

**Before the Hearing Commissioner
appointed by the Westland District
Council**

Under the Resource Management Act 1991

In the Matter of Resource Consent application by B M Loader

Revised Right of Reply

Dated: 11 December 2025

Project: B M Loader – Section 127 Variation of RC220119 – Commercial Hall

Resource Consent: RC230134

Applicant: B M Loader

Council: Westland District Council

To: Hearing Commissioner Edith Bretherton

Hearing Date: 07 November 2025

Right of Reply Date: 11 December 2025

1. INTRODUCTION

1.1 This revised Right of Reply is provided on behalf of **B M Loader** in response to the **Section 42A Report Addendum** prepared by **Joubert Bekker** (Planning Consultant) dated **03 December 2025**, correct **draft conditions** received 10 December 2025 and in reply to matters raised by submitters and the Commissioner during the hearing on **07 November 2025**.

1.2 We thank the reporting officer and submitters for their participation. This reply clarifies key matters of expert evidence, responds to the conclusions of the 42A report, and provides final refinements to conditions.

1.3 This right of reply includes additional evidence supplied by acoustic engineer **Elena Salmond of Marshall Day Acoustics Limited** in order to address misinterpretation of noise effects which are contained within the 42A report addendum.

2. SUMMARY OF APPLICANT'S POSITION

2.1 The proposal seeks vary resource consent 220119 in order to increase the usability of the existing community hall to provide for commercial use in addition to community events. The application involves an increase to vehicle parking provisions, the number of days the hall may be utilised annually and to provide for the presence of staff to assist events.

2.2 Following expert conferencing and the hearing, the applicant maintains that the proposal **meets the tests of s104 and Part 2 of the RMA**, and that any adverse effects are acceptable and can be fully mitigated by the updated conditions.

2.3 The applicant supports the reporting officer's **overall recommendation to grant consent**, subject to amendments discussed in Section 5 of this reply.

3. RESPONSE TO KEY ISSUES IN THE SECTION 42A REPORT

3.1 Amenity and Character

- **Officer's conclusions:**

The 42A report finds that with the controls applied to the use of the hall, that the adverse effects upon rural character and amenity will be no more than minor.

- **Applicant's reply:**

We agree. It is acknowledged that community halls and social hubs are a component of rural character and can be found throughout the Westland District and wider New Zealand. Although we agree with the outcome of this assessment, restrictions on the operation of the proposed activity outlined within the 42A report addendum are not consistent with those applied for and are considered unnecessarily restrictive in respect to the mitigation of actual or potential effects. The assessment provided within the 42A itself refers to alternative restrictions in hours of operation, including *Thursday–Sunday and public holidays, and hours of 09:00–22:00 Sun–Thu and 09:00–23:00 Fri/Sat, with one night per week only (Friday or Saturday) permitted to 00:00 (midnight)*. This allows for the use of the hall from Sunday to Thursday with hours of 9am to 10pm, however restrictions to the days of use are also proposed. The draft conditions contained within Appendix 1 of the 42A report addendum include the following hours of operation:

Condition 4:

Events may occur only on Thursday, Friday, Saturday, Sunday and public holidays, with no more than thirty (30) events in any calendar year and attendance not exceeding one hundred and fifty (150) guests per event (exclusive of staff, contractors and service providers). Hours of operation are 09:00–22:00 Sunday–Thursday and 09:00–23:00 Friday–Saturday, with one night per week only (Friday or Saturday) permitted to extend to 00:00 (midnight). All attendees must vacate the site and all event-related activity (including pack-down) must cease by the stated finish time.

Condition 18:

Hours of operation are 09:00–22:00 Sunday to Thursday and 09:00–23:00 Friday and Saturday, with one night per week only (Friday or Saturday) permitted to extend to 00:00 (midnight), and all attendees must vacate the site and all event-related activity (including pack-down) must cease by the stated finish time.

It is suspected that the reference to Sunday to Thursday contained within Condition 18 is an error as Condition 4 states that events may only occur on Thursday through to Sunday and public holidays.

It has been assessed that changes to this condition considered within the 42A report addendum are appropriate in part and will maintain the existing rural residential character

and amenity of the area, however slight amendments are suggested. These changes are proposed within part 5 of this right of reply and include the allowance for use of the hall until midnight on both Friday and Saturday night, with no requirement to select one day a week (this was not proposed and does not align with any district planning standards). It is considered that the maximum annual days of usage (being 30 events per calendar year) is sufficient to ensure the surrounding character and amenity of the receiving environment is not unacceptably compromised. Although the planning assessment is required to consider all possible outcomes, it is also necessary for this assessment to be fair and reasonable in considering what is likely or reasonably foreseeable in respect to effects of a proposal. Although the use of the hall each day of the week proposed is low probability, the effects of this are not considered likely to result in a high adverse impact as defined within s3(e) of the Act. The rarity with which events are likely to occur back-to-back must be considered. The effects of consistent events during a single calendar week (should they occur) are adequately mitigated by alternative conditions of consent volunteered by the applicant, including annual event restrictions, noise controls, maximum occupancy and traffic management. Therefore, it is assessed that the conditioning proposed is in part unnecessarily restrictive and not associated with actual or potential effects which may reasonably occur.

It is also noted, that the 42A addendum assessment and conditioning does not consider or refer to civil defence activities. Events are not defined within the assessment or conditioning, which was raised by the Commissioner during the hearing. This is discussed further within Part 5 of this right of reply.

Please see the following part 3.3 of this right of reply for further discussion regarding noise.

Overall, the applicant supports the findings of the 42A report, however minor amendments are required to remain consistent with the application as no changes to hours of operation or noise conditioning were proposed during or post the hearing. These minor amendments are also required in order to reasonably manage effects which are likely to occur

3.2 Transport

- **Officer's conclusions:**

The 42A report accepts the traffic evidence of **Novo Group Ltd** and approval of **Waka Kotahi**, concluding that the rural road network and State Highway can accommodate the proposed activity where the agreed conditions of consent are imposed.

- **Applicant's reply:**

We agree and recommend no changes to the conditions proposed with respect to transportation and guest and staff occupancy potential.

3.3 Noise

- **Officer's conclusions:**

The 42A report addendum concludes that noise and amenity effects will be no more than minor where the conditions of consent contained within Appendix A of the 42A report are implemented.

- **Applicant's reply:**

We agree in part with this assessment. It is noted in the report that microphone use may only be permitted when doors and windows are closed, and this is recommended as a condition of consent. The assessment also refers to microphone use for 'speech'; however, it is intended as a part of the application that microphones are also utilised for singing.

As per the additional evidence supplied by Marshall Day acoustics contained within **Appendix A** of this right of reply, the original acoustic assessment made no reference to requiring doors and windows to be closed during the use of microphones. The planning officer has not cited any additional evidence from a suitably qualified professional which supports this restriction contained within draft condition 16. At no point was it volunteered by the applicant that windows and doors will be closed during microphone use. The applicant does not agree with this component of the assessment, and it is not clear where this conditioning originated from or what effects it is intending to mitigate. The applicant seeks for alternative conditioning to be imposed which is in line with the additional evidence provided in **Appendix A**.

In addition to this, the evidence supplied by the acoustic assessment and following methodology confirmation does not include or recommend that microphones are utilised for 'speech' only. It is anticipated that musical events will include singing and this has been reflected in the evidence supplied to support the application. As noted within the acoustic assessment, noise emissions are anticipated to comply with the standards of the Operative District Plan, however **Appendix A** includes new conditions which will ensure this will be achieved. It was originally recommended by the acoustic engineer that no changes were made to the existing noise conditions contained within RC220119, however the additional evidence and conditioning contained within **Appendix A** has been supplied in order to provide further assurance to Council that effects will be managed appropriately.

Overall, it is considered inappropriate for the planning officer to recommend alternative noise conditions and restrictions that do not align with the expert evidence supplied or district planning standards. Council has not sought a peer review or supplied alternative acoustic recommendations during the processing of this resource consent application, and it is therefore considered outside of the scope of the planning assessment to introduce further noise restrictions.

3.4 Reverse Sensitivity

- **Officer's conclusions:**

The 42A report addendum finds the development will result in reverse sensitivity effects which are less than minor and that the proposed use of the hall will not restrict the ongoing operation of lawful activities within neighbouring properties or the transport corridor.

- **Applicant's reply:**

Reverse sensitivity effects are not applicable to this proposal as the activity does not involve a sensitive use. The application is for a non-sensitive commercial and community hall. The existing environment is sensitive rural residential activity. This means the direction of sensitivity runs from the existing houses towards the proposed use of the hall. This is encapsulated through other effects (noise, character, amenity etc.) as opposed to reverse sensitivity. Reverse sensitivity would only apply if the hall were sensitive, the hall enabled future sensitive uses or the hall's presence could create complaints that would restrict an existing established generator of effects (e.g., a farm, quarry, or industrial activity). In this instance, this does not apply to the proposal.

3.5 Positive Effects

- **Officer's conclusions:**

The 42A report finds the development will result in positive effects which are not outweighed by adverse effects as a result of the amendments to the proposal.

- **Applicant's reply:**

We agree. Through the reduced number of events (as compared to the original proposal), restricted hours of operation, numbers of occupants/staff and the noise controls proposed, the positive effects of the activity balance the adverse effects, which are no more than minor. It is also acknowledged that the proposed activity will support community resilience through the provision of a gathering point for civil defence emergency management and training. This component of the application has not been considered within the 42A report addendum, however it makes up a part of the overall proposal and should be assessed accordingly.

4. RESPONSE TO SUBMITTERS' MATTERS

4.1 Cycle Trail and Road Safety

Ms Mitchell was present during the hearing as a representative for each submitter. During the hearing various matters were raised by the submitter which sit outside of the RMA process. Although this is the case, the submitter did raise a concern regarding safety and function of the West Coast Wilderness Cycle Trail, which traverses the access of the hall. This concern has been addressed through evidence in the form of a transportation assessment addendum supplied prior to the hearing, which was accepted by Council. This expert evidence provided by **Novo Group Limited** assessed effects upon the cycle way and found that the activity will not unacceptably compromise safety and functionality for its users or occupants of the hall.

5. CONDITIONS OF CONSENT

- 5.1 The applicant accepts the majority of the officer's proposed conditions contained within Appendix A of the 42A report, however minor amendments are proposed to the following conditions listed within Table 1 below. A full suite of proposed conditions may be found within **Appendix B**.

Table 1 – Condition Amendments

Condition	Issue	Amendment	Reason
1	General Planning	This condition needs to be amended to include the additional evidence submitted within this right of reply Appendix A . It is also noted that by Council's records, the application was received on 06 November 2023, not 10 November 2023. This also needs to be amended.	The receipt date appears to be an error. The additional information and conditioning provided in this right of reply must also be included.
2	General Planning	It is recommended that an advice note is included to identify what classifies an ongoing retail activity or commercial operation. Presently the condition is ambiguous. For example, would a commercially run weekend workshop or market be classed as ongoing? It is suggested that the	This amendment will ensure the consent holder has a clear understanding of the restrictions being imposed by this condition.

advice note specifies (but is not limited to) activities which may be considered “ongoing” in nature.

4	Event Restrictions	<p>This condition is to be amended to refer only to the number of days the hall may be utilised annually, those days events may occur each week (Thursday to Sunday and public holidays) and occupancy potential. The component of this condition which discusses hours of operation is to be deleted.</p> <p>It is also requested, as per the original draft conditions supplied by the applicant, that civil defence activities which sit outside of those provided for under the Civil Defence Emergency Management Act 2002 (i.e. activities that are associated with training and administration as opposed to emergency management) are explicitly excluded from the number of events allowed per year, or alternatively the number of events are increased to 42 to allow for this.</p>	<p>The hours of operation listed within this condition are inconsistent with the week days an event may occur. The hours of operation allow for use of the hall every day of the week. As such, this condition is not achievable.</p> <p>Also, hours of operation are conditioned via conditioned via condition 18 under the subheading “Hours of Operation”. The duplication of these conditions is not considered necessary.</p> <p>With regards to civil defence activities, it has been proposed that one training event or meeting for the purpose of civil defence may occur each month without utilising the 30 day cap. This was not considered or assessed in the 42A report addendum. It is considered that these events are community based (will not result in commercial activity), which is supported by the Te Tai o Poutini Plan. However, as the draft conditions of consent encapsulate both community and commercial activity together, it is necessary for these events to be either defined as exempt within the decision or provided for via additional annual event capacity. It is considered most appropriate to define the exemption of civil defence activities as opposed to increasing the number of events as this will ensure the hall is utilised as</p>
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proposed and as heard. Please see **Appendix B** for proposed conditioning.

5	Parking	The reference to “marked” parking spaces is to be removed.	At no point in the application, further information or supporting evidence was it proposed that individual car parking spaces will be marked. The expert evidence provided by Novo Group Limited made no such recommendation during any of the assessments provided to Council throughout the application process. There are no standards within the Operative District Plan or Te Tai o Poutini Plan that require that the car parks are marked (excluding accessible parking). As no Plan provisions or expert evidence require this, it is not considered appropriate to impose. Unmarked car parking is permitted within each Plan (excluding the requirement to mark accessible parking). As such, this component of the condition is considered inappropriate and not legally sound. Also, there is no assessment within the 42A which outlines why this has been imposed and what effects it’s attempting to manage. It is suggested that either “marked” is removed from the condition, or that the reference is only in respect to accessible parking as per Te Tai o Poutini planning requirements.
5.1	Traffic Management and record keeping	It is recommended that this condition be formatted differently. Please see Appendix B .	This is recommended to ensure clarity for the consent holder and future monitoring undertaken by Waka Kotahi or Council.

10	Vegetation Clearance	<p>This condition needs to be amended to state that vegetation clearance must be limited to that described within the application received 06 November 2023 and as additional clearance is required to complete the proposed car parking changes which have been recommended to be approved.</p>	<p>As noted within the application addendum submitted on 29 July 2025, this condition is not achievable. Minor vegetation clearance (no more than 500m² - within permitted activity standards) has occurred within Lot 2 DP 577153 in order to accommodate the amended car parking (already constructed) as described within the original application.</p>
16	Noise	<p>It is recommended that this condition is updated to confirm that microphones may be utilised without restrictions to the type of use (i.e. it is clear that microphones may be utilised for speech and singing). It is recommended that conditioning includes the requirement for closed windows and doors during the use of microphones in accordance with the conditions volunteered in Appendix A. There is no recommended restriction to utilising the microphone for singing outside of the standard requirements for sound pressure levels as provided within the attached expert evidence.</p> <p>New noise conditions are proposed which aligns with the additional evidence supplied within Appendix A of this right of reply. Please see Appendix B for this new condition.</p>	<p>This will ensure the consent conditions are clear with respect to what is being restricted. As discussed above, it was not volunteered by the applicant during or post the hearing for windows and doors to be closed during microphone use, nor for the microphones to be only utilised for “speech” as noted within the 42A report addendum. The restrictions contained within draft condition 16 are not evidence based, nor do they coincide with the application or any present planning standard. The additional evidence contained within Appendix A of this right of reply, including additional conditioning to ensure the existing noise condition will be met has been translated to new draft conditions within Appendix B.</p>
18	Hours of Operation	<p>The hours of operation are to be amended to the following:</p> <ul style="list-style-type: none"> Thursday: 8:00am – 10:00pm 	<p>We agree in part with the assessment provided within the 42A report addendum with respect</p>

- Friday and Saturday: 8:00am – 12:00am (midnight)
- Sunday and Public Holidays: 8:00am – 10:00pm

to increasing hours of operation to 10pm Sunday-Thursday. This is, however, not consistent with the restriction in days the hall can be utilised also identified within the 42A report addendum, being Thursday-Sunday and Public Holidays. It is suspected that the reference to the hours of operation being from Sunday through to Thursday is an error as discussed above. On this basis, the changes to the condition listed here are considered appropriate.

It is also noted that the hours of operation contained in condition 18 do not consider public holidays (which are provided for in condition 4). Public holidays can occur outside of Thursday to Sunday. Accordingly, the hours of operation must also consider those public holidays that fall outside of Thursday to Sunday (e.g. Monday).

It is also requested that the restriction associated with the use of the hall on Friday or Saturday each week is removed. As discussed within part 3.1 of this right of reply, this condition was not proposed and is considered unnecessarily restrictive based on the intended and reasonably likely use of the hall and associated effects. Please see **Appendix B** for the revised hours of operation condition.

5.2 No amendments to the conditions proposed alter the scope or effects of the application.

6. COMMISSIONER'S QUESTIONS (HEARING REQUESTS)

6.1 Acoustic Confirmation

In response to Commissioner Bretherton's query regarding the methodology of the Acoustic Assessment prepared by Marshall Day, clarification was provided to Council on 10 November 2025. This involved an email train which included correspondence with Elena Salmond as the representing acoustics engineer. Ms Salmond confirmed that the acoustic assessment was undertaken to consider the effects and noise outputs associated with the use of microphones. No changes to the recommendations of the original acoustic assessment were proposed. Ms Salmond clarified that the methodology was explained in the event noise level section of the original report which included a microphone and non-amplified music within the internal reverberant level for the hall noise breakout calculation. This confirmation was accepted by Council and received prior to the deadline date of 26 November 2025.

6.2 Transportation Clarifications

In response to the queries raised by Westland District Council's Transportation Manager and conveyed in the hearing by Commissioner Bretherton, further information was supplied by the applicant. This information included a joint witness statement prepared by Novo Group Transport Engineer Alexandra Mace-Cocrane and signed by Westland District Council Transportation Manager Karl Jackson. The statement addressed the inconsistencies in transport material and Waka Kotahi approval. This statement was supplied to Council prior to the deadline date of 26 November 2025.

6.3 Waka Kotahi Approval

In response to Commissioner Bretherton's query regarding the status of the approval from Waka Kotahi with respect to the application changes, the applicant sought updated approval. This was granted and supplied to Council prior to the deadline date of 21 November 2025. The approval did not involve any changes to the conditions contained within the original approval dated 29 January 2025.

6.4 Definition of Events – Civil Defence

In response to Commissioner Bretherton's query regarding the number of events proposed annually and the use for the hall for the purpose of civil defence meetings and training, it is requested that civil defence events which sit outside of those provided for by the Civil Defence Emergency Management Act 2002 are excluded from the definition of "events" within conditioning. As per the application, one civil defence meeting or training event is proposed to occur each month. Where this is not provided for with an increase in event capacity or exemption from the definition of "event" it is likely that this will not be able to occur due to the

already considerable restriction of 30 events per year. It is considered that the positive effects of the allowance for civil defence meetings and training outweigh adverse effects associated with the use of the hall. It is noted that these civil defence related activities will occur during normal working hours where not required for emergency management. Please see **Appendix B** for suggested conditioning.

7. STATUTORY ASSESSMENT

7.1 The proposal meets the requirements of s104, the effects that are no more than minor or otherwise acceptable.

7.2 Relevant District and Regional Plan provisions relating to rural character, amenity, traffic, noise, ecology and landscape are satisfied.

7.3 Under Part 2 of the Act, the proposal promotes sustainable management by:

- Providing for social and economic wellbeing of Westland communities through facilitating gatherings and events within an area which presently does not offer a community hub of this nature.
- Maintaining rural character through proposed restrictions on the use of the hall, hours of operation and noise controls.
- Enhancing community health and safety through the provision of space for the purpose of civil defence training and emergency management. In addition to this, the application includes volunteered conditions and evidence to preserve the safety and efficiency of the transportation network.

8. CONCLUSION

8.1 The applicant supports the 42A report recommendation to **grant the application**, however this is proposed to be subject to the amended conditions contained within **Appendix B** of this right of reply.

8.2 The evidence and clarification provided during the hearing, the information supplied prior to the production of the 42A addendum, and in this reply, confirm that the proposal is appropriate for the site and aligns with the RMA's purpose.

8.3 We respectfully request that the Commissioner **grants the s127 variation to land use consent 220119** subject to the conditions set out in **Appendix B**.

Signed:

A handwritten signature in black ink, appearing to read 'A. Johnson', enclosed within a faint, light-colored rectangular box.

Anna Johnson

Planning Consultant, Scoped Planning and Design Limited

On behalf of **B M Loader**

Appendix A – Confirmation from Acoustic Engineer Regarding Microphone Use

ES

Elena Salmond <elena.salmond@marshallday.co.nz>

To:  Anna Johnson

Cc: Jon Farren <jon.farren@marshallday.co.nz>



Mon 08/12/2025 16:35

Kia ora Anna,

We have reviewed your request.

Whilst amplified musical instruments are not permitted, amplified voice (both speech and singing) can be accommodated and be able to comply with the applicable noise limits. Checking back through our analysis, our assessment only allows for doors on the north-eastern façade to be opened for ventilation.

You have asked for suggested wording for a consent condition that supports this, and we have attempted to provide the flexibility of a two-pronged condition that:

- relates the noise levels to the equipment being used (which will be easier for Council compliance staff to verify without sound measurement) and
- has an objective maximum sound level that must be complied with.

Our suggested text is:

1. Amplification within the hall shall not:
 - have a rated electrical power of more than 200 watts RMS
 - be used for pre-recorded music
 - be used for musical instruments
 - be used with more than one microphone
 - have more than two connected loudspeakers
 - exceed a sound pressure level of 85 dB LAeq(2mins) when measured at a distance of 5 metres on axis in front of each loudspeaker. LAeq represent current best practice and the conversion from LAeq to LA10 at the notional boundary of the receivers has been considered in the analysis. Measurements shall be conducted in accordance with the requirements of NZS 6801: 2008 Acoustics – Measurement of environmental sound.
2. When amplification is in use, only external doors and windows in the northern façade of the building can be opened. All other external doors must be kept closed except for the normal entry and exit of patrons.

Ngā mihi nui

Elena Salmond

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MARSHALL DAY
Acoustics


Appendix B – Draft Conditions

Draft Conditions:

General

1. The proposal must proceed in general accordance with the information provided in the original application received 5th October 2022, further information received on 1st, 5th, and 9th December 2022, the variation application received on 06th November 2023 and further information received on 14th May 2024, 21st May 2024, 30th January 2025, 18th July 2025, 7th November 2025, 10th November 2025, 18th November 2025, 11th December 2025 and the plans marked as Attachment 'A', 'B', 'C', 'D'.

2. The building may be used for community and private events, which may include the use of staff or contractors (up to six at any one time) to support the operation of those events. The site must not be used for ongoing retail activity or commercial operations not otherwise authorised by this consent.

Advice Note: Ongoing retail activity or commercial operations consist of XXXXX or activities of a similar nature. This does not include short term commercial events which may occur for more than one day.

3. The exterior of the building must be painted, clad or finished and thereafter maintained in muted, natural colours to the satisfaction of Council.
4. Events may occur only on Thursday, Friday, Saturday, Sunday and public holidays, with no more than thirty (30) events in any calendar year and attendance not exceeding one hundred and fifty (150) guests per event (exclusive of staff, contractors and service providers).

Advice Note: Where the building is utilised for civil defence purposes, including but not limited to emergency responses, training and planning, this activity does not meet the definition of an event as referred to in this resource consent and will not be subject to the annual 30 event restriction as per the requirements of condition four (4).

5. The building must be used for no more than one (1) civil defence meeting or training event per calendar month. All civil defence meetings must be undertaken in accordance with Condition 22.

Advice Note: Civil defence meetings or training events do not include emergency responses, which may take place on an as needed basis. These events are not restricted under the requirements of condition four (4).

Vehicle Access and Parking

6. A maximum of thirty-eight (38) parking spaces must be provided and maintained on site, and event-related parking must not occur in the road reserve or on adjacent roads.
7. For any event where more than one hundred and five (>105) guests are expected, a Transport Management Plan (TMP) must be prepared and implemented, with a TMP template held on file and event-specific details completed at least three (3) working days prior to the event and available on site. Each TMP must, as a minimum, provide for:

- (i) the use of minibuses for guest transport (no coach parking on site);
- (ii) on-site drop-off/pick-up locations and circulation;
- (iii) pre-event guest communications discouraging private-vehicle use and advising shuttle/minibus arrangements (including timings and pick-up points);
- (iv) on-day parking management and wayfinding, including a marshal where warranted; and
- (v) measures for orderly guest dispersal at finish times to minimise outdoor congregation and noise.

8. For any event where more than one hundred and five (>105) guests are expected, the consent holder must maintain rolling 12-month operational transport records, including parking occupancy, and provide them to Council or Waka Kotahi (NZTA) upon request. Where Council, after consulting Waka Kotahi, determines that crash data or substantiated near-miss safety incidents associated with events warrant further investigation, the consent holder must commission, at their cost, a road safety audit or equivalent safety review of the SH6/Greymouth–Kumara Tramway interface and relevant on-site arrangements, and must implement any practicable safety recommendations approved in writing by Council (after consulting Waka Kotahi) within the timeframe specified by Council.

Engineering

9. Stormwater must be managed onsite to ensure no direct discharge of stormwater is made to neighbouring properties unless provided for by way of an easement.
10. Sewerage effluent is to be disposed of in accordance with provisions of the relevant New Zealand Standard or in accordance with the requirements of the West Coast Regional Council.
11. All power and telecommunication services are to be underground unless inconsistent with supplier requirements.
12. Erosion and sediment controls must be implemented during earthworks and construction to the satisfaction of Council to ensure sediment or debris does not discharge offsite.

Vegetation Clearance

13. Indigenous vegetation clearance must be limited to that described within the application received 06th November 2023 and as depicted on the plans attached and marked as **A**.
14. All remaining indigenous vegetation must be retained for the duration of the activity to preserve the desired rural character.

Signage

15. The signs must be erected and thereafter maintained in a non- reflective material in general accordance with the attached plan marked as 'C'.
16. The southern entrance sign must not exceed 1047mm in height as measured from existing ground level and 2000mm in width.
17. The signs must be well maintained to the satisfaction of Council at all times. Any damage, vandalism or deterioration is to be remedied within 14 days of occurrence.

Lighting

18. All artificial lighting must be directed away from Greymouth-Kumara Tramway and neighbouring properties.

Noise

19. No amplified musical instruments shall be used at any time. Only acoustic musical instruments may be played, and all musical activity shall occur within the building.

Advice Note: This condition does not restrict the use of microphones.

20. Amplification within the hall must not:

- have a rated electrical power of more than 200 watts RMS
- be used for pre-recorded music
- be used for musical instruments
- be used with more than one microphone
- have more than two connected loudspeakers
- exceed a sound pressure level of 85 dB LAeq(2mins) when measured at a distance of 5 metres on axis in front of each loudspeaker. LAeq represent current best practice and the conversion from LAeq to LA10 at the notional boundary of the receivers has been considered in the analysis. Measurements shall be conducted in accordance with the requirements of NZS 6801: 2008 Acoustics – Measurement of environmental sound.

22. When amplification is in use, only external doors and windows in the northern façade of the building can be opened. All other external doors must be kept closed except for the normal entry and exit of patrons.

23. The consent holder must ensure that all activities on the site are measured in accordance with the provisions of NZS 6801: 2008 Acoustics Measurement of environmental sound, and assessed in accordance with the provisions of NZS6802: 2008 Acoustics – Environmental. Noise shall not exceed the following noise limits at any point within the notional boundary of a residential activity, other than a dwelling on the site to which this consent applies, during the following time frames:

Monday to Friday 0700-2100hrs 55dBA L 10
 Saturday 0700- 1800hrs 55dBA L 10
 At all other times, including public holidays 45dBA L 10

These noise limits shall not apply to construction noise which shall be assessed in accordance with NZS 6803:1999 Acoustics – Construction noise.

Hours of Operation

22. All events (excluding occupation for civil defence emergency responses) must be limited to the following hours of operation unless subject to alternative statutory restrictions:

Thursday: 8:00am – 10:00pm
 Friday and Saturday: 8:00am – 12:00am (midnight)
 Sunday and Public Holidays: 8:00am – 10:00pm

All attendees must vacate the site and all event related activities, including pack- down, must cease by the end of each respective time period.

Review

23. If considered necessary by the Westland District Council, the conditions of this consent may be reviewed at any time for the following purposes:

- a. To deal with any adverse effects on the environment which may arise from the exercise of this consent and which it is appropriate to deal with at a later stage.

- b.** If the information available to the Consent Authority by the applicant contained inaccuracies which materially influenced the decision made on the application and the effects of the exercise of the consent are such that it is essential to apply more appropriate

Costs and Contributions

- 24.** The consent holder must meet all costs associated with monitoring procedures undertaken by the Westland District Council, or its agents, to establish compliance with conditions of this consent.