

File No.: 44214

19 December 2025

Buller District Council
PO Box 21
WESTPORT 7866

Attention: Jess Hollis

Email: jessica@hollisplanning.co.nz

Dear Jess

JOHN RAYMOND MCLAUGHLIN – RC250005 REQUEST FOR FURTHER INFORMATION UNDER S92

The following is in response to the following outstanding items:

- Items 10 and 11 of the Section 92 further information request letter dated 21 February 2025 (roading).
- The request for an updated NZTA affected party approval from the email dated 26 September 2025.
- Email dated 8 October 2025 regarding access to Lot 16
- The email dated 14 October 2025 requesting the proposed subdivision to be assessed against the TPP.

Italicised wording has been taken from the Section 92 further information request letter, or the emails referred to in the bullet points above. Responses to these points are provided in non-italicised wording.

Roading – RFI Letter dated 21 February 2025

10. Provide a Design and Access Statement, prepared by suitably experienced chartered professional engineer practising in civil engineering, in accordance with NZS4404:2010 for the proposed road/rights of way, including turning head, and vehicle crossings (including stormwater design and any culvert designs/assessment as required). A signed Schedule 1A Certificate must be submitted with the Design and Access Statement.

As per email correspondence with Sarie van der Walt of Buller District Council (correspondence attached as **Appendix A**), Sarie has made it very clear that Buller District Council will not be accepting Lot 18 as a vested road. As a result, the applicant has chosen to proceed with Lots 1 to 15 being accessed via a right of way, in favour of the 15 allotments.

Please note, however, that the applicant's preference would be for the access to vest as legal road with Buller District Council, noting that the increased rates payable following development would contribute to Council's future maintenance costs. With multiple owners (15 in this case) responsible for shared maintenance, it is easily foreseeable that disputes could arise and/or for the road to fall into disrepair. To progress the application, the applicant has reluctantly agreed to a right of way, but in the event that this application is considered by an independent Commissioner at hearing, the legal status of the road may be raised in evidence as a point for discussion.

An updated Scheme Plan showing Lot 18 being replaced with the right of way is attached to this response as **Appendix B**. Also attached as **Appendix C** is an updated proposed easement schedule.

As a result of the creation of the right of way, the boundaries of Lots 1 to 15 have been amended to include the easements necessary for the right of way. This has resulted in minor changes to the size of Lots 1 to 15, that will not impact on the ability to undertake building development on each allotment. The change in area of each allotment considered to have less than minor effects on the environment as they are for the purpose of providing access to each allotment. Therefore, these changes are considered to be positive and achieves the relevant objectives and policies within the Buller District Plan.

Please note the minor change to the south-eastern boundaries of Lots 8 and 9 and access to the balance land is discussed under the heading "Access to Lot 17- 8 October 2025" below.

Right of way formation:

The right of way is to be formed and approved as per New Zealand Standard NZS4404:2010 requirements prior to s224 certification. As per Table 3.2 Figure E2 the right of way will have a minimum formation width of 6 metres, with a shoulder width of 3.5 metres. The legal width is to be 20 metres to enable the formation of the right of way whilst proving space to upgrade the right of way to a road if deemed appropriate in the future or if a hearing is held on this proposal and the commissioner deems the right of way should be a road vested in Council.

Concept plans for the right of way are attached as **Appendix D**. These concept plans are to show the initial design of the right of way. Detailed design of the right of way is expected to be required as a condition of consent.

Design and Access Statement:

Point 10 of the RFI letter requires a Design and Access Statement to be prepared by a suitably experienced chartered professional practicing in civil engineering.

Section 3.2.6 of NZS4404:2010 requires a design and access statement to be submitted with the application to Council for design approval. While NZS4404:2010 does enable the Council to require the

Design and Access Statement to be provided at time of applying for subdivision consent, in most cases subdivision consents contain a condition that requires a Design and Access Statement to be submitted prior to the right of way being constructed.

We request that a condition is included in the consent that requires the design and access statement to be completed by a Chartered Professional Engineer practising in Civil Engineering and submitted to Councils Infrastructure Services department for approval prior to the construction of the right of way. This will enable the engineers to assess the ground conditions in more detail and create a detailed design that accurately reflects the specific ground conditions, while meeting the requirements of NZS4404:2010. The design and access statement will then ensure the design is assessed against the requirements of NZS4404:2010 including, but not limited to, the road dimensions and layout, link and place functions, connectivity, how target operating speeds will be achieved, and the management of stormwater. It will also evaluate the effects of the proposed subdivision on the surrounding communities and network. Requiring the Design and Access Statement to be provided to Council prior to design and construction as a condition of consent, is considered the best, most practical and feasible option to ensure the right of way is accurately designed and constructed to reflect the nature of the landscape.

Schedule 1A Certificate

In terms of the requirement to provide a Schedule 1A certificate, we are confused as to why the Council is requesting a Schedule 1A certificate prior to consent being granted. A Schedule 1A certificate is to certify that the design is in accordance with consent conditions. See below a snip from the NZS4404:2010 Schedule 1A form.

I have the qualifications and experience relevant to this project as set out herein and have designed the land development/subdivision and confirm that the design is to current engineering practice, and that I believe on reasonable grounds that it satisfies all relevant resource consent conditions, all relevant (insert name of authority) requirements and applicable codes and standards.

Figure 1: Schedule 1A snip

We suggest that it is more appropriate to provide a Schedule 1A certificate post consent, when we seek engineering acceptance for the detailed design and construction of the right of way and to ensure the stormwater is appropriately managed within the right of way. We can confirm the design, and construction will be overseen and signed off by CPEng engineers who are both suitably qualified and experienced in each space.

Requested consent conditions

Based on the comments above we request the following consent conditions to be included in the final consent. Please note this consent conditions are based off Resource Consent RC240031 for Oscar Brown's subdivision at 21 Gannon's Road, Reefton, where the formation of a right of way was required.

“Access

1. *A new vehicle crossing to the new Right of Way serving the 15 new lots shall be constructed to Buller District Council standards. The Consent Holder is required to have the work involved carried out by a Council Approved Contractor. The Approved Contractor will be required to make an application to the Council's Infrastructure Services department for approval to install the vehicle crossing and be given approval, including Council specification requirements, prior to the construction of the vehicle crossing being undertaken. The work shall be undertaken before Section 224c certification. The work must be installed at the cost of the consent holder and an “as-built” for the work completed signed by the contractor and marked “as-built” needs to be provided, all prior to section 224c certification.*
2. *That the right of way, as shown on the approved plan, shall be constructed in accordance with NZS4404:2010. In accordance with NZS4404:2010, a Design and Access Statement must be submitted by a Chartered Professional Engineer practising in Civil Engineering for the approval of Council's Infrastructure Services department prior to physical works being undertaken (any variations to NZS4404:2010 proposed must be clearly outlined in the design put forward for approval).*
3. *Prior to the Section 224(c) certificate being issued for this subdivision, certification in accordance with NZS4404:2010, from the supervising Chartered Professional Engineer who oversaw construction of the access allotment shall be provided to the Council confirming that the access allotment has been constructed to the design approved. The Chartered Professional Engineer must also prepare and supply to the Council As-Built plans in a form acceptable to the Council. A 1c certificate is required to be supplied to the Council for the access allotment works before a Section 224(c) certificate will be issued by the Council.”*

11. Provide an assessment to confirm whether new vehicle crossings/road intersections will comply with NZS4404:2010 in terms of sight distances and spacings.

It is understood that this point was sufficiently addressed in the response to the request for further information letter, provided to Council on 29 August 2025.

To ensure there is no confusion about point 11 being addressed I have included the response to the request for further information letter below.

Section 3.3.2.2 of NZS4404:2010 requires any connector/collector and arterial roads to have a sight distance that complies with either Austroads or NZTA guidelines. State Highway 6 is a connector/collector road under NZS4404:2010. Therefore, NZTA's guidelines are applicable to this intersection.

NZTA's Planning Policy Manual (2007) requires a sight distance of 282 metres in either direction for a road that has a speed limit of 100km/hr. The affected party approval from NZTA is attached as **Appendix E** to this response confirms that the proposed intersection has a sight distance of 300m to the south and 290m to the north. As these sight distances comply with NZTA standards, the sight distances comply with NZS4404:2010.

Updated NZTA Affected Party Approval – 26 September 2025

6 - The site will be accessed from State Highway 6. Provide evidence of/outcomes from any engagement with NZTA Waka Kotahi, including agreement on the proposed new access location and design.

*The approval provided from NZTA notes that "NZTA expects that all stormwater will be contained onsite and there will be no discharge of stormwater from the proposed lots onto the state highway network". However, the assessment provided from Davis Ogilvie titled "On-Site Sewer Disposal System and Stormwater Model" (File No: 44214, dated 23 July 2025) notes that there will be an increase in culvert flows from the new subdivision development. Please therefore provide an updated approval or memorandum from NZTA that acknowledges/approves the increased stormwater flows through the culverts **OR** provide an updated stormwater assessment to demonstrate there will be no discharge of stormwater onto the state highway network.*

Please find attached as **Appendix E**, an updated affected party approval letter from NZTA dated 1 December 2025 that reflects the changes to the application in terms of the right of way being provided to access Lots 1 to 15 and the removal of easement R. It has also been updated to reflect that there will be a minimal increase in stormwater flows through the culverts under the State Highway.

Access to Lot 17 – 8 October 2025

In terms of approval from the owners and occupiers of Lot 2 DP 360520, your previous correspondence noted:

Section 3.1.2 of the application explains that easement R is required to provide access over Lot 2 DP 360520 to enable access to proposed Lot 17 and Lots 4 and 5 DP 360520. If easement R is not provided for, then the applicant will not have access to proposed Lot 17 of the subdivision. It was an omission that Lot 2 DP 360520 did not form part of the subdivision consent application. The owner of Lot 2 360520 is a family member. Affected party approval is in the process of being obtained and will be provided once received.

An updated Scheme Plan is attached to this response. The Scheme Plan shows the boundaries of Lots 8 and 9 have been amended to enable access to the balance land to be to the northwest of Lot 2 DP 360520. On previous versions of the Scheme Plan, the balance land was identified as Lot 17. As access to the balance land is not required over Lot 2 DP 360520, a separate allotment is not required for the

balance land. Therefore Lot 17 has been combined with the area previously identified as Lot 16 to create a new Lot 16 that is 63.9 hectares in area.

To be clear easement R is not required and Lot 16 will not have access from the newly proposed right of way.

This change results in lots 8 and 9 each being reduced in size by approximately 2000m². This change does not compromise the ability for building development to occur on Lots 8 or 9 in the future. Rule 7.4.2 of the Buller District Plan requires every owner or occupier of land to provide vehicular access to the site for parking and loading over the site by provision of a vehicle crossing constructed to the boundary of the site. The change to this scheme plan ensures the subdivision complies with Rule 7.4.2 as all allotments will be provided with vehicular access. Therefore, this change is considered to have less than minor effects on the environment, with these being positive, and it will achieve the relevant objectives and policies within the Buller District Plan. I trust this response address the email dated 8 October 2025.

Te Tai o Poutini Plan Assessment – 14 October 2025

Further to the outstanding s92 items for RC250005, you will also need to update the application to include any rule breaches/consent requirements that may now apply under the TPP following the notice of decisions on the TPP published on 10 October 2025. You should also address any relevant changes to zoning, overlays, objectives and policies under the TPP if/where those differ to your original application.

Attached as **Appendix F** is the assessment of the proposed subdivision against the TPP.

Yours faithfully

DAVIS OGILVIE & PARTNERS LTD



ALYCE HEINE

Senior Planner

Email: alyce@do.nz

Phone: 03 768 6299 Ext. 3

Appendix A – Correspondence with BDC Development Engineer

Appendix B – Updated Scheme Plan

Appendix C - Updated Easement Schedule

Appendix D – Right of Way Concept Plans

Appendix E – NZTA Affected Party Approval

Appendix F – TPP Assessment

APPENDIX A

Correspondence with BDC Development Engineer

Alyce Heine

From: Sarie van der Walt <Sarie.vanderWalt@bdc.govt.nz>
Sent: Thursday, 16 October 2025 4:47 pm
To: Alyce Heine
Cc: Mike Robbins; Jessica Hollis; Brent Oldham; Alan Bradbery; Raewyn Mayo; Carissa du Plessis
Subject: [#DO44214] RC250005 : Subdivision Vesting of Access Road

Dear Alyce.

We refer to our discussions.

Council has historically not accepted Rights of Way to be vested in BDC if developed on private land through subdivision. Council has however accepted a road to be vested where this road was created in an unformed legal road reserve where this road formed part of a subdivision application and was constructed to Council's standards.

Currently BDC's District Plan and standard NZS4404:2010 do not provide any guidance in terms of the threshold of the size of subdivision that would trigger the vesting of the access roads in Council. It has been a discretion of council to decide on the vesting of assets created through subdivision; i.e. access roads, etc.

I have listed some subdivisions as examples (no access roads vested with Council):

- 10 lots Kew Road, Westport
- 21 lots Kaipakati Point Road, Punakaiki
- 14 lots Carmichael Drive, Westport
- 11 lots Powerhouse Road, Fairdown
- 10 lots McPadden Road, Westport
- 10 lots Rimu Terrace, Westport
- 15 lots Birds Ferry Road, Charleston
- 10 lots Charleston (along Darkies Terrace)
- 12 lots Granite Creek Road, Karamea
- 24 lots Eco Place, Karamea
- 14 lots 6831 State Highway 6, Charleston
- 16 lots SH67 Te Namu, Karamea
- 12 lots Mokihinui Preserve, Seddonville

If you have any further questions or require further clarification, please let me know.

Regards.

Sarie van der Walt | Development Engineer
DDI 03 788 9606 | Mobile 027 214 6851 | Email sarie.vanderwalt@bdc.govt.nz

Buller District Council | Phone 0800 807 239 | www.bullerdcc.govt.nz
PO Box 21 | Westport 7866

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states them to be the views of Buller District Council.



The graphic features the Buller District Council logo and the text 'BULLER DISTRICT COUNCIL Te Kaunihera O Kawatiri'. It includes a 'VOTE 2025' box with 'LOCAL ELECTIONS' and a 'VOTE HERE' sign with a checkmark. The main text 'Be counted in Buller.' is displayed in large blue letters. Below it, instructions say: 'Simply complete your voting paper, seal it in the envelope provided, and drop it into a vote bin near you right up until noon on Saturday 11 October.' A red 'DROP VOTING PAPER HERE' bin is shown. A red button at the bottom right says 'Click here to find your nearest vote bin' with a cursor icon.

From: Alyce Heine <alyce@do.nz>
Sent: Wednesday, 15 October 2025 8:55 am
To: Sarie van der Walt <Sarie.vanderWalt@bdc.govt.nz>
Cc: Mike Robbins <mike.robbins@do.nz>
Subject: RE: [#DO44214] John McLaughlin

Hi Sarie,

I am following up my email below. Could you please provide a response by the end of tomorrow 16 October.

Cheers,

Alyce Heine
Senior Planner - Greymouth | BEMP, PG Dip Res St.

64B High Street, Greymouth, 7805

T 0800 999 333 | DDI 03 768 6299 Ext. 3
www.do.nz



The advertisement features a landscape with mountains in the background. The text 'FROM DIRT TO DEVELOPMENT' is in large white letters, with 'FROM DIRT' on top and 'TO DEVELOPMENT' below it. To the right, the 'do DAVIS OGILVIE' logo is displayed. Below the text, it says 'Find out how in our Capability Statement.' A yellow button at the bottom left says 'DOWNLOAD NOW' with a downward arrow. A small image of a vehicle is visible in the foreground.

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From: Alyce Heine
Sent: Wednesday, 8 October 2025 1:29 pm
To: Sarie van der Walt <Sarie.vanderWalt@bdc.govt.nz>
Cc: Mike Robbins <mike.robbins@do.nz>
Subject: [#DO44214] John McLaughlin

Hi Sarie,

Thank you for the phone discussion today about the issues with vesting a road with Buller District Council.

I understand that you will go back to the transport team to confirm whether they will accept the road being vested in Council.

Then you will provide me with an explanation about why the Council will not accept the road being vested in Council.

I look forward to receiving your response.

Kind regards,

Alyce Heine

Senior Planner - Greymouth | BEMP, PG Dip Res St.

64B High Street, Greymouth, 7805

T 0800 999 333 | **DDI** 03 768 6299 Ext. 3

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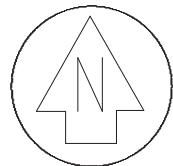
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APPENDIX B

Updated Scheme Plan

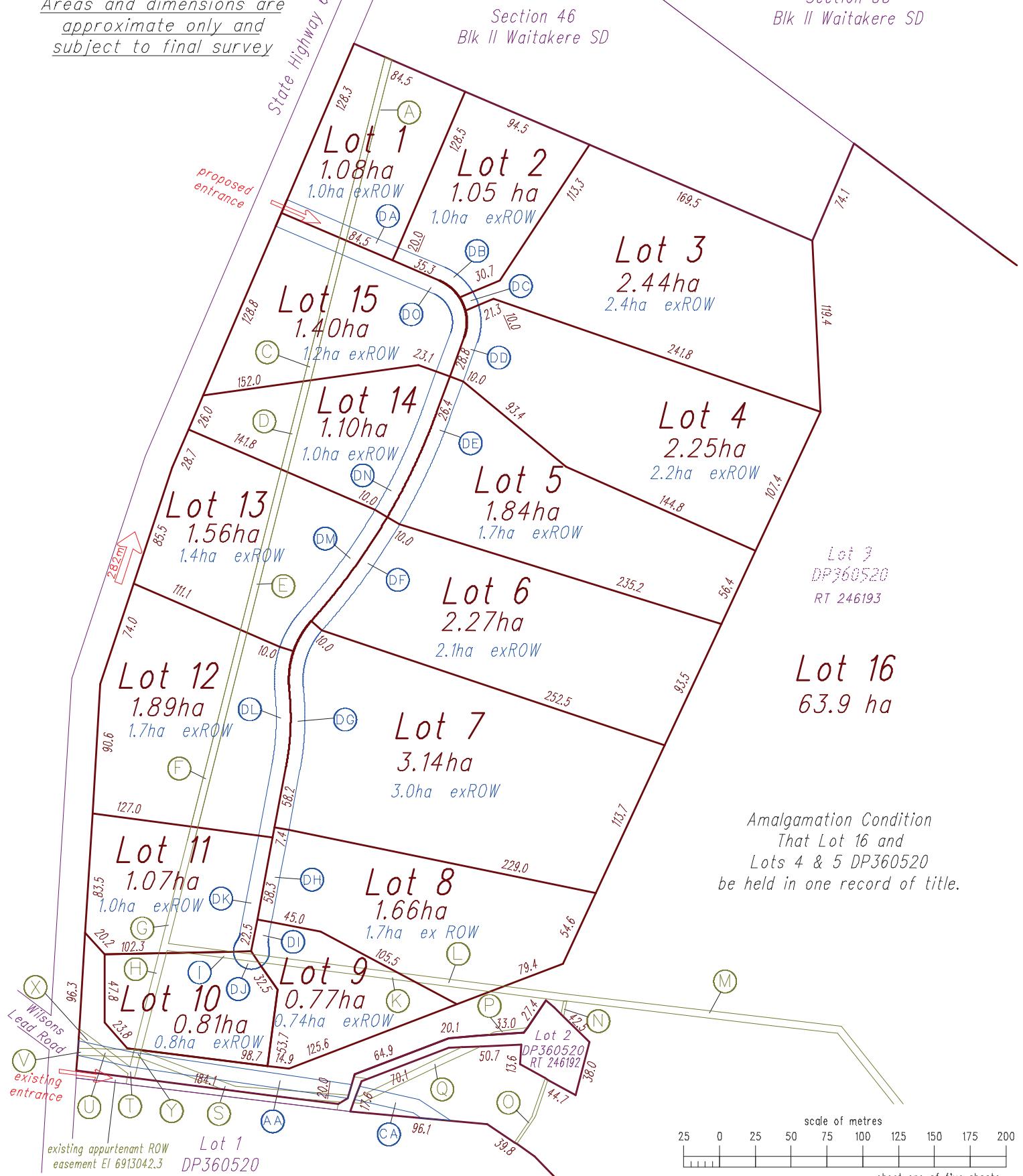


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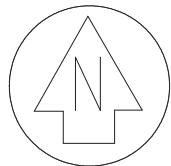
Areas and dimensions are approximate only and subject to final survey

/ issue	/ date	/ reason	/ approved
09/04/2025		sheet 4 added to show contours	
14/04/2025		show water easements	
09/09/2025		sheet 5 added to show covenants & build areas	
04/11/2025		removed road to vest, added easements, altered access to Lot 16	

Section 38
Blk II Waitakere SD

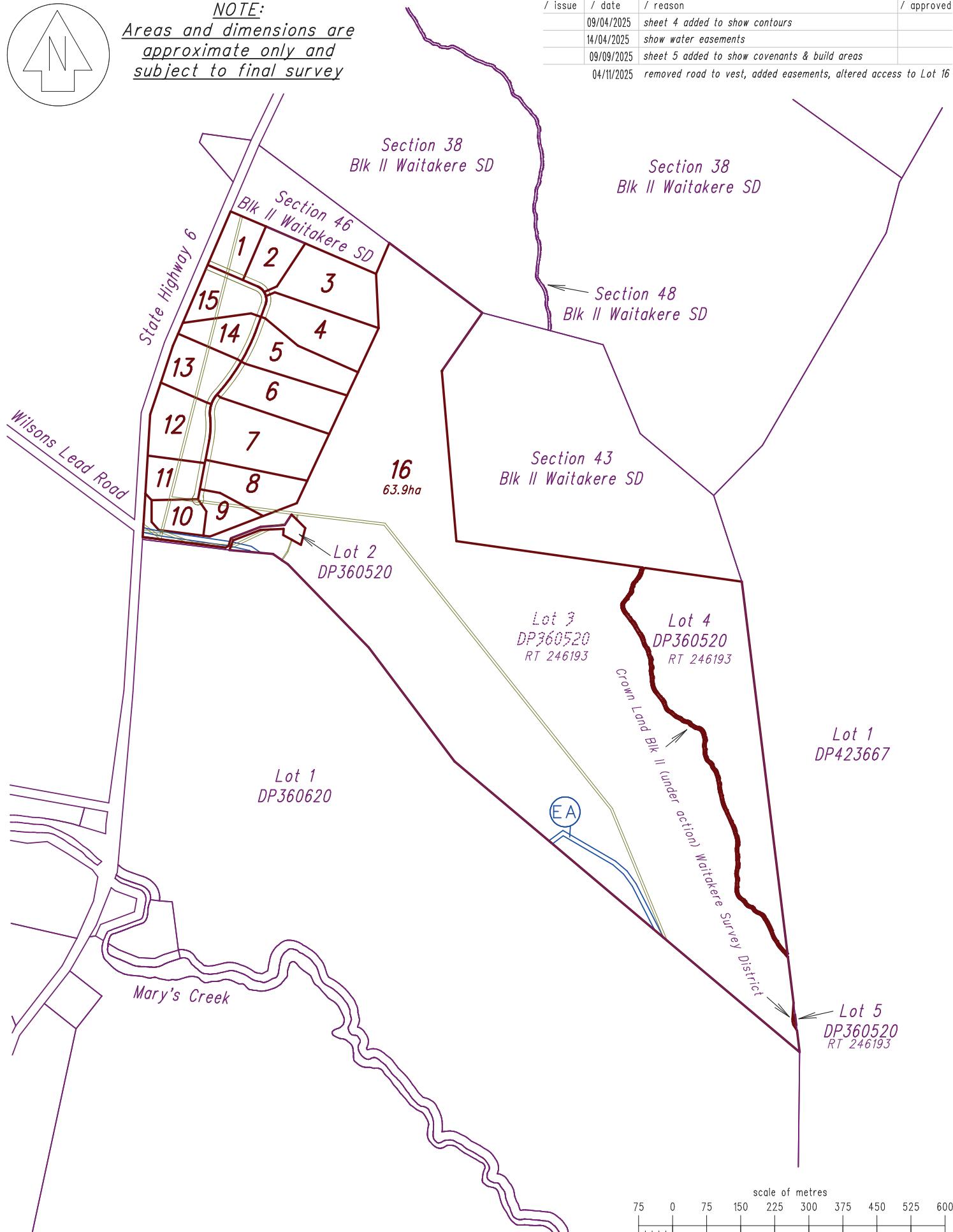


CAD ref: GM44214 draft layout 02



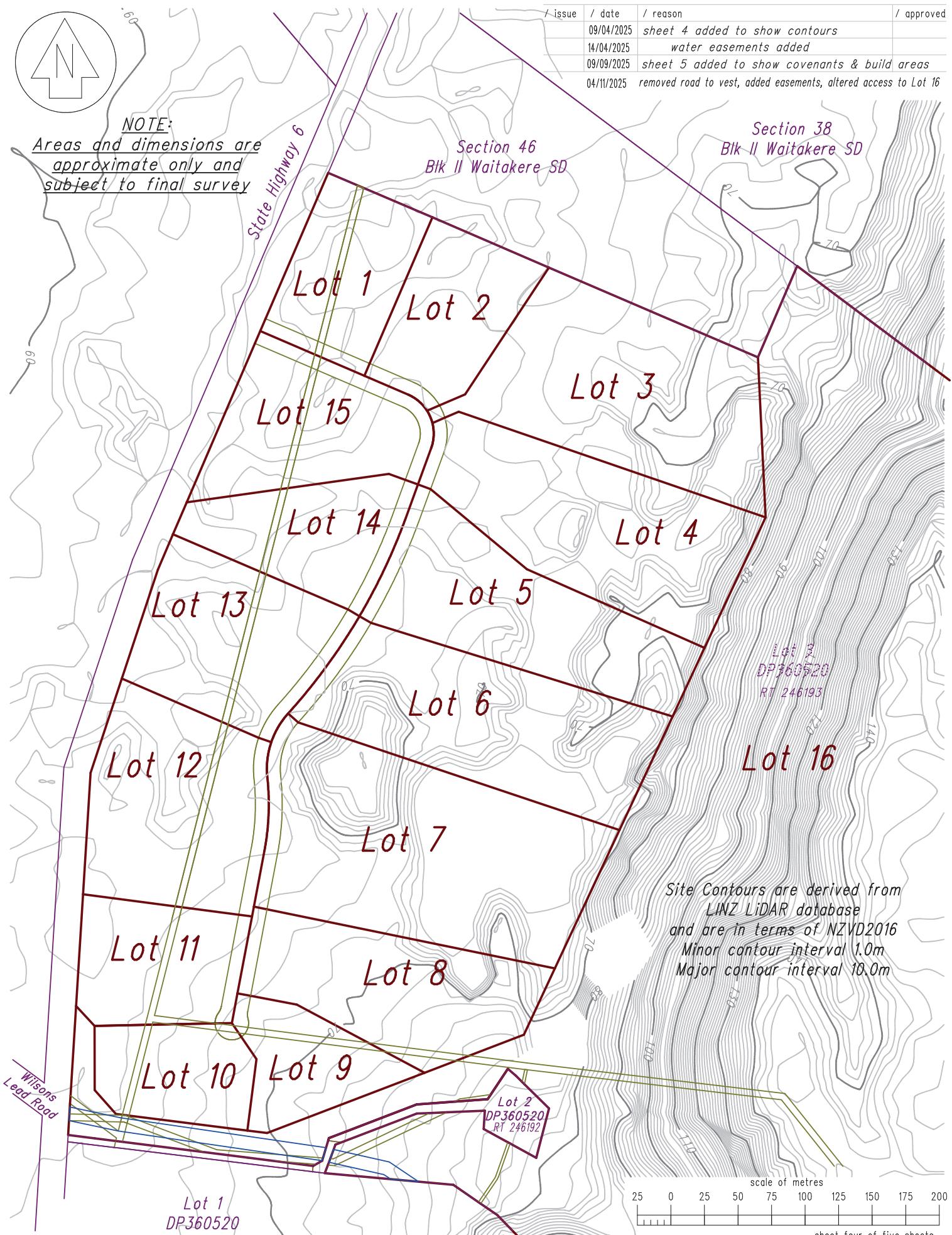
NOTE:
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approximate only and
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09/04/2025		sheet 4 added to show contours	
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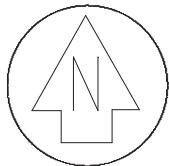


CAD ref: GM44214 RCA Plan_02 7500

/ issue	/ date	/ reason	/ approved
09/04/2025		sheet 4 added to show contours	
14/04/2025		water easements added	
09/09/2025		sheet 5 added to show covenants & build areas	
04/11/2025		removed road to vest, added easements, altered access to Lot 16	



CAD ref: GM44214 layout 03 contours



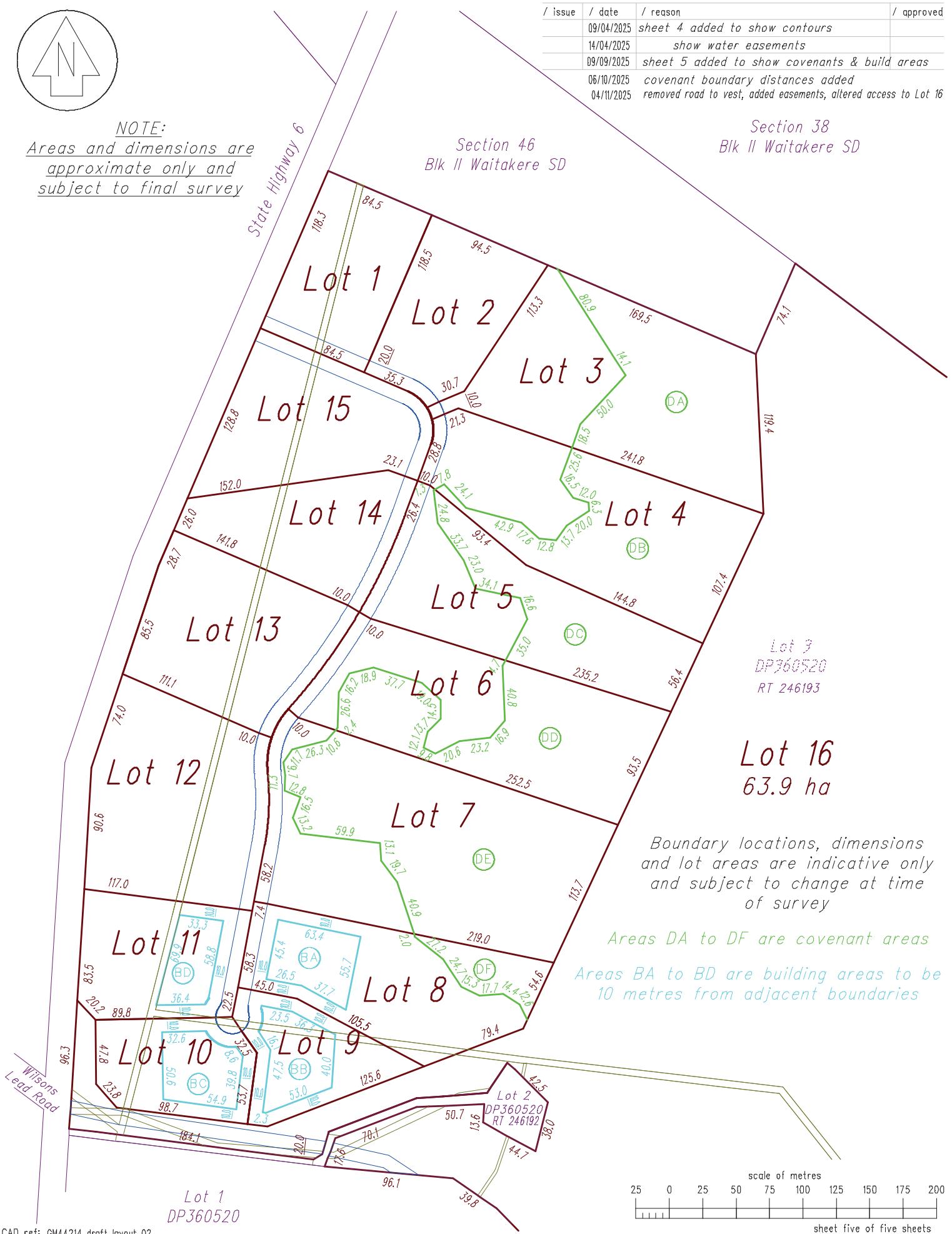
NOTE:

Areas and dimensions are approximate only and subject to final survey

/ issue	/ date	/ reason	/ approved
	09/04/2025	sheet 4 added to show contours	
	14/04/2025	show water easements	
	09/09/2025	sheet 5 added to show covenants & build areas	
	06/10/2025	covenant boundary distances added	
	04/11/2025	removed road to vest, added easements, altered access to Lot 16	

Section 38

Blk 11 Waitakere SD



CAD ref: GM44214 draft layout 02



Proposed Subdivision of
Lot 3 DP360520

/ drawn
Mike Robbins
/ scale A3 / date / file
1:2500 09/25 **GM44**

/ dwg
101
/ issue
A

SUPERSEDED

APPENDIX C

Updated Easement Schedule

Land Registration District

Nelson

Plan Number

GM44214

Territorial Authority (the Council)

Buller District Council

Proposed Easement

(Pursuant to s243 Resource Management Act 1991)

Purpose	Shown	Servient Tenement	Dominant Tenement
Right of Way	DA	Lot 1	Lots 2 to 15
	DB	Lot 2	Lots 1 and 3 to 15
	DC	Lot 3	Lots 1 2 and 4 to 15
	DD	Lot 4	Lots 1 to 3 and 5 to 15
	DE	Lot 5	Lots 1 to 4 and 6 to 14
	DF	Lot 6	Lots 1 to 5 and 7 to 15
	DG	Lot 7	Lots 1 to 6 and 8 to 15
	DH	Lot 8	Lots 1 to 7 and 9 to 15
	DI	Lot 9	Lots 1 to 8 and 10 to 15
	DJ	Lot 10	Lots 1 to 9 and 11 to 15
	DK	Lot 11	Lots 1 to 10 and 12 to 15
	DL	Lot 12	Lots 1 to 11 and 13 to 15
	DM	Lot 13	Lots 1 to 12 and 14 15
	DN	Lot 14	Lots 1 to 13 and 15
	DO	Lot 15	Lots 1 to 14

Proposed Easement in Gross

(Pursuant to s243 Resource Management Act 1991)

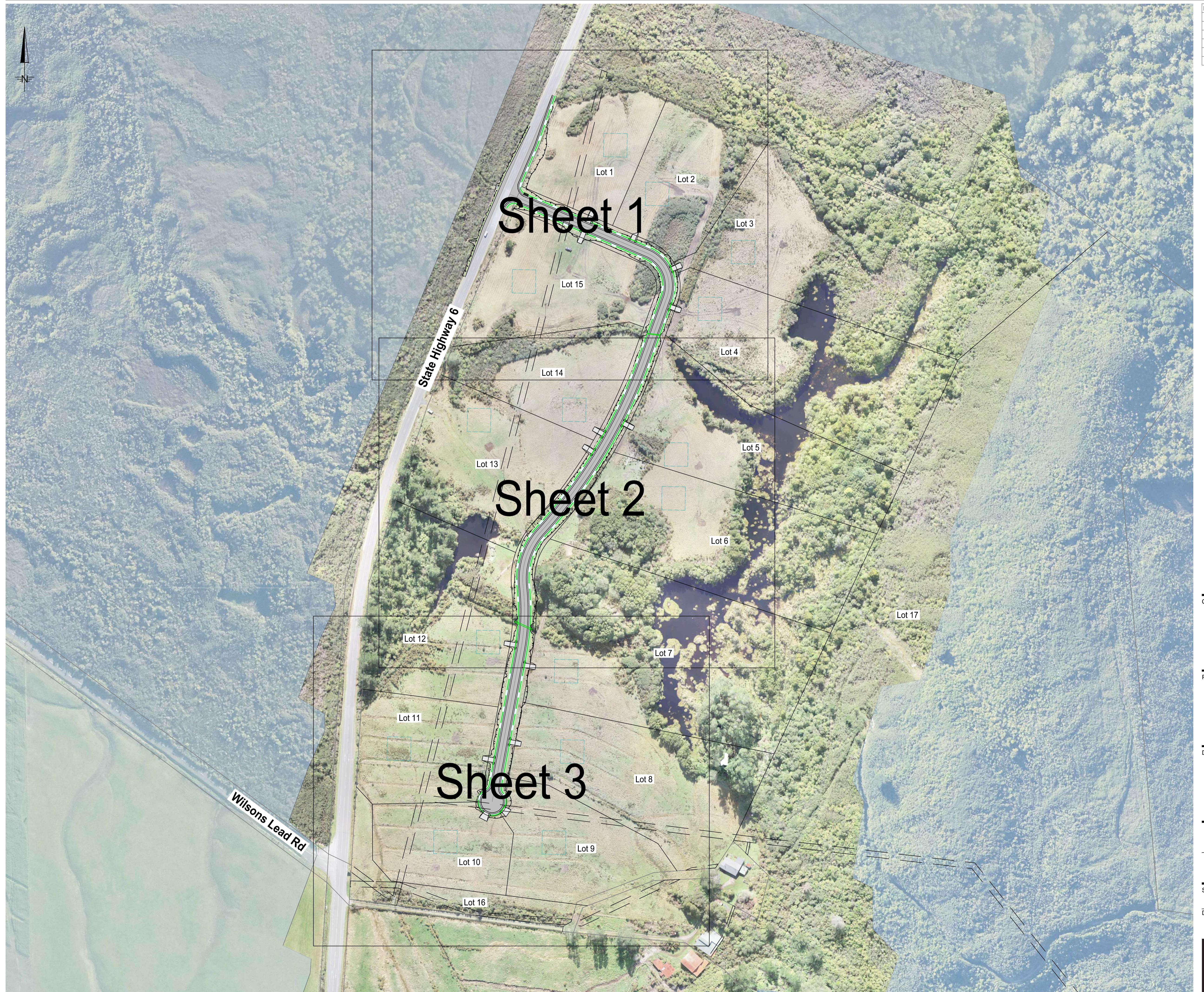
Purpose	Shown	Servient Tenement	Grantee
Right to convey water	AA	Lot 16	Buller District Council
	CA EA	Lot 17	
Right to Convey Electricity	DA	Lot 1	Buller Electricity Limited
	DB	Lot 2	
	DC	Lot 3	
	DD	Lot 4	
	DE	Lot 5	
	DF	Lot 6	
	DG	Lot 7	
	DH	Lot 8	
	DI	Lot 9	
	DJ	Lot 10	
	DK	Lot 11	
	DL	Lot 12	
	DM	Lot 13	
	DN	Lot 14	
	DO	Lot 15	

Schedule of Existing Easements			
Purpose	Shown	Servient Tenement	Creating Document
Right to convey electricity	N O	Lot 17	EI 6913042.3
Right to convey telecommunications	V U Z Y S	Lot 16	EI 6913042.3
Right to convey telecommunications	Q	Lot 17	EI 6913042.3
Right to convey telecommunications	P	Lot 8	EI 6913042.3

Schedule of Existing Easements in Gross			
Purpose	Shown	Servient Tenement	Creating Document
Right to convey electricity	A	Lot 1	EI 6913042.2
Right to convey electricity	C	Lot 15	EI 6913042.2
Right to convey electricity	D	Lot 14	EI 6913042.2
Right to convey electricity	E	Lot 13	EI 6913042.2
Right to convey electricity	F	Lot 12	EI 6913042.2
Right to convey electricity	G	Lot 11	EI 6913042.2
Right to convey electricity	H I	Lot 10	EI 6913042.2
Right to convey electricity	K	Lot 9	EI 6913042.2
Right to convey electricity	L	Lot 8	EI 6913042.2
Right to convey electricity	M	Lot 17	EI 6913042.2
Right to convey electricity	T U X Y	Lot 16	EI 6913042.2

APPENDIX D

Right of Way Concept Plans



Rev.	Date	Reason	By
P1	17/12/25	Issued for Information	Alex.L

Client

JOHN MC LAUGHLIN

Project

MCLAUGHLIN SUBDIVISION
SH6 RT 246193
WESTPORT

Drawing

OVERALL ROADING PLAN

Drawn	Checked	Approved
A. Lindbom	J. Turner	
Scale @ A1 1:1,500 (m)	Date 17/25	Rev. P1

Status

Dwg No.
-DOP-00-ZZ-DR-C-0101-P1

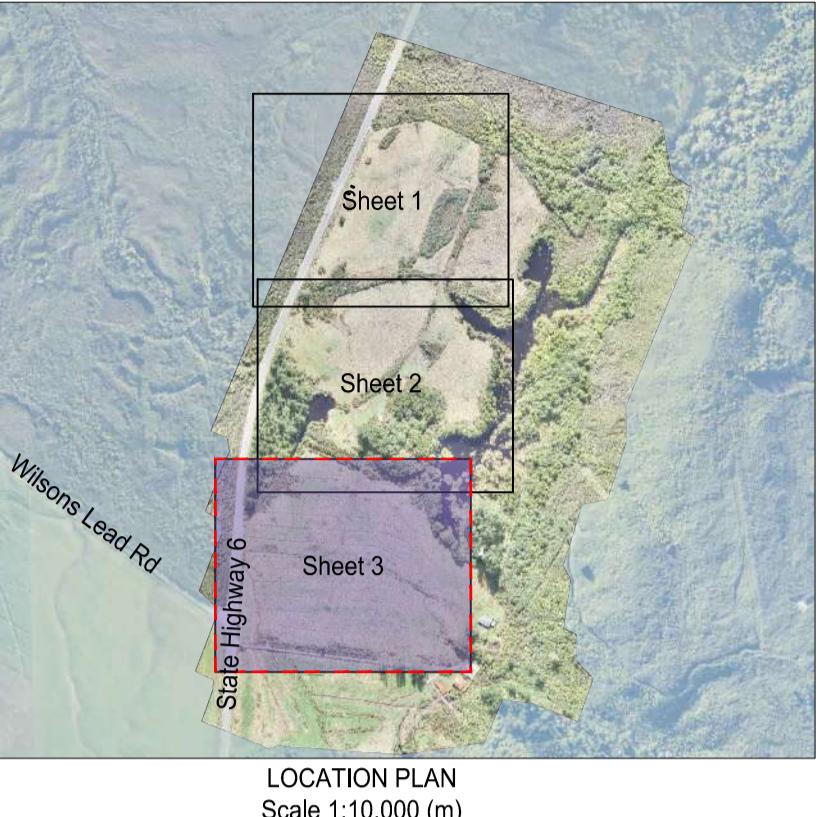
do DAVIS OGILVIE







Rev.	Date	Reason	By
P1	17/12/25	Issued for Information	Alex.L



GENERAL NOTES:
1. This drawing shall only be reproduced in full with approval from a Davis Ogilvie engineer.
2. Contractor to locate all existing services & verify all dimensions before commencing works.
3. Contractor is to have an approved Environmental Management Plan (EMP) and a Construction Traffic Management Plan (CTMP) from Buller District Council prior to any works commence on site.
4. Plans are to be read in conjunction with the Specification, Schedule of Prices and NZS4404. Any conflicts are to be brought to the attention of the engineer prior to works proceeding. Engineer to advise contractor accordingly.
5. Prior to any works commencing, contractor is to engage a registered professional surveyor and/or licensed cadastral surveyor to supervise all set out & provide as-built plans for review.
6. Set out is not to be scaled off the plans. The engineer will provide electronic data for the contractor. Any variations are to be approved by the engineer.
7. All plan dimensions are in m. Pipe diameters are in mm.
8. All levels are in terms of NZVD 2016
9. Horizontal datum is in terms of Buller 2000
DRAWING NOTES:
1. All roading works are to be carried out in accordance with NZS4404 & Davis Ogilvie's Specification.
2. All drainage work is to be carried out in accordance with Davis Ogilvie's Specification and NZS404.
3. Any earthworks are to be carried out in accordance with NZS 4431:2022 'Engineering Fill Construction for Light Weight Structures', Davis Ogilvie's Specification.
4. At all times cut & fills shall be maintained with adequate falls and drainage to minimise any infiltration of water and to allow ready runoff to ensure no ponding. Contractor to re-grade lots where required.
LEGEND
Sealed surface
Unsealed surface
Proposed swale
Proposed Seal level
SL 13.30
1:50
Proposed Grade
Proposed stormwater pipe
Proposed contours 500mm

Client

JOHN MC LAUGHLIN

Project
MCLAUGHLIN SUBDIVISION
SH6 RT 246193
WESTPORT

Drawing
ROADING PLAN
SHEET 3 OF 3

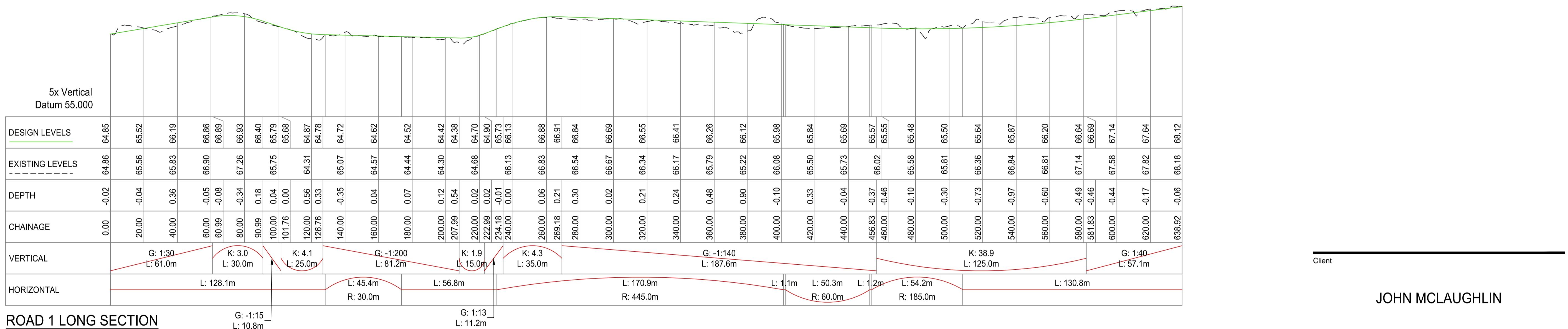
Drawn	Checked	Approved
A.Lindbom	J. Turner	
Scale @ A1	Date	Rev.
1:500 (m)	17/25	P1

Status

Dwg No.
-DOP-00-ZZ-DR-C-0104-P1

do **DAVIS OGILVIE**

Rev.	Date	Reason	By
P1	17/12/25	Issued for Information	Alex.L



Project
MCLAUGHLIN SUBDIVISION
SH6 RT 246193
WESTPORT

Drawing

ROADING LONGSECTION

Drawn	Checked	Approved
A.Lindbom	J. Turner	
Scale @ A1	Date	Rev.
1:1,250 (m)	17/25	P1

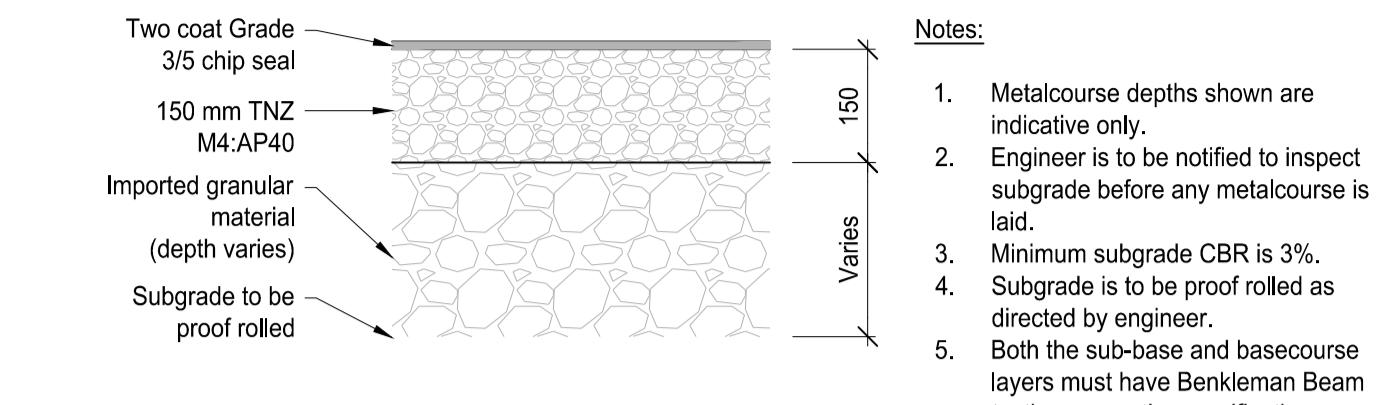
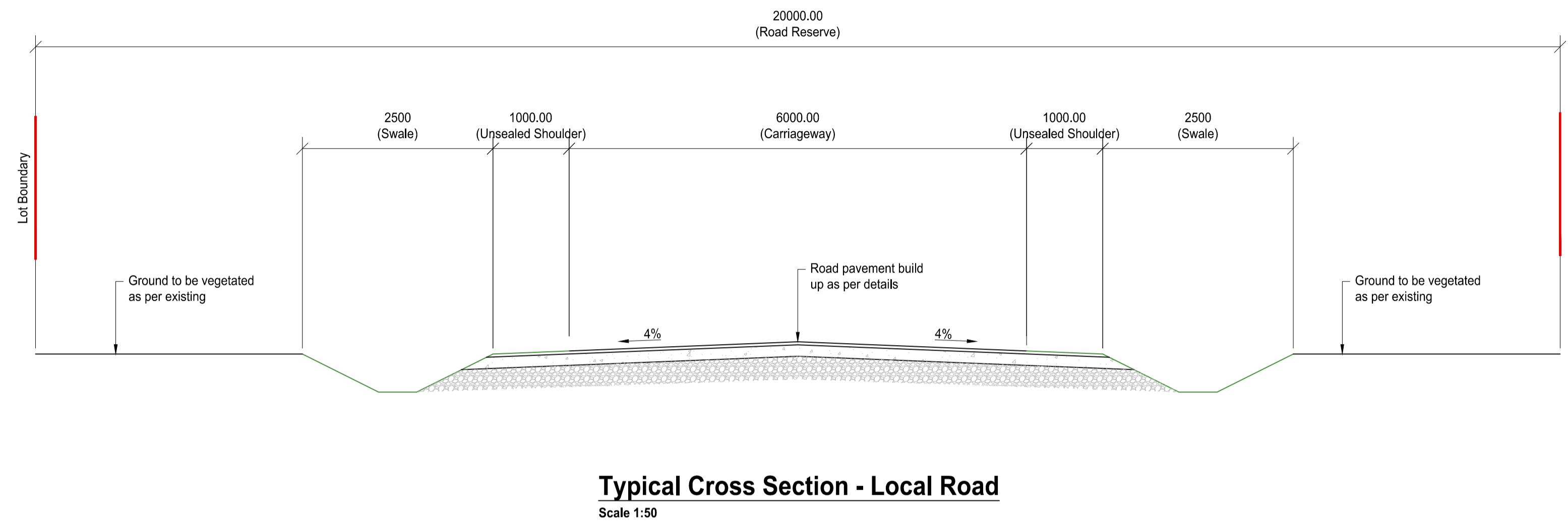
Status

Dwg No.

-DOP-00-ZZ-DR-C-0105-P1

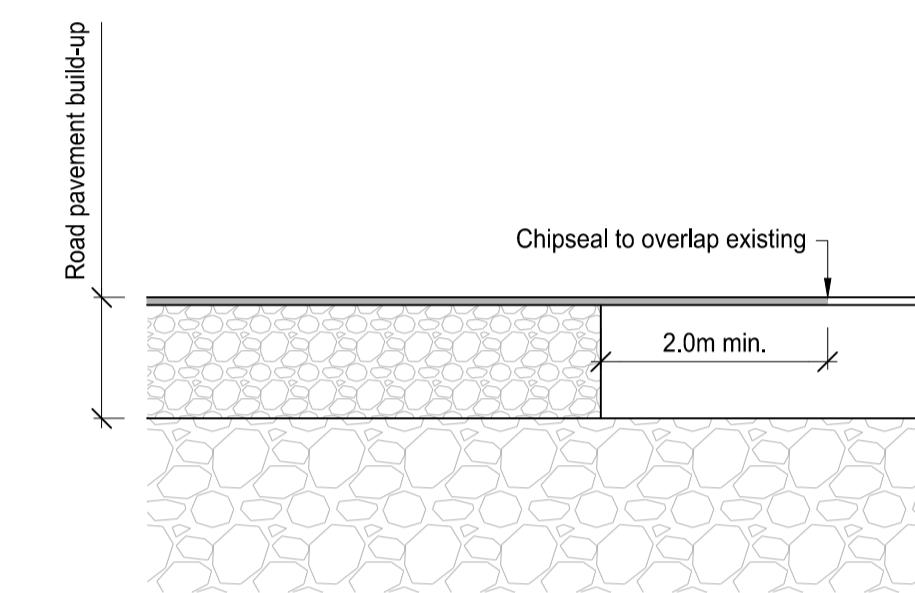
do DAVIS OGILVIE

Rev.	Date	Reason	By
P1	17/12/25	Issued for Information	Alex.L



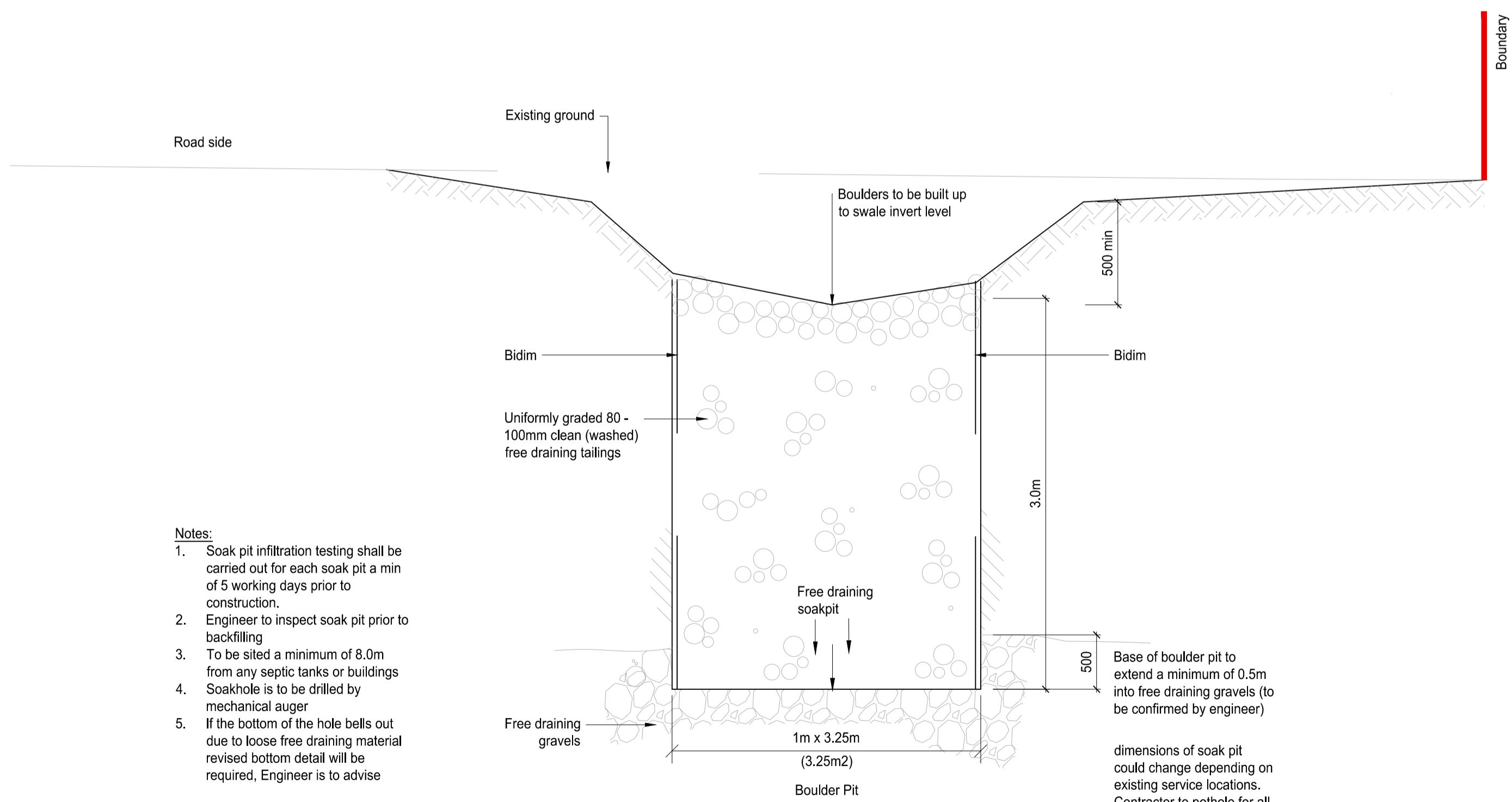
Typical Roading Pavement Build-up

Scale: 1:10



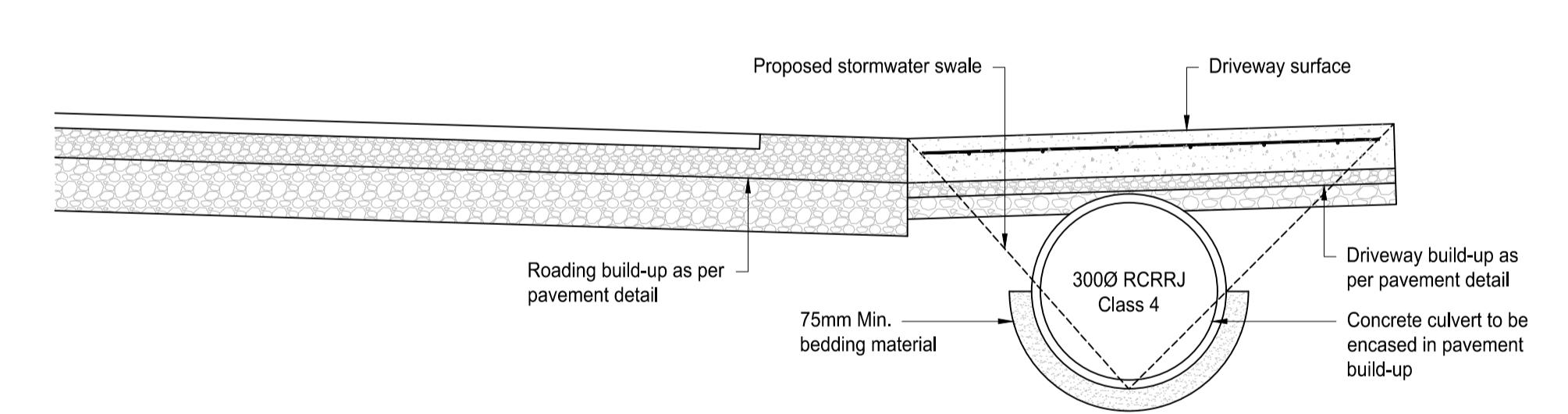
Pavement Tie-in with Existing

Scale: 1:10



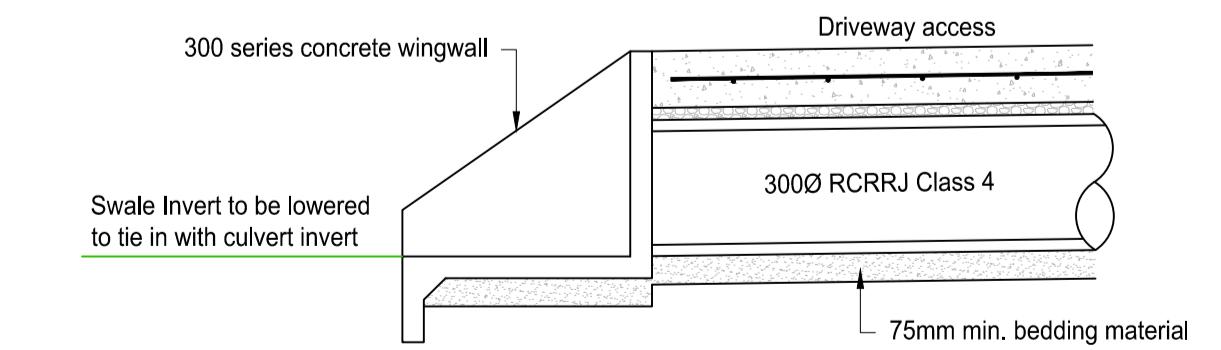
Typical S/W Soakpit Detail

Scale: 1:20



Driveway Crossing Pipe Bedding Cross Section Detail

Scale: 1:20 (mm)



Driveway Crossing Pipe Headwall Long Section Detail

Scale: 1:20 (mm)

Client
JOHN MC LAUGHLIN

Project
MC LAUGHLIN SUBDIVISION
SH6 RT 246193
WESTPORT

Drawing
ROADING DETAILS

Drawn	Checked	Approved
A. Lindborn	J. Turner	
Scale @ A1 See Detail	Date 17/25	Rev. P1

Status

Dwg No.
-DOP-00-ZZ-DR-C-0106-P1

do **DAVIS OGILVIE**

APPENDIX E

NZTA Affected Party Approval

NZ Transport Agency Waka Kotahi Reference: 2024-1171

1st December 2025

John McLaughlin
C/- Alyce Heine- Davis Ogilvie & Partners Limited
PO Box 156
GREYMOUTH 7840

Sent via email: alyce@do.nz

Dear Alyce,

PROPOSED 17 LOT SUBDIVISION- LOT 3 DP 360520, STATE HIGHWAY 6, WESTPORT

Thank you for your request for written approval from NZ Transport Agency Waka Kotahi (NZTA) under section 95E of the Resource Management Act 1991. Your proposal has been considered as follows:

Proposal

Resource consent is sought for the following activities:

- To undertake a 17-lot fee simple subdivision of Lot 3 DP 360520, State Highway 6, Westport. The subdivision will result in the following lots:
 - a) Lot 1-15: Will have net site areas between 0.77 ha-3.14 ha and are intended for rural-residential purposes.
 - b) A right of way which will provide access to Lots 1-15 from State Highway 6.
 - c) Lot 16: 63.9ha and is to be held in amalgamation with Lots 4 and 5 DP 360520. The purpose of Lot 16 is to provide access to Lots 4 and 5 DP 360520 from the existing vehicle entrance located off Lot 2 DP 360520.

Assessment

In assessing the proposed activity, NZTA notes the following:

- This section of State Highway 6 has a speed limit of 100 km/h and an annual average daily traffic volume of 992 vehicles.
- Lot 3 DP 360520 currently gains access to State Highway 6 via three existing vehicle entrances. The main access is located on Lot 2 DP 360520 via a legal right of way. There are also two existing gates located on Lot 3 DP 360520 that provide access to State Highway 6. NZTA understands that the two existing gates on Lot 3 DP 360520 will be physically closed as part of the subdivision.
- A new right of way and access off State Highway 6 will provide access to Lot 1-Lot 15. Vehicle movements at the access are anticipated to be approximately 150 per day based on 15 rural lifestyle lots. The NZTA safety and network manager have reviewed the proposal and consider that given the number of vehicle movements proposed, the access will need to be formed in accordance with the Planning Policy Manual (PPM) Diagram E standard, as well as the marking specifications outlined within the New Zealand Transport Agency's Traffic Controls Device Manual. The internal access will not be maintained by NZTA.
- It is noted that sight distances to the south of the access are 300m and sight distances to the north are approximately 290m. NZTA consider that these sight distances are acceptable as they exceed the PPM minimum sight distances of 282m for a speed limit of 100km/h.
- As noted previously, Lot 16 will provide access to Lots 4 and 5 DP 360520 from the existing vehicle entrance onto State Highway 6 from Lot 2 DP 360520. NZTA note that this access is currently utilised for rural purposes and no changes are proposed to this access as vehicle movements are not increasing as part of the subdivision.

- NZTA understand that there are three existing culverts located along the downstream boundary of the site beneath State Highway 6. These culverts capture most of the runoff from the site and convey it to the neighbouring property.
- NZTA has reviewed the Civil Report undertaken by Davis Ogilvie. The report outlines that the increase in impervious area from the development is reflected by an increase in flow through these culverts, particularly the middle culvert under State Highway 6. The NZTA network manager has reviewed the report and agrees with the conclusion that the increase will have minimal effect to the flows through the culverts.
- Noise effects can interrupt amenity and enjoyment, as well as the ability to sleep which can have significant impacts on people's health and wellbeing. To ensure those residing within future dwellings are not adversely affected by noise, NZTA consider that dwellings within 80m of the state highway carriageway should be acoustically treated. Please see Condition 4 for further information.
- Subject to the below conditions, NZTA consider that the proposal will not adversely impact the safety and efficiency of the state highway network.

Conditions

In discussion with NZTA your clients have agreed to include the following conditions as part of their resource consent application. The legal name of NZTA is the **New Zealand Transport Agency**; therefore our full legal name is referred to in the conditions and approval.

1. The new access onto State Highway 6 shall be constructed and formed in accordance with the New Zealand Transport Agency's Diagram E standard as outlined in the Planning Policy Manual (2007) and to the satisfaction of the New Zealand Transport Agency Network Manager. Prior to construction, a detailed design shall be submitted to the New Zealand Transport Agency for review and approval. Detailed design shall include the following as minimum:
 - a) Stormwater treatment.
 - b) Marking specifications in accordance with the New Zealand Transport Agency's Traffic Controls Device Manual.
 - c) Culvert details and whether traversable ends are required.
2. The two existing farm gates onto State Highway 6 at X 1480851.57, Y 5368179.55 and X 1480955.90, Y 5368434.58 shall be permanently closed, including reinstatement of any fence line, grassed areas, berm, highway drainage or kerb. Reinstatement works shall be consistent with the adjacent road reserve treatment, to the satisfaction of the New Zealand Transport Agency Network Manager
3. Prior to the issuing of a certificate pursuant to Section 224(c) of the Resource Management Act 1991, the consent holder shall provide to Council, correspondence from the New Zealand Transport Agency confirming that works in the state highway have been constructed to New Zealand Transport Agency standards.
4. A consent notice pursuant to Section 221 of the Resource Management Act 1991 shall be registered against the title of proposed Lot 1 and Lot 10-Lot 15 of the subdivision of Lot 3 DP 360520 shown on Scheme Plan GM44214 dated 01/25 that addresses potential reverse sensitivity effects resulting from the normal operation of State Highway 6.

This consent notice shall read as follows:

Any dwelling or other noise sensitive location on the site in or partly within 80m of the edge of State Highway 6 carriageway must be designed, constructed and maintained to achieve an indoor design noise level of 40 dB L_{Aeq(24hr)} inside all habitable spaces.

Determination

On the basis of the above assessment of the proposed activity, and the conditions volunteered by the applicant, the New Zealand Transport Agency provides written approval under section 95E of the Resource Management Act 1991.

Advice Notes

1. Works within the State Highway boundaries will require the approval of the NZ Transport Agency pursuant to Section 51 of the Government Roading Powers Act 1989 via a Corridor Access Request (CAR). Design and then construction details will need to be submitted by your contractor to the NZ Transport Agency for approval via www.submitica.com.

Expiry of this approval

Unless resource consent has been obtained this approval will expire two years from the date of this approval letter. This approval will lapse at that date unless prior agreement has been obtained from the New Zealand Transport Agency.

If you have any queries regarding the above or wish to discuss matters further, please feel free to contact the Environmental Planning team at environmentalplanning@nzta.govt.nz.

Yours sincerely



Claudia Kirkbride
Senior Planner
Poutiaki Taiao / Environmental Planning, System Design, on behalf of NZ Transport Agency Waka Kotahi.

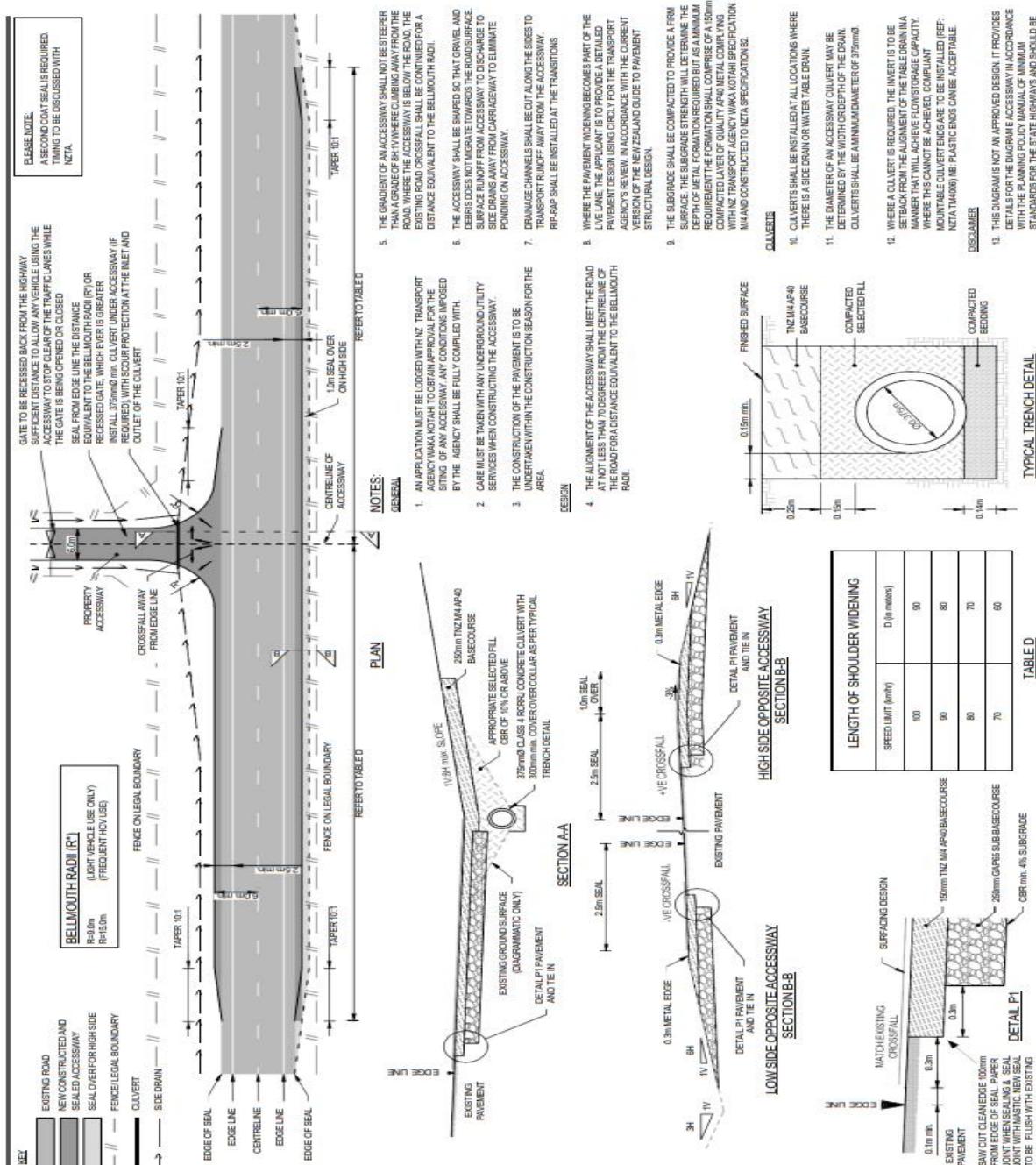
Enclosed:

- Attachment 1: Proposed Scheme Plan
- Attachment 2: Diagram E

Attachment 1: Proposed Scheme Plan



Attachment 2: Diagram E



NZ TRANSPORT AGENCY WAKA KOTAH
TYPICAL CONSTRUCTION DETAILS ACCESSWAY - DIAGRAM E
REV 4 - SEPTEMBER 2024

APPENDIX F

TTPP Assessment

1.0 ASSESSMENT UNDER THE DECISIONS VERSION TE TAI O POUTINI PLAN

The Te Tai o Poutini Plan (TTPP) became partially operative on 10 October 2025, with an appeal period of 30 days.

As requested by Council on 6 October 2025, additional assessment of the application for subdivision consent against the TTPP decisions version is provided below.

1.1 Relevant Zoning

The site is located within the General Rural Zone of the TTPP. The State Highway Road Noise Overlay is located along the western boundary of the site.

1.2 TTPP Rule Assessment

The following is an assessment of the rules under the Te Tai o Poutini Plan (Decision Plan) (TTPP).

1.2.1 Rural Zones - Ngā Takiwā Tuawhenua

Table 2 below outlines the rules within the General Rural Zone chapter (GRUZ) of the TTPP decisions version that are relevant to this proposal.

Table 2: General Rural Zone

Rule	Compliance Comment
<p>GRUZ - R1 Agricultural, Pastoral or Horticultural Activities and Buildings and structures</p> <p>Activity Status Permitted</p> <p>Where:</p> <ol style="list-style-type: none">1. Maximum building or structure height above ground level is:<ol style="list-style-type: none">i. 10m; except thatii. No building, structure or tree shall protrude into the Airport Approach Path of any airport or aerodrome identified on the planning maps and as described in Appendix Nine;2. Buildings and structures are setback a minimum of 10m from the road boundary, 5m from the rail designation, 10m from any Settlement Zone boundary, 20m from the State Highway Boundary, and 5m from internal boundaries;3. The minimum separation distance between buildings housing more than 10 animals or commercial livestock and a residential/settlement/rural lifestyle zone	<p>The landscape report submitted with the response to the request for further information limits the height of any buildings to 6.5 metres. This requirement is expected to form a consent condition.</p> <p>Complies</p> <p>The landscape report requires that no building development for Lots 1, 15 and 13 occurs within 32 metres of State Highway 6.</p> <p>Complies</p> <p>Each allotment is of sufficient size that any buildings constructed in the future that contain</p>

<p>boundary shall be 30m and from any residential building on another site 50m, and from any other boundary 20m;</p> <p>4. Woodlots are not established within:</p> <ul style="list-style-type: none"> i. 10m of the boundary of an adjoining property unless that property is within plantation forest; and ii. 40m of a dwelling. <p>5. Within the Rifle Range Protection Area only buildings that are reasonably necessary for the operation of the Rifle Range or to carry out Agricultural, Pastoral or Horticultural Activities are established; and</p> <p>6. Performance standards for beekeeping in the Westland District apply as follows:</p> <ul style="list-style-type: none"> i. No bees may be kept on a property less than 600m² net site area; ii. Beehives must be placed with an obstruction in front of them or be elevated to enable bees to be 2.5m above ground level prior to crossing the site boundary. <p>7. The maximum ground floor area of any single building is 1000m² or 500m² for any residential building;</p> <p>8. Vehicle crossing standards in Rule TRN - R1 are met; and</p> <p>9. No building housing sensitive activities shall be located within 150m of a Designated community wastewater treatment facility site boundary.</p> <p>Advice Notes:</p> <ol style="list-style-type: none"> 1. If land is used for disposal of effluent or solid waste then there may be rules in the Regional Air Plan and Regional Land and Water Plan administered by West Coast Regional Council. 2. Quarrying activity within the Pounamu and Aotea Management Areas is subject to Rule SASM - R7. 	<p>animals can be located to comply with the requirements of standard 3.</p> <p>Complies</p> <p>Standard 4 is not applicable to this proposed subdivision because no woodlots are proposed.</p> <p>Standard 4 not applicable</p> <p>The site is not located within the Rifle Range Protection Area.</p> <p>Standard 5 not applicable</p> <p>The site is not within the Westland District.</p> <p>Standard 6 is not applicable</p> <p>The report from the landscape architect and provided to Council on 23 October 2025 recommends that the gross ground floor area per allotment is limited to 400m².</p> <p>Complies</p> <p>The transport infrastructure does not comply with TRN-R1 due to the vehicle crossing and right of way to Lot 16 not complying with the transport standards.</p> <p>Does not comply</p> <p>The site is not located near a community wastewater treatment facility.</p> <p>Complies</p> <p>Overall, the proposed land use does not comply with this rule.</p>
<p>GRUZ - R3 Residential Activities and Residential Units</p> <p>Activity Status Permitted</p>	

<p>Where:</p> <ol style="list-style-type: none"> 1. All performance standards for Rule GRUZ - R1 are complied with; 2. No residential activities or residential units occur within the Rifle Range Protection Area; 3. Residential unit density is no more than one unit per 10ha net site area in the Highly Productive Land Overlay and one unit per 4ha net site area in the rest of the General Rural Zone except <ol style="list-style-type: none"> i. Where: <ol style="list-style-type: none"> a. The site is already in existence and complied with the previous relevant Grey, Buller or Westland District Plan density provisions; or b. The site is subject to an approved subdivision consent at the operative date of the plan; c. Then the residential unit density is no more than one unit per site; ii. Where this is within the Community Living Precinct and in accordance with the Concept Plan contained in Appendix Eight; 4. There is no more than 3 minor residential units per 10ha net site area that: <ol style="list-style-type: none"> i. Are located within 20 metres of and share the driveway with either the principal dwelling; or ii. Are worker accommodation associated with primary production buildings; and 5. Provision shall be made for sufficient water supply and access to water supplies for firefighting in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice (SNZ PAS: 4509:2008). <p>Advice Notes:</p> <ol style="list-style-type: none"> 1. Where a residential building or noise sensitive activity is located within: <ol style="list-style-type: none"> i. The Road Noise Overlay; or 	<p>The proposed subdivision complies with the Rule GRUZ R1 performance standards.</p> <p>Complies</p> <p>The site is not located within the Rifle Range Protection Area.</p> <p>Complies</p> <p>A consent notice is to be registered on the new Record of Title for each allotment limiting residential development to one main dwelling and one minor dwelling per allotment. This will result in the future residential density of the site not complying with standards 3 and 4.</p> <p>Does not comply</p> <p>A consent notice is to be registered on the new title for each allotment that sets out the requirements of water supply for firefighting purposes.</p> <p>Complies</p> <p>Overall, the proposed land use does not comply with this rule.</p>
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<ul style="list-style-type: none"> ii. 100m of a Railway Line; or iii. Between the 55dB_{LA,MAX} and 60dB_{LA,MAX} contours of the Westport Rifle Range Noise Overlay; or iv. The 50 dBA Noise Contour boundary of Franz Josef Heliport; or v. The 55 dBA Noise Contour boundary of the Westport or Hokitika Airports, Haast Airfield or Greymouth or Karamea Aerodrome. <p>Then the acoustic insulation requirements are set out in Rule NOISE - R3 will apply.</p> <p>2. The New Zealand Fire Service Firefighting Water Supplies Code of Practice PAS:4509:2008 should be consulted when determining the most appropriate design for firefighting water supply. Fire and Emergency New Zealand is available to assist with this.</p>	
<p>GRUZ - R31 Residential Activities and Residential Units not meeting Permitted Activity Standards</p> <p>Activity Status Discretionary</p> <p>Where:</p> <p>This does not occur within any Rifle Range Protection Area.</p>	<p>The subdivision does not comply with rule GRUZ- R1 or GRUZ-R3 and so is not a permitted activity under the General Rural Zone rules.</p> <p>Complies</p>

Pursuant to Rule GRUZ-31, and having regard to the assessment above, the proposal is a **discretionary activity** with regards to the relevant rural zone standards.

1.3 Subdivision - Te Wawaetanga

Table 3 below outlines the rules within the Subdivision chapter (SUB) of the TPP that are relevant to this proposal.

Table 3: Subdivision	
Rule	Compliance Comment
<p>SUB – R6 Subdivision to create allotment(s) in any RURZ - Rural Zone or MPZ - Māori Purpose Zone</p> <p>Activity Status Controlled</p> <p>Where:</p>	

<ol style="list-style-type: none"> 1. This is not within a Significant Natural Area or an area of significant indigenous biodiversity and subject to Rule SUB - R7; 2. This is not within one of the following locations in the coastal environment: <ol style="list-style-type: none"> i. Outstanding Natural Landscape as identified in Schedule Five; ii. Outstanding Natural Feature as identified in Schedule Six; iii. High or Outstanding Coastal Natural Character as identified in Schedules Seven and Eight; or 3. This is not within an area of: <ol style="list-style-type: none"> i. Outstanding Natural Landscape as identified in Schedule Five; ii. Outstanding Natural Feature as identified in Schedule Six; iii. Sites of Historic Heritage as identified in Schedule One; 4. It does not create a building platform for a Potentially Hazard Sensitive or Hazard Sensitive Activity in the: <ol style="list-style-type: none"> i. Flood Susceptibility, Earthquake Susceptibility, Land Instability, Coastal Hazard Inundation Overlay 1, Coastal Hazard Inundation Overlay 2, or Hokitika Coastal Hazard Overlay; ii. Westport Hazard Overlay; iii. Flood Severe, Coastal Hazard Erosion and Inundation or Earthquake Severe Overlay; 5. This is not within an Airport Noise Control Overlay; 6. All Subdivision Standards are complied with; 7. Subdivision in the MPZ - Māori Purpose Zone is in accordance with an Iwi/Papatipu Rūnanga Management Plan for the site; and 8. Any subdivision in the Moana North Development Area is in accordance with the Moana North Development Area Outline Plan in the Development Areas section of the Plan. 	<p>The site complies with standards 1, 2, and 3 of this rule. The site is not located within any Significant Natural Area, an area of significant indigenous biodiversity, or any outstanding natural landscapes or features.</p> <p>Complies</p> <p>The site is located outside of any natural hazard overlays identified in standard 4. Therefore, any building platforms constructed in the future on each allotment will comply with standard 4.</p> <p>Complies</p> <p>The site is not within an airport noise control overlay.</p> <p>Complies</p> <p>As per table 4 below, the subdivision does not comply with Subdivision Standard 1 due to the allotments not complying with the minimum size for the Rural Zone and because building platforms have not been identified on each allotment.</p> <p>Does not comply</p> <p>Standards 7 and 8 are not relevant as the site is not located within the Māori Purpose Zone or Moana North Development Area.</p> <p>Standards 7 and 8 are not applicable</p>
<p>SUB – R19 Subdivision of Land which would otherwise be a Controlled or Restricted</p>	<p>Complies – Discretionary Activity</p>

Discretionary Activity, where one or more of the Subdivision Standards are Not Complied With

Activity Status Discretionary

Table 4: Subdivision Standards

Rule	Compliance Comment
<p>SUB-S1 Minimum Lot Sizes for Each Allotment</p> <p>1. Each allotment, including the balance allotment must meet the following minimum lot size:</p> <ul style="list-style-type: none"> a. General Residential Zone 350m²; b. Large Lot Residential Zone 1000m²; c. Medium Density Residential Zone 200m²; and d. Neighbourhood Centre Zone 350m²; e. Settlement Zone, Settlement Zone – Coastal Settlement Precinct and Settlement Zone – Settlement Centre Precinct 1000m² in unsewered areas and 500m² in sewered areas; f. Settlement Zone – Rural Residential Precinct 4000m²; g. Rural Lifestyle Zone 1 hectare; h. General Rural Zone 4 hectares, except that it is 10 hectares in the Highly Productive Land Precinct; and i. Future Urban Zone 4 hectares. 	<p>Lots 1 to 15 are to each have an minimum net site area of between 0.74 hectares (Lot 9) and 3 hectares (Lot 7).</p> <p>Lot 16 is to have an area of 63.9 hectares.</p> <p>Does not comply</p>
<p>SUB-S2 Requirements for building platforms for each allotment</p> <p>1. Each allotment must provide a stable, flood free building area suitable for building foundations in accordance with the requirements of the New Zealand Building Code - Acceptable Solution B1/AS4 Approved Document B1/4: Structure Foundations.</p> <p>2. On sites less than 4ha in size, an indicative building platform on each allotment must be identified in subdivision applications and:</p> <ul style="list-style-type: none"> a. Must allow the buildings to comply with the standards for a permitted activity in the District Plan; and b. Must not include any area of land to be used for access or for the disposal of wastewater or stormwater; and c. Must be outside of any area identified in a Natural Hazard overlay. 	<p>Building platforms have not been identified on the updated Scheme Plan due to the lots not being able to comply with permitted activity rules as the allotments are undersized.</p> <p>Does not comply</p>

<p>SUB-S3 Water Supply</p> <ol style="list-style-type: none"> Where a connection to a District Council or Community reticulated water supply system is available, all new allotments must provide a connection at the boundary and net boundary where access is shared (including firefighting water supply). Where a connection to a District Council or Community reticulated water supply system is unavailable, all new allotments must provide access to a self-sufficient potable water supply (including firefighting water supply). <p>Advice Notes:</p> <ol style="list-style-type: none"> SNZ PAS 4509 New Zealand Fire Service Firefighting Water Supplies Code of Practice should be consulted when determining the most appropriate design for firefighting water supply. Fire and Emergency New Zealand is available to assist with this. Where water is to be taken from ground or surface water, resource consent from West Coast Regional Council may be required. 	<p>Water supply to a future dwelling within proposed Lots 1 to 15 will be provided onsite through rainwater collection and tank supply. A consent notice is to be registered on the new titles requiring water supply for firefighting purposes to be provided as per SNZ 4509 NZ Fire Service Firefighting Water Supplies Code of Practice.</p> <p>A consent notice is to be registered on the new title for Lot 16 requiring adequate water supply to be provided if building development occurs in the future.</p> <p>Does not comply – Consent Notice</p>
<p>SUB-S4 Stormwater</p> <ol style="list-style-type: none"> All allotments must provide the means for disposal of stormwater from the roof of all buildings and all impervious or potentially impervious surfaces, including, but not limited, to structures, compacted soils and sealed surfaces. Where a connection to a District Council or Community stormwater management system is available, all new allotments must provide a connection at the boundary or net boundary where access is shared. Where a connection to a District Council or Community stormwater management system is not available, the applicant must demonstrate that stormwater will be treated and disposed of in such a way that surface flooding of adjacent properties and roads will not be exacerbated, nor shall there be adverse water quality effects on waterbodies. Where the means of stormwater disposal is to ground, that area must not be subject to instability, slippage or inundation, or used for the disposal of wastewater. Where the stormwater discharge is from industrial land or large areas of impervious surface, the applicant must demonstrate that sufficient treatment is undertaken that adverse effects on waterbodies and the receiving environment will be mitigated. <p>Advice Notes:</p>	<p>The civil report attached the response to the request for further information confirms stormwater can be adequately attenuated and disposed of onsite.</p> <p>A consent notice is to be imposed on the titles for Lots 1 to 15 requiring stormwater runoff and drainage to be adequately controlled in accordance with the requirements of the local and regional authorities at time of building development</p> <p>A consent notice is to be registered on the new title for Lot 16 requiring stormwater to be managed in accordance with adequate water supply to be provided if building development occurs in the future.</p> <p>Complies</p>

<ol style="list-style-type: none"> 1. If stormwater disposal to a river, stream, lake or wetland is proposed then a resource consent may be required from West Coast Regional Council. 2. State Highway Infrastructure such as swales or roadside drains is not considered a "Community stormwater management system" and disposal of stormwater to this infrastructure is not an appropriate method of managing stormwater in terms of this standard. 	
<p>SUB-S5 Wastewater</p> <ol style="list-style-type: none"> 1. All allotments must demonstrate the means for disposal of wastewater from all potential land uses that could be established on the respective allotments that does not involve a direct discharge to fresh or coastal water. 2. Where a connection to a District Council or Community wastewater management system is available, all new allotments must provide a connection at the boundary or the net boundary where access is shared. 3. Where a connection to a District Council or Community wastewater management system is not available, the applicant shall demonstrate that wastewater will be disposed of in a sanitary manner within the net site area of the allotment with no direct discharge to water. 4. For a subdivision where community scale infrastructure is developed to support more than 10 privately owned lots this should be to appropriate standards and vested in the Council to ensure ongoing maintenance and renewal. <p>Advice Note: On site wastewater systems may require a resource consent from the West Coast Regional Council.</p>	<p>The civil report that was submitted as part of the original response to the request for further information confirms wastewater can be adequately disposed of onsite.</p> <p>A consent notice is to be imposed on the new titles for Lots 1 to 15 requiring an onsite wastewater system to be designed and installed by a suitably qualified person experienced in onsite effluent disposal systems. The system is to be designed to avoid any significant adverse effects on human health or the environment or nuisance to neighbouring properties.</p> <p>A consent notice is to be registered on the new title for Lot 16 requiring adequate water supply to be provided if building development occurs in the future.</p> <p>Complies</p>
<p>SUB-S6 Transport and Access</p> <ol style="list-style-type: none"> 1. All allotments must provide vehicular access to a road by way of a vehicle access point, driveway or right of way in accordance with the Transport Performance Standards 2. In all zones any vehicle rights of way or crossings must be constructed in accordance with the Transport Performance Standards 3. All new roads and upgrades of existing roads shall be constructed in accordance with the relevant district Council Engineering Standards, or where no such Standard exists, NZS 4404:2010 Land Development and Subdivision Infrastructure. 	<p>Each allotment will be provided with a vehicle crossing from the right of way prior to s224 certification. The vehicle crossings will be formed to Diagram C standard of the TPP.</p> <p>The transport infrastructure for the subdivision is a restricted discretionary activity under the transport performance standards due to the existing vehicle crossing and right of way to Lot 16 not complying with the requirements of the transport standards. It is noted vehicle crossings and the right of way to Lots 1 to 15 comply with the transport performance standards. The right of way to Lots 1 to 15 has been formed to NZS4404:2010 standard.</p> <p>Does not comply</p>

<p>Advice Note: SNZ PAS 4509 New Zealand Fire Service Firefighting Water Supplies Code of Practice must be consulted to ensure compliance with the access way dimensions required for fire appliances for developments where a fire appliance is not able to reach either the residential house or the source of firefighting water supply from the public road.</p>	
<p>SUB-S7 Energy Supply</p> <ol style="list-style-type: none"> 1. All new allotments must be provided with electricity to the boundary of each new lot or the applicant must demonstrate that electricity services are able to be provided by alternative means. 2. At the time of subdivision, sufficient land for transformers and any associated ancillary services must be set aside. Consultation with energy network utility operators will be required. 3. All necessary easements for the protection of and access to energy network utility services and infrastructure must be duly granted and reserved. 	<p>As per the correspondence provided to Council on 7 October 2025 the applicant is to install ducting and channelling to electricity connections to Lots 2 to 7 prior to s224 certification. The remainder of the allotments will be provided with an alternative means of an electricity connection at time of building development as explained in the letter dated 29 August 2025 that responds to request for further information letter.</p> <p>Complies</p>
<p>SUB-S8 Telecommunications</p> <ol style="list-style-type: none"> 1. All new allotments must be provided with telecommunication services, including to an open access fibre network where it is available to the boundary of each new lot or the applicant must demonstrate that telecommunication services are able to be provided by alternative means. 2. At the time of subdivision, sufficient land for telecommunications, transformers and any associated ancillary services required to service the new allotments must be set aside. Consultation with telecommunications network utility operators will be required. 3. All necessary easements for the protection of telecommunications network utility services must be duly granted and reserved. 	<p>As per the letter dated 29 August 2025 responding to the request for further information letter, telecommunication connections will be provided by alternative means at time of building development.</p> <p>Complies</p>
<p>SUB-S9 Requirement for Esplanade Reserves or Esplanade Strips</p> <ol style="list-style-type: none"> 1. An esplanade reserve or esplanade strip or 20 metres in width shall be provided where any subdivision creates an allotment (other than an allotment created by boundary adjustment) smaller than 4ha where that adjoins any of: <ol style="list-style-type: none"> a. The coastal marine area; b. A lake with a bed that has an area of 8 hectares or greater; or 	<p>The geotechnical site plan attached to the response to Council's request for further information letter, and dated 29 August 2025, confirms all streams are less than 3 metres in width. Therefore, no esplanade reserves are required as part of this subdivision.</p> <p>Complies</p>

<p>c. The bank of a river with a bed that has an average width of 3m or greater.</p>	
<p>SUB-S10 Easements for Any Purpose</p> <p>1. Easements must be provided where necessary for:</p> <ul style="list-style-type: none"> a. Public works and infrastructure services; b. Easements in gross where a service or access is required by the district council; c. Easements in respect of other parties in favour of nominated allotments or adjoining Certificates of Title; d. Service easements, whether in gross or for private purposes, with sufficient width to permit maintenance, repair or replacement. Centre line easements must apply when the line is privately owned; <p>2. Easements can also be required for any of the following purposes:</p> <ul style="list-style-type: none"> a. Accessways, whether mutual or not; b. Stormwater, wastewater disposal, water supply, network utilities; c. Party walls and floor/ceilings; or d. Regionally significant infrastructure. 	<p>An updated list of easements is attached to this response. These are to enable the provision of access and services to the allotments.</p> <p>Complies</p>

Pursuant to Rule SUB-19, and having regard to the assessment above, the proposal is a **discretionary activity** with regards to the relevant subdivision rules.

1.4 Transport - Te Tūnuku

Table 5 below outlines the rules within the Transport chapter of the TPP that are relevant to this proposal. The performance standards referred to in the Transport Rules are assessed in Table 6 below.

Table 5: Transport Rules

Rule	Compliance Comment
TRN-R1 Establishment of accessways, vehicle crossings, parking spaces, loading spaces, queuing and standing spaces.	The performance standards referred to in Rule TRN-R1 are assessed in Table 6 below.
Activity Status Permitted	Table 1 and Figure 4 are complied with as per the assessment of the performance standards.
Where:	Complies

<p>1. Vehicle crossings and access way standards - TRN Tables 1 - 4, Standards TRN S1 - S3, and TRN Figure 1-5 are complied with;</p>	<p>Table 2 sets sight distance requirements for roads that are not State Highways. As Lots 1 to 15 are to be accessed via a right of way, this table is not applicable to the proposed subdivision. NA</p> <p>The vehicle crossing to the right of way complies with Table 3 and Figure 5. The existing vehicle crossing to Lot 16 and Lots 4 & 5 DP 360520 does not comply with Table 3 and Figure 5</p> <p>Does not comply</p> <p>TRN-S1 is not applicable as there are not railways located within 100 metres of the site. NA</p> <p>TRN Table 4 and TRN-Figure 3 are complied with. (Figures 1 and 2 are not applicable to the subdivision).</p> <p>Complies</p> <p>TRN S1 is not applicable because the subdivision does not cross a railway. NA.</p> <p>TRN-S2 and TRN-Figure 8 for tracking curves are complied with. Complies</p> <p>The right of way to Lots 1 to 15 complies with TRN-S3.</p> <p>The driveway to Lot 16 does not comply with TRN-S3 as passing bays have not been provided every 50 metres. Does not comply</p> <p>Overall, the proposed subdivision complies with the vehicle crossings and access way standards.</p> <p>Does not comply with Rule TRN-R1(1)</p>
<p>2. Parking, loading, queuing and standing standards - TRN Tables 5 - 6, Standards TRN S4 - S6 and TRN S12 and TRN Figures 6 and 7 are complied with;</p>	<p>Standard S12 is the only standard referred in standard 2 of this rule that is application to this subdivision. Standard S12 is for construction and formation of onsite vehicle parking, loading and standing spaces. The subdivision complies with this rule as explained in Table 6 below.</p> <p>Complies with Rule TRN-R1(2)</p> <p>TRN Table 5 and TRN-S4 are not applicable to this subdivision because no disability parking is proposed as part of this subdivision. the sites are to be used for residential development.</p> <p>TRN Table 6 and TRN S5 are not applicable to this subdivision because no bicycle parking is proposed as part of this subdivision.</p>

	<p>TRN S6 is not applicable because the site is not located within Moana or I'veagh Bay.</p> <p>TRN-Figure 6 for onsite car parking space is not applicable to this subdivision as the parking requirements are for sites where dedicated parking areas are to be provided.</p> <p>TRN – Figure 7 – sets out the tracking path of a 90th percentile two axel truck. The proposed allotments are to be used for rural-residential development. Therefore TRN-Figure 7 is not applicable to this subdivision.</p>
<p>3. Manoeuvring standards TRN S7 - S11 are complied with;</p>	<p>TRN S10 for onsite manoeuvring is the only standard under Standard 3 of this rule that is applicable to this subdivision. TRN S10 is complied with as described in Table 6 below.</p> <p>Complies with Rule TRN-R1(3)</p> <p>TRN-S7 is not considered to be applicable to this proposed subdivision because no onsite parking spaces including manoeuvring dimensions is proposed as part of this subdivision. Associated TRN-Figure 6 is also not applicable.</p> <p>TRN-S8 and associated TRN Figure 7 are not applicable to the subdivision as these relate to trucks.</p> <p>TRN-S9 is not applicable to this subdivision as the standard is only applicable to sites where more than six or more parking, loading, or standing spaces are to be provided on one site. No parking, loading or standing spaces are to be provided as part of this subdivision.</p> <p>TRN S11 is not applicable because no onsite manoeuvring design is proposed as part of this subdivision.</p>
<p>4. Where an impermeable carparking area greater than 1000m² in area is provided, stormwater treatment is provided; and</p>	<p>No impermeable parking areas greater than 1000m² are to be provided as part of this subdivision. Therefore Standard 4 of this rule is not applicable to this proposed subdivision.</p> <p>Not applicable</p>
<p>5. Formation standards TRN S12 and TRN S13 are complied with.</p> <p>Advice Note: The Auckland Design Manual Guideline Document GD 2017/01 Stormwater Management Devices in the Auckland Region provides information on best practice stormwater design options for stormwater treatment.</p>	<p>As previously stated the proposal complies with TRN S12.</p> <p>The formation of the right of way complies with TRN S13.</p> <p>Complies</p>
<p>Rule TRN-R8 Establishment of accessways, vehicle crossings, parking spaces, loading spaces, queuing</p>	<p>Rule TRN-R1 is not complied with, the proposed subdivision defaults to Rule TRN-R8.</p>

and standing spaces not meeting Permitted Activity standards	Complies
Activity Status Restricted Discretionary	

Table 6: Transport Performance Standards	
Rule	Compliance Comment
TRN Table 1 – Vehicle Assess Design Standard – State Highway: minimum sight distance from vehicle access point. Posted Legal Speed Limit100km/hr Minimum sight distance280 metres Figure 4 - Sight line calculations for TRN Table 1 and TRN Table 2	The vehicle crossing to the right of way will have a sight distance of 300 metres to the south and 290 metres to the north. The existing vehicle crossing that is to provide access to Lot 16 and Lots 4 & 5 DP 360520 (these being held in amalgamation together) has a sight distance of 280 metres to the north and to the south. The vehicle crossings comply with TRN-Table 1 and associated Figure 4. Complies
TRN Table 3 – Vehicle Access Design Standards for minimum distance between any vehicle access point and other vehicle access point or transport corridor intersection Type of traffic using accessway (more than one slow, heavy or long vehicle movements per week)No Separation (m) for Posted Speed Limit (km/hr) (refer to Figure 5).....80-100km/hr K.....150m M.....60m N.....200m Figure 5 – Minimum Distance Calculation from vehicle access point and transport corridor intersection of TRN Table 3.	Vehicle crossings to each allotment will be provided prior to s224 certification. The vehicle crossing to the right of way is located more than 150 metres from the Wilsons Lead Road intersection. Complies with distance K No allotments are to be accessed from a side road. Therefore, distance M is not applicable to this subdivision. The vehicle crossing to the right of way is located more than 200 metres from another vehicle crossing. Complies
TRN Table 4: Accessway standards for a new vehicle crossing on a sealed road where the posted speed limit is 70km/hr or above. Daily traffic volume using the vehicle crossing (ECMs) - 1-30; and more than 2 heavy vehicle movements per week, or	The existing vehicle crossing to Lot 16 and Lots 4 & 5 DP 360520 does not comply with distance K for separation distances from other roads. Wilsons Lead Road is located approximately 15 metres from the existing vehicle crossing. The existing vehicle crossing is located more than 200 metres from other vehicle crossings. Distance M is not applicable to this vehicle crossing. Does not comply

<ul style="list-style-type: none"> - 31-100 <p>Is the vehicle crossing on a state highway?</p> <ul style="list-style-type: none"> - yes <p>Accessway type:</p> <ul style="list-style-type: none"> - TRN Figure 3, Diagram E, Perspective E. <p>Figure TRN Figure 3 – Diagram E – Perspective E</p>	<p>Planning Policy Manual (2007). The Diagram E standard in NZTA's planning Policy is the same as Diagram E in the TPP.</p> <p>Complies</p> <p>The existing vehicle crossing to the site will provide access to Lot 16 and Lots 4 & 5 DP 360520. This vehicle crossing complies with Diagram C. No changes to this vehicle crossing is proposed as part of this subdivision. As the rule requires any vehicle crossing onto a State Highway to be formed to Diagram E standard, the vehicle crossing to Lot 16 and Lots 4 & 5 DP 360520 does not comply with TRN Table 4 or TRN Figure 3.</p> <p>Does not comply</p>
<p>TRN-S2 Access areas must accommodate the 85th percentile car tracking curves in TRN Figure 8. The required driveway must not include any space used for on-site queue, tracking curve, manoeuvring, loading space, standing space, bicycle parking space, or vehicle access point.</p> <p>TRN-Figure 8 - Minimum tracking path for the 85th percentile car.</p>	<p>Each allotment is of sufficient size to accommodate a 85th percentile car tracking curve as per Figure 8. Each allotment is also sufficient size to accommodate a driveway that does not include any space used for onsite queuing, tracking curve, manoeuvring, loading space, standing space, bicycle parking space or vehicle access point.</p> <p>Complies</p>
<p>TRN-S3 Requirements for driveways:</p> <p>For all zones the minimum driveway width is 3.5m, and maximum gradient is 1:5.</p> <p>For all zones, where the driveway is longer than 50m, passing bays must be provided at no more than 50m intervals. Turning areas must be provided when the driveway length is 50m or longer.</p>	<p>The right of way to access Lots 1 to 15 will be formed as per the concept plans attached as Appendix D to this response. The right of way will have a minimum carriageway width of 6 metres. The formation width will allow vehicles to pass each other at any point along the right of way. So no dedicated passing bays are included in the consent design, nor are the expected to be included in the final design.</p> <p>The existing driveway to Lot 16 and Lots 4 & 5 DP 360520 has a minimum width of 3.5 metres and a gradient of 1:5. Turning bays have not been provided every 50 metres.</p> <p>Does not comply</p>
<p>TRN S12 Requirements for on-site vehicle parking, loading and standing spaces – construction and formation</p> <p>All Zones:</p> <p>If the spaces are sealed, stormwater from the sealed surface must not be discharged causing erosion to other sites or accesses.</p>	<p>Each allotment is of sufficient space that any stormwater from onsite parking, loading areas and standing spaces that are sealed can appropriately be managed to ensure discharges to not cause erosion to other sites or accesses.</p> <p>Complies</p>
<p>TRN-S10 Minimum onsite manoeuvring space provision - On-site manoeuvring space must be provided where a single vehicle access point services four or more parking spaces; or access to a site is</p>	<p>One vehicle crossing from State Highway 6 is to provide access to Lots 1 to 15. Each allotment is of sufficient size that onsite</p>

<p>obtained from a state highway, arterial road or collector road.</p>	<p>vehicle parking and manoeuvring can be provided at time of development.</p> <p>Lot 16 and Lots 4 & 5 DP 360520 have sufficient area for onsite manoeuvring.</p> <p>Complies</p>
<p>TRN – S13 Requirement for rights of way – construction and formation</p> <p>All RURZ- Rural Zone</p> <ul style="list-style-type: none"> - Minimum road width is 3.5m for one to nine dwellings - Minimum road width is 5.5 metres for ten or more dwellings <p>All Zones</p> <ul style="list-style-type: none"> - Stormwater from the right of way must not be discharged causing erosion to other sites or accesses. When a right of way services 3 or more allotments, one passing bay for every 50m of length shall be provided. Maximum gradient for right of way 1:5 	<p>The right of way will be formed as per the concept plans attached as Appendix D to this response. The right of way will have a minimum formation width of 6 metres. Stormwater will be managed to ensure no erosion occurs on other sites. The formation width is sufficient to enable vehicles to pass throughout the length of the right of way.</p> <p>The appurtenant right of way easement to provide access to Lot 16 and Lots 4 & 5 DP 360520 has a minimum width of 3.5 metres and stormwater is being managed to ensure there are no effects on adjoining properties.</p> <p>Complies</p>

Pursuant to Rule TRN-R8, and having regard to the assessment above, the proposal is a **restricted discretionary activity** with regard to the relevant transport rules.

1.5 Ecosystems and Indigenous Biodiversity – Ngā Pūmaha Rauropi me te Kanorau Koiora

Table 6 below outlines the rules within the Ecosystems and Indigenous Biodiversity chapter of the TPP that are relevant to this proposal.

Table 6: Ecosystems and Indigenous Biodiversity Rules

Rule	Compliance Comment
<p>Rule ECO-R1 General Standards</p> <p>1. Within the coastal environment:</p> <ul style="list-style-type: none"> i. Any indigenous vegetation clearance is a maximum of 500m² per site, or a maximum of 20m² on any individual infrastructure work site, or 20m² per linear 100 metre length for linear infrastructure; except that indigenous vegetation clearance is a maximum of 500m² per site in the Hartmount Place and Ross Place subdivision, provided that at least an equivalent amount is retained on the site; ii. The indigenous vegetation clearance will not disturb, damage or destroy nesting areas of habitat or protected threatened or at risk species; and iii. The indigenous vegetation clearance will not occur in an area of land within category one 	<p>The site is outside of the Coastal Environment.</p> <p>No indigenous vegetation clearance is required to be undertaken to enable building development to occur on the allotment. Therefore, Rule ECO-R1 is not applicable to this proposed subdivision or to any future development of the site.</p> <p>Rule ECO-R1 is not applicable</p>

<p>or two of the Threatened Environment Classification; and</p> <p>2. Within the riparian margin of a waterbody:</p> <ul style="list-style-type: none"> i. It is a maximum of 25m² per linear 200 metre length of riparian margin; and <p>3. In all other locations:</p> <ul style="list-style-type: none"> i. A maximum of 2,000m² on any site that has not had a Significant Natural Area assessment undertaken in accordance with Policy ECO - P1; or ii. A maximum of 5,000m² on any site that has had a Significant Natural Area assessment in accordance with Policy ECO - P1 or within the Grey District has a Significant Natural Area included within Schedule Four that is located on the same property; or iii. Is a maximum of 20m² on any individual infrastructure work site, or 20m² per linear 100 metre length for linear infrastructure; and <p>4. Except where carried out by a statutory agency, or authorised contractor acting on its behalf, responsible for natural hazard mitigation, the clearance is located within areas used and identified for natural hazard mitigation structures that are owned or managed by a statutory agency.</p> <p>Except that the maximum vegetation clearance provisions in these general standards do not apply where:</p> <ul style="list-style-type: none"> i. Specific to clause 3 in this rule, it is necessary to provide for the ongoing safe and efficient operation, maintenance and repair of the National Grid, electricity distribution and telecommunication lines; or ii. For all clauses in this rule, the indigenous vegetation clearance is for network utility operations within any RESZ - Residential Zone, COMZ - Commercial and Mixed Use Zone, PORTZ - Port Zone, or IND - Industrial Zone property within the towns of Greymouth, Hokitika or Westport; ii. For all clauses in this rule, the indigenous vegetation clearance is of vegetation planted and managed: <ul style="list-style-type: none"> a. As part of a domestic or public garden for amenity purposes; or b. As a shelterbelt; or c. For the purpose of harvesting plantation forestry. 	
<p>Rule ECO-R6 Indigenous vegetation clearance outside of a Significant Natural Area not provided for in another Permitted Activity Rule</p> <p>Activity Status Permitted</p> <p>Where this is:</p>	<p>Standard 11 of this rule permits the clearance of 500m² of indigenous vegetation to enable the establishment of a building site and access to the building site in an approved subdivision or where there is no existing residential building on the site.</p>

<ol style="list-style-type: none"> 1. For the construction of new fences and traplines associated with Conservation Activities or to exclude stock or pest animals from indigenous vegetation or the margins of waterbodies, or the coast; or 2. Necessary to remove vegetation that endangers human life or existing buildings or structures; or 3. For the construction of parks facilities, parks furniture or public access points within an Open Space and Recreation Zone; or 4. For installation of an environmental monitoring and extreme weather event monitoring facility; or 5. For the establishment of a river crossing point up to 3 metres wide; or 6. For new natural hazard mitigation structures undertaken by a statutory agency or their authorised contractor acting on its behalf; or 7. Unavoidable in the course of removing pest plants and pest animals in accordance with any regional pest management plan or the Biosecurity Act 1993, or is removal of unwanted organisms declared under the Biosecurity Act 2015; or 8. To comply with section 43 of the Fire and Emergency Act 2017; or 9. To upgrade public walking or cycling tracks up to 3 metres in width undertaken by the Council or its authorised contractor acting on its behalf; or 10. Within an area subject to a QE II National Trust Covenant or Ngā Whenua Rahui Kawaneta, a Reserves or Conservation Act covenant or a Heritage covenant under the Heritage New Zealand/Pouhere Taonga Act and the vegetation disturbance is authorised by that legal instrument; or 11. For the establishment of a building platform and access to a building site in an approved subdivision, or where there is no existing residential building on the site that will not exceed 500m² clearance per allotment, and where this is not located within a riparian margin of a waterbody; or 12. For mineral extraction or prospecting activities within the MINZ - Mineral Extraction Zone or BCZ - Buller Coalfield Zone; or 13. Outside of the coastal environment or riparian margins of waterbodies, it is removal of windthrow timber through: <ol style="list-style-type: none"> i. Use of helicopter recovery methods; or ii. Ground-based recovery, where this is only undertaken from areas adjacent to existing vehicle tracks; or 14. For any other purpose, where this is not located within a riparian margin of a waterbody or the coastal environment, and will not exceed 2,000m² clearance per property. 	<p>No indigenous vegetation clearance is proposed as part of this subdivision. Therefore, Rule ECO-R6 is not applicable</p> <p>Rule ECO-R6 is not applicable</p>
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As per the assessment above neither Rule ECO-R1 or Rule ECO-R6 are applicable to this proposed subdivision.

1.6 Earthworks – Te Huke Whenua

Table 7 below outlines the rules within the Earthworks chapter of the TPP that are relevant to this proposal.

Table 7: Earthworks Rules

Rule	Compliance Comment
<p>Rule EW Earthworks General Standards</p> <ol style="list-style-type: none"> 1. Earthworks must not exceed a maximum depth or height above ground level of 1.5m measured vertically within 1.5m of a boundary except where these are undertaken by a network utility operator for the purpose of: <ol style="list-style-type: none"> i. Pole foundations; ii. Backfilled trenches; or iii. Installation of services by trenchless methods such as directional drilling; iv. Installation of underground equipment as part of the electricity supply or distribution network; v. Achieving safe separation between conductors and the ground; vi. Stockpiles required for network utility or regionally significant infrastructure maintenance, operation, repair, upgrade, or installation of new network utilities; 2. All imported fill must consist of cleanfill material; 3. Erosion and sediment control measures must be designed, installed and maintained until earthworks are completed to avoid sediment runoff from earthworks activities entering a Council reticulated network or into waterbodies; 4. No diversion of stormwater and overland flow shall occur beyond the site boundary and water must not be diverted to adjacent properties or the road; 5. Any earthworks within the vicinity of overhead electric lines must comply with the New Zealand Electrical Code of Practice for Electrical Safety Distances (NZECP 34:2001); 6. No earthworks are to be undertaken on or within 10m of any public natural hazard mitigation structure unless the written approval has been obtained from the relevant local government agency; 7. In the event of discovery of any sensitive or archaeological material that the Accidental Discovery 	<p>If imported fill is required as part of the earthworks then it will be cleanfill.</p> <p>Erosion and sediment control measures will be in place for the duration of any earthworks required for the formation of the right of way and for any other earthworks undertaken on the allotments in the future.</p> <p>No diversion of stormwater or overland flow path will occur beyond the site boundary and water will not be diverted to adjacent properties or State Highway 6.</p> <p>Any earthworks within the vicinity of the overhead electrical lines will be as per the New Zealand Electrical Code of Practice for Electrical Safety Distances.</p> <p>No public natural hazard mitigation structures are located on the site or adjacent to the site.</p> <p>The accidental discovery protocol set out in Appendix Four of the TPP will be followed.</p> <p>No mineral extraction, exploration or mineral prospecting is proposed as part of this subdivision.</p> <p>Complies</p>

<p>Protocol outlined in Appendix Four must be followed; and</p> <p>8. Rule EW - R1 does not apply to earthworks associated with mineral extraction, mineral exploration, or mineral prospecting.</p> <p>Advice Notes:</p> <ol style="list-style-type: none"> 1. Earthworks are also regulated by the West Coast Regional Land and Water Plan and the NES - Freshwater 2020 administered by the West Coast Regional Council. 2. Earthworks undertaken in areas of contaminated land are subject to the Rules in the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health. 	
<p>EW-R2 Earthworks – All Zones</p> <p>Activity Status Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. All standards in Rule EW - R1 are complied with; and 2. These earthworks are: <ul style="list-style-type: none"> i. Associated with the construction of an approved building platform and access; or ii. Associated with an approved subdivision consent; or iii. Associated with an approved well or bore; or iv. Required for repair, maintenance, operation, upgrading and establishment of a network utility or regionally significant infrastructure and may include stockpiles; or v. Earthworks associated with installation of swimming pools; or vi. For interments in a cemetery or urupā; vii. For natural hazard mitigation structures constructed by a statutory agency or authorised contractor acting on its behalf; or viii. Test pits for geotechnical or contaminated land assessment where the land is reinstated within 48 hours. 3. Rule EW - R2 does not apply to earthworks associated with mineral extraction, mineral exploration, or mineral prospecting. <p>Advice Notes:</p> <ol style="list-style-type: none"> 1. Rules in relation to earthworks in overlay areas can be found in the Overlay Chapters of this Plan. 2. Earthworks undertaken in areas of contaminated land are subject to the Rules in the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health. 	<p>The earthworks comply with Rule EW-R1 as assessed above.</p> <p>The earthworks will be for the formation of a right of way consented as part of the consent for this subdivision.</p> <p>Complies</p>

Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.

Pursuant to Rule EW-R2, and having regard to the assessment above, the proposal is a **permitted activity** with regards to the relevant earthworks rules.

1.7 Changes to activity status or assessment matters

Subdivision consent as a **discretionary activity** is sought due to the subdivision does not comply with all the subdivision standards.

Land use consent is also sought as a **discretionary activity** due to residential density of the allotments not complying with the Rural Zone rules and the vehicle crossing and right of way to Lot 16 not complying with the transport performance standards.

Overall, the subdivision is a **discretionary activity** under the TPP.

1.8 Updated assessment of new Objectives and Policies of the TPP

The following is an updated assessment of the objectives and policies applicable to the proposed subdivision.

1.8.1 Rural Zone Objectives and Policies

Objective RURZ- O1

This objective now allows for a range of activities so long as the highly productive land areas is *protected*. As the site continues to be not within land identified as being highly productive, the assessment of this objective within the application remains applicable.

Objective RURZ - O2

This Objective is no longer relevant to the proposal as the site is not located within the Rural Lifestyle Zone.

Objective RURZ – O3

The assessment of this Objective continues to align with the initial application, as the modifications to the TPP Decisions version consist solely of minor wording adjustments

Objective RURZ – O6

The assessment of RURZ-O6 remains as per the original application as this Objective has not changed.

Rural Amenity and Character

Policy RURZ - P1

Within the General Rural Zone enable primary production activities as the predominant land use, alongside activities that support primary production.

Policy RURZ – P2

Rural character and amenity within the GRUZ - General Rural Zone and RLZ - Rural Lifestyle Zone is maintained by:

- a. *Buildings and structures having a bulk and location that is characteristic of rural environments and primary production activities;*
- b. *Maintaining privacy and rural outlook for residential buildings;*
- c. *Ensuring activities are compatible with existing development and the surrounding area while recognising that primary production activities can generate noise, odour and dust;*
- d. *Having appropriate setbacks from the road and adjacent primary production activities; and*
- e. *Locating activities sensitively in the environment to minimise adverse visual and cultural effects including restricting activities on ridge lines or ancestral mountains.*

Infrastructure in Rural Areas

Policy RURZ - P12

Subdivision and development in GRUZ - General Rural and RLZ - Rural Lifestyle Zones, the SETZ - PREC3 - Coastal Settlement Precinct and the SETZ - PREC4 - Settlement Zone - Rural Residential Precinct should recognise the character and form of rural infrastructure including:

- a. *Roads with roadside ditches rather than kerb and channel;*
- b. *An absence of street lights and urban style footpaths; and*
- c. *On site provision of water supply with sufficient capacity for firefighting purposes and on-site land treatment and disposal of stormwater and wastewater.*

The policies under the Rural Amenity and Character have been updated.

As per the assessment of these policies within the original application, the site is located on the outskirts of Westport Township, and outside of any outstanding natural character and feature areas. While the site is located within the general rural zone, it is located outside of the highly productive land overlay and does not have land use capability classes that are suitable for productive agricultural farming.

All allotments are of sufficient size to enable future rural-residential development, whilst maintaining the character of the surrounds.

Onsite services will be able to be provided at the time of residential development occurring. All allotments will have appropriate access.

The balance land will continue to be used for existing rural purposes, retaining the rural character of the area.

Therefore, the proposal will achieve the above policies.

1.8.2 Subdivision Objectives and Policies

Objective SUB – O1

The assessment of this Objective remains as per the original application as this Objective has not changed.

Policy SUB - P1

Enable subdivision that creates allotments that:

- a. *Are consistent with the purpose, character, and qualities of the applicable zone;*
- b. *Maintains the integrity of the zone with lot sizes and dimensions sufficient to accommodate intended land uses;*
- c. *Minimises natural hazard risk to people's lives and properties;*
- d. *Protects areas of significant indigenous biodiversity, outstanding natural features and landscapes, cultural values, areas of historic heritage and natural character of the coastal environment;*
- e. *Maintains indigenous biodiversity;*
- f. *Have legal, physical and safe access to each allotment created by the subdivision;*
- g. *Are integrated and connected to the immediately surrounding area and road network; and*
- h. *Protect the safe and efficient operation and maintenance of infrastructure.*

Policy SUB - P2

Ensure subdivision is appropriately serviced and integrated with existing or planned infrastructure that is provided in an efficient, integrated and coordinated manner by ensuring:

- a. *Infrastructure networks have sufficient capacity to accommodate the additional development, and requiring any necessary upgrades to be completed at the time of subdivision;*
- b. *Infrastructure is installed at the time of subdivision, except for on-site infrastructure that cannot be determined until the allotment is developed;*
- c. *Sufficient provision has been made for legal and physical access to each allotment created by the subdivision;*
- d. *Provision of safe, efficient and effective transport connections and linkages, including pedestrian, cycling linkages, public transport and vehicle access;*
- e. *Provision for open space and reserves, including pedestrian and cycle linkages;*
- f. *Provision of drinking water compliant with New Zealand Drinking Water Standards;*

- g. *Adequate water supply for firefighting;*
- h. *Treatment and safe disposal of stormwater that does not result in increased flooding and erosion risk;*
- i. *Treatment and safe disposal of wastewater with a preference for land-based treatment where no reticulated network is in place;*
- j. *Where community scale infrastructure is developed to support more than 10 privately owned lots this should be to appropriate standards and vested in the Council to ensure ongoing maintenance and renewal;*
- k. *Supply of electricity and telecommunications using a method that is appropriate to the type of development, location and character of the area including off-grid renewable electricity supply / wireless /satellite;*
- l. *Connections are made to wastewater, water supply and stormwater systems where they are available and there is capacity; and*
- m. *Where new community infrastructure is developed, that there is adequate provision for ongoing maintenance either by the vesting of the infrastructure in the relevant Council, or in the case of papakāinga developments, that an ongoing hapū entity may be responsible for maintenance;*
- n. *In all RESZ - Residential, INZ - Industrial and CMUZ - Commercial and Mixed Use Zones require:*
 - i. *Roads to a sealed standard;*
 - ii. *Underground reticulation of services;*
 - iii. *Sealed footpaths;*
 - iv. *Streetlights in urban areas; and*
- o. *Financial contributions are provided where additional or upgraded network utility infrastructure is required to service development.*

Advice Note: The standards for road construction can be found in Appendix One: Transport Performance Standards.

Policy SUB-P1 will be achieved by each allotment being of sufficient size and dimensions for the intended rural-residential use. Each allotment is located outside of a natural hazard zone identified by the TPP. The existing indigenous vegetation is protected by a conservation covenant being placed over the vegetation. This covenant also ensures the biodiversity of the area is maintained. Each allotment will be provided with legal and physical access suitable for the intended use of each allotment.

Policy SUB-P2 is achieved by legal and physical access being provided to each allotment. Each allotment is appropriate for onsite servicing of water supply, stormwater and wastewater. Electricity and telecommunication will and can mainly be provided at time of building development occurring.

1.8.3 Transport

Objective TRN - O2

To provide for the safe and efficient operation of land transport infrastructure while managing adverse effects on the environment.

Objective TRN - O5

To ensure that the provision of safe and efficient parking, loading and access is consistent with the character, scale and intensity of the zone, the roading hierarchy and the activity being undertaken.

Policy TRN – P2

Vehicle crossings and associated access will;

- a. *Be designed and located to provide for safe, effective and efficient movement to and from sites;*
- b. *Minimise potential conflicts between vehicles, pedestrians and cyclists on the adjacent road network; and*
- c. *Manage separation of vehicle access to and from sites adjacent to intersections, rail level crossings and where State Highways meet.*

Policy TRN-P9

Require parking and loading areas to be designed so that reverse manoeuvring of vehicles onto or off the road does not occur in situations which will compromise:

- a. *The safe, effective and efficient operation of roads including State Highways; or*
- b. *Pedestrian access and amenity; or*
- c. *Safe and functional access.*

Physical access to the site is existing from State Highway 6. A new vehicle crossing and right of way will provide legal and physical access to Lots 1 to 15. This vehicle crossing will be formed to Diagram E standard, while the right of way will be formed to TPP requirements. Each allotment provides sufficient space for onsite parking and manoeuvring. Therefore, the new vehicle crossing and right of way will achieve the above objectives and policies.

Proposed Lot 16 is to be held in amalgamation with existing Lots 4 & 5 DP 360520. An appurtenant easement is registered on the title adjoining allotment Lot 2 DP 360520 to provide legal access to the site. This easement is to remain in place to provide legal access to proposed Lot 16 and Lots 4 & 5 DP 360520. The existing vehicle crossing providing access to these allotments has previously been formed to Diagram C standard of the TPP. As no change in use of these allotments is proposed and there will be no changes to traffic movements, no upgrading of the vehicle crossing to the required Diagram E standard is to occur as part of this subdivision. The existing vehicle crossing is considered to provide safe, effective and efficient movements to and from the sites without impacting adjoining

roading infrastructure. Each allotment is of sufficient size to provide onsite manoeuvring to ensure there is no reverse manoeuvring onto State Highway 6. Therefore, the existing vehicle crossing achieves the above objectives and policies.

1.8.4 Ecosystems and Indigenous Biodiversity

Objective ECO-O1

To maintain indigenous biodiversity across Te Tai o Poutini/the West Coast so there is at least no overall loss in indigenous biodiversity, while providing for the social, economic, and cultural wellbeing of people and communities now and in the future.

Maintaining indigenous biodiversity requires:

1. *the maintenance and at least no overall reduction of all of the following:*
 - a. *the size of populations of indigenous species;*
 - b. *indigenous species occupancy across their natural range;*
 - c. *the properties and function of ecosystems and habitats used or occupied by indigenous biodiversity;*
 - d. *the full range and extent of ecosystems and habitats used or occupied by indigenous biodiversity;*
 - e. *connectivity between, and buffering around, ecosystems used or occupied by indigenous biodiversity;*
 - f. *the resilience and adaptability of ecosystems; and*
2. *where necessary, the restoration and enhancement of ecosystems and habitats.*

Policy ECO-P9

Maintain indigenous habitats and ecosystems across Te Tai o Poutini/the West Coast by:

- a. *Protecting, and where appropriate enhancing or restoring indigenous biodiversity, including the functioning of ecological corridors, linkages, dunes and indigenous coastal vegetation and wetlands;*
- b. *Minimising adverse effects on, and providing access to, areas of indigenous biodiversity which are significant to Poutini Ngāi Tahu;*
- c. *Restricting the modification or disturbance of coastal indigenous vegetation, dunes, estuaries and wetlands;*
- d. *Protecting the significant habitats of indigenous fauna, including threatened and at-risk species;*
- e. *Encouraging and enabling site and landscape scale biosecurity programmes to manage plant and animal pests; and*
- f. *Encouraging and enabling active conservation management of indigenous biodiversity, including voluntary animal and plant pest and stock control and/or formal legal protection;*

Except in relation to the National Grid and Renewable Electricity Generation Activities.

The subdivision achieves the above objective and policy because no indigenous vegetation clearance is required to be undertaken to enable building development to occur on the allotments in the future. Furthermore, a conservation covenant is to be placed over the existing indigenous vegetation to ensure the vegetation is retained. Additional planting for landscape effects is also proposed, which will aid in maintaining the biodiversity of the area.

1.8.5 Earthworks

Objective EW-O1

To provide for earthworks to facilitate subdivision, use and development of Te Tai o Poutini/the West Coast's land resource, while ensuring adverse effects on the environment are avoided, remedied or mitigated.

Policy EW-P1

Enable earthworks for the subdivision, use and development of land, the provision of infrastructure, and hazard mitigation, while managing those with the potential to create more than minor adverse effects.

Earthworks associated with the subdivision will achieve Objective EW-O1 and Policy WE-P1 by the earthworks being undertaken in a way that any effects will be less than minor.

1.9 Weighting of the operative Buller District Plan and the TPP

A weighting exercise between the provisions of the operative Buller District Plan and the TPP is required to ensure the provisions are appropriately considered. It is considered that more weight to the provisions within the TPP should be given because the TPP provisions reflects the most recent legislation. The proposal is a discretionary activity under both the Buller District Plan and TPP. While Lots 1 to 15 are small then the minimum allotment size required by the TPP, all 15 allotments are outside of the Highly Productive Land Overlay. Therefore, the subdivision will not have adverse effects on the productive capacity of the land in the Westport area. Each allotment is located outside of the natural hazard zones of the TPP. Lots 1 to 15 will need to comply with the recommendations within the Geotechnical Report at time of building development. The ecological values of the site will be protected. Any landscape effects will be mitigated as per the recommendations in the landscape report. Lot 16 is the balance land of the area being subdivided and will continue to be used for existing rural purposes.

Overall, the proposal is considered to have less than minor effects on the environment is consistent with the objectives and policies of the TPP.

1.10 Conclusion

The proposed subdivision is a **discretionary activity** under the TPP and is considered to be consistent with the objectives and policies of the TPP. Therefore, consent under the TPP can be granted under Section 104B of the RMA.