (c) tell the consent authority in a written notice that the applicant refuses to provide the information.

(2) A consent authority that receives a written notice under subsection (1)(b) must—

- (a) set a reasonable time within which the applicant must provide the information; and
- (b) tell the applicant in a written notice the date by which the applicant must provide the information.

((3) The consent authority must consider the application under section 104 even if the applicant—

- (a) does not respond to the request; or
- (b) agrees to provide the information under subsection (1)(b) but does not do so; or
- (c) refuses to provide the information under subsection (1)(c).))

[95C Public notification of consent application after request for further information or report(1)

Despite section 95A(1), a consent authority must publicly notify an application for a resource consent if—

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- (a) it has not already decided whether to give public or limited notification of the application;
and
- (b) Subsection (2) or (3) applies.
- (2) This subsection applies if the consent authority requests further information on the application under section 92(1), but the applicant—
- (a) does not provide the information before the deadline concerned; or
- (b) refuses to provide the information.
- (3) This subsection applies if the consent authority notifies the applicant under section 92(2)(b) that it wants to commission a report, but the applicant—
- (a) does not respond before the deadline concerned; or
- (b) Refuses to agree to the commissioning of the report.
- (4) This section applies despite any rule or national environmental standard that precludes public or limited notification of the application.)

[104 Consideration of applications

- ((6) A consent authority may decline an application for a resource consent on the grounds that it has inadequate information to determine the application.))
- ((7) In making an assessment on the adequacy of the information, the consent authority must have regard to whether any request made of the applicant for further information or reports resulted in further information or any report being available.)))