

21 July 2026

Buller District Council
PO Box 21
Westport 7866

Sent via Email: [REDACTED]

Dear [REDACTED]

New Zealand Transport Agency Change of Position Letter for RC240079 – 4663 State Highway 6, Punakaiki – ACG Properties Ltd

The New Zealand Transport Agency Waka Kotahi (NZTA) made a submission opposing resource consent application RC240079, which was publicly notified by Buller District Council on 12 May 2025.

The resource consent application (RC240079) is for the establishment and operation of a luxury lodge and visitor accommodation at 4663 State Highway 6 (SH6). Since the close of submissions amendments to the proposal have been made by ACG Properties Ltd and the updated proposal details are outlined in section 4.10 of the Council Officers s42A Planning Report, dated 2 July 2026. Consultation with NZTA has also occurred.

Key matters raised in NZTA submission:

- NZTA considered further assessment from the applicant was necessary to determine the suitability of the SH6 vehicle access formation, the appropriateness of the vehicle access sightlines, and to better understand the volume and extent of earthworks adjacent to SH6 and the potential slope stability matters that could arise.
- More specifically, NZTA sought the following from the applicant at the time of notification:
 - An amendment to the SH6 vehicle access/crossing design so that it was consistent with the Access Type E vehicle access standard of the New Zealand Planning Policy Manual 2025 (PPM), 'Access onto the state highway from private property'.
 - Further justification of traffic generation assumptions, particularly the volume of heavy vehicles that would be generated by the proposal and if this would include buses.
 - Further assessment to determine the appropriate sightlines that should be achieved to ensure safe access to and from the state highway, including vegetation clearance requirements and ongoing maintenance considerations to ensure safe visibility (sightlines) at the SH6 access.
 - A level driveway approach (maximum 2% gradient) for 10 metres from the edge of the SH6 carriageway.
 - An assessment of the potential slope stability and stormwater effects on SH6 associated with the upgrade of the vehicle crossing and removal of vegetation to increase sightlines along the property boundary with SH6.

In the absence of this information, including further assessment and amendments to the vehicle access design, NZTA sought that the application be declined.

Consultation with NZTA post submission:

The applicant has consulted with NZTA to address the matters raised in the NTZA submission and amendments to the application by ACG Properties Ltd have been made.

NZTA now have a better understanding of the type and volume of traffic that will be generated by the proposal, the appropriateness of the access design (including the minimum sightline distances that should be provided for), the volume and extent of earthworks adjacent to SH6, and how slope stability and stormwater will be appropriately managed to ensure that the proposed land use does not adversely impact upon the safety and operation of the state highway network.

The applicants hearing evidence submitted to Council on 9 July 2026 accurately details the discussions that have been had with NZTA, which has included the drafting of volunteer conditions of consent, if consent is granted.

Conditions volunteered by the applicant as agreed with NZTA:

Since the submission of the applicant's evidence to Council, NZTA can confirm that the following volunteer condition have been finalised and agreed to between NZTA and the applicant:

1. *Prior to the commencement of operation of the lodge and visitor accommodation activity, the vehicle crossing providing access to the site from State Highway 6 shall be constructed generally in accordance with the approved plans and access arrangement (Traffic Control Devices Manual Rural Right Turn Bay, Drawing No. 24-0162-02D Rev D, dated 09.07.26 East Cape Consulting).*
2. *Prior to the commencement of the vehicle crossing formation works, detailed design plans for the vehicle crossing which have been agreed with New Zealand Transport Agency, shall be provided to the Buller District Council and shall be generally consistent with the approved access arrangement (Traffic Control Devices Manual Rural Right Turn Bay, Drawing No. 24-0162-02D Rev D, dated 09.07.26, East Cape Consulting) and as a minimum, must include:*
 - a. *Detailed engineering design for the vehicle crossing, including all retaining walls and embankment associated with the access. The retaining wall and embankment shall:*
 - i. *Be designed in accordance with the New Zealand Transport Agency Bridge Manual, unless otherwise agreed; and*
 - ii. *The design and materials must provide for minimising maintenance requirements and costs. The design provided for approval shall specify maintenance requirements over the full design life and must include evidence demonstrating that the applicant has complied with the requirement for minimising maintenance requirements.*
 - b. *Stormwater collection, management and disposal provisions associated with the vehicle crossing and access formation.*
 - c. *A Landscape and Vegetation Management Plan identifying the proposed treatment of the areas within the required vehicle crossing sightlines to ensure the required vehicle crossing sightlines are maintained, including, as appropriate:*
 - i. *any vegetation to be removed, retained or managed;*
 - ii. *any proposed planting or other landscape treatment;*
 - iii. *measures to ensure vegetation does not obstruct the required vehicle crossing sightlines; and*
 - iv. *an ongoing vegetation management and maintenance schedule.*
3. *The consent holder must implement and thereafter maintain the landscape and vegetation management measures identified in the New Zealand Transport Agency approved detailed design, subject to access approval by the New Zealand Transport Agency. Any vegetation associated with the vehicle crossing shall be managed so that it does not obstruct the required vehicle crossing sightlines.*

4. *Prior to the commencement of vehicle crossing formation works, the consent holder shall submit to the Buller District Council a copy of the New Zealand Transport Agency's approval to undertake works on the state highway (as detailed in Advice Notes (a) to (f) below).*
5. *Within six months and again within two years of the completion of the retaining wall and embankment as part of the vehicle crossing upgrade, in accordance with Condition 1, the consent holder shall engage a suitably qualified professional to undertake an inspection of the retaining wall, embankment and associated drainage systems. The inspection shall assess the ongoing structural integrity of the retaining wall, and the performance and condition of the retaining wall and embankment, including (but not limited to) any evidence of post construction settlement, movement, rotation, cracking, erosion, scour, drainage failure, or any other defect that may adversely affect the stability or function of the retaining wall or embankment, or the safe and efficient operation of the state highway.*
6. *An inspection report, in accordance with Condition 5, shall be provided to Buller District Council and the New Zealand Transport Agency within 20 working days of each inspection. The report shall:*
 - a. *Describe the condition of the retaining wall, embankment and associated drainage systems;*
 - b. *Identify any defects, deterioration, maintenance requirements or performance concerns; and*
 - c. *Include recommendations and timeframes for any remedial works required to ensure the retaining wall and embankment continue to perform as designed.*
7. *Where the inspection report undertaken in accordance with Condition 5 identifies any deficiencies that require remedial works, the consent holder shall undertake such works to address the issue within 10 working days, or within an alternative reasonable timeframe that has been agreed in writing with the New Zealand Transport Agency, of the inspection report being provided to Buller District Council and the New Zealand Transport Agency.*
8. *The consent holder shall provide written confirmation within 5 working days to Buller District Council and the New Zealand Transport Agency that the remedial works, subject to Condition 7, have been completed and that the retaining wall is performing as intended.*

Advice Notes:

- a. *It is a requirement of the Government Roadway Powers Act 1989 that any person wanting to carry out works on a state highway first gain the approval of the New Zealand Transport Agency for the works and that a Corridor Access Request (CAR) is applied for and subsequently a Work Access Permit issued before any works commence. A CAR will be required for the vehicle crossing from the subject site to State Highway 6.*
- b. *Detailed design approval will be provided through the CAR process and will be certified as complying with the requirements in condition (b) above.*
- c. *A CAR is made online via www.submitica.co.nz. The CAR needs to be submitted at least 15 working days before the planned start of works.*
- d. *A copy should also be sent to the New Zealand Transport Agency environmental planning team at environmentalplanning@nzta.govt.nz.*
- e. *The Corridor Access Request will need to include:*
 - i. *The detailed design for the vehicle crossing. In developing the detailed design, the consent holder will need to consult with the New Zealand Transport Agency appointed state highway maintenance contractor for the West Coast and the New Zealand Transport Agency Safety Engineer.*
 - ii. *A Construction Traffic Management Plan that has attained approval from the New Zealand Transport Agency appointed state highway maintenance contractor for the West Coast.*
 - iii. *A Design Safety Audit that has been prepared, processed and approved in accordance with the New Zealand Transport Agency's Road Safety Audit Procedures for Projects or its successor.*

- f. *Inspections on the retaining wall shall be in accordance with the New Zealand Transport Agency 'Bridges and other significant structures inspection policy' - <https://www.nzta.govt.nz/assets/resources/bridges-structures-inspection-policy/docs/bridges-structures-inspection-policy.pdf> or as otherwise agreed with the New Zealand Transport Agency.*

Conclusion:

As a result of the discussions that have been had between NZTA and the applicant since the close of submissions, and due to the conditions volunteered by the applicant (above), I can confirm that NZTA's position on the application has changed from 'oppose' to 'neutral' and that NZTA no longer wish to be heard at the hearing.

If you have any questions regarding the position of NZTA, then do not hesitate to get in touch.

Yours sincerely,



Intermediate Planner

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

Email: 

ATTACHMENT 1: SH6 Access Design

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