

Julia Chalmers

From: Pat Kennedy <csa@xtra.co.nz>
Sent: Tuesday, 2 December 2014 6:41 PM
To: Julia Chalmers
Subject: RE: Plan Change 49

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Thank you Julia. Here are the three additional submissions:

1: In my case the developer of 37 -41 Lakeside Road Wanaka requested permission to have an engineer access my property for photographs and measurements which I gave and an engineer duly inspected. I do not know if this was at the direction of the QLDC. I believe my section has subsequently sunk taking part of the house with it. My garage also started taking water. These were possibly caused by the earthworks which involved much pile-driving as well as significant excavations. In spite of requests the developer did not make any of the engineering information available. I believe in such cases a full independent engineering report of affected properties should be obtained at the expense of those carrying out the earthworks and the report(s) made available to the property owner(s) and QLDC. Furthermore the developer should bear the costs of any further post-earthworks report requested by a party believing there have been adverse effects on their property.

2: In Wanaka there are road reserve and driveway issues that must not be ignored. In my case the driveway accesses for 41 and 45 (my property) converged from opposite directions so we crossed over the road reserve in front of each other's property. In its generous wisdom QLDC granted the developer (without any reference to me) a licence to occupy the road reserve in front of his property thereby creating a serious street access problem for me involving the possibility of a one metre drop to the street let alone circumnavigating a street lamp standard one third of the way across my exit! I think this illustrates the point that it is all very well sitting in an office looking at plans and right angles. The site needs to be actually inspected. In any event I managed to win this particular battle but not without having to seriously look at the case law involved. I should not have been put to the expense of having to do that and QLDC needs to realize that my property is not the only one where this issue will arise if all aspects of the effects of earthworks are not ascertained.

3: Furthermore the QLDC must cease its practice of ignoring property owners once they have signed consents to building proposals. In my case I signed a consent which seemed essentially to relate to fencing and some minor earthworks. What transpired seemed to bear little resemblance to the original but the LQDC steadfastly stuck to the view that my original consent covered any variation that subsequently occurred. In other words the consenting owner had lost all rights of objection to any deviation.

From: Julia Chalmers [mailto:Julia.Chalmers@qldc.govt.nz]
Sent: Tuesday, 2 December 2014 4:25 p.m.
To: 'csa@xtra.co.nz'
Subject: FW: Plan Change 49

Good Afternoon Patrick, I received your phone message, please see the below sent to us as a submission, if you wish to speak at the hearing please let me know asap. Alternatively if you wish to table something at the hearing please send to me in an email and I will present it to the Commissioner on your behalf.

Regards