

s 9(2)(a) OIA

From: [REDACTED]@ccc.govt.nz]
Sent: Tuesday, 1 September 2015 1:45 p.m.
To: David Hobern
Cc: [REDACTED]
Subject: Querys with regard to Redcliffs School

Hi David

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As per you request and the plans provided in your email to [REDACTED] of 10:21am this morning;

Sorry couldn't offer more information with regard to the final three bullet points. I understand this relates more to the Property Law Act which Council's don't administer.

CCC:

- Would consents for the bund be likely to be obtained? It's likely that you would require RMA outline plan approval as the site is designated. From a building consent perspective you could choose either to apply for a discretionary exemption or building consent from Council.
- Would agreement from neighbours be required for ongoing repair / maintenance / assessment / other access? You should seek legal advice on this as this is outside of Council's jurisdiction as it is a legal matter but normally you are required to obtain neighbours consent to access their property in this situation. This can be formalised in perpetuity by some sort of legal instrument over their property like a memorandum of encumbrance or granting of an easement.
- Who will be responsible for the ongoing maintenance and assessment of the cliff face? You should seek legal advice on this aspect as well, as again not Council's jurisdiction, unless of course we are the property owner.
- Whose responsibility would it be to clear rockfall from behind the bund (private landowners, DOC, MOE), and what consents would be required? Again this is a legal issue.

Do not hesitate to contact me if you require more information on the Council consent requirements.

Kind Regards

s 9(2)(a) OIA

[REDACTED]
Case Manager
Commercial Building Control

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Web www.ccc.govt.nz

Christchurch City Council

Civic Offices, 53 Hereford Street, Christchurch
PO Box 73013, Christchurch, 8154

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From: David Hobern
Sent: Tuesday, 1 September 2015 10:21 a.m.
To: [REDACTED]@ccc.govt.nz)
Subject: Questions about Consents

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Thanks for looking at this urgently.

This query relates to Redcliffs school. One of the options is to put an engineered earth bund on the site to protect the school from the potential cliff collapse. There are 4 questions and a comment in bold.

I have attached a plan of the site and details of the bund.

CCC:

- Would consents for the bund be likely to be obtained? **Plan of bund attached**
- Would agreement from neighbours be required for ongoing repair / maintenance / assessment / other access? **Not sure if you can answer this or not?**
- Who will be responsible for the ongoing maintenance and assessment of the cliff face? **This is currently owned by DOC**
- Whose responsibility would it be to clear rockfall from behind the bund (private landowners, DOC, MOE), and what consents would be required? **Is there any thoughts on this?**

Any questions please contact me.

Cheers

David Hobern | Programme Manager | CSR programme
DDI +64 3 378 7893 Ext 47893 | Mobile +64 27 479 8958
39 Princess Street, Christchurch

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We are respectful, we listen, we learn *He rōpū manaaki, he rōpū whakarongo, he rōpū ako mātou*
We back ourselves and others to win *Ka manawanui ki a mātou, me ēfahi ake kia wikaoria*
We work together for maximum impact *Ka mahi ngātahi mō te tūkinga nui tonu*

Great results are our bottom line *Ko ngā huanga tino pai ā mātou whāinga mutunga*

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