
From: Lea O'Sullivan <Lea.OSullivan@nzta.govt.nz>

Sent: Wednesday, 2 July 2025 9:10 am

To: Bill Rice <bill.rice@tasman.govt.nz>

Cc: Drew Bryant <Drew.Bryant@nzta.govt.nz>; Andy High <Andy.High@nzta.govt.nz>

Subject: Info for Commissioners: Plan Change 79 deferred zones and indicative roads -2024-0581

Kia ora Bill,

Thanks for your email regarding the Commissioners request for NZTA comments relating to PC79 / accesses along Appleby Highway / State Highway 60 (SH60). As discussed over the phone, there is no simple answer to the questions raised, but hopefully the information below will be helpful for the Commissioners to consider.

For context, Appleby Highway is a regionally significant transport 'through route' indicated by:

- 80km/hr posted speed
- One Network Framework Interregional Connector arterial road status
- Annual average daily traffic count of 12,657, 10% being heavy vehicles - one of the busiest in the region

This section of SH60 also has a KiwiRAP Medium High Collective Risk rating for road safety, which uses recorded crash data.

In answer to the Commissioners '**restrictions**' question: Appleby Highway is gazetted as a Limited Access Road (LAR) under the Government Rounding Powers Act (GRPA) which enables NZTA to control the number, use and location of accesses. NZTA create LAR in the interests of road user safety. This is because they're often in areas with the potential for unrestricted residential or commercial development – which brings with it more vehicles needing access and higher safety risks. Each of the properties along Appleby Highway will have existing access(s) authorised by NZTA via the GRPA by way of a Section 91 / Crossing Place Notice. These Notices may list a specific use and / or estimated traffic generation, or may contain more generic conditions, depending on when it was issued (more recent Notices are more detailed).

Regarding the '**prohibit commercial use**' question: As stipulated under Section 91 of the GRPA, NZTA have the right to review and change conditions, authorise or cancel Notices at any time. Additionally, any change in use of existing authorised accesses will need to be approved by NZTA. Therefore, NZTA have the ability to prohibit commercial use of any access at this location under the GRPA.

Plan Change 79 (PC79)

NZTA have been working with TDC on PC79 to ensure that the appropriate transport infrastructure is in place to allow the deferred zone to be uplifted, enabling Mixed Business / Commercial developments along Appleby Highway. NZTA supported the TDC approach to signal (via an indicative road layout in PC79) the need for a 'mid-block intersection' between Three Brothers Corner and McShane Rd to serve future mixed business development. It's important that this intersection is in place prior to the land use activity commencing, with the exact location and specific design requiring input and approval by NZTA as the Road Controlling Authority.

Construction and use of the mid-block intersection is especially important here given the zoning - mixed business / commercial use can generate very high traffic numbers and a mix of vehicle types. Access spacing and access traffic volumes both have a significant impact on crash risk at or near access points. Access points with high/medium commercial land use tend to have a higher crash rate compared to accesses for other land use types. Concentrating future commercial access to just one high-standard intersection avoids the scenario whereby numerous access points to the state highway intensify their use which is difficult to control and can reach a tipping point at which the immediate road environment becomes inherently unsafe, but responsibility or mitigation cannot be directed at any particular party.

Please get in touch if you need more information / support, noting that I will be on leave next week.

Ngā mihi, Lea

Lea O'Sullivan (she/her)

Principal Planner

Poutiaki Taiao / Environmental Planning, Te Toki Tārai - System Design

Te Toki | Transport Services

Phone | **Waea:** 021 220 8608

Email | **Īmēra:** Lea.OSullivan@nzta.govt.nz

From: Bill Rice <bill.rice@tasman.govt.nz>

Sent: Friday, 27 June 2025 3:55 pm

To: Lea O'Sullivan <Lea.OSullivan@nzta.govt.nz>

Cc: Drew Bryant <Drew.Bryant@nzta.govt.nz>

Subject: RE: Plan Change 79 deferred zones and indicative roads -2024-0581 CRM:0111000065

Kia Ora Lea,

The hearing on PC 79 was held on Monday. The topic of access to this property was discussed, and your email below was provided to the Commissioners and all parties at the hearing. Counsel for Appleby 88 have provided a written response to the email (attached). In a minute released today, the Commissioners have asked:

6. → ¶
Concurrently, we also direct Council to contact NZTA to advise whether they prohibit access of the State Highway at Appleby if the access is for a commercial purpose? What are the restrictions, if any, for commercial activities accessing the State Highway in this location? This information is to be provided to all parties by no later than **4pm Friday 4 July 2025**, unless otherwise agreed with the Chair. ¶
¶

Are you able to respond to this request by next Thursday please?

Ngā Mihi,

Bill

Bill Rice

Senior Infrastructure Planning Advisor - Transportation

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From: Lea O'Sullivan <Lea.OSullivan@nzta.govt.nz>

Sent: Wednesday, 26 March 2025 10:01 am

To: Bill Rice <bill.rice@tasman.govt.nz>

Cc: Drew Bryant <Drew.Bryant@nzta.govt.nz>

Subject: Plan Change 79 deferred zones and indicative roads -2024-0581 CRM:0111000065

Thanks for looping us in Bill – really appreciate it.

I'll leave the comments on the exact location of the future road link / indicative road layout to the mixed business land to [@Drew Bryant](#), and I'll stick to the planning stuff...

I've fished out the Appleby 88 file from the 2 lot subdivision in 2018 that confirms that we sought a couple of access upgrades, but there are limits to what they serve:

- CP64: has been upgraded to a Diagram E standard as part of the subdivision process but is only to serve the storage sheds – at the time, this was estimated to generate up to 48 ecm/day.
- CP65: benefitted from the seal widening associated with CP64 and is only to serve the single rural residential dwelling.
- CP66: has been relocated and upgraded to a Diagram E standard as part of the subdivision process but is only to serve a low-scale plant nursery which (at the time) was estimated to generate up to 36 ecm/day. It doesn't look like it's used at all from the aerial though.
- I've got the Crossing Place notices with all of the above if that's helpful.



On top of that, the Limited Access Road provisions (sections 88 to 98 of the Government Rounding Powers Act 1989) state that we can cancel the CP Notice should another legal access be available (such as the new road):

91 Authorisation of crossing places

- (1) The Agency, in the case of any limited access road under its control, may from time to time—
 - (a) by notice to the owner of the parcel of land affected,—
 - (i) authorise, subject to such conditions (if any) as it may impose, any crossing place, whether formed or not, at which vehicles may proceed to and from the limited access road from and to any specified parcel of land:
 - (ii) specify the location of any crossing place, whether authorised under section 90 or under this section:
 - (iii) cancel the right to use any crossing place, whether authorised under section 90 or under this section or located by a specification under subparagraph (ii), if the parcel of land has reasonably practicable legal access to some other road or has another authorised crossing place:
 - (iv) cancel or vary all or any of the conditions imposed under this section, or impose further conditions, or vary the location of any authorised crossing place:
 - (b) construct any road or service lane that it may be expedient to construct to give access, whether additional or not, to any land adjoining or near the limited access road.
- (2) Any notice given by the Agency under this section may be registered by the Agency under the Land Transfer Act 2017 against every record of title affected by the notice by lodging the notice with the Registrar-General of Land.
- (3) Each copy of any notice given under this section shall identify the land to which it relates, including the record of title reference for the land affected by the notice.
- (4) On receipt of any notice issued under this section and the prescribed fee (if any), the Registrar-General of Land must, if everything is in order, note the notice on every relevant record of title.
- (5) The notation by the Registrar-General of Land on a record of title of the particulars of a notice is evidence of the existence of the notice but does not create any estate or interest under the Land Transfer Act 2017.
- (6) Any notice recorded by the Registrar-General of Land under subsection (4) may be cancelled or varied upon production by the Agency of a notice of cancellation or notice of variation.

Happy to chat, Lea

Lea O'Sullivan (she/her)
Principal Planner

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Email | **Īmēra:** Lea.OSullivan@nzta.govt.nz

From: Bill Rice <bill.rice@tasman.govt.nz>
Sent: Wednesday, 26 March 2025 8:00 am
To: Drew Bryant <Drew.Bryant@nzta.govt.nz>; Lea O'Sullivan <Lea.OSullivan@nzta.govt.nz>
Subject: PC 79 SH 60 submissions

Hi Drew & Lea,

There are a couple of submissions on PC 79 relating to the deferred Mixed Business Zone between the Meadows & SH 60:

1. **Appleby 88 Ltd**
2. **BAG Group Ltd**

Appleby 88 Ltd owns the property at 88 Appleby Highway from which they've subdivided off the "lifestyle" property in front.

Their submission states:

The reason(s) for our submission are:	The decision we want Council to make:
<p>Appleby 88's property, held in RT 856882, is ready to be rezoned to its anticipated final zone (Mixed Business), because the Property:</p> <ol style="list-style-type: none">1. can self-supply water (on-site bore);2. can self-manage stormwater on site (and will design and prepare to connect to future services later);3. can connect to existing wastewater network with Richmond West (but will design and prepare to connect to future RW5 services later);4. can be designed in a way that anticipates the future road layout through RW5; and5. has two legal accesses to SH6 as approved by NZTA, which can be relinquished once the new road layout in RW5 is completed.	<p>Re-zone Record of Title 856882 within RW5 to 'Mixed Business' (its end use zone).</p>

Do you have any details of any limitations on those existing accesses? I'm concerned that any development that is designed around those existing accesses may not suit the final road well.

There appears to be one access to the lifestyle property plus 2 to the remainder of the site (see below)



Any other comments? Would you support moving the indicative road to this property if they managed to get in before BAG (see below)? It will be a matter of 1st in 1st served. Those that follow may have to wait for properties in between to develop.

This is **Ben Coman, Andrew Spittal, Graham Vercoe**. They own 76 Appleby Highway. They want to move the indicative road from the north western boundary of their property to the centre of it. We are not supporting it because an indicative on the boundary could be built by either property owner, but a road in the centre of their block would be generally consistent with the indicative road location, so would be likely to be approved at consent time.

Feel free to give me a call if you want to discuss.

Regards,
Bill

Bill Rice

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