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6 September 2022

Tasman District Council
Private Bag 4
Richmond 7050

Att: Paul Gibson

By email: paul.gibson@tasman.govt.nz

Dear Paul

Further Information Request for Resource Consent Applications RM210785 & RM210786 – Ruru Building Limited at 54 Green Lane, Motueka

1. This letter is further to my letter to you of 18 August 2022, to which I still await a response. I note there is still no willingness to meet.

Section 91 Request

2. Under heading 1 of your 12 August 2022 letter you state:

“Council’s Senior Consent Planner – Natural Resources advises that no additional information is required regarding the above consent application, except that you confirm that you wish to apply for the above consent.

No deposit is required at this time for this additional consent application.”

3. On that basis RuRu Building Ltd (RuRu) confirms that it wishes to apply for a consent to dam or divert floodwaters, being a water permit under s14(2)(a).

Wastewater Details Site Layout

4. Please find **enclosed** the revised site layout plan to identify the relocated wastewater management system.

Degree of Obstacle Limitation Surface (OLS) Intrusion

Reservation of RuRu Building Ltd’s Position

5. It is noted with some disappointment that you are yet to respond to paragraphs 6-19 of my 16 August 2022 letter to you. Please note that my client reserves and retains its position as to the matters set down in those paragraphs. It provides the further information enclosed with the current letter on a without prejudice basis to that position. The provision of that information is no way intended as an acceptance of the validity of the request for that

information, the need for that information or the validity of the amendment of Schedule 16.11.

Information Provided

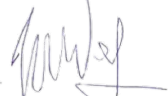
6. On this basis, please find **enclosed**:
 - a. A plan prepared by a registered surveyor showing the predicted degree of intrusion as per the latest (in my client's view unlawfully amended) version of Schedule 16.11A. This does not accept the validity of that amendment, its contents, or that on the face of the district plan, it is possible to provide such a survey; and
 - b. A supplementary report from Mr Mike Haines confirming that there will be nil adverse effects on aviation.

Consequence

7. I trust that from the provision of this information it will become clear that RuRu has gone considerably beyond what is actually lawfully required to enable the Council to continue to process this application. It has done so despite the fact that the Council has already been in possession of all the requisite information for a considerable time and still ignores very reasonable requests to meet and discuss matters.
8. This demonstrates RuRu's willingness to be flexible to enable this application to progress. It is sincerely hoped that that will be matched by a similar reasonableness from the Council.

I look forward to your positive response.

Yours Faithfully



Hans van der Wal
Barrister