

From: [courtenay isherwood](#)
To: [Bernsdorf Solly, Susi](#)
Cc: [Andrea Vincent](#); [Tammy Ward](#)
Subject: RE: RM195191 & RM195192 Request for further information
Date: Friday, 1 November 2019 4:37:27 p.m.
Attachments: [image001.png](#)
[0E38CB9AD01A402588231882F54BFE711218234341.jpg](#)
[Isherwood Consultants RFI response .pdf](#)
[CGW RFI Response.pdf](#)
[Flow Environments Ltd RFI Response.pdf](#)

Hi Susi,

Thank you for the extension of time, please find attached a full response to your S92 request for further information in relation to the above consents.

As discussed, we are now of the understanding having talked to Council policy staff that **Plan Change 05/01 is not operative**. Our interpretation on the assessment implications of this are outlined in section 4 of our attached response. Should our understanding of the status of the Plan Change be correct, we would request you reconsider these matters, as they are considered critical for ensuring Council fulfils its obligations and that the application proceeds within the scope of the RMA.

With regard to the 60 Frost Road decision we refer to your email comment that:

"You will see that the consent was publicly notified (due to effects being more than minor) and that the reporting officer at the time recommended decline, however, the Hearing's committee did grant consent"

Having reviewed the file for 60 Frost Road we note that significant flaws in the officers' interpretation (in regard to both policy and effects assessment) underpinned this recommendation, therefore we fully understand why any independent third party reviewing such a recommendation would come to the same conclusion and grant consent. While every proposal must proceed on its own merits, Council is required to treat applications consistently for fairness and for Plan integrity. We consider that a review of the applicants' submissions at this hearing for 60 Frost Road would be highly instructive in this regard.

Taking into account the above matters we do not consider there are sufficient grounds for this application to be publicly notified nor for Council to recommend it be declined. Should you be of a different view, we would request a draft copy of your decision-making reasoning, with time to provide feedback before either public notification or recommendation to decline occurs. We consider such a step to be in both parties' best interests, should this step not be something you wish to consider, please advise at your earliest convenience.

We note that while potential effects are limited, the applicants are prepared to discuss further mitigation measures that may assist Council, notably regarding limiting some of the permitted commercial activities assessed as part of the permitted baseline test in the attached response.

We look forward to hearing from you in due course and please do not hesitate to contact me at any time to discuss the above in person.

Kind regards,

Courtenay

Courtenay Isherwood
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Sent from [Mail](#) for Windows 10

From: Bernsdorf Solly, Susi <susi.bernsdorf.solly@wsp.com>
Sent: Thursday, September 19, 2019 2:42:47 PM
To: courtenay isherwood <csisherwood@hotmail.com>
Cc: Andrea Vincent <pelorusmidwifery@xtra.co.nz>; Tammy Ward <Tammy.Ward@ncc.govt.nz>
Subject: RM195191 & RM195192 Request for further information

Hi Andrea & Courtenay,

Please refer to the attached finalised request for further information.

Andrea – I haven't attached a copy of all the relevant objectives & policies referred to under Question 4, as I understand from talking to Courtenay that he will address these, but if you still want me to email them to you, please let me know – they can also be found online:

<http://www.nelson.govt.nz/assets/Environment/Downloads/RMP-PDFs/nrmp-2019-01/NRMP-NES-PF-Plan-Amendment-VOLUME-2-Chapter-12-Rural-Objectives-and-Policies-OCTOBER-2018-PDF.pdf>

If you have any questions, please don't hesitate to contact me.

Kind regards,

Susi

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