



RESOURCE MANAGEMENT ACT 1991

Submission on an application for resource consent (RC210404)

By: Larksbay New Zealand Trustee Ltd

To: Central Otago District Council
PO Box 122
Alexandra 9340

Submitter: Waka Kotahi NZ Transport Agency
PO Box 5245
DUNEDIN 9058

Pursuant to Section 96 of the Resource Management Act 1991 (RMA) **Waka Kotahi NZ Transport Agency** (Waka Kotahi) hereby makes this **neutral** submission on an application (RC210404) by Larksbay New Zealand Trustee Ltd to establish a 1988m² residential building platform partially within an Outstanding Natural Landscape.

The site is located on an elevated site, 950m north of the Cromwell Bridge on State Highway 8 (SH8). Access to the site will be from an existing access from SH8.

Waka Kotahi NZ Transport Agency's Submission:

Access

SH8 at this location is a limited access road and the site has an authorised Crossing Place: CP32. As stated in the application, the applicant contacted Waka Kotahi in 2021 to discuss the access and the Crossing Place Notice. The applicant also sought written approval from Waka Kotahi. From our assessment it was clear the Crossing Place notice for CP32 had not been updated for some time and Waka Kotahi was able to confirm:

- The site has an authorised crossing place: CP32 noting only Lot 1 DP387519 had vehicular access to CP32 as shown on consent notice 7578089.4 registered against the title.
- That CP32 as part of an earlier subdivision was upgraded to a Diagram C standard. However, a site visit was undertaken in 2021 to assess the current state of the existing access and it was noted there are defects in the access seal and due to the steepness of the access there is also gravel migration onto the state highway.

In discussion with Waka Kotahi the applicant agreed to include the following conditions and advice notes as part of the resource consent application. However, the written approval has not formed part of the application that has been notified. The written approval outlined the following agreed conditions and advice notes:

1. Crossing place CP32 seal shall be maintained to repair any existing defects. The seal shall also be extended south 25m along the shoulder of the highway and extended 10m upslope from the access to prevent gravel migration onto the highway. The works shall be undertaken to the satisfaction of the Waka NZ Transport Agency Network Manager.
2. Prior to the registration of the building platform on the Record of Title, the consent holder shall provide to Council, correspondence from Waka Kotahi NZ Transport Agency confirming the works in the state highway, including maintenance and extension of the seal at Crossing Place 32 (CP32) has been undertaken to Waka Kotahi NZ Transport Agency Standards.

Advice Notes:

State Highway 8 is a Limited Access Road in this vicinity, revised authorisations under Section 91 of the Government Roading Powers Act 1989 (GRPA) will be required to be amended to include the new title boundaries for CP32 onto the state highway. The consent holder should seek authorisation from Waka Kotahi NZ Transport Agency enclosing a copy of the following:

- a. The resource consent
- b. B. the underlying certificate(s) of title
- c. The LTS plan including the number.

It is a requirement of the Government Roading Powers Act 1989 that any person wanting to carry out works on a State highway first gain the approval of Waka Kotahi NZ Transport Agency for the works and a Corridor Access Request (CAR) is applied for and subsequently issued before any works commence. A CAR will be required for the maintenance of the vehicle crossing CP32 to the subject site from State Highway 8.

- a) A CAR is made online via www.beforeudig.co.nz and/or wwwsubmitica.co.nz. the CAR needs to be submitted at least 15 working days before the planned start of works. A copy should also be sent to Waka Kotahi NZ Transport Agency environmentalplanning@nzta.govt.nz. The Corridor Access Request will need to include:
 - (i) The details for the sealing works, in developing the details for sealing, the consent holder will need to consult with the Waka Kotahi appointed state highway maintenance contractor for Central Otago (Aspiring Highways).
 - (ii) A construction Traffic Management Plan that has attained approval from the Waka Kotahi appointed state highway maintenance contractor for Central Otago (Aspiring Highways).

A written approval letter was provided to the applicant in December 2021, a copy of this letter is attached to this submission as Attachment 1.

It is suggested given the conditions agreed between Waka Kotahi and the applicant are not part of the application as notified, the above conditions and advice notes are included as part of the consent if granted by Council. This would give Waka Kotahi certainty around the required standard for the access and ensure the effects of the proposal on State Highway 8 are adequately mitigated.

The reasons for this submission are:

Waka Kotahi has statutory functions, as defined in Section 95 of the Land Transport Management Act. In submitting on this proposal Waka Kotahi is seeking to give effect to the following statutory functions:

- To contribute to an effective, efficient, and safe land transport system in the public interest;
- To manage the state highway system in accordance with relevant legislation; and
- To assist, advise, and cooperate with approved organisations (such as regional councils and territorial authorities).

Waka Kotahi NZ Transport Agency wishes the consent authority to:

If the consent authority is of a mind to grant consent to this proposed activity, the conditions and advice notes listed above are included as part of the consent.

Waka Kotahi NZ Transport Agency does wish to be heard in support of this submission.

Dated at Christchurch this 5th day of October 2022.



Gemma Shaw
Senior Planner

Pursuant to Authority Delegated

by Waka Kotahi NZ Transport Agency

Address for Service:

Waka Kotahi NZ Transport Agency
PO Box 5245
DUNEDIN 9058

Attention: Julie McMinn

Phone: (03) 955 2926

Email: julie.mcminn@nzta.govt.nz

DRAFT



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Waka Kotahi NZ Transport Agency Reference: 2021-0609

20 December 2021

Larksbay New Zealand Trustee Ltd
C/- Sean Dent
Southern Planning Group
63 Antimony Crescent
Cromwell 9310

Sent via: sean@southernplanning.co.nz

Dear Sean

NEW RESIDENTIAL BUILDING PLATFORM – STATE HIGHWAY 8, CROMWELL - LARKSBAY NEW ZEALAND TRUSTEES LTD

Thank you for your request for written approval from Waka Kotahi New Zealand Transport Agency (Waka Kotahi). Your proposal has been considered as follows:

Proposal

Resource consent is sought for the following activities:

- The applicant proposes to establish a residential building platform on the site;
- Earthworks are proposed to level the site which will reduce the visibility of the dwelling from the State Highway;
- Access to the site from SH8 (a limited access road) will remain via the existing Crossing Place: CP32.

Assessment

In assessing the proposed activity, Waka Kotahi has considered the following:

- Consent notice 7578089.4 is registered against the title for the subject site (Lot 1 DP387519 and Lot 3 DP513407) development and includes the following matters of relevance to Waka Kotahi:
 - That residential buildings on the subject sites are required to mitigate the effects of road noise from SH8 on occupants.
 - Other than Lot 1 DP387519, none of the subject sites shall have vehicular access onto State Highway 8.Waka Kotahi supports the matters relating to SH8 in Consent Notice 7578089.4 and no changes are proposed as part of this resource consent
- The existing access (Diagram C access standard) from SH8 was formed under an earlier subdivision consent and provides access to two other residential lots on Northburn Station. The vehicle crossing is located just south of the sites south-western boundary and traverses the sloping topography within the road reserve, before entering the subject site through a series of switch backs. The access through the subject site is provided via a Right of Way (ROW) easement in favour of Northburn Station. No changes are proposed to the location of this access.
- A site visit was undertaken to assess the current state of the existing access: CP32. It was noted that there are defects in the access seal and due to the steepness of the access there is also gravel migration from the driveway onto SH8. As a result, Waka Kotahi requires the access to be maintained and the seal extended south along the shoulder of the highway as well as extending the seal 10m from the access upslope along the driveway to reduce gravel mitigation. Figures 1 and 2 show the area required to be maintained and where the new seal is to be applied.

Waka Kotahi NZ Transport Agency Reference 2021-0609



Figure 1: Area of access (CP32) to be maintained and where new seal is required

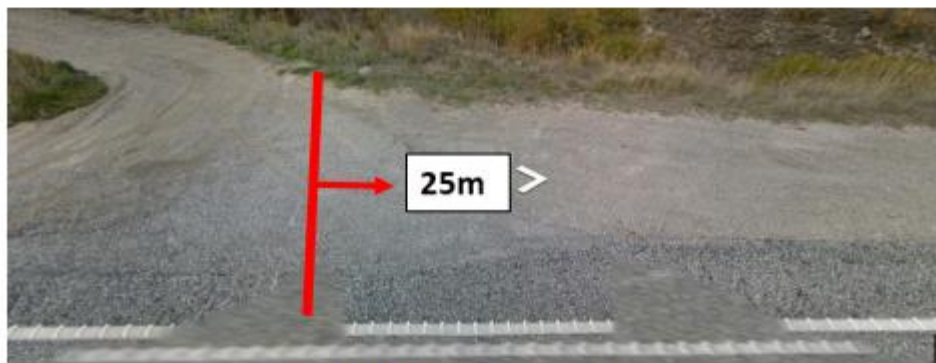


Figure 2: Length of seal required to tidy shoulder

Limited Access Road (LAR)

The applicant's site adjoins State Highway 8 which is identified as a limited access road. To access SH8 the applicant's site requires to have an authorised crossing place. In this instance the site is accessed by authorised crossing place CP32. CP32 was formed to a Diagram C standard as a result of an earlier subdivision consent. However, it has been identified that the Crossing Place notice for this access has not been updated. Therefore, the applicant needs to provide past subdivision information to Waka Kotahi, so the Crossing Place notice can be updated in accordance with Section 91 of the Government Roadway Powers Act. Hence, we support the advice note suggested by the applicant in their application (see Advice Note (a) below).

As the site fronts a Limited Access Road, Waka Kotahi provides approval under Section 93 of the Government Roadway Powers Act 1989 for the site and residential dwelling to gain direct access from the State Highway as described in this written approval.

Conditions

In discussion with Waka Kotahi the applicant has agreed to include the following conditions as part of their resource consent application:

-
1. Crossing Place, CP32 seal shall be maintained to repair any existing defects. The seal shall also be extended south 25m along the shoulder of the highway and extended a further 10m upslope from the access to prevent gravel migration onto the highway. The works shall be undertaken to the satisfaction of the Waka Kotahi NZ Transport Agency Network Manager.
 2. Prior to the registration of the building platform on the Record of Title, the consent holder shall provide to Council, correspondence from Waka Kotahi NZ Transport Agency confirming that works in the state highway, including maintenance and extension of the seal at the Crossing Place 32 (CP32), has been undertaken to Waka Kotahi NZ Transport Agency standards.

Advice Notes

3. State Highway 8 is a Limited Access Road in this vicinity, revised authorisations under Section 91 of the Government Roading Powers Act 1989 (GRPA) will be required to be amended to include the new title boundaries for the CP32 onto the state highway. The consent holder should seek this authorisation from the Waka Kotahi Transport Agency, enclosing a copy of the following:
 - a. *The resource consent*
 - b. *The underlying certificate(s) of title*
 - c. *The LTS plan including the number.*

4. *It is a requirement of the Government Roading Powers Act 1989 that any person wanting to carry out works on a state highway first gain the approval of Waka Kotahi NZ Transport Agency for the works and that a Corridor Access Request (CAR) is applied for and subsequently issued before any works commence. A CAR will be required for the maintenance of the vehicle crossing CP32 to the subject site from State Highway 8.*
 - a) *A CAR is made online via www.beforeudig.co.nz and/or www.submitica.co.nz. The CAR needs to be submitted at least 15 working days before the planned start of works. A copy should also be sent to the Waka Kotahi NZ Transport Agency environmental planning team at environmentalplanning@nzta.govt.nz. The Corridor Access Request will need to include:
 - (i) *The details for the sealing works. In developing the details for the sealing, the consent holder will need to consult with the Waka Kotahi appointed state highway maintenance contractor for the Central Otago (Aspiring Highways).*
 - (ii) *A Construction Traffic Management Plan that has attained approval from the Waka Kotahi appointed state highway maintenance contractor for the Central Otago (Aspiring Highways).**

Determination

Based on the above assessment of the proposed activity, and the conditions volunteered by the applicant, Waka Kotahi provides written approval under section 95E of the Resource Management Act 1991.

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 Waka Kotahi.

If you have any queries regarding the above or wish to discuss matters further, please feel free to contact Julie McMinn via email at Julie.mcminn@nzta.govt.nz or you can contact the environmental planning team at the following email address – environmentalplanning@nzta.govt.nz.

Yours sincerely



Gemma Kean
Senior Planner
Environmental Planning, System Design, on behalf of Waka Kotahi NZ Transport Agency.

cc: Aspiring Highways

Enclosed:

➤ Attachment 1: Proposed Site Plan

