

OIR: 2425-1313

1 April 2025

[REDACTED]
[REDACTED]

Tēnā koe [REDACTED]

Request for Information under the Local Government Official Information and Meetings Act 1987 (the Act) (the LGOIMA) and concerns regarding the proposed development at 160 Mazengarb Road

Thank you for your email of 13 March 2025 sent to Darren Edwards which sets out your concerns relating to the proposed development at 160 Mazengarb Road. I can confirm that our legal team reviewed previous correspondence and determined that your request seeks additional information through the LGOIMA.

On that basis, I am responding to the points for clarification you raised with Mr Edwards. In responses about this development sent to you on 11 February 2025 and 19 March 2025 we outlined advice about a variety of issues related to compliance with the building code, emergency services access, stormwater, site access and pressure on existing services such as health. As further clarification, and as outlined on Council's [website](#), I note that:

- We are not able to provide information on the development until a resource consent application has reached decision.
- If resource consent is granted, the developer can then apply for building consent and that application will be assessed against the requirements of the Building Act 2004 before a further decision is made.
- If a building consent is granted, the necessary inspections will be made at each required stage and the building would have to comply with legislative requirements in order to receive a Code of Compliance Certificate.

The resource consent is still in progress, with an imminent decision due shortly. Once there is further clarity on plans, I will be able to respond to future queries. In the interim, I have forwarded on your concerns to the relevant business units and they have confirmed that their assessments will consider the points you have raised.

In your correspondence of 13 March 2025, you asked for the following information:

- 1. Will the Development contribution fees fully cover the expenditure require by KCDC when delivering the required services?***

Development contributions are collected under the provisions of the Local Government Act 2002 and Councils Development Contribution Policy (2024). The intent is to ensure that developers pay a fair and equitable share of the cost of providing new infrastructure needed to support new development within the district. If consent is granted, the applicant is responsible for the costs associated with installing any infrastructure to service the proposed allotments.

Council's policy released an updated policy for Development Contributions in December 2024 which can be access [here](#).

2. *Has there been a*

a. "Fire Engineering Design" and report done and presented with the application?

Council has not received a building consent application(s) for the proposed works, so we are unable to answer your question at this time.

b. Means of escape plan presented by the Architect?

Council has not received a building consent application(s) for the proposed works, so we are unable to answer your question at this time.

c. An emergency warning system implemented?

Council has not received a building consent application(s) for the proposed works, so we are unable to answer your question at this time.

d. Are the exterior walls fire rated?

Council has not received a building consent application(s) for the proposed works, so we are unable to answer your question at this time.

e. Are the windows appropriated for the fire rating?

Council has not received a building consent application(s) for the proposed works, so we are unable to answer your question at this time.

f. Has any aspect of the Fire design been peer reviewed?

Council has not received a building consent application(s) for the proposed works, so we are unable to answer your question at this time.

Question 2 of your request is refused under section 17(e) of the Act as the documents alleged to contain the information requested do not exist.

In Council's view the reasons for withholding these details are not outweighed by public interest considerations in section 7(1) favouring their release.

You have the right to request the Ombudsman to review this decision. Complaints can be sent by email to info@ombudsman.parliament.nz, or by post to The Ombudsman, PO Box 10152, Wellington 6143.

Ngā mihi,

A handwritten signature in black ink, appearing to read 'Kris Pervan', with a stylized, cursive script.

Kris Pervan

Group Manager Strategy and Growth
Te Kaihautū Rautaki me te Tupu