

# Form 13 – Submission on application concerning resource consent or esplanade strip that is subject to public notification or limited notification by consent authority



Form 13: Resource Management (Forms, Fees, and Procedure) Regulations 2003  
Sections 41D, 95A, 95B, 95C, and 96, 127(3), 136(4), 137(5)(c), and 234(4), Resource Management Act 1991

Email to: [planning@bdc.govt.nz](mailto:planning@bdc.govt.nz)  
Deliver to: Planning Department, Buller District Council, 6-8 Brougham Street, Westport  
Post to: Planning Department, Buller District Council, PO Box 21, Westport 7866

**To: Buller District Council**

**Full Name of Submitter:**

**Contact person [name and designation if applicable]:**

**Postal Address for service of person making submission:**

**Contact details:**

Landline:

Mobile:

Email:

**This is a submission on the resource consent application as noted below: (Enter application details)**

Resource Consent Number:

Name of Applicant:

Site/Location:

Proposed Activity:

**The application is for a resource consent for: (briefly describe the type, proposed activity, and location)**

I am  I am not (tick one) a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

**If you are a trade competitor, your submission must:**

- (a) relate to adverse effects on the environment; and
- (b) not relate to trade competition or the effects of trade competition.

**The specific parts of the application that my submission relates to are: (give details)**

**My submission is:** *(tick one)*

I support       I am neutral       I oppose

the application or specific parts of it: *(Provide details as appropriate)*

**The reasons for making my submission are:** - *(please attach additional paper to your submission, if required)*

**I seek the following decision from the consent authority:** *(give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought)*

Yes  No    I wish to be heard in support of my submission *(tick one)*

Yes  No    If others make a similar submission, I will consider presenting a joint case with them at the hearing *(tick one)*

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**Signature/s of submitter/s** *(or person authorised to sign on behalf of submitter)*

Signature:       Date:

Name of person signing:

Signature:       Date:

Name of person signing:

Signature:       Date:

Name of person signing:

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#### NOTES TO SUBMITTER

1. Council must receive your submission before the closing date and time for submissions on this application. Your submission can be forwarded to the Buller District Council at [planning@bdc.govt.nz](mailto:planning@bdc.govt.nz)
2. You must serve a copy of your submission on the applicant as soon as reasonably practicable, at the applicant's address for service, after you have served your submission on the Council. Contact details are on the covering letter.
3. Please note that your submission (or part of your submission) may be struck out if the Council is satisfied that at least one of the following applies to the submission (or part of the submission):
  - It is frivolous or vexatious;
  - It discloses no reasonable or relevant case;
  - It would be an abuse of the hearing process to allow the submission (or the part) to be taken further;
  - It contains offensive language;
  - It is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.
4. The closing date for serving submissions on the Council is the 20th working day after notification. This date is recorded in the public notice or on the letter you received. Please ensure you comply with this date as late submissions may not be accepted.
5. If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in Part 11A of the Resource Management Act 1991.
6. Pursuant to section 100A of the Resource Management Act 1991, you can request that the Council delegates their functions, powers, and duties required to hear and decide the application to one or more hearings commissioners who are not members of the local authority. If you make a request under section 100A of the Resource Management Act 1991, you must do so in writing no later than five working days after the close of submissions and you may be liable to meet or contribute to the costs of the hearings commission or commissioner.



HERITAGE NEW ZEALAND  
POUHERE TAONGA

5 June 2025

The Planning Department  
Buller District Council  
PO Box 21  
Westport 7866

By email: [planning@bdc.govt.nz](mailto:planning@bdc.govt.nz)

Tēnā koe,

**SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA TO PUBLICLY NOTIFIED RESOURCE CONSENT APPLICATION RC240079 AT 4663 STATE HIGHWAY 6, TE MIKO, PUNAKAIKI**

**Submitter details:**

Name of submitter:	Heritage New Zealand Pouhere Taonga (HNZPT)
Street address:	[REDACTED]
Postal address:	[REDACTED]
Email address:	[REDACTED]
Preferred address for service:	by email

**Application details:**

1. This is a submission on application RC240079 for ACG Properties Ltd to establish and operate a luxury lodge and visitor accommodation development, to be known as 'Punakaiki Wild'.
2. The application comprises:
  - The proposed development involves a luxury lodge (comprising a restaurant, bar and spa facility), 15 self-contained accommodation cabins, a worker accommodation building, and a lodge support/utility building, along with associated access, parking, infrastructure, earthworks and vegetation clearance, staged ecological restoration planting (comprising approximately 10.3ha of active regeneration) and areas of passive regeneration throughout the site. The proposal includes works within the State Highway 6 legal road reserve to upgrade access to the site from State Highway 6.

**Submission details:**

3. HNZPT does not oppose this application, for the reasons listed below, subject to our recommendations being taken into consideration.

**The specific parts of the application that this submission relates to are:**

4. Works within proximity of a recorded archaeological site and within a SASM overlay.

### **Site and proposed works:**

5. An archaeological site is defined under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) as any place occupied prior to 1900 that may provide archaeological information on the history of New Zealand.
6. As noted in the application, the subject site is located along the coastline above karst cliffs, that bound the Tasman Sea and west of Paparoa National Park. The site features a sea cave in its southwestern corner and mature coastal forest along its southern boundary.
7. The subject site covers an approximate area of 21.86ha. The proposed earthworks will involve approximately 3,365.5m<sup>3</sup> of cut, 2,469.6m<sup>3</sup> of fill, with maximum cut and fill depths in the order of 2.5m. The Earthworks, Water Supply, Wastewater and Stormwater Report, prepared by Chris J Coll Surveying Limited and dated 11 April 2025, further details that the largest contributor to earthworks is roading, which is estimated to result in approximately 6,000m<sup>2</sup> of exposed ground. The buildings and services are estimated to result in approximately 3,000m<sup>2</sup> of exposed ground, and the total estimated area of exposed ground will be 9,000m<sup>2</sup>, should works occur simultaneously.
8. The application is supported by Site Record Forms obtained from ArchSite detailing recorded archaeology nearby. To the west of the subject site is a recorded archaeological site K30/07 which records a Māori cave / rock shelter. It includes four ovens with stone artefacts and midden features. The recorded extents on the Site Record Forms imply that the works are unlikely to impact archaeology. However, the project has not considered the potential impacts to unknown archaeology.
9. The subject site is located within a recorded Site of Significance to Māori on the Proposed Te Tai o Poutini Plan. SASM 30 entitled Te Miko, containing ara tāwhito values, encompasses majority of the subject site. This area is associated with being a travel route and historic occupation space.
10. Under the Operative Buller District Plan, the subject site is also located within the Paparoa Character Area where the coast has a significant influence on the landform, vegetation and human activities. This area is distinctive in character and is subject to a different management approach such as specific design guidelines.

### **HNZPT assessment:**

11. Given the close proximity of the subject site to the above identified archaeological site, there is high potential for the archaeology to continue or for there to be further archaeology within the project area.
12. It has been noted that the application proposes to implement an Accidental Discovery Protocol (ADP) at all times throughout the works. However, as there will be a reasonable level of earthworks (including planting) close to a sizeable, recorded Māori site, HNZPT strongly recommends that an archaeological assessment is undertaken by a consultant archaeologist prior to works being undertaken, to clarify the potential impacts to archaeology.
13. The application has been supported by an Erosion and Sediment Control Plan (ESCP), contained as Appendix B in the Earthworks, Water Supply, Wastewater and Stormwater Report, prepared by Chris J Coll Surveying Limited and dated 11 April 2025. The ESCP details that the proposal will follow standard erosion and sediment control measures such as

minimising disturbance, protecting waterways, stabilising exposed areas quickly, installation of perimeter controls and diversions amongst others. We note that the application commits to ensuring all erosion and sediment control measures are put in place prior to works commencing and will remain in place until all works are completed.

14. We also note that the applicants propose a Construction Management Plan (CMP) and an Ecological Enhancement Management Plan (EEMP) to support the proposal and manage effects.
15. The application states that all works will be contained within the subject site and facilitated by an ESCP and CMP. While the ESCP aims to follow general mitigative measures, the presence of a recorded archaeological site within close proximity and overlay within the District Plan identifying the presence of sea caves, warrants an assessment of effects which may directly affect the caves and their associated cultural values. HNZPT recommends assessing potential and actual effects directly relating to the cave and ensuring any effects associated with the works, such as ground vibration and potential moisture pathways, will not adversely affect the integrity or values of the caves.

**HNZPT seek the following decision:**

16. HNZPT requests the above comments be taken into account.

**Hearing of this application:**

17. HNZPT does not wish to be heard in support of our submission but is available to address any queries that may arise.

Kā mihi,



**Arlene Baird  
Area Manager Canterbury / West Coast  
Heritage New Zealand Pouhere Taonga**

**Address for service:**

