

5 May 2022



Dear 

LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT Request: 2022-24

Thank you for your email of 4 April 2022 to the Carterton District Council (CDC) requesting the following information:

"Burnt out property on the corner of Holloway Street and State Highway 2

I understand that the Carterton District Council expended a sum of money to secure and clear this site after the buildings on it were severely damaged by fire on October 7, 2021. I understand that this was over and above the services rendered by Quality Demolition and Contracting which were reported as having been done without charge.

I also understand that this money was paid because the building owner did not have fire insurance to meet the costs otherwise.

I also understand that the building owner gave an informal undertaking to the Mayor to give Carterton District Council the first right of refusal should the site be sold. ...

- How much was spent in total by Carterton District Council to secure and clear this site?*
- Who were the three suppliers who received the bulk of the money paid?*
- How much was paid to each of these three suppliers?*
- Did the building owner have fire insurance?*
- Was the building owner otherwise compliant with the District Plan and relevant legislation?*
- Did the building owner give an informal undertaking to anyone to give Carterton District Council the first right of refusal should the site be sold?*
- Has this undertaking been formalised in any way?*
- Has a caveat been registered against the property title so that CDC's position over costs incurred is protected?"*

Your request has been considered under the Local Government Official Information and Meeting Act 1987 (the Act).

Our response to your request is provided in the order of your request below.

“Burnt out property on the corner of Holloway Street and State Highway 2 ...How much was spent in total by Carterton District Council to secure and clear this site?”

The total spent by the Council is publicly available, and can be found on the CDC website:
https://cdc.govt.nz/wp-content/uploads/2022/04/2022-07_08_09-LGOIMA-Response_Redacted-1.pdf

I am refusing this part of your request under section 17(d) of the Act for the reason that the information requested is publicly available.

Who were the three suppliers who received the bulk of the money paid?

The only supplier that was used by the Council was the Quality Demolition and Contracting (2011) Ltd. The money paid by Council is publicly available and can be found in the same link above.

As for the money paid, I am refusing this part of your request under section 17(d) of the Act for the reason that the information requested is publicly available.

How much was paid to each of these three suppliers?

Our response to this part of your request is the same as above.

Did the building owner have fire insurance?

The information that you are requesting about the building owner having fire insurance is withheld under section 7(2)(a) of the Act to protect the owner's privacy.

Was the building owner otherwise compliant with the District Plan and relevant legislation?

The building was in the Carterton Character Area, technically resource consent is required for any alteration, construction or demolition of building frontages, please note the consenting requirement only focuses on the frontage of the building, not the entire building.

However, any redevelopment of the site will require a resource consent to ensure that any new build is undertaken in accordance with the Character Area rules contained in Chapter 6 which have been listed below:

- (i) In the Carterton Character Area, all buildings shall comply with all Commercial Zone and District-wide permitted activity standards, except where the following applies:
 - (1) Parapet walls must be provided on both single and two storey buildings and must follow traditional stepped and symmetrical shapes.
 - (2) Building facades must include an entrance from High Street.
 - (3) Traditional setbacks must be maintained.
 - (4) Windowsill heights must be consistent with traditional or heritage buildings.
 - (5) Glazed areas shall not to be less than 60% of the frontage surface

- (6) Security grills, roller doors and sliding doors must be retractable or removable and not be an obtrusive feature of the façade.
- (7) Verandahs are required on all new building frontages and are to follow traditional forms (angled, curved, bullnose).
- (8) Verandahs must include posts set close to the street edge. The spacing of posts must be designed to complement existing spacing and rhythm.
- (9) The underside of verandahs shall not be lined.
- (10) Under verandah lighting must be provided and shall be sympathetic in scale and design to traditional or heritage qualities.
- (11) No individual sign shall exceed 2m² in area (all faces). Total signage on anyone building shall not exceed 4m² in area.
- (12) No sign shall be illuminated by any means other than directional lighting.
- (13) Signs shall be located above verandahs but within the parapet height or suspended within verandahs.
- (14) All signs must be sympathetic in scale, colour and design to adjacent traditional or heritage qualities.
- (15) All signs shall be constructed in a neat and durable manner and from traditional materials.

The relevant assessment criteria are contained in Chapter 22 of the district Plan 22.2.20 Carterton Character Area

- (i) The extent to which the proposal 'fits' and conforms to the principles of the Carterton Character Area Design Guide (Refer to Appendix 7 of the Wairarapa Combined District Plan for additional information)
- (ii) The degree to which the proposed development affects the amenity values associated with the Character Area.

Did the building owner give an informal undertaking to anyone to give Carterton District Council the first right of refusal should the site be sold? Has this undertaking been formalised in any way?

The information you are requesting about the building owner giving an informal undertaking to anyone to give Carterton District Council the first right of refusal should the site be sold, and has the undertaking been formalised, is a private matter between the owner of the building and the Council. Therefore, the information you are requesting is withheld under section 7(2)(a) of the Act to protect the owner's privacy.

Has a caveat been registered against the property title so that CDC's position over costs incurred is protected?"

The caveat registered against the property information you are requesting is withheld under section 7(2)(a) of the Act to protect the owner's privacy.

As required under section 7(1) of the Act, I have had regard to the public interest considerations favouring the release of the information withheld. I do not consider the public interest considerations favouring the release of this information sufficient to outweigh the need to withhold it at this time.

Please note, the Council now proactively publishes LGOIMA responses on our website. As such, we may publish this response on our website after five working days. Your name and contact details will be removed.

Thank you again for your email. You have the right to ask an Ombudsman to review this decision. You can do this by writing to info@ombudsman.parliament.nz or Office of the Ombudsman, PO Box 10152, Wellington 6143.

Yours sincerely



Kelly Vatselias
Corporate Services
Carterton District Council

RELEASED UNDER LGOIMA