



TOWNPLANNING
GROUP

Application for Resource Consent to the Buller District Council

ACG Properties Limited

'Punakaiki Wild' – Luxury Lodge and
Visitor Accommodation Development,
4663 State Highway 6, Te Miko,
Punakaiki

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Contents

1	Overview	8
2	Introduction & background	10
2.1	Introduction	10
2.2	Background and context.....	10
2.3	Structure of report	11
3	Site and surrounds.....	12
3.1	General site details.....	12
3.2	Waterbodies	14
3.2.1	Wetlands.....	14
3.2.2	Rivers / streams	15
3.3	Flora and fauna	16
3.3.1	Aquatic ecology.....	16
3.3.2	Terrestrial ecology.....	16
3.4	Hazards.....	17
3.4.1	Falling debris.....	18
3.4.2	Gully hazards	18
3.4.3	Undermined cliff hazard	18
3.4.4	Cliff erosion hazard	18
3.5	Contaminated material	19
3.6	Existing transport matters.....	19
3.6.1	Current transportation network.....	19
3.6.2	Current transportation patterns.....	19
3.7	Cultural and archaeological values	20
4	Description of proposal	21
4.1	Overview	21
4.2	Buildings and activities	22
4.2.1	Existing buildings	22
4.2.2	Proposed lodge.....	22
4.2.3	Proposed accommodation cabins	24
4.2.4	Proposed worker accommodation	26
4.2.5	Proposed lodge support building	28
4.3	Transport.....	28
4.3.1	Site access	28
4.3.2	Internal roading and parking.....	29
4.4	Servicing	30
4.4.1	Potable water	30
4.4.2	Stormwater	30
4.4.3	Wastewater.....	31
4.4.4	Electricity	31



4.4.5	Telecommunications	31
4.5	Signage and Lighting	32
4.6	Earthworks & Environmental Management Controls	32
4.7	Ecological restoration	33
4.8	Management Plans	35
4.9	Proffered Conditions	35
5	Statutory provisions	38
5.1	National Environment Standards for Assessing and Managing Contaminants in Soil to Protect Human Health	38
5.2	Buller District Plan	38
5.3	Proposed Te Tai o Poutini Plan	52
5.4	Regional Planning Framework	57
5.4.1	National Environmental Standards for Freshwater 2020	57
5.4.2	West Coast Regional Land and Water Plan	59
5.4.3	Regional Air Quality Plan	74
5.4.4	West Coast Regional Coastal Plan	75
6	Assessment of adverse effects	77
6.1	Landscape and visual effects	77
6.1.1	Long term landscape effects	77
6.1.2	Long term visual effects	78
6.1.3	Construction and short-term effects	82
6.1.4	Summary of landscape and visual effects	82
6.2	Ecological effects	83
6.2.1	Waterbodies	83
6.2.2	Flora and fauna	83
6.3	Traffic effects	84
6.3.1	Vehicle movements	84
6.3.2	Vehicle access	84
6.3.3	Parking	86
6.3.4	Additional matters	87
6.4	Infrastructure and servicing	87
6.5	Effects related to earthworks	87
6.5.1	Overview of the extent of earthworks and mitigation	87
6.5.2	Sensitive receptors including effects on water quality, ecosystems and instream values	88
6.5.3	Effects from erosion, sedimentation, and land stability	88
6.5.4	Effects of amenity values	89
6.6	Cultural & archaeological effects	89
6.7	Effects related to natural hazards	90
6.8	Positive effects	90
6.9	Conclusion	91



7	Statutory assessment	92
7.1	Section 95, RMA	92
7.1.1	Section 95A assessment	92
7.1.2	Section 95B assessment	92
7.2	Section 104(1), RMA	93
7.2.1	New Zealand Coastal Policy Statement 2010	93
7.2.2	National Policy Statement for Freshwater Management 2020	100
7.2.3	National Policy Statement for Indigenous Biodiversity 2023	102
7.2.4	West Coast Regional Policy Statement	104
7.2.5	Buller District Plan	110
7.2.6	Proposed Te Tai o Poutini Plan	112
7.3	Section 104B, RMA	127
7.4	Section 104D, RMA	128
7.5	Part 2, RMA	128
7.6	Summary	131

Supporting information

- [A] Application Form/s
- [B] Record of Title and Topographic Survey Plan
- [C] Historical Site Imagery
- [D] Existing Infrastructure Details
- [E] Desktop Ecology Report
- [F] Natural Hazard Assessment
- [G] Selected Land Use Sites Register Report
- [H] Historical Site Use Letter
- [I] Transport Assessment
- [J] Archaeological Records
- [K] Site Master Plan
- [L] Architectural Drawings
- [M] Site Access Upgrade Plan
- [N] Earthworks, Water Supply, Wastewater and Stormwater Report
- [O] Landscape Earthworks Plan and Details
- [P] Vegetation Management Plan
- [Q] Landscape and Visual Assessment
- [R] Landscape and Visual Graphical Attachments
- [S] Detailed Ecological Report
- [T] Environmental Lighting Report
- [U] Addendum to Landscape Assessment (Peer Review Response)
- [V] Aotea Electric Confirmation of Power Supply



Figures and Tables

Figure 1: Site Location (Grip Map).....	8
Figure 2: Site Context Plan (West Coast Property Maps GIS)	12
Figure 3: Existing Site Aerial and Contours.....	13
Figure 4: Existing Dwelling	13
Figure 5: Ecological Features Map (RMA Ecology).....	14
Figure 6: Vegetation Communities Site Map (RMA Ecology)	17
Figure 7: Geotechnical Constraints Map (Tonkin + Taylor)	18
Figure 8: Site Master Plan (RMM).....	21
Figure 9: Architectural Renders – Lodge (Ground Up Studio).....	23
Figure 10: Floor Plan – Lodge (Ground Up Studio).....	23
Figure 11: Single Cabin – Exterior Design (Ground Up Studio).....	24
Figure 12: Family Cabin – Exterior Design (Ground Up Studio)	25
Figure 13: Single Cabin – Floor Plan (Ground Up Studio).....	25
Figure 14: Family Cabin – Floor Plan (Ground Up Studio)	26
Figure 15: Worker Accommodation Building – Floor Plan (Ground Up Studio)	27
Figure 16: Worker Accommodation Building – Elevations (Ground Up Studio)	27
Figure 17: Proposed Site Access Upgrade Plan – Diagram D (East Cape Consulting Limited)	29
Figure 18: Landscape Earthworks Plan (Ground Up Studio).....	32
Figure 19: Vegetation Management Plan (RMM)	34
Figure 20: Site zoning under the Buller District Plan (West Maps).	38
Figure 21: Classification of Activities under the Buller District Plan (Figure 5.1, BDP).	39
Figure 22: Site zoning under the proposed Te Tai of Poutini Planbn (TTPP).	52
Figure 23: Viewpoint 1 (RMM)	79
Figure 24: Viewpoint 2 (RMM)	79
Figure 25: Viewpoint 3 (RMM)	80
Figure 26: Viewpoint 4 (RMM)	80
Figure 27: Viewpoint 5 (RMM)	81
Table 1: Punakaiki Wild – Project and Resource Consent Overview	9
Table 2: Proffered Conditions.....	35
Table 3: Rule assessment against the relevant provisions of the Buller District Plan.	40
Table 4: Rule assessment against the relevant provisions of the TTPP with immediate legal effect.	53
Table 5: Assessment against the relevant provisions of the NES-FW.	58
Table 6: Rule assessment against the relevant provisions of the West Coast Regional Land and Water Plan.....	60
Table 7: Assessment against the relevant rules of the West Coast Air Quality Plan.....	75



Table 8: Assessment against the relevant rules of the West Coast Regional Coastal Plan. .76

Table 9: Assessment against the relevant Objectives and Policies of the NZCPS.....93

Table 10: Assessment against the relevant Policies of the NPS-FM.101

Table 11: Assessment against the relevant Objectives and Policies of the NPS-IB.....102

Table 12: Assessment against the relevant Objectives and Policies of the RPS.104

Table 13: Assessment against the relevant Objectives and Policies of the Buller District Plan.
.....110

Table 14: Assessment against the relevant Objectives and Policies of the TTPP.....112



1 Overview

Applicant:	ACG Properties Limited.
Local authority:	Buller District Council.
Proposal:	The establishment and operation of a luxury lodge and visitor accommodation development, named 'Punakaiki Wild'. The proposed development involves a luxury lodge (comprising a restaurant, bar and spa facility), 15 self-contained accommodation cabins, a worker accommodation building, a lodge support / utility building, along with associated access, parking, infrastructure and earthworks, and significant ecological restoration planting throughout the site.
Site address:	4663 State Highway 6, Te Miko, Punakaiki. 
	Figure 1: Site Location (Grip Map)
Legal description:	Part Section 1 Block IX Brighton SD as contained in Record of Title NL10D/1176.
Ownership status:	ACG Properties Limited.
Site area:	21.8615 ha.
District Plan zoning:	Operative Buller District Plan: Paparoa Character Area. Proposed Te Tai o Poutini Plan (as notified): General Rural Zone.
Activity status:	Non-Complying.



<p>Additional consents:</p>	<p>Resource Consents are anticipated to be required from the West Coast Regional Council, with this associated with earthworks and vegetation clearance. These will be applied for at a suitable time prior to any works commencing, but not considered to be necessary to authorise the activities applied for under this resource consent application.</p>
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Table 1: Punakaiki Wild – Project and Resource Consent Overview



2 Introduction & background

2.1 Introduction

ACG Properties Limited (**the Applicant**) applies for resource consent to establish and operate a luxury lodge and visitor accommodation development, named 'Punakaiki Wild', at 4663 State Highway 6 (**SH6**), Te Miko, Punakaiki (**the site**).

By way of summary, the proposal will involve a luxury lodge (comprising a restaurant, bar and spa facility), 15 self-contained accommodation cabins, a worker accommodation building, a lodge support / utility building, along with associated access, parking, infrastructure and earthworks, and significant ecological restoration planting throughout the site. The project concept is for a luxury accommodation offering set within a location that offers rugged natural character and beauty, with the architectural approach inspired by the natural landscape. In this respect, the project is to create a truly extraordinary, but subtle, development that seamlessly integrates with its natural environment, with the lodge comprising organic shapes that echo the natural forms found in the curves of coastal caves and the coastline, with design elements inspired by Māori sculpture, such as the curved fishhook.

The site, with an approximate area of 21.86ha, is located along coastline above karst cliffs, that bound the Tasman Sea and west of Paparoa National Park and features a sea cave in its southwestern corner and mature coastal forest along its southern boundary. The natural ecology has been significantly altered due to vegetation clearance, with historic aerial photos showing extensive and long-term farming and grazing activities.

A key element of the project is the extensive ecological enhancement of the site, with this involving significant areas of active regeneration, passive regeneration, and ongoing ecological management works that will ensure the ecological integrity of the local area can be upheld for future generations to come.

In summary, this Assessment of Environmental Effects (**AEE**) report considers the effects of the proposal and determines that the proposal will, on balance, have less than minor adverse effects on the environment while providing a high-quality built form outcome that integrates well with the surrounding environment. The overall conclusions are that the site is suitable for the establishment of the anticipated range and scale of new eco-tourism facilities, and that any adverse effects can be appropriately avoided, remedied, or mitigated in a manner consistent with the relevant statutory planning documents.

2.2 Background and context

The Applicant purchased the site in mid-2024, recognising the potential opportunities the site and locale presented as part of their plans to establish a new brand of luxury, low density, ecofriendly cabins and lodges across the South Island. Whilst the site has



been farmed for some time, the site presents significant potential for ecological restoration and the establishment of accommodation offerings that enable guests to experience the isolation and natural beauty of the location. In this respect, we understand that there is ongoing growth in tourist numbers and demands in the region, with 500,000 visitors experiencing the 'Pancake Rocks' walkway in 2018, representing a doubling of visitor numbers in the last decade¹. The proximity of the site to the Paparoa National Park and the Paparoa Track is such that growth in tourist numbers is expected to continue.

It has been recognised that Punakaiki has a severe lack of visitor accommodation offerings, particularly in the luxury market, with a large proportion of visitors dropping into the area enroute to elsewhere along the West Coast. The Applicant is seeking to respond to the ongoing growth in tourist numbers in the locale and entice domestic and international visitors to stay longer in the region, and increase regional spending and boost the local economy.

2.3 Structure of report

This report is structured as follows:

- Section 3 describes the site and surrounding environment.
- Section 4 details the proposal.
- Section 5 identifies the statutory planning instruments that are applicable to the consideration of this application and provides an assessment of the proposal against the relevant documents.
- Section 6 comprises an assessment of effects on the environment, covering a broad spectrum of actual or potential effects associated with the relevant planning documents and supported by technical expertise, where relevant.
- Section 7 provides a statutory assessment against any relevant planning documents and commentary on any other relevant matters for consideration.

A number of attachments are provided in support of this application and referenced throughout, with these providing a comprehensive appraisal of the actual and potential environmental effects of the proposed development. Completed applications forms has been enclosed as **Attachment [A]**.

¹ <https://www.doc.govt.nz/globalassets/documents/about-doc/oia/2023/july/oiaad-3189-response.pdf>

3 Site and surrounds

3.1 General site details

As identified in **Figure 2**, the site is located at 4663 State Highway 6, Te Miko, Punakaiki, approximately 2km north of Punakaiki / Dolomite Point.



Figure 2: Site Context Plan (West Coast Property Maps GIS)

The site is approximately 21.86ha and is located on and adjacent to the area of land known as Te Miko / Perpendicular Point. The site's eastern boundary abuts SH6, while on its northern and western boundaries the site is surrounded by coastline which is comprised of sea cliffs, sea caves and small beaches. The southern boundary of the site adjoins a 22.92ha scenic reserve that forms part of the Paparoa National Park, along with a residential property at 4655 SH6.

The site is legally identified as Part Section 1 Block IX Brighton SD as contained in Record of Title NL10D/1176 (refer **Attachment [B]**, with a Topographic Survey Plan included, noting some corrections to cadastral boundaries identified). The site is under the ownership of the Applicant, who purchased the site from its previous landowner in mid 2024. There is a single instrument registered on the Record of Title, with this relating to a right of way easement in favour of Buller District Council (**BDC**), with these providing rights of access to their water supply infrastructure that serves Punakaiki. This easement is located on the opposite side of SH6. A copy of this instrument has been included as part of **Attachment [B]**.

As identified in **Figure 3** and **Figure 4**, the site is generally in an undeveloped setting, with a residential dwelling and associated ancillary buildings in southeastern corner. A farm shed was previously located in the centre of the site, however this was removed

by the previous landowner, who also undertook maintenance of the existing farm tracks through the site. The predominant land use has been small scale farming / grazing, with extensive and ongoing scrub and gorse clearance for a number of years. A suite of historical imagery, identifying that the site has been used historically for farming, has been provided in **Attachment [C]**.

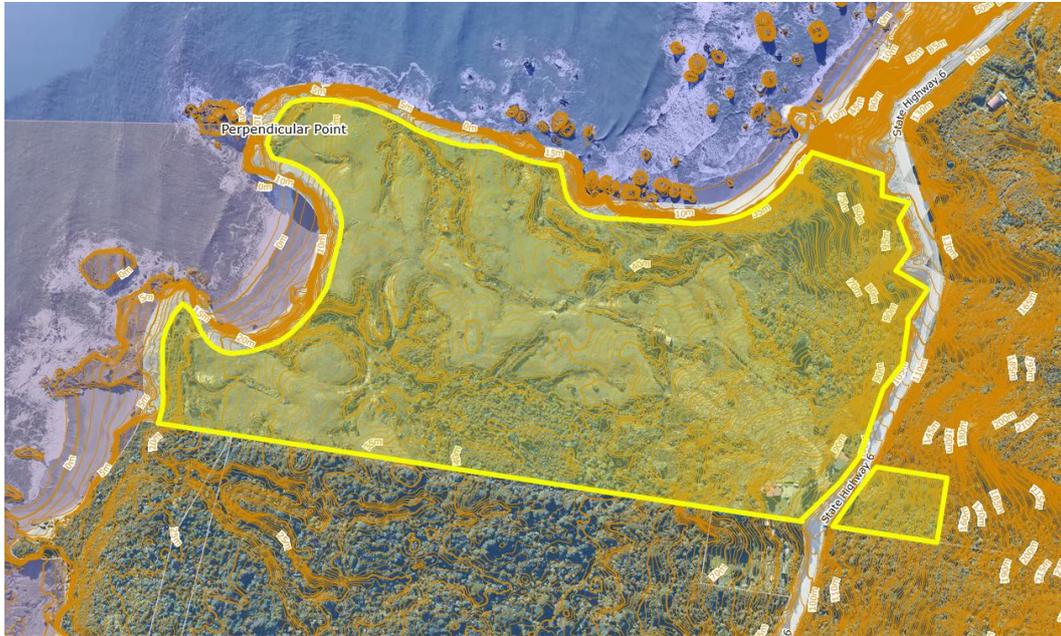


Figure 3: Existing Site Aerial and Contours



Figure 4: Existing Dwelling

The existing landform of the site slopes west, with the steeper slopes adjoining the SH at 100masl becoming gradually less steep but highly undulating towards the sea cliffs

at 40masl above the coastline. Numerous incised and connected streams and gullies run across the site generally east-west.

An existing vehicle access, providing access to the site from SH6, is present in the southeastern corner of the site, along with the existing dwelling and garage. As noted above, there is a central farm track that runs through the site, with this extending from the existing dwelling down towards the southwestern corner of the site.

The site is currently serviced by a reticulated water supply network that serves the Punakaiki township, electricity via ElectroNet, and telecommunications via Chorus. Plans showing the site's current servicing and nearby infrastructure is enclosed as **Attachment [D]**.

3.2 Waterbodies

The Applicant engaged RMA Ecology to undertake an assessment of ecological values on the site (**the Desktop Ecology Report**), enclosed as **Attachment [E]**, this has been supported by subsequent site visits and ground truthing of the desktop assessment, with a Detailed Ecological Report enclosed as **Attachment [S]**. A map identifying the relevant ecological features across the site is identified in **Figure 5**.



Figure 5: Ecological Features Map (RMA Ecology)

3.2.1 Wetlands

Six wetlands have been mapped on the site (refer **Figure 5**), none of which being in excess of 0.5 ha. It is noted that under the National Policy Statement for Freshwater Management 2020 (**NPS-FM**), these wetlands are defined as *natural inland wetlands* as follows:

a wetland (as defined in the Act) that is not:

- a) in the coastal marine area; or
- b) a deliberately constructed wetland, other than a wetland constructed to offset impacts on, or to restore, an existing or former natural inland wetland; or
- c) a wetland that has developed in or around a deliberately constructed water body, since the construction of the water body; or
- d) a geothermal wetland; or
- e) a wetland that:
 - i. is within an area of pasture used for grazing; and
 - ii. has vegetation cover comprising more than 50% exotic pasture species (as identified in the National List of Exotic Pasture Species using the Pasture Exclusion Assessment Methodology (see clause 1.8)); unless
 - iii. the wetland is a location of a habitat of a threatened species identified under clause 3.8 of this National Policy Statement, in which case the exclusion in (e) does not apply.

Most of the identified wetlands are perched over hard pan with the underlying soils providing poor drainage with some being gully wetlands associated with historic farming and stream margins. The site's wetlands have been historically grazed for a substantial period of time, but are anticipated to be able to recover quickly.

3.2.2 Rivers / streams

There are no recorded streams on the site on NZ Topo Maps or WestMaps. The NIWA River Environment Classification (**REC**) database shows one REC segment on the site, REC 12055730, which has been mapped as Stream 1. Three additional intermittent streams have been mapped after reviews of drone imagery, vegetation changes, and topography at the site (refer **Figure 5**). As such, four streams have been mapped on the site, which all discharge off the cliff face into the Tasman Sea, with these streams outlined as follows

- Stream 1 is located beneath dense regenerating mixed shrubland vegetation and discharges to the sea at the western boundary of the site. It is unknown whether there are any fish barriers along the stream extent.
- Stream 2 was mapped as an intermittent stream based on aerial imagery investigations which showed a change in vegetation compared to the vegetation that surrounds it. The extent is moderately vegetated and the discharge point to the sea is over the edge of the cliffs at the northern boundary of the site, which is a barrier to fish migration.
- Stream 3 is moderately vegetated and discharges to the sea over the edge of the cliffs at the northern boundary of the site, there is a barrier to fish migration at this point.
- Stream 4 is located beneath the mature coastal forest and discharges over the cliff into the sea.

All of the identified streams are in excellent condition with good quality habitat and riparian cover, noting they are weedy in areas. These streams all have an average bed width of less than 3m.



3.3 Flora and fauna

The Ecology Report(s) (refer **Attachment [E] and [S]**) has also assessed the potential flora and fauna on the site. Instream values were assessed through habitat scoring and night spotlighting for fish. An eDNA and fish survey was not conducted, as it was deemed unnecessary due to the limited scope of work around streams proposed for this project.

Lizard habitats were mapped, with daylight visual searches for day geckos and night spotlighting for both day and night geckos, bird counts and playback calls were conducted in scrub and wetland areas and vegetation units were mapped based on dominant and subdominant plant species. An assessment of the mature forest area to the northeast was performed for seabird signs, lizard habitats, and potential bat habitats, although no bat detectors were used, noting that the project will not impact this area. With respect to these matters, the Ecology Reports are summarised as follows:

3.3.1 Aquatic ecology

(a) Flora

No vegetation was able to be identified to species level through the available imagery of the investigations area. The vegetation community composition of the potential mapped wetlands was unknown following desktop assessment and therefore a further site visit will need to be undertaken to determine their classification and extent.

(b) Fauna

There are no records of freshwater fish at the site, and it is unlikely that there are any fish present in any of the streams as they discharge from height into the sea, posing a fish barrier. However, koura may be present in Stream 1 due to the barriers limiting fish migration and movement to other waterbodies.

3.3.2 Terrestrial ecology

(a) Flora

The site has primarily been used as open pasture grass for farming since the indigenous vegetation was cleared before the 1950s. Currently, it is regenerating with a mix of native and exotic species, including areas densely covered with gorse due to lack of maintenance. Analysis of aerial imagery, drone footage, and site investigations has identified various terrestrial vegetation communities, such as native-dominated forest with mature nikau, mixed native and exotic scrub/shrub, exotic grassland, exotic weedland/scrub primarily consisting of gorse, native shrubland along exposed cliff faces, mixed scrub, and saline grasses on cliff surfaces (refer **Figure 6**).

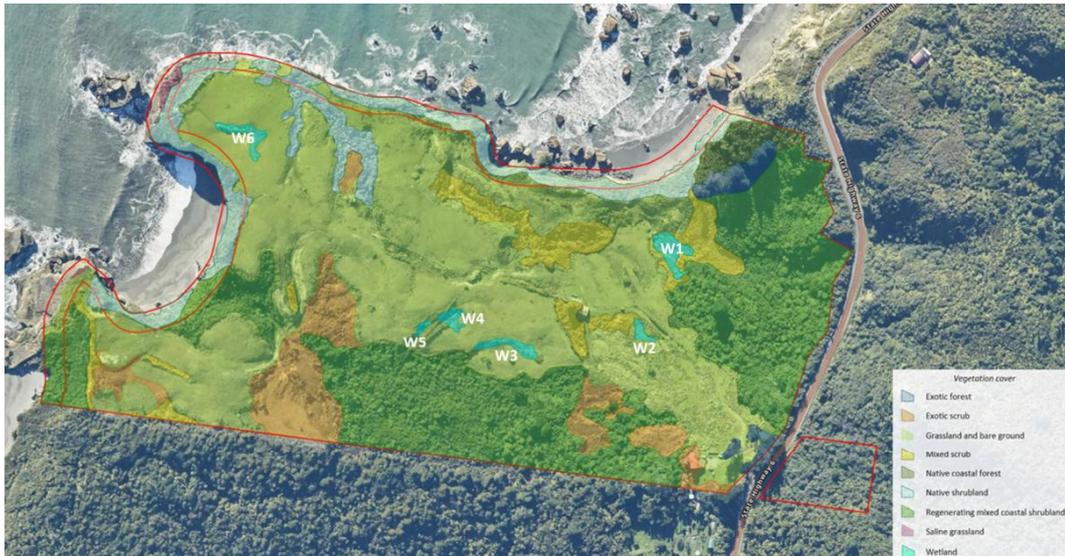


Figure 6: Vegetation Communities Site Map (RMA Ecology)

Most vegetation on the site is exotic pasture and pasture weeds including extensive gorse areas, most of which have been controlled. Mixed gorse/native shrubland, native shrubland regenerating coastal forest cover approximately half of the site.

(b) Fauna

No lizards were found on site during the field assessments. However, parts of the site contain habitat for grass skink, (open area) and west coast green gecko, (taller shrubland and forest), and as such the proposal will proceed on the basis that lizards are probably present in low numbers over some parts of the site where suitable habitat exists.

The habitats available for birds at this site limit the likelihood of many species being present on the site. Forty-one species have a moderate to high chance of occupying parts of the site with habitat for native birds at the site includes native forest, exotic scrub, grassland, cliff faces, and native shrubland, vegetated cliff margins, with some species likely only occasional visitors to the site. The only bird of relevance found on the site during field investigations was the mātāta/New Zealand fernbird. It is noted that tāiko/Westland petrels and kororā/little blue penguins may be present in the site surrounds.

Although there are historic bat records in close proximity to the site, it is unlikely that bats occur on the site or transit through the site due to lack of viable habitat.

3.4 Hazards

Tonkin + Taylor (T&T) undertook a desktop Natural Hazard Assessment (the findings of which were supported and further informed by a site inspection), enclosed as **Attachment [F]**, and compiled a geotechnical constrains map as part of this assessment (refer **Figure 7**).

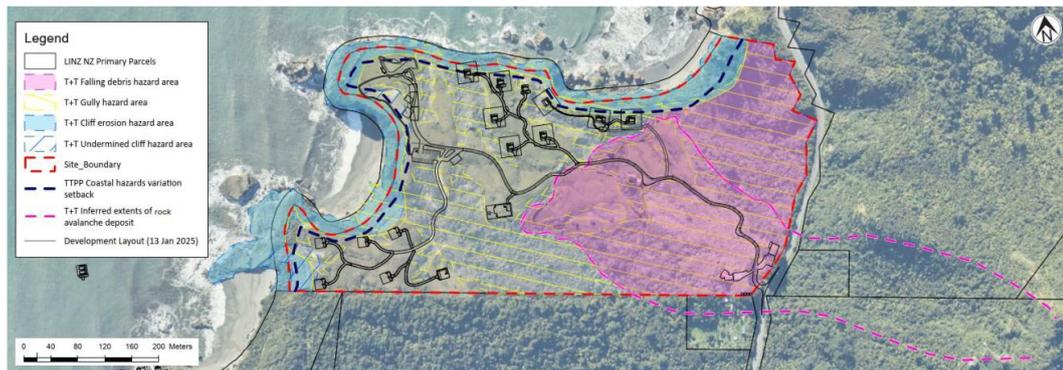


Figure 7: Geotechnical Constraints Map (Tonkin + Taylor)

The Natural Hazard Assessment has been summarised as follows:

3.4.1 Falling debris

The steep hillside and escarpment east of the site presents several significant falling debris hazards. There is evidence of historic instability of this slope affecting the site, including:

- Rockfall (extending approximately 100m west of SH6).
- Channelised flows.
- Rock avalanche.

3.4.2 Gully hazards

Several gullies are present across the site, comprising two major gully systems. These gully systems contain large upslope catchments connecting to areas of historic debris deposits. Following large rainfall events, these gullies may present a debris flow / flood hazard. These gully systems also show signs of localised slope instability.

3.4.3 Undermined cliff hazard

Two arc-shaped caves have been identified along beaches at the west edge of the site. The ground overlying these caves systems is potentially susceptible to future subsidence or collapse and are also mapped as part of the District Plan.

3.4.4 Cliff erosion hazard

The erosion of the coastline appears to be primarily due to topple failures or block 'drop-outs' enabled by undermining of the cliffs along preferential bedding planes with the very widely spaced vertical joints providing side releases. Dozens of these large blocks are strewn across the beach and are consistently about 10 to 15m wide and 10 m in height. There are limited observations of block failures occurring between 1951 and present.

3.5 Contaminated material

A review of the West Coast Regional Council's (**WCRC**) Selected Land Use Sites Register (**SLUS**) has been undertaken for the site, with a copy enclosed as **Attachment [G]**. There are no records of contamination nor Hazardous Activities and Industries List (**HAIL**) activities having been undertaken on site, supported by a statement from the previous landowner, enclosed as **Attachment [H]**, whereby they confirm the site has historically been limited to hobby farming type activities.

3.6 Existing transport matters

The Transport Assessment (enclosed as **Attachment [I]**) outlines the existing transport matters of relevance to this application. These have been summarised as follows:

3.6.1 Current transportation network

SH6 is classified as a Strategic Route, primarily carrying through traffic and provides a 3-meter traffic lane in each direction with minimal shoulder widening. Despite a posted speed limit of 100 km/h, the highway's alignment and narrow carriageway likely reduce speeds to around 70 km/h due to its gradient and horizontal curves.

The existing driveway has a 'concealed access' sign, and a solid yellow centreline prevents southbound overtaking. The access complies with NZTA standards, but sightlines are limited by vegetation. The area lacks footpaths, cycling infrastructure, and bus services, reflecting its rural nature.

3.6.2 Current transportation patterns

SH6, monitored by an NZTA traffic counter 14 km south of the site, records an Annual Average Daily Traffic (AADT) of 980 vehicles (two-way). Traffic volume varies seasonally, with December seeing 62% more traffic than July. Peak traffic in December averages 124 vehicles per hour, occasionally exceeding 200 vehicles per hour. These volumes remain within the highway's capacity. Pre-COVID-19 annual traffic growth (2015-2019) was 1.4%. Traffic volumes on the roading network are modest, and significant future increases are not anticipated. According to the Austroads Guide to Traffic Management Part 3, the current site access operates under 'free flow' conditions, making detailed traffic analysis unnecessary.

An analysis of the NZTA Crash Analysis System shows four crashes on SH6 within 500m of the site access over the past ten years. None of these crashes indicate an inherent road safety deficiency.



3.7 Cultural and archaeological values

In order to assist with the initial investigation to the site's cultural and archaeological values, a number of cultural reports relevant to neighbouring sites have been considered, most prominently the Dolomite Point Redevelopment Project².

The site is located within the takiwā of Te Rūnanga o Ngāti Waeae, as set out in Te Runanga o Ngai Tahu (Declaration of Membership) Order 2001 (which has superseded Schedule 1 of the Te Rūnanga o Ngāi Tahu Act 1996).

The site is located within SASM 30 under the Proposed Te Tai o Poutini Plan (**TTPP**), identified as ara tāwhito, representing the traditional travel routes. The Dolomite Point Redevelopment Project outlines that this represents that the route between Mawhera/Greymouth and Kawatiri/Westport was traditionally a key pathway for pounamu trading and mahinga kai, especially inshore fishing. It is anticipated that the steep cliff faces that surround the site would have prevented challenges and difficult for regular travel across the site.

The site has been subject to widescale hobby agricultural activity, with invasive exotic flora present throughout and as such it is anticipated that potential cultural values of the site may be lower than those present in similar areas around Punakaiki, such as Dolomite Point.

The site is also subject to an overlay identifying the sea caves in the cliff-face on the northern boundary of the site. It is not anticipated that any other archaeological values are present on the site, noting that it has been subject to extensive agricultural activity. A series of records, for all known archaeological sites within 2km of the site, have been obtained from the New Zealand Archaeological Association (**NZAA**) and are enclosed as **Attachment [J]**.

Consultation with Ngāti Waewae is ongoing, with the Applicant committed to continued dialogue to ensure that all associated cultural values have been appropriately delineated and will be managed moving forward.

² RC210021 - Land use consent for redevelopment of visitor facilities at Dolomite Point as part of the Dolomite Point Redevelopment Project.

4.2 Buildings and activities

4.2.1 Existing buildings

The existing buildings, namely the dwelling and shed as identified in **Figure 4** above, are to be retained in their current form. It is anticipated however that these structures may be subject to some modification arising from the construction of the site access and removal of trees for sight lines, however this will be determined as part of the detailed engineering works for the site access.

4.2.2 Proposed lodge

The lodge is located near the headland of the site and has drawn its inspiration from the iconic semi-circular caves that are cut into the cliffs at Punakaiki and arc shaped beaches around the region. The lodge is to act as a general reception centre for arriving guests and visitors, whilst also providing a premium dining and bar space, lounge, and spa, massage and sauna facilities, with this open to guests and the wider public.

The lodge will have a total gross floor area in the order of 621m², as outlined in **Figure 10**, and is made up a restaurant (162.8m²), lounge bar (159m²), kitchen, ablutions, and spa facilities (170.2m²), albeit noting the internal floor layout is subject to refinement moving forward. The restaurant will have views to both the north and the west, across coastline and wider Tasman Sea, with the bar sharing the northerly view. The lodge has sweeping roof lines and will have a maximum height of 5.14 metres above the original ground level and will be subdued into the existing ground level. An outdoor seating area will be present at the northern face of the building, centralised around a firepit to maximise views across the site and wider Punakaiki coastline.

Externally, the lodge has been architecturally designed to be in synergy with the surrounding natural features of the site (**Figure 9**). The lodge will be constructed with a matt gunmetal grey tray roof and flashings and the majority of the outer walls will be formed in masonry and finished in a highly textured vertical flute render mixed with a high content of local beach pebbles. Other recessed walls will be finished in dark grey to match the roofing. The entrance doors and frames will be made of solid timber, locally sourced.

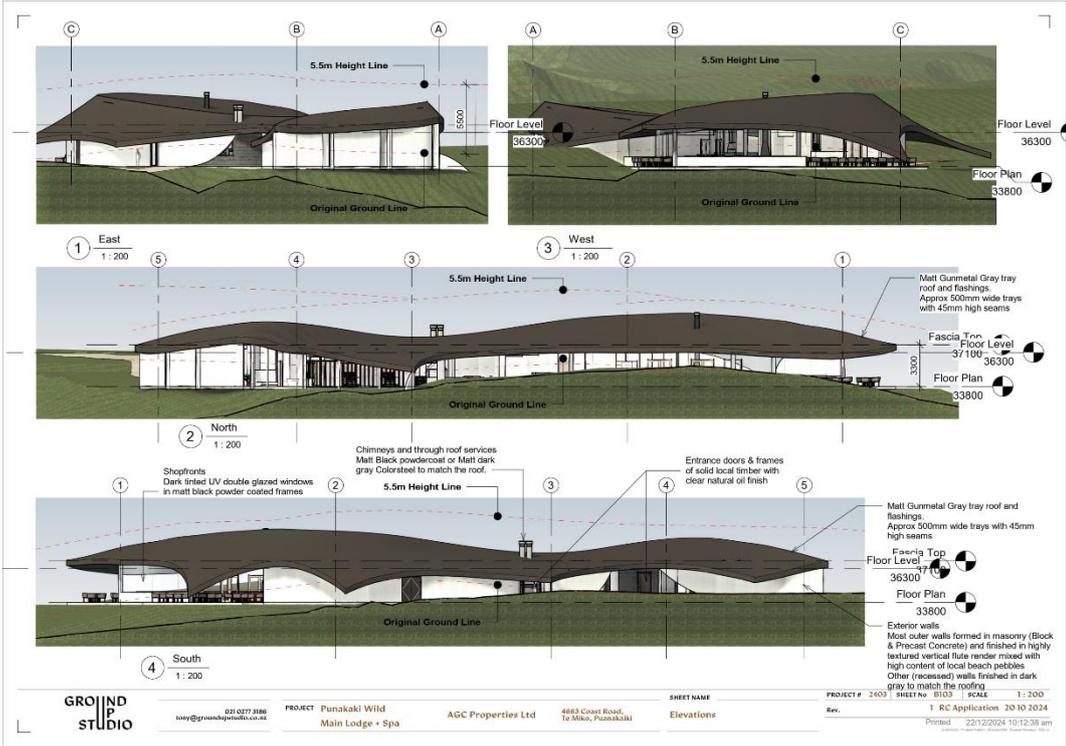


Figure 9: Architectural Renders – Lodge (Ground Up Studio)

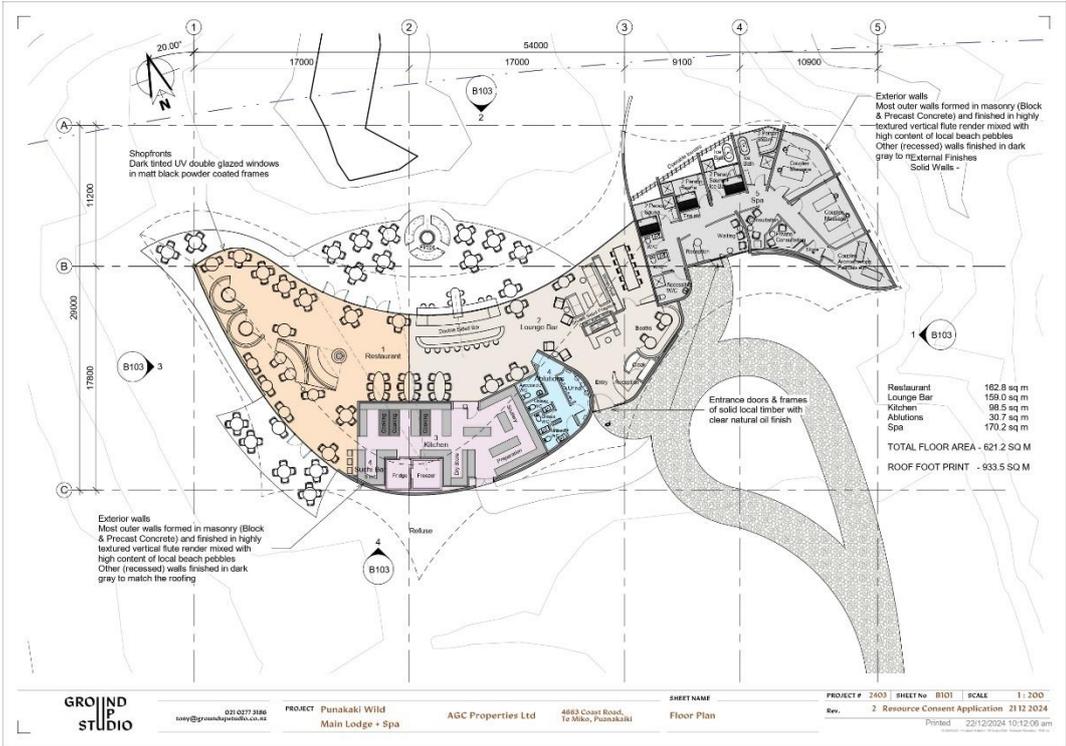


Figure 10: Floor Plan – Lodge (Ground Up Studio)

At this point in time, the hours of operation for the restaurant, lounge bar and spa are yet to be defined, but expected to be standard hours of Monday to Sunday 7am to 10pm.



4.2.3 Proposed accommodation cabins

The accommodation cabins are all consistent in design and appearance, albeit providing for single cabin occupancy and family cabin occupancy. The single cabins are rectangular in design having a floor area of approximately 36m², with a small decking area at the front. The family cabins are similarly rectangular in design, effectively involving the establishment of two single cabins with a connecting entrance area, with these cabins having a total floor area of approximately 100m². The single cabins are approximately 3.3m in height, with the family cabins being up to 3.8m in height. As identified in the Master Plan, a total of nine [9] single cabins and six [6] family cabins are proposed, with these to be built off site and transported to the site in stages.

The cabins are all self-contained, with double glazing and natural wood and stone interiors. The external cladding of each cladding will feature low reflective value exteriors and have been designed to blend in with their environments (refer **Figure 11** and **Figure 12**).

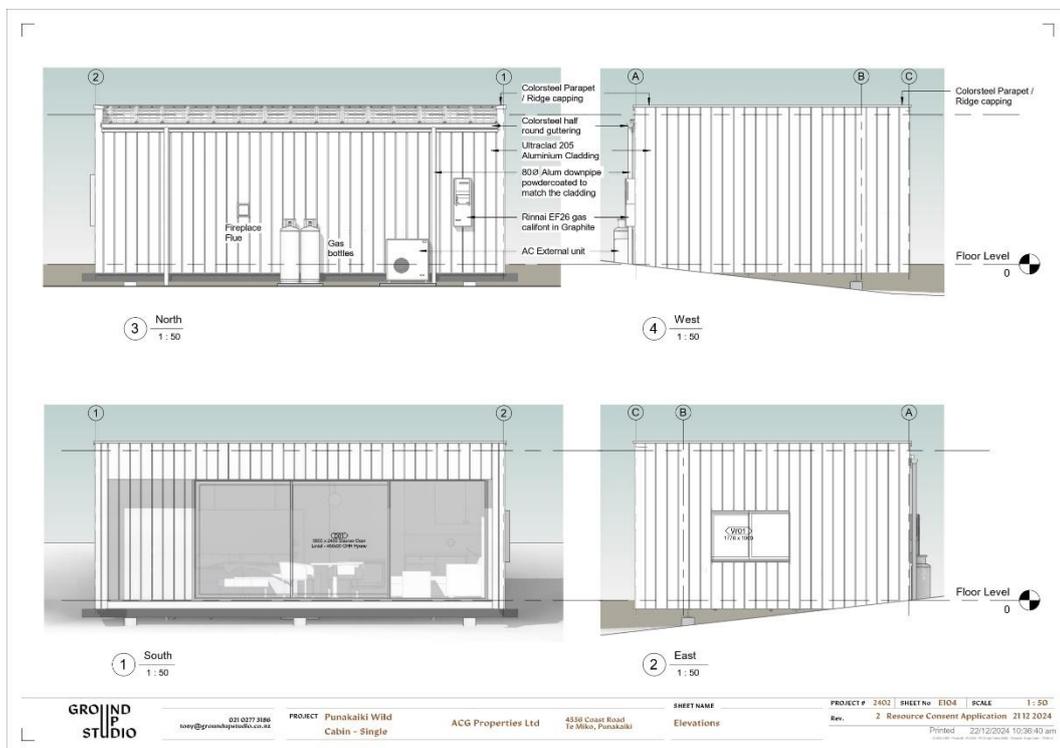


Figure 11: Single Cabin – Exterior Design (Ground Up Studio)



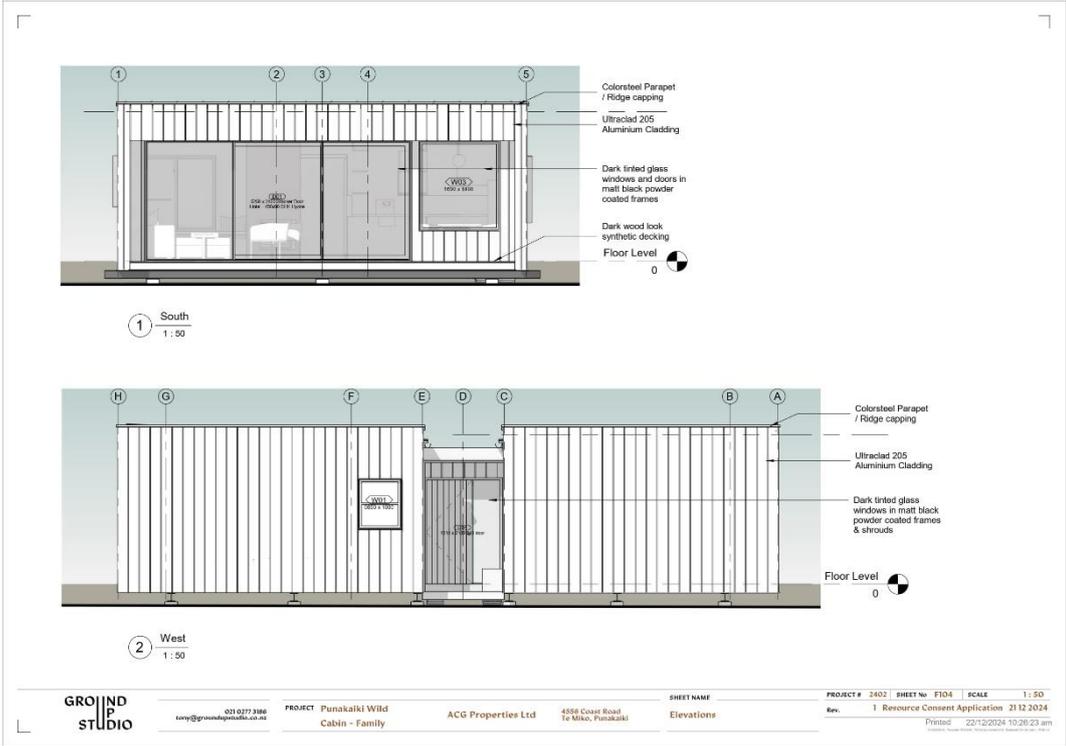


Figure 12: Family Cabin – Exterior Design (Ground Up Studio)

Internally, each cabin will be completely self-contained with an open plan design featuring a small kitchenette, living space, and double (or two twin) bed for guest use. Additionally, a full bathroom inclusive of toilet and shower will be provided (refer Figure 13 and Figure 14).

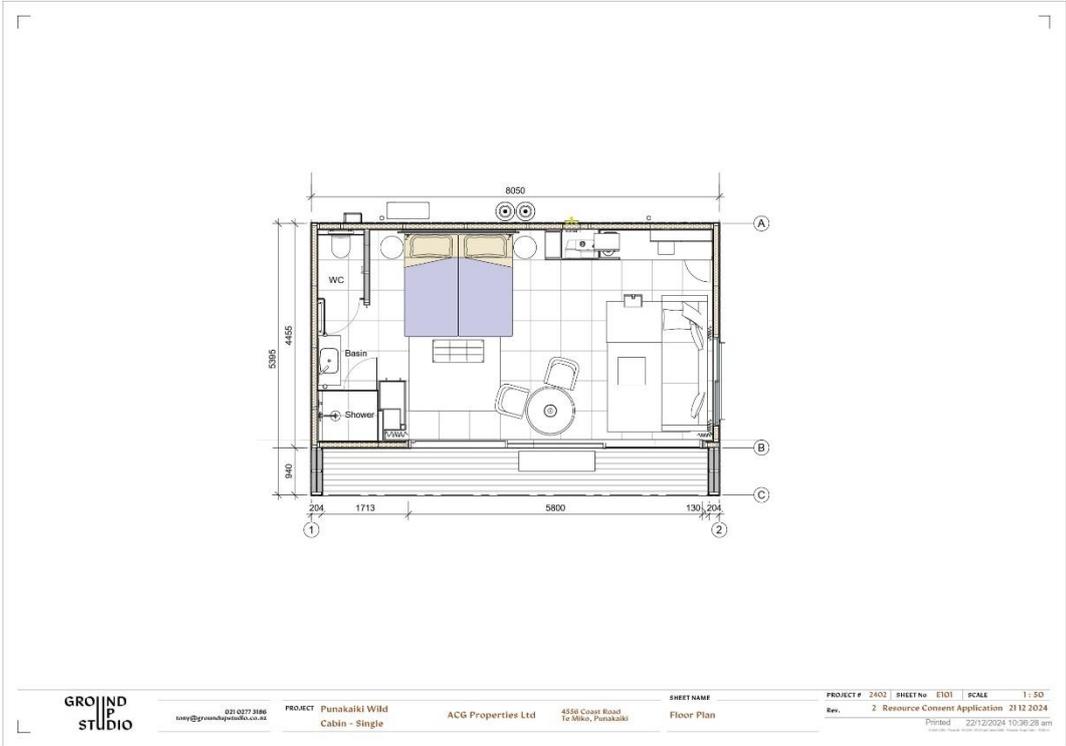


Figure 13: Single Cabin – Floor Plan (Ground Up Studio)



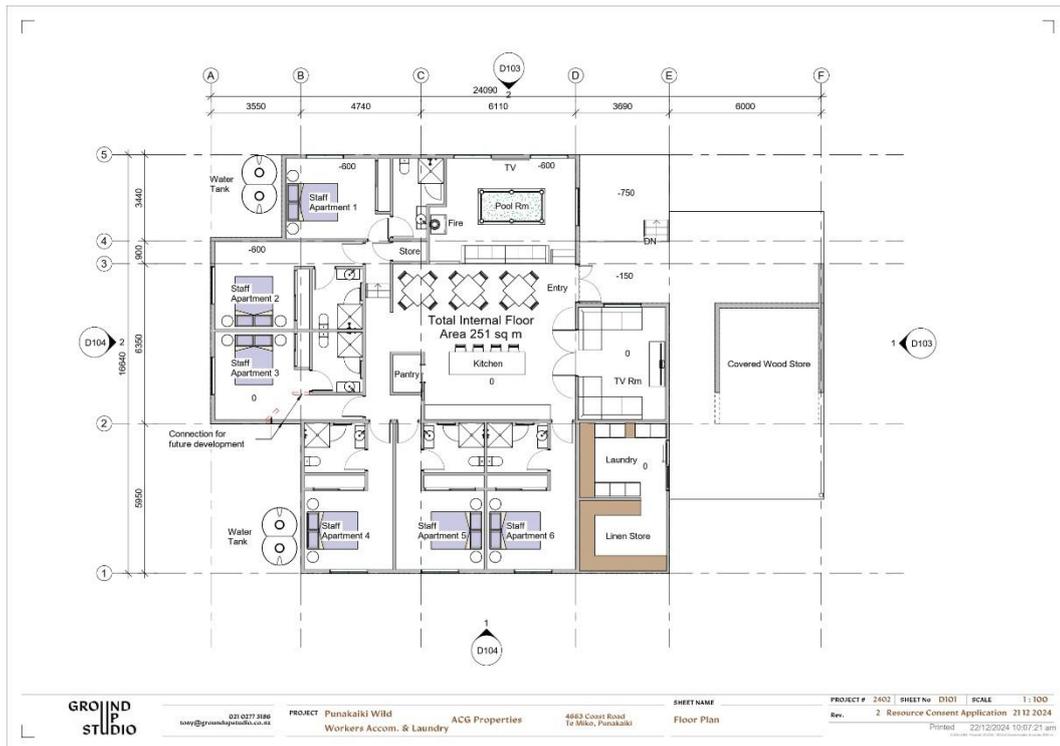


Figure 15: Worker Accommodation Building – Floor Plan (Ground Up Studio)

The worker accommodation has been designed to integrate well with the surrounding cabins and lodge (Figure 16), with matt flaxpod corrugated colorsteel roofing and wall cladding with matching gutters, fascias, flashing and fixings. The building will be a 251m² in area and up to 4.80m in height.

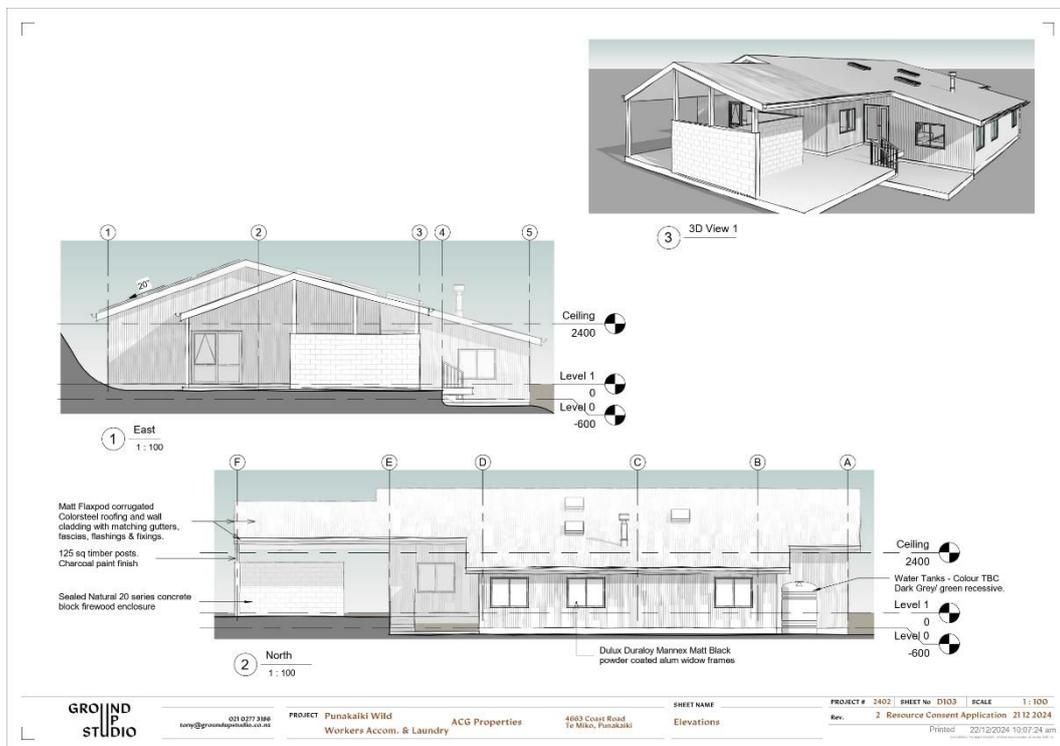


Figure 16: Worker Accommodation Building – Elevations (Ground Up Studio)



4.2.5 Proposed lodge support building

A small support building is proposed to assist with servicing the lodge which will include the A/C plants, a general storage area, and a gas bottle storage area. Refuse bins will also be stored outside the lodge support building and will be fully screened.

Gas will be stored in accordance with the Hazardous Substances and New Organisms Act 1996 and a management plan will be prepared which will include a spill response contingency plan. This will be available to BDC on request, including any monitoring information related to the storage of gas.

Waste will be collected by a commercial provider, and all bins on site will be clearly labelled to ensure guests and staff deposit in the correct recycling and general waste bins.

The lodge support building will be approximately 56m² in area and up to 3.0m in height. The exterior of the support building will be 20 series blockwork walls finished in heavy textured mortar; colour matched to the local dark grey rock faces present on the site. The doors will be painted in dark grey with matt black powder coated aluminium frames and the window will be tinted a dark grey with the frames matches those of the doors.

4.3 Transport

4.3.1 Site access

The existing site access is to be upgraded in order to meet the demands of the proposed development, with a Diagram D design standard proposed, as identified in the Site Access Upgrade Plan prepared by East Cape Consulting enclosed as **Attachment [M]** and illustrated in **Figure 17**.

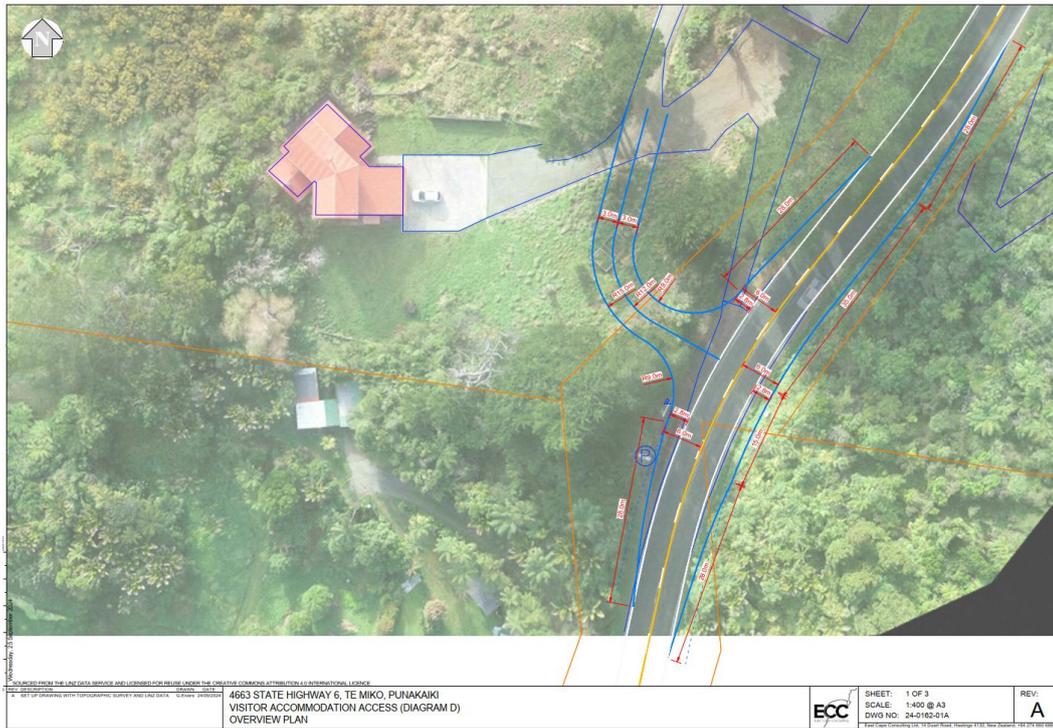


Figure 17: Proposed Site Access Upgrade Plan – Diagram D (East Cape Consulting Limited)

Consultation with NZTA is ongoing to ensure the access is designed in accordance with any feedback provided. The Applicant is committed to continuing to obtain, and implement, feedback from NZTA.

4.3.2 Internal roading and parking

The proposal seeks to utilise the existing farm track through the site for internal access purposes, which has been recently maintained, albeit will require additional works. It is noted that this work may involve some minor upgrades in width (to achieve the required formed widths of approximately 4m) and associated minor earthworks to achieve suitable gradients and establish infrastructure services and passing bays. In any event, these works will predominately see minor scraping, compacting and laying of suitable gravelled surface materials (i.e. the use of 13 Mile Gravels, consistent with that material utilised on site at present).

The accommodation cabins will be able to be accessed directly by vehicle, with the exception of SC3, whereby the cabin will be accessed via walking track from its designated parking area in the vicinity of SC2. In order to achieve the access to SC1-SC3, it is proposed to undertake a minor site scrape (to a width of approximately 2.8m), following by the laying of a geotextile grid surface, with suitable gravelled surfaced materials applied. It is noted that this access track construction may require the placement of a culvert across Stream 3, however at this point no further culverts are anticipated.

With respect to parking, a central formed parking area is proposed, with this accommodating a minimum of 26 car parks, with an additional overflow car parking

area (capable for accommodating a minimum of 8 parking spaces) provided in an unformed / unmarked area by the Lodge Support Building. It is also noted there are numerous areas where overflow parking can be accommodated on the site. The accommodation cabins will be provided with a car park for each cabin.

4.4 Servicing

The infrastructure servicing for the site remains subject to detailed engineering design, however, will involve the provision of suitable three water infrastructure, along with the provision of suitable power supplies (along with the use of solar panels) and telecommunication / mobile service provision. Plans identifying the existing infrastructure at the site are enclosed as **Attachment [D]**. An Earthworks, Water Supply, Wastewater and Stormwater Report has been prepared by Stuart Challenger from Chris J Coll Surveying Limited, with this providing preliminary information on the proposed water supply, wastewater disposal and stormwater management measures across the site, with this enclosed as **Attachment [N]**. The following summarises the proposed infrastructure response for the site.

4.4.1 Potable water

The reticulated water supply network that serves the Punakaiki township runs through the site, with this to be accessed to provide suitable potable and firefighting water supplies. A number of water tanks will be provided on site, with these located in the vicinity of the existing dwelling, and potentially adjacent to the worker accommodation building.

A peak flow of 40m³/day is anticipated for the site, however with the water tanks providing a buffer of supply, the development will only need to receive a peak flow from the Council's reticulated supply of about 18m³/day or 0.21 L/s. Discussions for firefighting are still ongoing with the New Zealand Fire Service, but any implementation will be finalised in consultation with them. The volumes stated above will be sufficient to ensure water for firefighting is available.

It is acknowledged that the water supply for the property is untreated, and the site will need to comply with the Taumata Arowai Drinking Water Quality Assurance Rules 2022³. As such, treatment will be provided via a water softener, a 20 µm filter, a 5µm filter, followed by UV disinfection to ensure compliance with the required standards.

4.4.2 Stormwater

The proposal seeks to minimise the extent of hard surfaces through the site, with stormwater to remain managed on site through discharge to ground, along with utilising the existing overland flow paths through the site. This will be the subject of detailed design, noting the intent to reuse roof water supplies, and the need to consider suitable

³ <https://www.taumataarowai.govt.nz/assets/Drinking-Water-Supplier/Drinking-Water-Quality-Assurance-Rules-2022-Released-25-July-2022.pdf>



treatment works to avoid scouring if discharging direct to the existing gully network through the site.

At this stage, stormwater discharges on the site will be controlled to ensure that there is no erosion or localised ponding of water. All roads and tracks established on the site will direct stormwater flows to adjacent swales which will discharge into the sea. All buildings will be managed to ensure stormwater is discharged into soak pits designed in accordance with NZBC E1/VM1 with overflows to an adjacent gully.

It is anticipated that all stormwater flows will ultimately discharge into the coastal environment into the sea, as is presently the case for the site.

4.4.3 Wastewater

The Earthworks, Water Supply, Wastewater and Stormwater Report (enclosed as **Attachment [N]**) outlines the proposed wastewater discharge system. As part of this report, hand auger testing was undertaken to understand underlying soils on the site, which are considered to be silty sandy loams with an assessed soil category of 3.

Wastewater is to be treated via septic tanks prior to receiving being treated by secondary treatment systems. The discharge will be via a land application bed at a suitable rate for the receiving soils.

The proposal is to use an Advance Enviro-Septic (AES) treatment system that is appropriate for the site, and is utilised successfully within elsewhere on the West Coast. This system, and disposal methodology, can ensure that all permitted activity requirements within the relevant regional rule can be met. The proposed system results in a discharge quality of 3mg/L Total Suspended Solids, a Biological Oxygen Demand of 25kg/Ha/day, and a faecal coliform quality of 2,260 cfu/100ml at the point the wastewater is discharged to land. This has been assessed using the latest OSET – NTP trials and testing. This will be further reduced as the discharge infiltrates through the soil matrix under aerobic conditions.

4.4.4 Electricity

The residential dwelling on site is already serviced with electricity via ElectroNet and will continue to be so for the proposed development. Aotea Electric have confirmed the plans to extend the cabling from the edge of the site to the proposed lodge and there is a number of options available if additional electricity capacity is required for the proposal (refer to **Attachment [V]**).

4.4.5 Telecommunications

The existing residential dwelling is currently serviced by Chorus, in terms of telecommunications. This will continue for the proposed project.

4.5 Signage and Lighting

Signage is not included as part of this application, as the detailed design is still under development. Should signage be required on-site, a subsequent resource consent application will be submitted accordingly.

Further, at this point in time, the detailed lighting design for the site has yet to be determined. It is anticipated however that small bollard lighting will be established along the cabin access tracks, with these being sensor activated and downward facing / shielded to avoid excessive light spill. The enclosed Environmental Lighting Report (refer **Attachment [T]**) has further delineated potential lighting options for the site. The outcomes of the detailed lighting design will be addressed through the preparation of an Exterior Lighting Management Plan (**ELMP**), with this providing an opportunity to consider the specific lighting outcomes having regard to the opportunities to avoid and mitigate any adverse lighting effects on landscape amenity and ecological matters.

4.6 Earthworks & Environmental Management Controls

Earthworks will be required across the site to establish vehicle tracks, site access upgrades and building platforms (principally for the lodge). The proposed earthworks are identified in **Figure 18** (with the Landscape Earthworks Plan and Details enclosed as **Attachment [N]**), and whilst subject to detailed design, is expected to involve the in the order of 3365.5m³ of cut, 2469.6m³ of fill, with maximum cut and fill depths in the order of 2.5m.

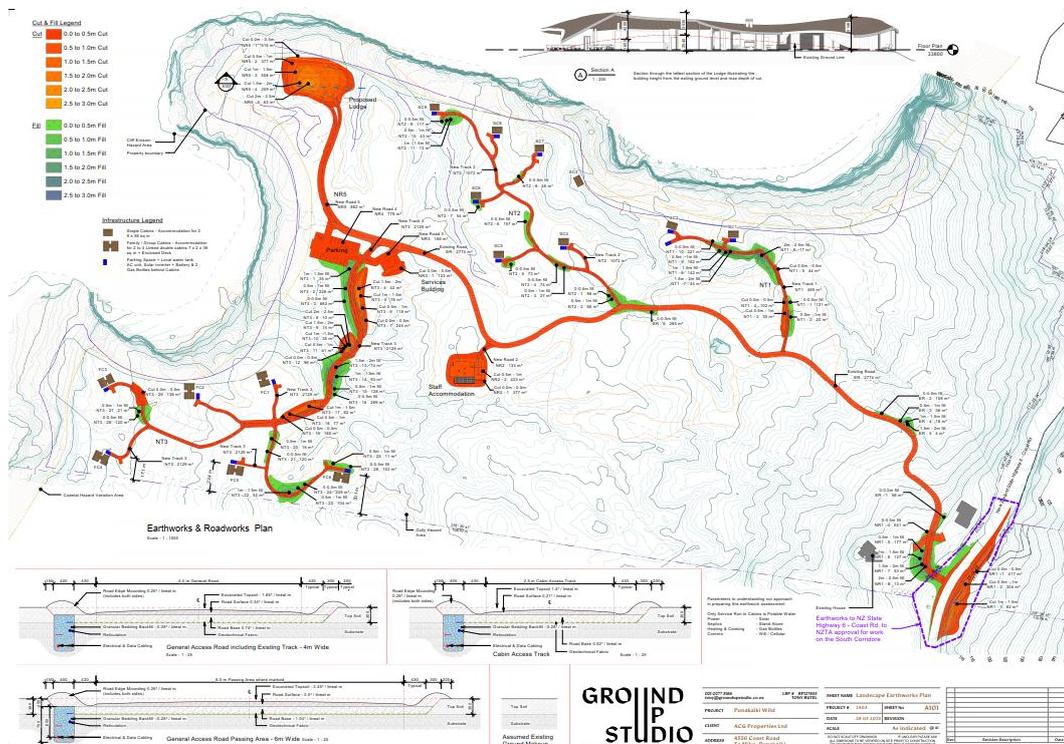


Figure 18: Landscape Earthworks Plan (Ground Up Studio)



The vehicle tracks and parking areas will generally be undercut to a depth of 0.25-0.30m, with geotextile placed and backfilled with compacted 13 Mile Gravels. The lodge, lodge support building and worker accommodation building are expected to require specific foundation designs and associated earthworks, whereas the proposed accommodation cabins are lightweight structures which will be supported by screw piles or timber piles. To this end, the extent of any earthworks associated with the accommodation cabins is considered minimal.

It is noted that the above are preliminary earthwork estimates, and subject to detailed design, however the details outlined suitably demonstrate the location and extent of earthworks anticipated as part of the development.

All works will be undertaken in accordance with a Construction Management Plan (**CMP**) and Erosion and Sediment Control Plan (**ESCP**), prepared by a suitably qualified and experienced person with suitable experience in erosion and sediment control and construction management. The ESCP will follow standard erosion and sediment control principles such as minimising disturbance, protecting waterways, stabilising exposed areas quickly, undertaking works in dry weather where practicable, installing perimeter controls and diversions, using appropriate sediment control tools, regularly inspecting, monitoring and maintaining erosion and sediment control measures, checking their performance and adjusting all of the above where needed. All erosion and sediment control measures will be implemented prior to works commencing and will remain in place until the earthworks are completed.

4.7 Ecological restoration

A critical element of the proposal is the ecological restoration and enhancement of the site, with this seeing the conversion of the farmland to areas of native planting to support a variety of different habitats. The Master Plan for the site identifies the specific areas of proposed revegetation areas, albeit noting that some minor clearance of indigenous vegetation may be required to establish internal tracks.

The Vegetation Management Plan (refer **Figure 19**, also enclosed as **Attachment [P]**) outlines the extent of both passive regeneration and active revegetation proposed. Substantial areas of shrubland will be actively replanted – with existing shrublands away from sightlines also receiving low-density planting of longer-lived native canopy species. The proposed planting will be focussed on creating low, diverse, mixed coastal shrubland to cater for arboreal geckos and fernbird.



Figure 19: Vegetation Management Plan (RMM)

The Vegetation Management Plan will sit within a wider Ecological Enhancement Management Plan, with this detailing the proposed vegetation management and planting outcomes across the site, the measures to manage the effects of construction on indigenous vegetation and outlining the details of the specific ecological enhancement works across the site, including plant management, pest management and staging outcomes.

All streams and wetlands will have planted buffers, with enrichment planting to be added to wetlands where necessary. The following setbacks are proposed:

- Wetlands: A minimum setback of 10m.
- Streams: A minimum setback of 5m.

Weed control will be undertaken across the property (and in a way that does not affect the young regenerating shrublands) and an animal pest control grid will be established to control rats, possums, feral cats, and other predators.

The Applicant intends to continue consultation with Ngāti Waewae to ensure any restoration and enhancement proposed appropriately responds to relevant cultural interests and values for the area. Whilst subject to feedback and further iteration, the proposed active vegetation replanting outcomes is to be selected in accordance with those indigenous planting current found on the site and surrounds and those historically present, with these detailed within the Ecological Plant List contained within the Landscape and Visual Graphic Attachments enclosed as **Attachment [R]**. All built forms will be screened by indigenous vegetation, and the margins of the site's streams

and wetlands will also be subject to ecological restoration, enhancement, and maintenance throughout the operation of the proposal.

4.8 Management Plans

To ensure adverse effects are appropriately managed in the short and long term, the following management plans are proposed by the Applicant:

- A Construction Management Plan (**CMP**)
- An Erosion and Sediment Control Plan (**ESCP**)
- An Ecological Enhancement Management Plan (**EEMP**)
- An External Lighting Management Plan (**ELMP**)

The above management plans are proposed in recognition that some aspects of the development will only be determined as part of detailed engineering design, along with recognising the need for ongoing management to ensure suitable ecological restoration outcomes are achieved, and that these plans are suitably informed by key stakeholders.

4.9 Proffered Conditions

The Applicant proffers the following conditions, contained in **Table 2**, albeit noting the willingness to receive feedback and modify these conditions as/if required.

Table 2: Proffered Conditions

Construction	
1.	<i>Prior to commencement of any earthworks, a Construction Management Plan (CMP) shall be prepared by a suitably qualified professional and provided to the Council. The objective of the CMP is to provide a framework to ensure that construction activities remain within the limits approved under this consent and avoid, remedy or mitigate adverse effects.</i>
2.	<i>The CMP shall identify how the objective set out In Condition 2 is to be achieved, and shall as a minimum address the following:</i> <ol style="list-style-type: none"> <i>a. Construction methodologies and scheduling;</i> <i>b. Description of any anticipated environmental issues and measures to deal with these;</i> <i>c. Management of any hazardous substance storage and use;</i> <i>d. Measures to prevent the introduction, establishment and spread of weeds;</i> <i>e. Management of construction noise;</i> <i>f. Methods for removal of vegetation;</i> <i>g. Management of construction traffic;</i> <i>h. Details of works staging; and</i> <i>i. Methods for responding to queries and complaints.</i>
3.	<i>Prior to commencement of any earthworks, an Erosion and Sediment Control Plan (ESCP) shall be prepared by a suitably qualified professional and provided to the Council. The objective of the Plan is to manage earthworks so that sediment and stormwater run-off is contained within the site and to ensure that no dust issues arise.</i>
4.	<i>The ESCP shall identify how the objective set out in Condition 3 is to be achieved, and shall, as a minimum, address the following:</i> <ol style="list-style-type: none"> <i>a. Description of all site earthworks and key environmental risks;</i>



	<ul style="list-style-type: none"> b. <i>Appropriate erosion and sediment control measures to be installed prior to and during all construction activities;</i> c. <i>Appropriate dust control measures to be implemented prior to and during all construction activities;</i> d. <i>Procedures for decommissioning the erosion and sediment control measures; and</i> e. <i>Procedures for monitoring erosion, sediment and dust control measures.</i>
Lighting	
5.	<p><i>Prior to external lighting being installed, an External Lighting Management Plan (ELMP) shall be prepared by a suitably qualified professional and provided to Council. The objective of the Plan is to manage effects of external lightning on fauna and amenity values. The ELMP shall identify measures to achieve this objective, and have regard to the Environmental Lighting Report submitted with the application. All external lighting installed must be in accordance with the principles of the ELMP.</i></p>
6.	<p><i>The ELMP shall identify how the objectives set out in this condition are to be achieved and shall, as a minimum, address the following:</i></p> <ul style="list-style-type: none"> a. <i>A description of proposed lighting types and specifications;</i> b. <i>Identification of locations for all proposed lighting installations;</i> c. <i>Measures to avoid excessive light spill and limit light intensity to levels compatible with landscape amenity and ecological values;</i> d. <i>Consideration of potential impacts on fauna and flora, particularly light-sensitive species, and measures to mitigate such impacts;</i> e. <i>Provisions to ensure compliance with relevant lighting standards and guidelines;</i> f. <i>Integration with surrounding landscape and mitigation of visual impacts during night-time;</i> g. <i>Monitoring and maintenance procedures to ensure the ongoing effectiveness of the lighting design;</i> h. <i>A framework for responding to complaints or queries regarding lighting effects from stakeholders or the community.</i> <p><i>The ELMP shall be implemented prior to the operation of any exterior lighting and maintained thereafter for the duration of the activity.</i></p>
Ecology	
7.	<p><i>Prior to earthworks commencing, an Ecological Enhancement Management Plan (EEMP) shall be prepared by a suitably qualified professional and provided to Council. The objectives of the Plan are:</i></p> <ul style="list-style-type: none"> a. <i>To detail the proposed vegetation management and planting outcomes across the site (i.e, active and passive regeneration areas, with this to be detailed in a vegetation management plan);</i> b. <i>To manage the effects of construction on indigenous vegetation;</i> c. <i>To outline the details of the ecological enhancement works across the site, including plant management, pest management and staging outcomes;</i> d. <i>To outline the details of enrichment planting along Stream 3 which provides a contiguous, woody vegetation margin that is at least, on average, 5m wide on each margin; and</i> e. <i>To implement vegetation clearance protocols in accordance with the following:</i> <ul style="list-style-type: none"> i. <i>Vegetation clearance shall be in general accordance with the development footprint design provided in the landscape drawing prepared by RMM;</i> ii. <i>Clearance of grassland areas shall be progressively mowing to reduce the grass sward to a lot (100mm) height prior to excavation;</i> iii. <i>Clearance of shrubland shall be outside of the native bird nesting season (October through to February); and</i> iv. <i>Shrubland clearance shall involve the use of hand tools to cut shrubs, followed by the relocation of cut shrubs to an adjoining shrubland area. Cut shrubs shall be left in the adjoining shrubland area for a minimum duration of two weeks prior to being mulched, or may also be left at the adjoining shrubland area indefinitely.</i> <p><i>The EEMP shall identify measures to achieve these objectives, and have regard to the Detailed Ecology Report (and associated recommendations) submitted with the application.</i></p>



8.	<i>There shall be no vegetation clearance works within 20m of locations recorded for Fernbird as identified in the Detailed Ecological Report submitted with the application.</i>
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5 Statutory provisions

5.1 National Environment Standards for Assessing and Managing Contaminants in Soil to Protect Human Health

A review of the WCRC's SLUS has been undertaken for the site with a copy enclosed as **Attachment [G]**. There are no records of contamination nor Hazardous Activities and Industries List (**HAIL**) activities having been undertaken on site, supported by a statement from the previous landowner, enclosed as **Attachment [H]**.

In consideration of the abovementioned, it is reasonable to conclude that the site is not defined as a 'piece of land' under Clause 7 of the National Environment Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (**NES-CS**). As such, there are no requirements under the NES-CS that require resource consent for this proposal.

5.2 Buller District Plan

The site is located within the Paparoa Character Area under the Buller District Plan (**BDP**). The BDP identifies a historic place on the site, being Sea Caves 60 (**Figure 20**).



Figure 20: Site zoning under the Buller District Plan (West Maps).

Section 5.1.4 of the BDP states that where an activity does not fall into either the permitted, controlled, or discretionary categories it shall automatically be categorised

as a Non-Complying Activity. Figure 5.1 of the BDP outlines how activity classification is to be undertaken, this has been recreated as **Figure 21** below.

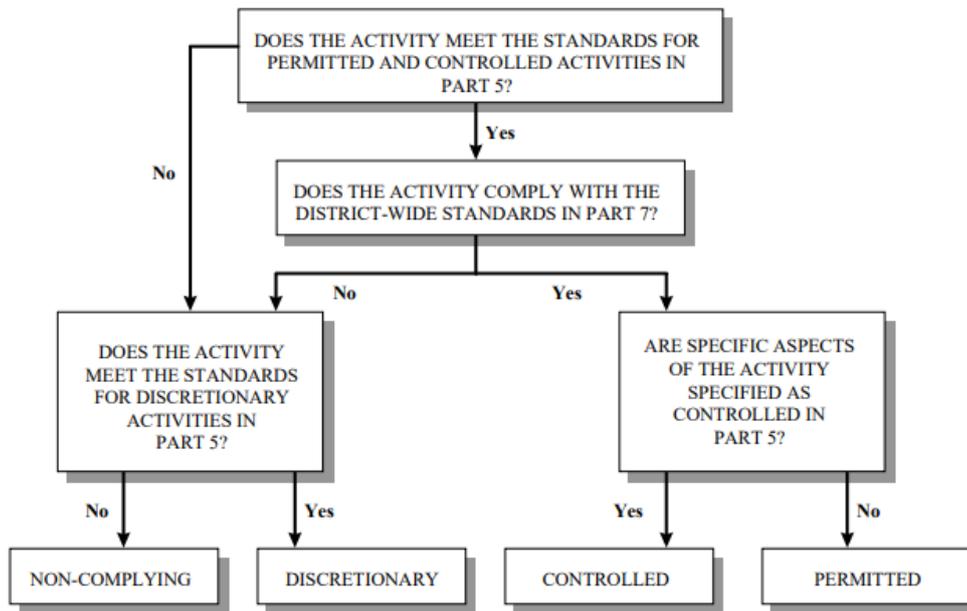


Figure 21: Classification of Activities under the Buller District Plan (Figure 5.1, BDP).

For the purposes of the following compliance assessment the following definitions are relevant as follows:

Commercial Activity: Any use of land or buildings for the purposes of the sale of food, services and other commodities and merchandise or the provision of services or professional advice.

Dwelling: A building or part thereof designed and used principally as a self-contained residence.

Front Yard: A yard between the street line, a line parallel to, and extending across the full width of the site.

Gross Ground Floor Area: The total area of all ground floors contained within the exterior walls of any building excluding any private garage located within those exterior walls, except where there is living space above. It also includes the area beneath an internal canter leaver, but not open terrace.

Rear Yard: A yard between the rear boundary of the site and a line parallel thereto, extending across the full width of the site; provided that in the event of there being no rear boundary, as in a triangular section, the boundaries of the rear yard shall be the converging side boundaries of the site and the arc of a circle drawn with the apex as centre and a radius of 5 metres.

Residential Activity: Any use of land where permanent accommodation in a dwelling, apartment or institutional home is the primary purpose, and no persons are employed other than for the purposes of caring for permanent residents.

Street: Includes road, avenue, cul-de-sac, parade, lane and means a prepared surface or route for the movement of motor vehicles and people.

Tourist Related Activity: Any activity which primarily caters for, and provides a service to visitors to the District, and which relies on the natural and physical resources of the District as an attraction and integral part of the business activity.

Yard: A part of a site which is required by this Plan to be unoccupied and unobstructed by buildings except fences from the ground upwards, except as otherwise provided by this Plan.



As such, the proposed activity on site will encompass the following definitions:

- The proposed restaurant and spa, including associated facilities, are considered to be commercial activity (whilst also acknowledging that they may also fall within the definition of tourist related activity).
- The proposed cabins (to be used as visitor accommodation) are considered to be a tourist related activity. These are not considered to be 'dwellings' as the common understanding of 'residence' is that of a permanent home, rather than temporary visitor accommodation.
- The worker's accommodation is considered to be a dwelling, with a residential activity being undertaken.
- Whilst there is a legal 'paper road' parcel wrapping around the northern and western site boundaries, there is no prepared surface or route for the movement of motor vehicles and people present, and therefore does not fall under the definition of 'street'. As such, the 'front yard' only applies to the eastern boundary, where SH6 is present. The remaining boundaries are considered to be a 'rear yard' and 'side yards' (noting that there is no definition for side yard in the BDP but based on the definitions of the aforementioned the northern and southern boundaries are considered 'side yards').

The proposal has been assessed against the relevant rules of the BDP in **Table 3** below:

Table 3: Rule assessment against the relevant provisions of the Buller District Plan.

Rule	Explanation / Requirement	Activity Status / Compliance / Comment
Part 5.4 – Paparoa Character Area		
5.4.2 – Permitted Activities		
5.4.2.1	<i>Any agricultural, forestry or residential activity which complies with the standards listed in Table 5.10A except those listed as controlled activities.</i>	<p>Permitted Activity – NA</p> <p>Worker accommodation is considered to be a residential activity and will comply with the relevant standards set out in Table 5.10A (and below), however as a new building is proposed it falls under Controlled Activity rule 5.4.3.1 below.</p> <p>The remaining activities on the site are not covered here (being commercial/tourist related activities)</p>

Rule	Explanation / Requirement	Activity Status / Compliance / Comment
5.4.2.2	<i>Additions to any existing building or structure as per the standard in Table 5.10A.</i>	N/A No additions to any existing buildings/structures are proposed.
5.4.2.3	<i>Network utilities, subject to compliance with Part 6 (infrastructure).</i>	REFER ASSESSMENT BELOW AGAINST PART 6
5.4.2.4	<i>Any clearance of indigenous vegetation to be incidental to a permitted activity and limited to 200m² per hectare.</i>	Permitted Activity - Complies Very minimal indigenous vegetation clearance is proposed where necessary to establish tracks and building platforms. This will be less than 200m ² per hectare.
5.4.2.5	<i>No modification to, or destruction of, an area identified as a significant natural feature or landscape. No modification to, or destruction of, areas identified as significant indigenous vegetation or significant habitats of indigenous fauna is allowed.</i>	N/A No modification to, or destruction of, an area identified as a significant natural feature or landscape is proposed
5.4.3 – Controlled Activities		
5.4.3.1	<i>Any agricultural, forestry or residential activity which complies with the standards for controlled activities and which involves any of the following aspects: 5.4.3.1.1. The erection of any new building or structure. 5.4.3.1.2. The construction or formation of any vehicle track or access. 5.4.3.1.3. The planting of exotic tree species for commercial and/or shelter belt purposes.</i>	Controlled Activity - Complies The residential activity, for worker accommodation, will have a new building erected and may have the construction/formation of vehicle tracks/access whilst complying with the controlled activity standards.
5.4.4 – Discretionary Activities		
5.4.4.1	<i>Any earthworks to be incidental to another activity and limited to a maximum volume of 100m³</i>	Does not Comply – The proposed earthworks, whilst incidental to another activity, are greater than 100m ³ .
5.4.4.2	<i>Maximum clearance of indigenous vegetation is 500m² per hectare</i>	N/A The minimal vegetation clearance is covered



Rule	Explanation / Requirement			Activity Status / Compliance / Comment
				and assessed under Rule 5.4.2.4 above.
Table 5.10A – Paparoa Character Area Standards				
Item	Permitted	Controlled	Discretionary	
Boundaries	Front Yard <i>Setback from road 10m.</i>	Front Yard <i>Setback from road 10m.</i>	Front Yard <i>Minimum 8m.</i>	Permitted Activity - No buildings will be established within 10m of the front boundary.
	Side/Rear Yards <i>2m.</i>	Side/Rear Yards <i>2m.</i>	Side/Rear Yards <i>1.5m.</i>	Discretionary Activity - The lodge and SC3 will be established within 2m of a side/rear yard but in excess of 1.5m. All other buildings are setback at least 2m.
	Livestock/Animals <i>Minimum separation distance between buildings housing commercial livestock and a residential zone boundary shall be 400m and from any dwelling 30m or other boundary 20m.</i>	Livestock/Animals <i>Minimum separation distance between buildings housing commercial livestock and a residential zone boundary shall be 400m and from any dwelling 30m or other boundary 20m.</i>	Livestock/Animals <i>Minimum separation distance between buildings housing commercial livestock and a residential zone boundary shall be 400m and from any dwelling 30m or other boundary 20m.</i>	N/A No livestock is proposed on site.
	Coastal Marine Area <i>No activity to be carried out within 50m of the Mean High Water Springs Mark.</i>	Coastal Marine Area <i>No activity to be carried out within 50m of the Mean High Water Springs Mark.</i>	Coastal Marine Area <i>Any activity to be carried out within 50m of the Mean High Water Springs Mark.</i>	Discretionary – Activities will occur within 50m of the Mean High Water Springs Mark. It is noted that the site is separated from this mark via a steep cliff face.
Buildings	<i>Where there is more than one building per site, only two buildings may be used as dwellings.</i>	<i>Not applicable.</i>	<i>Not applicable</i>	Permitted – There is more than one building on this site, however no more than two will be used as worker accommodation (i.e. a dwelling).
Building Height	<i>Maximum building height is 7m.</i>	<i>Not applicable</i>	<i>Maximum building height is 10m.</i>	Permitted – The maximum building height will be less than 7m.
Earthworks	<i>Any earthworks to be incidental to a</i>	<i>Not applicable.</i>	<i>Any earthworks to be incidental to</i>	Non-Complying –



Rule	Explanation / Requirement			Activity Status / Compliance / Comment
	<i>permitted or controlled activity.</i>		<i>another activity and limited to a maximum volume of 100m³.</i>	Whilst incidental to another activity, earthworks greater than 100m ³ will be undertaken.
Forestry	<i>Plantings not to include Douglas Fir, Pseudotsuga menziesii.</i>	<i>Plantings not to include Douglas Fir, Pseudotsuga menziesii.</i>	<i>Plantings of Douglas Fir, Pseudotsuga menziesii.</i>	Permitted – Plantings will not include Douglas Fir, Pseudotsuga menziesii.
Ground Floor Area	<i>The maximum permitted gross ground floor area of a single building is 150m² and no addition of greater than 50m² gross floor area to an existing building or structure. No addition of any size to an existing building or structure, where a 50m² or greater addition to gross floor area has already been undertaken since 15 March 1995. The combined total ground floor area of all buildings per site is 500m².</i>	<i>Not applicable.</i>	<i>The maximum gross ground floor area of a single building is 300m² and no addition of greater than 50m² gross floor area to an existing building or structure, where a 50m² or greater addition to gross floor area has already been undertaken since 15 March 1995 Not applicable.</i>	Non-Complying – The main lodge will be 621.2m ² GFA and therefore greater than the stated 300m ² limit for a discretionary activity. All other proposed buildings on the site, with the exception of the workers accommodation with a GFA of 251m ² , are no more than 150m ² individually. The combined total ground floor area, including the lodge, cabins, worker accommodation, service building, and existing buildings will be approximately 2,610m ²
Natural Wetlands (>0.5 ha)	<i>No modification within 25m of the wetland except as provided in 5.4.5.10</i>	<i>Not applicable</i>	<i>Activities within 25m of the wetland except as provided for in 5.4.5.10</i>	N/A - Any wetlands on the site are under 0.5 ha in size, and therefore this rule is not relevant.
Lakes	<i>No modification within 20m of the lake except as provided in 5.4.5.10</i>	<i>Not applicable</i>	<i>Activities within 20m of the lake except as provided for in 5.4.5.10</i>	N/A - No activities to occur within 20m of any lake.
Rivers and Streams with an average bed width of >3m adjacent to the proposed activity	<i>No modification within 10m of the riverbank or streambank except as provided in 5.4.5.10</i>	<i>Not applicable</i>	<i>Activities within 10m of the riverbank or streambank except as provided for in 5.4.5.10</i>	N/A - Streams on the site are less than 3m and therefore this rule is not relevant.
Part 6 – Infrastructure, Services and Other Activities District Wide				



Rule	Explanation / Requirement	Activity Status / Compliance / Comment
6.2 – Rules – Permitted Activities		
6.2.1	<i>Household, commercial and industrial connections to gas, water, drainage and sewer reticulation systems.</i>	Permitted Activity / Not Applicable – No connection to reticulated systems is proposed, except to a community water supply system.
6.2.2	<i>Pipes for the conveyance of water or sewage and necessary incidental equipment including household connections.</i>	Permitted Activity – Complies The provision of water and sewage pipes to serve the cabins and lodge are permitted.
6.2.3	<i>Irrigation systems, open drains and channels for the conveyance of water.</i>	Permitted Activity – Complies The provision of drainage through the site for the conveyance of water is permitted.
6.2.4	<i>Any stopbank or culvert.</i>	Permitted Activity – Complies Culverts are existing across the site and are permitted as per this rule.
6.2.5	<i>Electric lines for conveying electricity at a voltage up to and including 110KV with a capacity up to and including 100MVA, where those lines are underground.</i>	Permitted Activity – Complies The provision of power supplies will be provided underground.
6.2.9	<i>Normal maintenance and replacement works on existing formed and private roads within the legal road reserve, or partially formed roads within the legal road reserve including any activity related to improvement or realignment of the road, and all works to preserve the integrity of the road, or to prevent further damage as a result of any act of nature.</i>	Permitted Activity – Complies The upgrade works associated with the access will involve some works within the legal SH road corridor.
6.2.18.1	<i>Temporary activities that comply with the following: Activities incidental to building and construction limited either to the duration of the project or a period of 12 months whichever is the lesser, and provided they comply with the noise limits set out in 7.8.</i>	Permitted Activity – Complies Any temporary activity will be compliant with this rule.
6.3 – Rules – Controlled Activities		
6.3.1	- <i>The following activities involving hazardous substances are controlled activities where:</i>	Controlled Activity – Complies The storage, and use, of hazardous



Rule	Explanation / Requirement	Activity Status / Compliance / Comment
		<p>substances is a controlled activity.</p> <p>Matters over which Council reserves control are the planning or control measures to prevent accidents and/or avoid, remedy or mitigate any adverse effects on the environment and the provision of monitoring information.</p>
.1	<p><i>The hazardous substances to be stored in underground tanks comply with the “Code of Practice for Design, Installation and Operation of Underground Petroleum Storage Systems” (Department of Labour, OSH, 1992), OR where other methods are adopted such as current industry codes of practice, which will ensure that standards 6.3.1.3 and 6.3.1.4 below are met.</i></p>	<p>Not applicable – Hazardous substances are not to be stored underground, but rather in a storage building.</p>
.2	<p><i>All sites (or part thereof) where hazardous substances are stored, used, loaded or unloaded are sealed, bunded and roofed or covered. Such bunds are to be of impervious material and be capable of containing the total volume of material sorted or used on the site (in the event of a spill).</i></p>	<p>Complies – The storage location will be sealed and roofed with impervious materials. All hazardous substances will be stored in impervious tanks capable of storing the substance.</p>
.3	<p><i>Drainage from sealed areas is to an appropriate waste treatment system and there is no direct discharge of contaminated stormwater or waste to natural waters, land or air.</i></p>	<p>Complies – There will be direct discharge of contaminated stormwater or waste to natural water, land, or air.</p>
.4	<p><i>No hazardous substance is discharged into or onto water, land or air except where this is provided for within a regional plan, or other rule or regulation.</i></p>	<p>Complies – There will be no discharge of hazardous substance into or onto water, land, or air.</p>
.5	<p><i>A management plan for all sites where hazardous substances are stored, used or transported is prepared.</i></p>	<p>Complies – A management plan will be prepared.</p>
.6	<p><i>A spill response contingency plan is prepared.</i></p>	<p>Complies – A spill response contingency plan will be prepared.</p>



Rule	Explanation / Requirement	Activity Status / Compliance / Comment															
Part 7 – District Wide Rules																	
7.4 - Access																	
7.4.1	<i>Activities having frontage or access to a strategic route which is a State Highway (as listed in Part 12) shall comply with the following standards, while those activities that have frontage or access to a strategic route which is a non-State Highway (as listed in Part 12) shall comply with Council’s roading standards</i>	Permitted Activity – Does not Comply As the proposed access cannot comply with the stated sight distances under Standard 7.4.1.1 (assessed below), the proposal falls under Rule 7.4.1.2 as a Restricted Discretionary Activity.															
7.4.1.1	<p><i>The minimum sight distances from an access, the location of property access relative to intersection and the minimum spacing between adjacent property accesses onto or off a strategic route which is a State Highway shall be as specified in Tables 7.1(a) and 7.1(b).</i></p> <p><i>Table 7.1(b) Property Access Performance Criteria Where Traffic Generation Is Between 30 and 60 Vehicle Movements Per Day.</i></p> <table border="1" data-bbox="475 1032 1139 1496"> <thead> <tr> <th data-bbox="475 1032 571 1496" rowspan="2">Posted (Legal) Speed Limit (km/h)</th> <th data-bbox="571 1032 683 1496" rowspan="2">Minimum Sight Distance (m) See Diagram A</th> <th colspan="3" data-bbox="683 1032 1018 1137">Location of Property Access Relative to Intersection. See Diagram B</th> <th data-bbox="1018 1032 1139 1496" rowspan="2">Minimum Spacing between Adjacent Property Accesses (on same or opposite frontages) Distance N see Diagram B (m)</th> </tr> <tr> <th data-bbox="683 1137 794 1496">Minimum Distance K (m)</th> <th data-bbox="794 1137 906 1496">Minimum Distance L (m)</th> <th data-bbox="906 1137 1018 1496">Minimum Side Road Distance M (m)</th> </tr> </thead> <tbody> <tr> <td data-bbox="475 1496 571 1503">100</td> <td data-bbox="571 1496 683 1503">250</td> <td data-bbox="683 1496 794 1503">200</td> <td data-bbox="794 1496 906 1503">200</td> <td data-bbox="906 1496 1018 1503">60</td> <td data-bbox="1018 1496 1139 1503">200</td> </tr> </tbody> </table>	Posted (Legal) Speed Limit (km/h)	Minimum Sight Distance (m) See Diagram A	Location of Property Access Relative to Intersection. See Diagram B			Minimum Spacing between Adjacent Property Accesses (on same or opposite frontages) Distance N see Diagram B (m)	Minimum Distance K (m)	Minimum Distance L (m)	Minimum Side Road Distance M (m)	100	250	200	200	60	200	Does not Comply – The proposal will generally generate between 30 and 60 vehicle movements a day (approximately being 57) and therefore Table 7.1(b) applies. The posted legal speed limit is 100kmh. The access does not comply with the stated sight distances.
Posted (Legal) Speed Limit (km/h)	Minimum Sight Distance (m) See Diagram A			Location of Property Access Relative to Intersection. See Diagram B				Minimum Spacing between Adjacent Property Accesses (on same or opposite frontages) Distance N see Diagram B (m)									
		Minimum Distance K (m)	Minimum Distance L (m)	Minimum Side Road Distance M (m)													
100	250	200	200	60	200												
7.4.1.2	<i>Where the activity does not comply with the performance criteria in Table 7.1(a) or Table 7.1(b) or, the activity generates more than 60 vehicle movements per day, the activity will be assessed as a limited discretionary activity.</i>	Restricted Discretionary Activity As the access does not comply with the performance criteria in Table 7.1(b), the activity is considered to be a Restricted Discretionary Activity under this rule.															
7.4.8	<i>All parking, loading and trade vehicle storage areas with access to strategic routes shall be designed to ensure that there is adequate turning space on site so vehicles are not required to reverse either onto or off the site.</i>	Complies – Sufficient turning space will be provided on site.															



Rule	Explanation / Requirement	Activity Status / Compliance / Comment						
7.4.10	Where there is unformed legal road, the activities which may establish on that land are the same as those permitted for the zone, subject to agreement with the owner of the road and road reserve. The only other activities which may be carried out on land gazetted, or reserved for road are defined in Part 7 as permitted activities. On road vested in Council, a road closure may be required before any development can occur	The coastal boundary of the site features an unformed legal road. All building and access track arrangements are within the site boundaries and not within informed legal road.						
7.5 - Parking								
7.5.2	<p>Vehicle parking for activities other than above shall be provided to the standards in Table 7.2 and shall be located on the site:</p> <table border="1" data-bbox="475 752 1139 1032"> <thead> <tr> <th data-bbox="475 752 831 797">Activity</th> <th data-bbox="831 752 1139 797">Spaces Required</th> </tr> </thead> <tbody> <tr> <td data-bbox="475 797 831 920">Other residential activities and travellers accommodation</td> <td data-bbox="831 797 1139 920">One space per unit, or bedroom suite, plus one space for staff for 10 units or part thereof</td> </tr> <tr> <td data-bbox="475 920 831 1032">Restaurants, taverns, places of assembly, tourist related activities, backpacker dorms and camping grounds</td> <td data-bbox="831 920 1139 1032">One space per 5 people which the facility or activity is designed to accommodate or attract</td> </tr> </tbody> </table>	Activity	Spaces Required	Other residential activities and travellers accommodation	One space per unit, or bedroom suite, plus one space for staff for 10 units or part thereof	Restaurants, taverns, places of assembly, tourist related activities, backpacker dorms and camping grounds	One space per 5 people which the facility or activity is designed to accommodate or attract	<p>Permitted Activity – Complies</p> <p>The restaurant is anticipated to seat 100 guests at any one time up to 140 at maximum capacity, and the spa facilities to host an additional 8. 26 car parks have been provided in the sealed car parking area with at least an additional 8 being provided in the unsealed area by the Lodge Support Building. There are a number of areas that can also be utilised as overflow parking if required. As such the parking for the lodge activities meets the permitted activity requirements for restaurants and tourist related activities.</p> <p>Each cabin has its own parking space, and two parking spaces are proposed for the workers, meeting the requirements for travellers accommodation.</p>
Activity	Spaces Required							
Other residential activities and travellers accommodation	One space per unit, or bedroom suite, plus one space for staff for 10 units or part thereof							
Restaurants, taverns, places of assembly, tourist related activities, backpacker dorms and camping grounds	One space per 5 people which the facility or activity is designed to accommodate or attract							
7.5.4	All parking and loading areas provided as per the requirements of this rule shall be designed in accordance with the dimensions specified in Figures 7.2A, 7.2B and 7.2C, Figure 7.3A and 7.3B and Table 7.3.	<p>Complies –</p> <p>Parking spaces will be provided for in accordance with the stated design criteria.</p>						



Rule	Explanation / Requirement	Activity Status / Compliance / Comment
7.5.5	<i>Off-street parking facilities shall be located on the site unless otherwise provided for in this rule.</i>	Complies – All parking will be on-site and off-street.
7.6 – Recession Planes		
7.6.1-7.6.4	<i>No building shall exceed a height equal to the recession plane angle shown in Figure 7.3. Angles for recession planes shall vary with the direction or bearing of each site boundary according to the diagram set out in Figure 7.3. They shall commence at points 2.5m above site boundaries. This rule does not apply to buildings within the Industrial Zone, Port Zone, Cement Production Zone and Commercial Zone other than on site boundaries which abut a Residential zone.</i>	Complies – The buildings are all appropriately setback from boundaries and of such a height, that recession planes will not exceed those angles detailed in Figure 7.3
7.8 – Noise Standards		
7.8.1	<i>The following maximum noise levels measured at the stated times at the boundary of any land used for a residential activity shall not be exceeded: Monday to Friday – 8.00 am to 11.00 pm 55dBA L10 Saturday – 8.00 am to 6.00 pm 55dBA L10 At all other times including any public holiday 45dBA L10, Lmax 75dBA</i>	Complies – These limits will be complied with.
7.9 Other General Rules		
7.9.2.1	<i>Stormwater run-off from buildings shall be directed to the road channel, or to a watercourse within the property, or to an approved drain for that purpose.</i>	Complies – All stormwater emanating from buildings will be directed through existing overland flow paths to watercourses within the property.
7.9.3	<i>Planting 7.9.3.1. No tree or vegetation shall be planted in a position which will restrict the driver's visibility to or from any road intersection or any private access intersection with the state highway, or an arterial road, or restrict the drivers view of "official signs" or adversely affect the visibility of drivers at rail level crossings. 7.9.3.2. No tree, plantation, shelterbelt or vegetation shall be planted or be permitted to grow in a position that could result in the shading of the road pavement of any state highway or arterial route between 10.00am and 2.00pm on the shortest day of the year.</i>	Complies – No trees or vegetation will be planted in breach of these requirements.
7.9.4.1	<i>All exterior lighting shall be designed, installed and maintained so that: 7.9.4.1.1. Light emitted does not cause a distraction or glare which could create a traffic hazard on any road, or interfere with the correct operation of navigational aids; 7.9.4.1.2. There is no adverse effect on residents or activities adjacent to the area being illuminated.</i>	Complies – Exterior lighting will be designed to comply with the standards stated, through the implementation of an ELMP.



Rule	Explanation / Requirement	Activity Status / Compliance / Comment
7.9.4.2	<i>Any activity shall ensure that no greater than a 10 lux spill (horizontal or vertical) of light shall enter any adjoining property, measured 2.0 metres inside the boundary of the adjoining site.</i>	Complies – No greater than 10 lux spill of light will enter any adjoining property.
7.9.7	7.9.7.1. Permitted Activities: 7.9.7.1.1. <i>No changes of use or subdivision of any historic/cultural item(s) listed in Part 14, which would adversely affect the heritage resource or detract from the values the item(s) are listed for will be allowed.</i>	Complies – No changes are proposed to any historic or cultural items, noting the works are focused on the site extent only, and not the coastal sea cave area.
Part 8 – Financial Contributions		
8.4.1.1 - New Roads	<i>The full actual cost of constructing the new road, including the cost of the vesting in the Council of the necessary land for the road.</i>	Not Applicable – No new roads are proposed.
8.4.1.2 - Upgrading / Widening of Existing Roads	<i>The full actual cost of upgrading to meet the required standard to make the road suitable for increased traffic including, where appropriate, the cost of vesting any land as road for widening purposes.</i>	Not Applicable – No road upgrades are required.
8.4.1.3 - Off-Street Parking	<i>Current market value of 35m2 of land in the zone per parking or loading space required by the off-street parking requirements of the Plan</i>	Not applicable – Off-street parking complies with the requirements of the BDP.
8.4.1.4 - Private Ways and Accessways	<i>The full actual cost of constructing and maintaining private ways and accessways to the appropriate standard.</i>	Not Applicable – The Applicant proposes to upgrade the accessway, this will not be undertaken by BDC.
8.4.1.5 - Earthworks	<i>The full actual cost of carrying out the earthworks to the appropriate standards, retaining significant areas where required.</i>	Not Applicable – Any earthworks required on site will be undertaken by the Applicant. No earthworks will be required to be undertaken by BDC.
8.4.1.6 - Landscaping or Planting	<i>The full actual cost of carrying out the landscaping.</i>	Not Applicable – Any landscaping required on site will be undertaken by the Applicant. No landscaping will be required to be undertaken by BDC.
8.4.1.7 - Fencing or Screening	<i>The full actual cost of carrying out the fencing or screening.</i>	Not Applicable – Any fencing/screening



Rule	Explanation / Requirement	Activity Status / Compliance / Comment
		required on site will be undertaken by the Applicant. No fencing/screening will be required to be undertaken by BDC
8.4.1.8 - Water Supply	<i>Where a piped water supply is available and sufficient to meet the needs of the proposed activity, the full actual cost of providing all the necessary reticulation to serve the proposed allotments, sites and buildings. Where no supply is available, or the capacity of the supply is inadequate, the full actual cost of providing a supply and increasing the capacity if necessary, together with the cost of reticulation within the subdivision or development.</i>	Not applicable - Whilst a piped water supply is available and sufficient to meet the needs of the proposed activity, the site is already connected. All infrastructure on the site will be managed by the Applicant.
8.4.1.9 - Disposal of Sewage	<i>Where a sewerage system is available and has adequate capacity for meeting the proposed additional sewage, the full actual cost of connecting the lots or buildings to that sewerage system. Where a sewerage system is not available, or the capacity of an existing system is inadequate, the full actual cost of disposal, including design and investigation and the cost of increasing the capacity if necessary, together with the full actual cost of providing sewerage within the subdivision or buildings.</i>	Not applicable – Wastewater is to be discharged to land on site.
8.4.1.10 - Stormwater	<i>Where a piped outfall is available, the full actual cost of reticulation control structures within the subdivision or development. Where a piped outfall is not available or the capacity of an existing system is inadequate, the full actual cost of providing for the disposal of stormwater and increasing the capacity if necessary, together with the full actual cost of reticulation and control structures within the subdivision or building.</i>	Not applicable – Stormwater is to be discharged on site.
8.4.1.11 - Electricity Supply	<i>The full actual cost of providing the supply underground to and within the subdivision or buildings.</i>	Not applicable – There is an existing electricity supply to the site.
8.4.1.12 - Street Lighting	<i>The full actual cost of providing the street lighting.</i>	Not applicable – No street lighting required.
8.4.1.13 - Telephone Links	<i>The full actual cost of providing telephone links to and within the subdivision or buildings.</i>	Not applicable – No telephone links will be required to be provided by BDC.
8.4.1.14 - Provision of Open Space, Public Recreation or other Reserves	<i>(i) Where over 10 allotments are created land suitable for development into a reserve to serve the expected population. (ii) For each additional allotment of less than 1ha, the amount of a financial contribution shall be 7.5% of the land value. (iii) For each additional allotment of 1ha to 5ha, the amount of a financial contribution shall be 5% of the land value.</i>	Not applicable – No subdivision proposed.



Rule	Explanation / Requirement	Activity Status / Compliance / Comment
	<i>(iv) For each additional allotment over 5ha, the amount of a financial contribution shall be 2.5% of the land value of no greater than 10ha of each allotment.</i>	
8.4.1.15 - Esplanade Reserves and Esplanade Strips	<i>The full actual cost of vesting or contributing a reserve or strip of not greater than 20 metre width including the value of the land or interest in land and the costs of survey and conveyancing.</i>	Not applicable – No esplanade reserves or strips are necessary for proposal.
8.4.1.16 - Development Contribution	<i>Developments of a value of over \$500,000 shall be subject to a financial contribution of up to 0.5% of the value of the development. The financial contribution shall only be spent by Council on the provision and development of reserves, recreational facilities and community facilities within the District. The value of other financial contributions conditional on the development will be considered with regard to the amount of development contribution required</i>	Applicable – Development has a value of over \$500,000, at \$25,000.000. Therefore a development contribution of up to \$125,000 may be required.

Based on our assessment against the relevant BDP provisions, resource consent is required for the following activities:

- Commercial and tourist related activities within the Paparoa Character Zone as a **Non-Complying Activity** as it is not characterised within the BDP, as per Section 5.1.4.
- Worker accommodation as a residential activity is a **Controlled Activity** under Rule 5.4.3.1. Council's control is limited to the matters listed under Rule 5.4.3.2.
- Breach of rear/side yard permitted activity setbacks for the lodge and SC3, being less than 2m but greater than 1.5m, as a **Discretionary Activity**.
- Activities located within 50m of the Mean High Water Springs Mark as a **Discretionary Activity**;
- Earthworks greater than 100m³ as a **Non-Complying Activity**, as it cannot meet any of the listed activity rules or standards, as per Section 5.1.4;
- Gross ground floor area of a single building exceeding 300m² and total combined building gross floor area exceeds 500m², as a **Non-Complying Activity** as it cannot meet the activity standards under Table 5.10A;
- The use and storage of hazardous substances as a **Controlled Activity** under Rule 6.3.1
- For a vehicle access that breaches the sight distance requirements as a **Restricted Discretionary Activity** under Rule 7.4.1.2.

Overall, resource consent is sought as a **Non-Complying Activity**.



5.3 Proposed Te Tai o Poutini Plan

The site is located within the **General Rural Zone** under the proposed Te Tai o Poutini Plan (TTPP) (**Figure 22**) and is subject to the following relevant overlays:

- Coastal Environment;
- Outstanding Coastal Natural Character (NCA42 - Dolomite Point Pancake Rocks **and** NCA44 - Woodpecker Bay foothills to Needle Point);
- High Coastal Natural Character (NCA43 - Perpendicular Point to Woodpeckers Bay)
- Outstanding Natural Landscapes (ONL45 - Ōkoriko/Razorback, Dolomite, and Perpendicular Point);
- Site of Significance to Māori 30;
- Pounamu Management Areas;
- Coastal Hazard Alert; and
- Coastal Setback.



Figure 22: Site zoning under the proposed Te Tai of Poutini Planbn (TTPP).

The following chapters have immediate legal effect in the proposed TTPP:

- Historic Heritage;
- Sites and Areas of Significance to Māori (**SASM**);
- Ecosystems and Indigenous Biodiversity;
- Natural Character and the Margins of Water; and
- Activities on the Surface of Water.

The following definitions are relevant to this proposal:

Riparian margin: means all land within:

10m of any wetland;
20m of any lake; and
10m of any stream or river with an average bed width greater than 3m.

As such, only those chapters stated above have been assessed in **Table 4** below.

Table 4: Rule assessment against the relevant provisions of the TTPP with immediate legal effect.

Rule Reference	Explanation / Requirement	Activity Compliance / Comment	Status /
SASM - Site and Areas of Significant to Māori – Ngā Wāhi Tāpua ki te Māori			
SASM – R4	<p>Indigenous vegetation clearance on Sites and Areas in Schedule Three - Sites and Areas of Significance to Māori</p> <p>Activity Status Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity does not occur on the following Sites and Areas of Significance to Māori identified in Schedule Three, except with the written approval from the relevant Poutini Ngā Tahu rūnanga which is provided to the relevant District Council at least 10 working days prior to the activity commencing: <ol style="list-style-type: none"> i. All sites identified in Category Tahi (1) and Category Rua (2) in Schedule Three; ii. SASM 52 Cobden Native Reserve; iii. SASM 109 Pyramid Hill/Tumuaki Hill; iv. SASM 117 Waitaiki Catchment; v. SASM 156 Te Puku o te Wairapa; vi. SASM 159 Tikitiki o Rehua; vii. SASM 162 Heretaniwha; viii. SASM 170 Porangirangi to Mahitahi; ix. SASM 192 Awarua; x. SASM 197 Ōkuru; xi. SASM 204 Waitoto Lagoon, South Bank Nohoanga; and xii. SASM 214 Huruheru Manu/Spoon River. <p>Advice Note: Indigenous vegetation clearance is also subject to the provisions in the ECO - Ecosystems and Biodiversity Chapter.</p>	<p>Permitted Activity – Complies</p> <p>SASM 30 is not identified as a Category Tahi or Rua in Schedule 3 nor is specifically listed under (1)(ii) to (xii). As such, indigenous vegetation clearance within the SASM on the site is a permitted activity under this rule.</p>	
SASM – R5	<p>Temporary Events on Sites and Areas in Schedule Three - Sites and Areas of Significance to Māori</p> <p>Activity Status Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. These are Poutini Ngā Tahu cultural events in accordance with tikanga; or 2. They are temporary events and activities in accordance with the Temporary Activities Chapter; and 3. On the following Sites and Areas of Significance to Māori identified in Schedule Three these only occur with the written approval from the relevant Poutini Ngā Tahu rūnanga that is provided to the relevant District Council at least 10 working days prior to the activities commencing: 	<p>Permitted Activity – Complies</p> <p>SASM 30 is not listed in (3), and the temporary activity, being construction, is listed within the Temporary Activities Chapter under TEMP – R2 for temporary buildings and structures ancillary to construction and demolition works.</p>	



Rule Reference	Explanation / Requirement	Activity Compliance / Status / Comment
	<p>i. All sites identified in Category Tahī (1) in Schedule Three;</p> <p>ii. SASM 1 Kahurangi Point; SASM 3 Whakapoai Native Reserve 7B; SASM 17 No. 37 Kawatiri South Bank Native Reserve; SASM 34 Te Nikau Scenic Reserve; SASM 67 Kōtukuwhakaako/Arnold River including on the surface of its waters; SASM 94 No. 3 Arahura Native Reserve; SASM 107 Island Hill/Raparapahoi; SASM 109 Pyramid Hill/Tumuakai Hill; SASM 110 Māhinapua; SASM 114 Tara o Tama; SASM 116 Mt Tūhua; SASM 117 Waitaiki Catchment; SASM 121 Waitaiki Historic Reserve; SASM 130 Whataroa Native Reserves Secs 21; SASM 131 Ōkarito Lagoon; SASM 162 Heretaniwha; SASM 165 No.7 Mahitahi Beach Native Reserve; SASM 169 No. 5 Mahitahi Native Reserve; SASM 170 Porangirangi to Mahitahi; and SASM 205 No. 2 Waitototo Native Reserve.</p> <p><i>Advice Note: Where Temporary Events are proposed on the Surface of Water within Sites and Areas of Significance to Māori then this Rule SASM -R5 will apply.</i></p>	
<p>SASM – R6</p>	<p>Earthworks Buildings and Structures not Provided for in SASM - R2 in Schedule Three - Sites and Areas of Significance to Māori</p> <p>Activity Status Permitted</p> <p>Where:</p> <p>1. The activity does not occur on the following Sites and Areas of Significance to Māori identified in Schedule Three, except with written approval from the relevant Poutini Ngāi Tahu rūnanga which is provided to the relevant District Council at least 10 working days prior to the activity commencing,:</p> <p>i. All sites identified in Category Tahī (1), Category Rua (2), Category Toru (3) and Category Wha (4) in Schedule Three; and</p> <p>ii. SASM 3 Whakapoai Native Reserve 7B and SASM 170 Porangirangi to Mahitahi;</p> <p>iii. provided that</p> <p>2. No earthworks, buildings or structures are located on the upper slopes, ridgelines or peaks of ancestral maunga identified in Category Toru (3) in Schedule Three.</p>	<p>Permitted Activity – Complies</p> <p>SASM 30 is not listed as being Category Tahī, Rua, Toru or Wha, and therefore earthworks, buildings and structures can be established as a permitted activity.</p>
ECO – Ecosystem and Indigenous Biodiversity – Ngā Pūnaha Rauropi me te Kanorau Koiora		
<p>ECO – R2</p>	<p>Indigenous vegetation clearance and disturbance in the coastal environment</p> <p>Activity Status Permitted</p> <p>Where:</p> <p>1. This is for:</p>	<p>Does not Comply</p> <p>The majority of the site is located within the Coastal Environment overlay, there will be none to very minimal indigenous vegetation</p>



Rule Reference	Explanation / Requirement	Activity Compliance / Status / Comment
	<ul style="list-style-type: none"> i. <i>Walking/cycling tracks, roads, farm tracks or fences;</i> ii. <i>Operation, maintenance, repair, upgrading and installation of new network utility infrastructure and renewable electricity generation activities; or</i> iii. <i>Establishment of a building platform and access to a building site in an approved subdivision or where there is no existing residential building on the site;</i> <p>2. <i>The extent of indigenous vegetation disturbed and/or cleared per site does not exceed an area of 500m² in area per site in any three year period;</i></p> <p>3. <i>The indigenous vegetation clearance does not disturb, damage or destroy nesting areas or habitat of protected species; and</i></p> <p>4. <i>The indigenous vegetation clearance does not occur in any area identified as a Significant Natural Area in Schedule Four.</i></p> <p>Advice Notes:</p> <ul style="list-style-type: none"> 1. <i>Where indigenous vegetation clearance is proposed within the riparian margins of a waterbody refer to these sections of the Plan for the Rules around this clearance.</i> 2. <i>Where indigenous vegetation clearance is proposed in or on a site or area of significance to Māori then Rule SASM - R4 will also apply.</i> 3. <i>Where indigenous vegetation clearance is proposed within a wetland this is also subject to rules within the NES - Freshwater which is administered by the West Coast Regional Council.</i> 4. <i>This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - PF.</i> 	<p>clearance occurring for the purpose of establishing internal tracks (vehicle and pedestrian), and buildings.</p> <p>It is considered that indigenous vegetation clearance for the purpose of the establishment of tracks can be undertaken as a permitted activity under (1)(i) as (2)-(4) will be complied with.</p> <p>However, some minor indigenous vegetation clearance may occur to establish the proposed buildings, and in relation to the access track alignments. No other indigenous vegetation will be cleared from the site. It is noted that an extensive ecological enhancement project, implemented through the EEMP, is proposed which will result in a net gain of indigenous vegetation.</p> <p>Nonetheless, non-compliance with this rule has been triggered to take a conservative approach.</p>
ECO – R5	<p><i>Indigenous vegetation clearance not meeting Permitted or Controlled Activity Standards</i></p> <p><i>Activity Status Restricted Discretionary</i></p> <p><i>Where:</i></p> <ul style="list-style-type: none"> 1. <i>This is not within:</i> <ul style="list-style-type: none"> i. <i>A Significant Natural Area identified in Schedule Four;</i> ii. <i>An area of land environment of category one or two of the Threatened Environment Classification;</i> iii. <i>An Outstanding Natural Landscape identified in Schedule Five;</i> iv. <i>An Outstanding Natural Feature identified in Schedule Six;</i> v. <i>An area of High Coastal Natural Character identified in Schedule Seven; or</i> 	<p>Does not Comply</p> <p>The site is identified as being within a High and Outstanding Natural Character area, and the activity may potentially not meet the permitted activity standards as set out above.</p>



Rule Reference	Explanation / Requirement	Activity Compliance / Status / Comment
	<p>vi. An area of Outstanding Coastal Natural Character identified in Schedule Eight.</p>	
<p>ECO – R7</p>	<p>Indigenous vegetation clearance not meeting ECO - R5 Activity Status Discretionary Advice Note:</p> <ol style="list-style-type: none"> 1. Where assessing resource consents for indigenous vegetation clearance under this rule, assessment against the policies of both the Ecosystems and Biodiversity Chapter and Natural Features and Landscapes Chapters will be required. 2. This rule also applies to plantation forestry activities, where this provision is more stringent than the NES - PF. 	<p>Discretionary Activity - The activity may not meet the permitted activity or RDA standards as set out above, and therefore falls under this Rule as a Discretionary Activity.</p>
<p>NC - Natural Character and the Margins of Waterbodies- Ngā Āhua me ngā Mahi ka Noho Hāngai ki ngā Hopua Wai</p>		
<p>NC – R1</p>	<p>Indigenous Vegetation Clearance and Earthworks within the Riparian Margin of a River, Lake or Wetland Activity Status Permitted</p> <ol style="list-style-type: none"> 1. Where this is outside of any Significant Natural Area identified in Schedule Four, and for: <ol style="list-style-type: none"> a. Fence lines; or b. Maintenance, operation, minor upgrade and repair of network utilities, critical infrastructure or renewable electricity generation activities; c. Connections to wastewater, stormwater and reticulated network utility systems; or d. Installation of an environmental monitoring and extreme weather event monitoring facility; or e. Maintenance and repair of lawfully established structures; or f. The construction of parks facilities, parks furniture or public access points within an Open Space and Recreation Zone; or g. The establishment of a river crossing point up to 3m wide; or h. Poutini Ngāi Tahu activities; i. Activities on Māori Purpose Zoned land and undertaken in accordance with an Iwi/Papatipu Rūnanga Management Plan; or j. Natural hazard mitigation activities undertaken by a statutory agency or their nominated contractor; 2. The amount of indigenous vegetation clearance is not greater than 20m² per 200m length of Riparian Margin; 3. The amount of earthworks is not greater than 20m³ per 200m length of Riparian Margin; 	<p>Permitted Activity – N/A No vegetation clearance or earthworks is to occur within 10m of a wetland, and there are no streams with a bed greater than 3m present on the site.</p>



Rule Reference	Explanation / Requirement	Activity Compliance / Status / Comment
	<p>4. All earthworks stockpiles are located outside of the Riparian Margin of the waterbody; and</p> <p>5. Unless carried out by a statutory agency or their nominated contractor responsible for natural hazard mitigation, the clearance and earthworks are not located within areas used and identified for natural hazard mitigation structures.</p> <p>Advice Note:</p> <p>1. Rules in other Overlay Chapters particularly Historic Heritage, Sites and Areas of Significance to Māori, Natural Hazards and Natural Features and Landscapes may also apply in these locations.</p> <p>2. Activities within the margins of waterbodies and wetlands are also the subject of regulation under the NES Freshwater, NPS Freshwater and the West Coast Regional Land and Water Plan.</p> <p>3. This rule also applies to plantation forestry activities, where this provision is more stringent than the NES – PF.</p>	

As such, indigenous vegetation clearance requires resource consent as a **Discretionary Activity** under Rule ECO-R7 of the TTPP, as there *may* be minor clearance related with the establishment of buildings and access tracks. It is noted however that any indigenous vegetation clearance will be limited to these areas only, with extensive restoration works proposed across the site.

5.4 Regional Planning Framework

It is acknowledged that the proposed earthworks and vegetation clearance may require resource consent from the regional authority, being WCRC. An application for such activities is to be lodged in due course, however the present application includes sufficient detail and information regarding the proposed earthworks and vegetation clearance, and a complete understanding of the issues involved. To this end, it is considered that the application can proceed to notification and determination, with the relevant resource consents from WCRC advanced independently in due course.

For the avoidance of doubt, a full rule assessment against the relevant regional provisions has been provided for as follows:

5.4.1 National Environmental Standards for Freshwater 2020

The National Environmental Standards for Freshwater 2020 (**NES-FW**) regulate activities that pose risks to the health of freshwater and freshwater ecosystems. Whilst the NES-FW is managed by the relevant regional authority (in this case WCRC), a full assessment has been provided for the avoidance of doubt in **Table 5** below.

It is noted that there is no specific regulation relating to effects to wetlands for the proposed activity (including regulation 45C which relates to urban development) and therefore the general wetland regulations under regulation 54 apply to this activity. It is



also noted there are no activity regulations related to fords under the NES-FW, rather reporting requirements under Regulation 67 which shall be complied with.

Table 5: Assessment against the relevant provisions of the NES-FW.

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment	
Wetlands			
54	-	<i>The following activities are non-complying activities if they do not have another status under this subpart:</i>	As discussed above, there are no relevant activity specific regulations within the NES-FW relating to the proposed development and as such this regulation applies.
	a	<i>vegetation clearance within, or within a 10 m setback from, a natural inland wetland:</i>	N/A – No vegetation clearance is proposed within of a natural inland wetland.
	b	<i>earthworks within, or within a 10 m setback from, a natural inland wetland:</i>	N/A – Earthworks will be set back 10m from any natural inland wetland on the site.
	c	<i>the taking, use, damming, or diversion of water within, or within a 100 m setback from, a natural inland wetland if—</i> <i>i. there is a hydrological connection between the taking, use, damming, or diversion and the wetland; and</i> <i>ii. the taking, use, damming, or diversion will change, or is likely to change, the water level range or hydrological function of the wetland:</i>	N/A – No take, use, dam, or diversion of water is proposed.
	d	<i>the discharge of water into water within, or within a 100 m setback from, a natural inland wetland if—</i> <i>i. there is a hydrological connection between the discharge and the wetland; and</i> <i>ii. the discharge will enter the wetland; and</i> <i>iii. the discharge will change, or is likely to change, the water level range or hydrological function of the wetland.</i>	N/A – Whilst discharges of water (being wastewater and stormwater) is proposed on the site these will either be set back sufficiently to be precluded from this rule, or where they are within 100m of a wetland the discharge will not enter the wetland and/or change the water level range or hydrological function of the wetland.
Culverts			
70	(1)	<i>The placement, use, alteration, extension, or reconstruction of a culvert in, on, over, or under the bed of any river or connected area is a permitted activity if it complies with the conditions.</i>	Permitted Activity – The proposed placement, and use, of culverts on the site can be undertaken as a permitted activity as they will comply with all of the relevant conditions.
	(2) a	<i>the culvert must provide for the same passage of fish upstream and downstream as would exist without the culvert, except as required to carry out the works to place, alter,</i>	Complies – The proposed culverts will be designed to ensure that fish passage is provided for in accordance with this condition.



Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<i>extend, or reconstruct the culvert; and</i>	
	b <i>the culvert must be laid parallel to the slope of the bed of the river or connected area; and</i>	Complies – Culverts will be laid parallel to the slope of the bed of the river or connected area.
	c <i>the mean cross-sectional water velocity in the culvert must be no greater than that in all immediately adjoining river reaches; and</i>	Complies – The proposed culverts will be designed to ensure that the mean cross-sectional water velocity in the culvert is no greater than in the immediately adjoining river reaches.
	d <i>the culvert's width where it intersects with the bed of the river or connected area (s) and the width of the bed at that location (w), both measured in metres, must compare as follows: (i) where $w \leq 3$, $s \geq 1.3 \times w$; (ii) where $w > 3$, $s \geq (1.2 \times w) + 0.6$; and</i>	Complies – The proposed culverts will be designed in accordance with this condition.
	e <i>the culvert must be open-bottomed or its invert must be placed so that at least 25% of the culvert's diameter is below the level of the bed; and</i>	Complies – The proposed culverts will either be open-bottomed or placed so that at least 25% of the culverts diameter is below the level of the bed.
	f <i>the bed substrate must be present over the full length of the culvert and stable at the flow rate at or below which the water flows for 80% of the time; and</i>	Complies – Bed substrate will be present, and stable at the required flow rate, over the full length of the culvert/
	g <i>the culvert provides for continuity of geomorphic processes (such as the movement of sediment and debris).</i>	Complies – The proposed culverts will be designed to ensure that continuity of geomorphic processes are provided for.
71 (1)	<i>The placement, use, alteration, extension, or reconstruction of a culvert in, on, over, or under the bed of a river is a discretionary activity if it does not comply with any of the conditions in regulation 70(2).</i>	Discretionary Activity – N/A As the proposed culverts can comply with all the conditions of Regulation 70, they can be undertaken as a permitted activity and this Regulation is not applicable.

As such all earthworks, vegetation clearance, and culvert installation/use associated with the proposed development can be undertaken as a **Permitted Activity** under the NES-FW.

It is also acknowledged that under the NES-F there are additional requirements for both culvert (Regulation 63) and ford (Regulation 67) activities which relates to the information that must be provided to the relevant regional council. These will be complied with.

5.4.2 West Coast Regional Land and Water Plan

The West Coast Regional Land and Water Plan (**RLWP**) manages activities that may affect the lakes, rivers, groundwater, wetlands, geothermal water, and land including river and lake beds.



For the purpose of the following rule assessment, the following definitions under RLWP are relevant:

Prone to Erosion for the purpose of the following [earthworks and vegetation clearance] rules, land is categorised in accordance with its proneness to erosion in the following manner:

Greymouth Earthworks Control Area	Land defined by maps in Schedule 4
Non Erosion Prone Area	Land not in the Greymouth Earthworks Control Area with a dominant slope angle less than 12 Degrees (or a 1:4.7 ratio)
Erosion Prone Area 1	Land not in the Greymouth Earthworks Control Area with a dominant slope angle between 12 (or a 1:4.7) and 25 Degrees (or a 1:2.1 ratio) (inclusive).
Erosion Prone Area 2	Land not in the Greymouth Earthworks Control Area with a dominant slope angle above 25 Degrees (or a 1:2.1 ratio).

Open coast line refers to the part of the coastal marine area that is subject to the influence of open coastal water wave action. The 'open coast line' does not extend up rivers from the mouth but is determined by a straight line extending between the mean high water spring marks on the headlands on either side of the mouth. The above also applies for situations where there are multiple channels forming the river mouth

Reticulated stormwater system means any system that collects water from impervious surfaces such as roofs, buildings and other structures (incl. kerb and channel).

Riparian Margins refer to the land within a certain distance (see table below) of any:

- Lake or river; or
- Major farm drain in the Lake Brunner Catchment

River means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include an artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal) or ephemeral water bodies. A storm flowpath that carries flow only for a short period after heavy rain is not considered to be a river.

Whilst all the streams identified on the site are considered to be *rivers* under the RLWP, for the purpose of the riparian margin rules only the permanently flowing streams are considered, as outlined within 17.3.4. The relevant rules have been assessed in **Table 6** as follows:

Table 6: Rule assessment against the relevant provisions of the West Coast Regional Land and Water Plan.

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
Earthworks		
2	-	Earthworks within riparian margins, and any associated discharge of sediment are a permitted activity if all of the following conditions are met:
	a	The volume of earthworks in the riparian margin must not exceed 25m ³ and must not involve the disturbance of more than 20 linear metres in any 200 metre length of riparian margin; and
	b	Sufficient sediment control is constructed so that the activity does not either:
		Permitted Activity –
		Complies – The earthworks within the riparian margin associated with Stream 3 will comply with these requirements.
		Complies –



Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<ul style="list-style-type: none"> i. <i>Decrease the visual clarity of any receiving water by more than 40% as measured by black disc; or</i> ii. <i>Alter the natural turbidity in the receiving water by more than 1 Nephelometric Turbidity Unit (NTU) where the natural turbidity upstream from the discharge is less than or equal to 10 NTU; or</i> iii. <i>Alter the natural turbidity in the receiving water by more than 10 NTU where the natural turbidity upstream from the discharge is greater than 10 NTU;</i> <p><i>as measured beyond 12 times the river's width or 200 metres of the activity, whichever is the lesser; and</i></p>	None of the stated effects will occur through the implementation the CMP and ESCP.
c	<i>No soil or debris is placed directly in any river or lake bed; and</i>	Complies – No soil or debris will be placed directly in the stream beds.
d	<i>There is no conspicuous deposition of sediment on the bed of any water body; and</i>	Complies – The works will be in accordance with the CMP and ESCP to ensure there is no conspicuous deposition of sediment on the bed of the streams.
e	<i>The activity does not affect any surface water take; and</i>	Complies – The works will not affect any surface water take, noting that there are no surface water takes on the subject streams.
f	<i>There is no disturbance to inanga (whitebait) and other native fish spawning habitat at any site listed in Schedule 11 during the months of December to May inclusive; and</i>	Complies – There are no inanga present in the subject streams.
g	<p><i>Earthworks are carried out such that:</i></p> <ul style="list-style-type: none"> i. <i>Formed surfaces with an inward cross fall must have a constructed form of drainage control such as a water table, kerb and channel, swale, channel/ditch, or sumps and pipes, to avoid causing erosion; and</i> ii. <i>Any culverts or cut and fill batters are designed and constructed or installed to prevent their failure and avoid causing erosion; and</i> iii. <i>Trenches for the purpose of installing pipes, lines, or cables are backfilled and compacted as soon as practicable; and</i> 	Complies – All works will be carried out in accordance with these matters.
h	<i>No refuelling of equipment takes place on any area of a riverbed; and</i>	Complies – There will be no refuelling of equipment in the stream bed.
i	<i>The activity does not cause or contribute to any slope or land instability, including subsidence or other erosion; and</i>	Complies – There will be no slope or land instability as a result of the earthworks. This will be managed through the implementation the CMP and ESCP.



Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<i>j</i> All areas of bare ground created by the activity are protected from soil erosion as soon as practicable; and	Complies – Any works in the riparian margins will be for the duration required to undertake the works and will be stabilised as soon as possible.
	<i>k</i> No earthworks occur within any wetland identified in Schedule 1; and	Complies – No works in any wetland is proposed.
	<i>l</i> No earthworks occur within any wetland identified in Schedule 2 unless it meets the requirements of Rule 7.	Complies – No works in any wetland is proposed.
3	- Earthworks in the Non Erosion Prone Area (less than 120 slope or a 1:4.7 ratio), and outside any riparian margin, and any associated discharge of sediment is a permitted activity if all of the following conditions are met:	Permitted Activity – Does not Comply The proposed works in the Non Erosion Prone Area will not comply with Condition (a) or (f) as assessed below.
	<i>a</i> Earthworks either: <i>i.</i> Are for the formation, construction, or reconstruction of roads, tracks, railway lines, landings, firebreaks, and network utility lines, pipes, or cables; or <i>ii.</i> Do not exceed an annual volume of 5000m ³ per landholding or hectare, whichever is the smaller; and	Does not comply – The proposed earthworks, while partially for track construction, will include works related to the establishment of buildings. The annual volume of earthworks in the Non Erosion Prone Area, that are not for the stated reasons, will be greater than 5,000m ³ and therefore will not comply with this Condition.
	<i>b</i> Sufficient sediment control is constructed so that the activity does not either: <i>i.</i> Decrease the visual clarity of any receiving water by more than 40% as measured by black disc; or <i>ii.</i> Alter the natural turbidity in the receiving water by more than 1 Nephelometric Turbidity Unit (NTU) where the natural turbidity upstream from the discharge is less than or equal to 10 NTU; or <i>iii.</i> Alter the natural turbidity in the receiving water by more than 10 NTU where the natural turbidity upstream from the discharge is greater than 10 NTU; as measured beyond 12 times the river's width or 200 metres of the activity, whichever is the lesser; and	Complies – None of the stated effects will occur through the implementation the CMP and ESCP.
	<i>c</i> No soil or debris is placed directly in any river or lake bed; and	Complies – No soil or debris will be placed directly in the stream beds.
	<i>d</i> There is no conspicuous deposition of sediment on the bed of any water body; and	Complies – The works will be in accordance with the CMP and ESCP to ensure there is no conspicuous deposition of sediment on the bed of the streams.
	<i>e</i> The activity does not affect any surface water take; and	Complies –



Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
		The works will not affect any surface water take, noting that there are no surface water takes on the subject streams.
f	<p>The activity is not within:</p> <ul style="list-style-type: none"> i. 50 metres of the Coastal Marine Area on the open coast line; or ii. 20 metres of the Coastal Marine Area elsewhere; or iii. Any wetland identified in Schedule 1; or iv. Any wetland identified in Schedule 2 unless it meets the requirements of Rule 7; and 	<p>Does not Comply –</p> <p>The proposed works will be within 50 metres of the Coastal Marine Area on the open coastline.</p>
g	<p>Where earthworks are for the formation, construction, or reconstruction of any road, track, firebreak, landing, line, pipe, or cable:</p> <ul style="list-style-type: none"> i. Formed surfaces with an inward cross fall must have a constructed form of drainage control such as a water table, kerb and channel, swale, channel/ditch, or sumps and pipes to avoid causing erosion; and ii. Any culverts, or cut and fill batters are designed and constructed or installed so as to prevent their failure and avoid causing erosion; and iii. Trenches for the purpose of installing lines, pipes, or cables are backfilled and compacted as soon as practicable; and 	<p>Complies –</p> <p>All relevant works will be carried out in accordance with these matters.</p>
h	<p>The activity does not cause or contribute toward any slope or land surface instability, including subsidence or other erosion; and</p>	<p>Complies –</p> <p>There will be no slope or land instability as a result of the earthworks. This will be managed through the implementation the CMP and ESCP.</p>
i	<p>All areas of bare ground created by the activity and any stockpiles of material are protected from soil erosion as soon as practicable; and</p>	<p>Complies –</p> <p>Any works will be for the duration required to undertake the works and will be stabilised as soon as possible.</p>
j	<p>Where earthworks are for the purpose of forming a drain:</p> <ul style="list-style-type: none"> i. There is no erosion of the bed or banks of the receiving water body; and ii. The drainage does not increase the flow in the receiving water body to the extent that it exceeds the carrying capacity of existing infrastructure; and iii. The activity does not occur within 25 metres of any wetland identified in Schedule 1 or 2; 	<p>N/A –</p> <p>Earthworks are not for the purpose of forming a drain.</p>
k	<p>Where the earthworks are for the purpose of constructing a water supply bore the Council must be notified within five working days of the location depth and purpose of the bore</p>	<p>N/A –</p> <p>Earthworks are not for the purpose of constructing a water supply bore.</p>
4	<p>Earthworks in Erosion Prone Area One (between 120 and 250 slope inclusive or between a 1:4.7 and 1:2.1 ratio inclusive), and outside any riparian margin, and any associated discharge of sediment</p>	<p>Permitted Activity – Does not Comply</p>



Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<i>is a permitted activity if all of the following conditions are met:</i>	The proposed works in the Erosion Prone Area One will not comply with Condition (a) or (j) as assessed below.
a	<p><i>Earthworks either:</i></p> <ul style="list-style-type: none"> <i>i. Are for the formation, construction, or reconstruction of roads, tracks, railway lines, landings, firebreaks, and network utility lines, pipes, or cables; or</i> <i>ii. Do not exceed an annual volume of 500m³ per landholding or hectare, whichever is the smaller; and</i> 	<p>Does not Comply –</p> <p>Whilst some works are for the construction of tracks, network utility lines, pipes, or cables, those that are not will exceed 500m³ within in the Erosion Prone Area One.</p>
b	<p><i>Sufficient sediment control must be constructed so that the activity does not either:</i></p> <ul style="list-style-type: none"> <i>i. Decrease the visual clarity of any receiving water by more than 40% as measured by black disc; or</i> <i>ii. Alter the natural turbidity in the receiving water by more than 1 Nephelometric Turbidity Unit (NTU) where the natural turbidity upstream from the discharge is less than or equal to 10 NTU; or</i> <i>iii. Alter the natural turbidity in the receiving water by more than 10 NTU where the natural turbidity upstream from the discharge is greater than 10 NTU;</i> <p><i>as measured beyond 12 times the river's width or 200 metres of the activity, whichever is the lesser; and</i></p>	<p>Complies –</p> <p>None of the stated effects will occur through the implementation the CMP and ESCP.</p>
c	<i>No soil or debris is placed directly in any river or lake bed; and</i>	<p>Complies –</p> <p>No soil or debris will be placed directly in the stream beds.</p>
d	<i>There is no conspicuous deposition of sediment on the bed of any water body; and</i>	<p>Complies –</p> <p>The works will be in accordance with the CMP and ESCP to ensure there is no conspicuous deposition of sediment on the bed of the streams.</p>
e	<i>The activity does not affect any surface water take; and</i>	<p>Complies –</p> <p>The works will not affect any surface water take, noting that there are no surface water takes on the subject streams.</p>
f	<i>The activity does not cause or contribute toward any slope or land surface instability, including subsidence or other erosion; and</i>	<p>Complies –</p> <p>There will be no slope or land instability as a result of the earthworks. This will be managed through the implementation the CMP and ESCP.</p>
g	<p><i>Where earthworks are for the formation or construction of any road, track, firebreak, landing, line, pipe, or cable:</i></p> <ul style="list-style-type: none"> <i>i. Formed surfaces with an inward cross fall must have a constructed form of drainage control such as a water table, kerb and</i> 	<p>Complies –</p> <p>All relevant works will be carried out in accordance with these matters.</p>



Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<p>channel, swale, channel/ditch, or sumps and pipes to avoid causing erosion; and</p> <p>ii. Any culverts or cut and fill batters are designed and constructed or installed so as to prevent their failure and avoid causing erosion; and</p> <p>iii. Trenches for the purpose of installing lines, pipes, or cables are backfilled and compacted within as soon as practicable; and</p>	
	<p>h No refuelling of equipment takes place on any area of a riverbed; and</p>	<p>Complies – There will be no refuelling of equipment in the stream bed.</p>
	<p>i All areas of bare ground created by the activity and any stockpiles of material are protected from soil erosion as soon as practicable; and</p>	<p>Complies – Any works in the riparian margins will be for the duration required to undertake the works and will be stabilised as soon as possible.</p>
	<p>j The activity is not within:</p> <p>i. 50 metres of the Coastal Marine Area on the open coast line; or</p> <p>ii. 20 metres of the Coastal Marine Area elsewhere; or</p> <p>iii. Any wetland identified in Schedule 1; or</p> <p>iv. Any wetland identified in Schedule 2 unless it meets the requirements of Rule 7.</p>	<p>Does not Comply – The proposed works will be within 50 metres of the Coastal Marine Area on the open coastline.</p>
5	<p>- Earthworks in Erosion Prone Area Two (slope exceeds 250 or a 1:2.1 ratio) and the Greymouth Earthworks Control Area, and outside any riparian margin where:</p> <p>i. The volume of earthworks is less than 10m³ per land holding in any 12 month period; or</p> <p>ii. The activity is for the purpose of laying underground network utility lines, pipes, or cables; or</p> <p>iii. The earthworks are for upgrading network utility operations and do not exceed a volume of 50m³ in any 100 metres length of the utility operation;</p> <p>and any associated discharge of sediment are a permitted activity if all of the following conditions are met: ...</p>	<p>Permitted Activity – Not Applicable Earthworks within Erosion Prone Area Two will exceed 10m³ in any 12-month period on the site and therefore this rule is not applicable.</p>
12	<p>- Any earthworks outside of a wetland identified in Schedule 1 or 2 that contravene any one of the conditions of the relevant permitted Rules 3 or 6 of this Plan, and are less than 20,000 cubic metres per land holding, are a controlled activity if:</p>	<p>Controlled Activity – Does not Comply The proposed works do not comply with Condition (ii).</p>
	<p>i The area of land disturbed does not exceed five hectares per landholding in any 12 month period</p>	<p>Complies – The total area of land to be disturbed will be substantially less than five hectares.</p>



Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	ii <i>The activity does not occur within 50 metres of the coastal marine area.</i>	Does not Comply – Works will be within 50 metres of the coastal marine area.
	iii <i>The area disturbed is in the Non Erosion Prone Area</i>	Complies – All works subject to this rule are in the Non Erosion Prone Area noting that other works will occur within erosion zones.
	iv <i>The area is outside any riparian margin</i>	Complies – All works related to this rule are outside of the riparian margin, works in the riparian margin are subject to a separate rule and have been assessed as such,
	v <i>Sufficient sediment control is constructed so that the activity does not either:</i> i. <i>Decrease the visual clarity of any receiving water by more than 40% as measured by black disc; or</i> ii. <i>Alter the natural turbidity in the receiving water by more than 1 Nephelometric Turbidity Unit (NTU) where the natural turbidity upstream from the discharge is less than or equal to 10 NTU; or</i> iii. <i>Alter the natural turbidity in the receiving water by more than 10 NTU where the natural turbidity upstream from the discharge is greater than 10 NTU;</i> <i>as measured beyond 12 times the river's width or 200 metres of the activity, whichever is the lesser;</i> <i>and</i>	Complies – None of the stated effects will occur through the implementation the CMP and ESCP.
	vi <i>All areas of bare ground and any stockpiles of material created by the activity are protected from soil erosion as soon as practicable</i>	Complies – Any works will be for the duration required to undertake the works and will be stabilised as soon as possible.
	vii <i>For the purpose of forming a drain, the activity does not occur within 25m of any wetland identified in Schedule 1 or 2</i>	N/A – The works are not for the purpose of forming a drain.
	viii <i>No soil or debris is placed directly in a wetland identified in Schedule 1 or 2.</i>	Complies – No soil or debris is to be placed in any wetland.
16	- <i>Outside of a wetland identified in Schedule 1 or 2, any:</i> ... <i>(ii) Earthworks that contravenes Rules 2, 3, 4, 5, 6 or 12; or</i> ...	Discretionary Activity – Resource consent is required under this rule as the proposed earthworks contravene: a. Rule 4; b. Rule 5; and c. Rule 12
83	- <i>Unless covered by Rule 84 the stockpiling of gravel, sand, rock, soil or coal is a permitted activity, provided that all of the following conditions are met:</i>	Permitted Activity – There may be minor amounts of soil stockpiled during the construction phase of the project. This will be limited to the extent



Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
		possible and will be utilised elsewhere on site as fill material.
	a <i>There is no discharge of contaminated runoff beyond the boundary of the subject property; and</i>	Complies – There will be no discharge of any contaminated material beyond the boundary of the subject site. All soil stockpiled on site will be from excavations on the site until it can be used elsewhere on site.
	b <i>The discharge is located and contained to ensure that neither the discharge nor any contaminant arising from the discharge is able to enter any water body or the coastal marine area.</i>	Complies – Soil stockpiles will be located sufficiently away from any waterbodies on site to ensure the stated effects do not occur.
84	- <i>The stockpiling of material for road construction and maintenance is a permitted activity.</i>	Permitted Activity – The proposal includes the upgrade of State Highway 6, and there may be a limited amount of stockpiling required as a result.
Vegetation Disturbance		
8	- <i>Vegetation Disturbance within riparian margins is a permitted activity if all of the following conditions are met:</i>	Permitted Activity -
	a <i>Native Vegetation is only removed where:</i> i. <i>It is causing bank erosion; or</i> ii. <i>It is toxic to livestock; or</i> iii. <i>The activity is undertaken in conjunction with permitted activity Rule 2 or 7; and</i>	Complies / Does not Comply – (i) and (ii) are not relevant, however the proposed vegetation clearance will / will not be undertaken in conjunction with permitted activity rule 2.
	b <i>There is no disturbance to inanga (whitebait) and other native fish spawning habitat at any site listed in Schedule 11 during the months of December to May inclusive; and</i>	N/A – The site is not listed in Schedule 11.
	c <i>The activity does not cause or contribute to land instability or erosion; and</i>	Complies – There will be no slope or land instability as a result of the earthworks. This will be managed through the implementation the CMP and ESCP.
	d <i>All areas of bare ground created by the activity are protected from soil erosion as soon as practicable; and</i>	
	e <i>No debris is placed directly in any river or lake bed, or in any wetland identified in Schedule 1 or 2.</i>	
9	- <i>Vegetation disturbance in Erosion Prone Area One, Two, or the Greymouth Earthworks Control Area and outside any riparian margin, and any associated discharge of sediment, is a permitted activity if all of the following conditions are met:</i>	Permitted Activity – Does not Comply As any vegetation clearance within the stated areas does not comply with Condition (a), it cannot be undertaken as a permitted activity under this rule.
	a <i>The area disturbed is less than 20m2 if undertaken within Erosion Prone Area Two or the Greymouth Earthworks Control Area; and</i>	Does not Comply – The area disturbed will be greater than 20m2.



Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
b	<p>Sufficient sediment control is constructed so that the activity does not either:</p> <ul style="list-style-type: none"> i. Decrease the visual clarity of any receiving water by more than 40% as measured by the black disc; or ii. Alter the natural turbidity in the receiving water by more than 1 Nephelometric Turbidity Unit (NTU) where the natural turbidity upstream from the discharge is less than or equal to 10 NTU; or iii. Alter the natural turbidity in the receiving water by more than 10 NTU where the natural turbidity upstream from the discharge is greater than 10 NTU; as measured beyond 12 times the river's width or 200 metres of the activity, whichever is the lesser; and 	<p>Complies – Sufficient sediment control, through the implementation of the CEMP and ESCP, will ensure that the activity does not give rise to the stated effects.</p>
c	<p>No soil or debris is placed directly in any river or lake bed; and</p>	<p>Complies – No soil or debris will be placed directly in any riverbed.</p>
d	<p>There is no conspicuous deposition of sediment on the bed of any water body, or on land beyond the boundary of the subject property; and</p>	<p>Complies – There will be no conspicuous deposition of sediment on the riverbed, or on land beyond the boundary of the site.</p>
e	<p>The activity does not affect any surface water take; and</p>	<p>Complies – The activity will not affect any surface water take.</p>
f	<p>All areas of bare ground created by the activity are protected from soil erosion as soon as practicable; and</p>	<p>Complies – The site will be protected from soil erosion as soon as practicable, as per any finalised CMP and ESCP.</p>
g	<p>The activity does not cause or contribute toward any slope or land surface instability, including subsidence or other erosion; and</p>	<p>Complies – The activity will not cause or contribute to any of the stated effects.</p>
h	<p>The activity is not within any wetland identified in Schedule 1; and</p>	<p>Complies – The works are not within any wetland.</p>
i	<p>The activity is not within any wetland identified in Schedule 2 unless it meets the requirements of Rule 7 and 7a.</p>	<p>Complies – The works are not within any wetland.</p>
10	<p>- Vegetation disturbance in the Non Erosion Prone Area (less than 120 slope), and outside any riparian margin, is a permitted activity provided the following conditions are met:</p>	<p>Permitted Activity – Complies Any vegetation disturbance in the Non Erosion Prone Area complies with the following conditions.</p>
a	<p>The activity is not within a wetland identified in Schedule 1; and</p>	<p>Complies – There will be no vegetation disturbance in any wetlands.</p>
b	<p>The activity is not within a wetland identified in Schedule 2 unless it meets the requirements of Rule 7</p>	<p>Complies – There will be no vegetation disturbance in any wetlands.</p>



Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<i>and 7a.</i>	
16	- <i>Outside of a wetland identified in Schedule 1 or 2, any: (i) Vegetation disturbance that contravenes Rules 8 or 9; ...</i>	Discretionary Activity – As the proposed vegetation clearance within Erosion Prone Area One and Two cannot comply with Condition (a) of Rule 9, it is a discretionary activity under this rule. It is noted that only the vegetation clearance within Erosion Prone Area Two is of any relevance here.
Culverts		
20	- <i>(i) The use, maintenance, repair, removal or demolition of any structure in, on, under, or over any river or lake bed; and (ii) The extension, alteration or reconstruction, of any structure in, on, under, or over any river or lake bed other than a whitebait stand, is a permitted activity provided the following conditions are met:</i>	Permitted Activity – The removal of an existing culvert, and the maintenance or repair of all structures can comply with all relevant conditions.
	a <i>Any change in the use of a structure does not result in effects that are greater in character, scale or intensity compared to effects occurring under the previous use; and</i>	Not Applicable – No change in use of any structure is proposed.
	b <i>No reconstruction, extension or alteration of any structure in the bed results in a change of more than 10% to the overall dimensions, orientation, or outline of any structure in the bed from that originally authorised; and</i>	Not Applicable – No reconstruction, extension or alteration of any structure is proposed.
	c <i>The extension, alteration, maintenance, repair, reconstruction, removal or demolition does not result in, or contribute to:</i> <i>i. Blocking or damming of any river, or impendance of fish passage; or ii. Scouring of any riverbed or bank erosion; or iii. Reduction of channel capacity to carry flood flows; and</i>	Complies – Any maintenance or repair of a structure will not result in or contribute to the stated effects.
	d <i>No explosives are used in water; and</i>	Complies – No explosives will be used for any maintenance or repair of a structure.
	e <i>No refuelling of equipment takes place on any area of a river or lake bed; and</i>	Complies – There will be no refuelling in any river.
	f <i>The site is left tidy on completion of the work; and</i>	Complies – The site will be left tidy post works.
	g <i>Except for demolition or removal, the structure is maintained in good repair; and</i>	Complies – All structures will be maintained in good repair.



Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<i>h</i> Where the activity is undertaken in any wetland identified in Schedule 1 or 2...	Not Applicable – The activity will not be undertaken in any wetland.
23	<i>-</i> The erection or placement, of a culvert, ford or bridge, in, on, under, or over the bed of a river is a permitted activity provided the following conditions are met:	Permitted Activity – The proposed establishment of the culverts and ford comply with all relevant conditions.
	<i>a</i> For a culvert, the riverbed at the point of crossing does not exceed 5 metres in width and the base of the culvert is installed and maintained flush with the bed level; and	Complies – None of the proposed culverts or fords will be crossing a waterbody greater than 5 metres in width.
	<i>b</i> Any culvert is designed to pass the river's fullest flow, and is constructed with sufficient bank armouring to prevent scour or erosion of abutting river banks; and	Complies – The culverts and fords will be designed to pass the river's fullest flow and will ensure scour or erosion is avoided.
	<i>c</i> Any ford does not raise the bed of a river by more than 300mm (compared with average bed level of the 50 metre reach centred on the crossing); and	Complies – The proposed ford will not raise the bed of the waterbody by more than 300mm.
	<i>d</i> The underside of any bridge is at least 600mm above the level of the river's natural bank level; and	Not Applicable – No bridges are proposed.
	<i>e</i> For bridges, there are no piers in the riverbed; and	Not Applicable – No bridges are proposed.
	<i>f</i> Any bridge does not interfere with navigation; and	Not Applicable – No bridges are proposed.
	<i>g</i> Activities do not result in or contribute to: <i>i.</i> The impedance of fish passage; or <i>ii.</i> Erosion or scouring of any riverbed; or <i>iii.</i> Reduction of channel capacity to carry flood flows; and	Complies – The proposed culverts and ford will not cause impedance of fish passage, erosion or scouring of any riverbed, nor the reduction of channel capacity to carry flood flows.
	<i>h</i> No refuelling of equipment takes place on any area of a riverbed; and	Complies – No refuelling will occur in any riverbed.
	<i>i</i> The structure is maintained in good repair; and	Complies – The culverts and ford will be kept in good repair (refer permitted activity rules 20 and 66).
	<i>j</i> The site is left tidy following the erection or placement; and	Complies – The site will be left tidy following the establishment of culverts and the ford.
	<i>k</i> Where the activity is undertaken in any wetland identified in Schedule 1 or 2...	Not Applicable – The works will not be in a wetland.



Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
26	- <i>The disturbance of the bed or the reclamation or deposition of material on the bed of any lake or river associated with:</i> i. <i>The erection, placement, extension, alteration, replacement, reconstruction, repair, maintenance, demolition or removal of any structure carried out under Rules 20 to 25; or</i> ii. <i>The clearance of debris or gravel from within, or immediately surrounding, any structure in order to safeguard the function or structural integrity of the structure is a permitted activity, provided the following conditions are met:</i>	Permitted Activity – The disturbance of the riverbed in association with the erection of culverts and a ford comply with all relevant conditions as follows.
	a <i>The bed disturbance is limited to the extent necessary to undertake the work; and</i>	Complies – Any bed disturbance will be limited to the extent necessary to undertake the work
	b <i>The bed disturbance does not damage any riverbank or cause any flooding or erosion; and</i>	Complies – The proposed bed disturbance will not cause any damage to any riverbank or flood or erosion.
	c <i>All reasonable steps are taken to minimise the release of sediment to the lake or river during the disturbance; and</i>	Complies – All reasonable steps will be taken, including through the implementation of the CMP and ESCP.
	d <i>In the case of any reclamation or deposition, only cleanfill is used and no pest plant is introduced; and</i>	Not Applicable – No reclamation or deposition is proposed.
	e <i>No refuelling of equipment takes place on any area of a river or lake bed; and</i>	Complies – No refuelling of equipment will occur on the riverbed.
	f <i>The site is left tidy following completion of the activity; and</i>	Complies – The site will be left tidy following the establishment of culverts and the ford.
	g <i>Where the activity is undertaken in any wetland identified in Schedule 1 or 2 ...</i>	Not applicable – No works are proposed in any wetland.
66	- <i>The incidental discharge of contaminants to water resulting from temporary activities associated with maintenance of structures is a permitted activity if all of the following conditions are met:</i>	Permitted Activity – Any incidental discharge of contaminants associated with the maintenance of structures will comply with all relevant conditions.
	a <i>The incidental discharge shall be for no more than 10 working days; and</i>	Complies – Any works to maintain culverts and the ford will be under 10 days.
	b <i>Beyond a mixing zone of 12 times the width of the receiving water body, or 200 metres, whichever is</i>	Complies –



Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<p><i>the lesser, the discharge does not give rise to the following effects:</i></p> <ul style="list-style-type: none"> <i>i. The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or</i> <i>ii. Any conspicuous change in the colour or visual clarity; or</i> <i>iii. Any emission of objectionable odour; or</i> <i>iv. The rendering of fresh water unsuitable for consumption by farm animals;</i> <i>v. Any significant adverse effects on aquatic life; or</i> <i>vi. Adverse effects on any take of water for human consumption; and</i> 	Any discharge will be controlled to ensure none of the stated effects arise.
c	Any discharge to the Rahu River, Station Creek, Wooley River or Buller River upstream of Te Kuha must meet the requirements of Clause 11 of the Buller River Conservation Order (see Schedule 5).	Not applicable – There will be no discharge to any of the stated rivers.
Stormwater		
63	-	Permitted Activity – The proposed activity can comply with all conditions of this rule.
	a	Complies – No contaminants will be entrained in the discharge that could give rise to the effects in (e).
	b	Complies – Stormwater will emanate from the lodge support building which does contain the storage of gas. However, there will be no possibility of any hazardous substance entering the stormwater system.
	c	Complies – The discharge will not contain human sewage or agricultural effluent.
	d	Complies – The discharge will be designed to ensure these effects will not occur.
	e	Complies – The discharge will not cause the stated effects to occur.



Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
	<ul style="list-style-type: none"> iii. Any emission of objectionable odour; or iv. The rendering of fresh water unsuitable for consumption by farm animals; or v. Any significant adverse effects on aquatic life; or vi. Adverse effects on any take of water for human consumption. 	
81	-	Permitted Activity - <i>The discharge of collected stormwater runoff into or onto land is a permitted activity provided that all of the following conditions are met:</i>
Wastewater		
79	-	Permitted Activity – Complies The proposed discharge of sewage effluent will meet all relevant conditions.
	a	Complies Each discharge, from each individual treatment systems, will be no more than 2,000L per day.
	b	Complies – The discharges will not be within the setbacks assigned in this condition.
	c	N/A – The proposed discharge method is via soakpits.
	d	N/A – The discharge is not of greywater.
	e	Complies –



Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
		The discharge will be managed through appropriately sized discharged areas, and system maintenance to ensure there is no ponding, runoff or surface breakout.
f	<i>No stormwater enters the system; and</i>	Complies – No stormwater will enter the system.
g	<i>The discharge does not pose a risk to human health, and is not noxious, dangerous, offensive or objectionable to such an extent that it has or is likely to have an adverse effect on the environment; and</i>	Complies – The discharge will not result in the stated effects through appropriate management and maintenance of the system.
h	<i>For systems which use a disposal field, the system is designed to provide for even distribution of effluent to the entire filtration surface; and</i>	N/A – Soakpits are proposed.
i	<i>For systems which discharge onto land:</i> <ol style="list-style-type: none"> <i>i. The discharge is not by way of spray irrigation, or otherwise produces any aerosol discharge to air; and</i> <i>ii. The effluent is evenly distributed over the entire area of the disposal field; and</i> <i>iii. The effluent conforms to the following standard:</i> <ul style="list-style-type: none"> <i>• BOD5 not greater than 20mg/litre;</i> <i>• Suspended solids not greater than 30 mg/litre;</i> <i>• Faecal coliforms not more than 1000/100 mls.</i> 	Complies – The discharge is not via spray irrigation, nor will it produce any aerosol discharge to air, meeting (i) and the effluent will be evenly distributed over the entire area of the disposal field meeting (ii). Whilst subject to detailed engineering design and the ultimate selection of the AES system, it is anticipated that (iii) can be met.
91	<i>Unless permitted by Rules 72 to 86, or controlled by Rules 87 to 90, any discharge of contaminants into or onto land is a discretionary activity.</i>	Discretionary Activity – Not Applicable – As the proposed discharges can meet the permitted activity standards of Rule 79, this rule is not relevant for wastewater discharges.

As assessed in **Table 6**, resource consent is required under the RLWP for the following activities:

- Earthworks outside of Erosion Prone Areas, earthworks within Erosion Prone Area One and earthworks within Erosion Prone Area Two as a **Discretionary Activity** under Rule 16.
- Vegetation clearance within Erosion Prone Area Two as a **Discretionary Activity** under Rule 16.

5.4.3 Regional Air Quality Plan

The West Coast Regional Air Quality Plan (**RAQP**) covers Particulate Matter, odour, dust products of combustion, ozone, and the emission of greenhouse gases and was



amended in 2024 to incorporate two new policies from the National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat 2023.

Table 7: Assessment against the relevant rules of the West Coast Air Quality Plan.

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment	
3	-	<i>Unless covered by another rule in this Plan, the discharge of any contaminant into air arising from the stockpiling, conveying and handling of gravel, sand, soil, rock, coal, sawdust or wood chips, is a permitted activity provided that the following conditions are met:</i>	Permitted Activity – Any discharge to air relating with the site works is a permitted activity and complies with the relevant conditions.
	a	<i>there is no discharge of dust beyond the boundary of the subject property, and</i>	Complies – There will be no discharge of dust beyond the boundary of the site.
	b	<i>any discharge of odour is not noxious, dangerous, offensive or objectionable beyond the boundary of the subject property.</i>	Complies – There will be no discharge of odour considered as noxious, dangerous, offensive, or objectionable beyond the boundary of the site.
4	-	<i>The discharge of any contaminant into air arising from road and railway network construction and maintenance is a permitted activity, provided that the following condition is met:</i>	Permitted Activity – Complies Any works on the road upgrades will comply with the following condition.
	a	<i>any discharge of smoke, odour or dust is not noxious, dangerous, offensive or objectionable beyond the boundary of the subject property.</i>	Complies – There will be no discharge considered as noxious, dangerous, offensive, or objectionable beyond the boundary of the site.
5	-	<i>Unless covered by another Rule in this Plan, the discharge of any contaminant into air arising from earthworks, quarrying operations, mining, or cleanfill operations is a permitted activity provided that -the following conditions are met:</i>	Permitted Activity – Any discharge to air relating with the site works is a permitted activity and complies with the relevant conditions.
	a	<i>any discharge of smoke, dust, gas or odour is not noxious, dangerous, offensive or objectionable beyond the boundary of the subject property; or</i>	Complies – There will be no discharge considered as noxious, dangerous, offensive, or objectionable beyond the boundary of the site.
	b	<i>in the case of public amenity areas, any discharge of smoke, dust, gas or odour is not offensive or objectionable beyond the boundary or beyond 50 metres of the discharge, whichever is the lesser.</i>	Not Applicable – There will be no discharge in a public amenity area.

5.4.4 West Coast Regional Coastal Plan

The West Coast Regional Coastal Plan (RCP) provides a framework for the management of the effects of resource use activities in the coastal marine area (CMA). The CMA is the area below the mean high water spring mark out to the 12 nautical mile limit at sea.



Whilst there are no proposed activities occurring in the CMA, and our preliminary assessment is that the RCP is not relevant, stormwater is to be discharged via the streams located onsite which ultimately discharge themselves off the cliff into the CMA. As such, a conservative approach has been taken to assess the relevant stormwater discharge rules within the RCP. The relevant rule (10.5.3.1) references industrial and trade premises. There is no such definition under the RCP or the West Coast Regional Policy Statement and as such the definition as per the RMA is assumed as follows:

industrial or trade premises means—

(a) any premises used for any industrial or trade purposes; or

(b) any premises used for the storage, transfer, treatment, or disposal of waste materials or for other waste-management purposes, or used for composting organic materials; or

(c) any other premises from which a contaminant is discharged in connection with any industrial or trade process;—

but does not include any production land

industrial or trade process includes every part of a process from the receipt of raw material to the dispatch or use in another process or disposal of any product or waste material, and any intervening storage of the raw material, partly processed matter, or product.

The activity is not considered to be an industrial or trade process, and the site is not classified as an industrial or trade premise. An assessment against Rule 10.5.3.1 has been provided for in **Table 8** below:

Table 8: Assessment against the relevant rules of the West Coast Regional Coastal Plan.

Rule Reference	Explanation / Requirement	Activity Status / Compliance / Comment
10.5.3.1	-	The discharge of stormwater into the coastal marine area is a permitted activity provided:
	a	The discharge does not include stormwater from any industrial, or trade premise, and;
	b	The contaminant or water discharged, after reasonable mixing, does not give rise to all or any of the following effects: <ul style="list-style-type: none"> i. The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or ii. Any conspicuous change in the colour or visual clarity; or iii. Any emission of objectionable odour; or iv. Any significant adverse effects on aquatic life. v. Rendering the receiving water unsuitable for contact recreation or shellfish gathering.

As such, any discharge of stormwater that may be captured under the RCP can be undertaken as a permitted activity under Rule 10.5.3.1.



6 Assessment of adverse effects

A comprehensive assessment of the effects of the proposal has been undertaken, with key elements of this assessment focussing on the matters of non-compliance and the assessment matters specified in the BDP, supporting by the relevant technical documents.

- Landscape and visual effects.
- Ecological effects.
- Traffic effects.
- Infrastructure and servicing.
- Effects related to earthworks.
- Cultural & archaeological effects.
- Effects related to natural hazards.
- Positive effects.

These supporting technical assessments should be referred to for a comprehensive assessment in relation to their relevant areas of expertise, with the following providing an overall summary of the actual and potential adverse effects of the proposed development, along with any mitigation measures that are proposed.

6.1 Landscape and visual effects

Natural character, landscape, and visual effects arise from both natural and induced changes in the landscape's components, character, or quality. Typically, these changes result from modifications to landforms or vegetation, or the introduction of new structures, facilities, or activities, such as cycle paths. Each type of change is evaluated to determine its impact on landscape character and quality, rural amenity, and both public and private views.

The Landscape and Visual Assessment, enclosed as **Attachment [Q]**, and addendum (prepared in response to the Landscape Peer Review) enclosed as **Attachment [U]**, has undertaken a full assessment of the potential landscape and visual effects, of the proposal. Associated graphical attachments have been enclosed as **Attachment [R]**. The key conclusions arising from the Landscape and Visual Assessment have been summarised as follows:

6.1.1 Long term landscape effects

The landscape values for the receiving environment are defined by the impressive scale, unique geology, and topography of the landforms, their interaction with the coastal environment, expansive seascape, and continuous sequence of indigenous vegetation from mountains to sea. These contribute to the area's high natural character, legibility, and aesthetic qualities. Despite some areas being modified by farming, the coastal environment retains high natural character, with outstanding natural character in sections dominated by native vegetation.



The proposal aims to enhance the site's natural character by removing grazing stock and restoring native vegetation through the implementation of the proposed EEMP. This will improve the site's alignment with the surrounding environment's development patterns and landscape values. The project's buildings and structures will be placed in previously modified areas, minimising the impact on native vegetation. The development will comply with height restrictions and avoid natural hazard areas.

The bespoke architectural design of the lodge and the integration of cabins and support buildings will blend with the landscape, with the Lodge conveying an organic horizontal form that relates to the topography and generous eaves meaning that it will appear well grounded into the site

All built structures will be located in areas already modified by the historical farming at the site, minimising the impact on open space and natural character, noting that all height restrictions are complied with. As such, they will be easily absorbed into the site by their small scale, spatial arrangement on the site that responds to the topography, avoidance of high natural character areas, recessive colours and the proposed mitigation vegetation.

In terms of associative values, the core characteristics of the landscape will remain unchanged, preserving the broader meaning and association with the landscape and its features. The EEMP will ensure the establishment and maintenance of vegetation, resulting in a significant net gain of native flora across the site.

The comprehensive nature of the proposed development will restore continuity to the coastal environment and enhance landscape values. The overall impact on landscape values is expected to be very low, with adverse effects being less than minor.

6.1.2 Long term visual effects

The construction of the lodge, self-contained cabins, workers accommodation and car parks on the site, will have limited visual impact beyond the immediate area. Views from the lookout point north of the site will be the primary vantage point, with restricted visibility from surrounding areas due to the presence of dense vegetation around the site's border. The views from nearby dwellings are either significantly obstructed or non-existent. Views from SH6 will be limited to the existing buildings, due to the sites contouring and vegetation.

(a) Viewpoint 1 - 2. Located Kaipataki Point Road Lot 45B and at the intersection of SH6 / Coast Road and Kaipataki Point Road looking southwest towards the site at distances of approximately 5.5km and approximately 5.2km respectively

Viewpoints 1 and 2 (refer **Figure 23** and **Figure 24**), offer initial views of the site from distances of approximately 5.5 km and 5.2 km respectively. These viewpoints, situated along SH6, provide the first glimpse of the site, which protrudes from steep inland cliffs as a gently sloping peninsula. The visual impact from these viewpoints is minimal due to the site's distance and natural screening by the coastline topography and vegetation.



Figure 23: Viewpoint 1 (RMM)

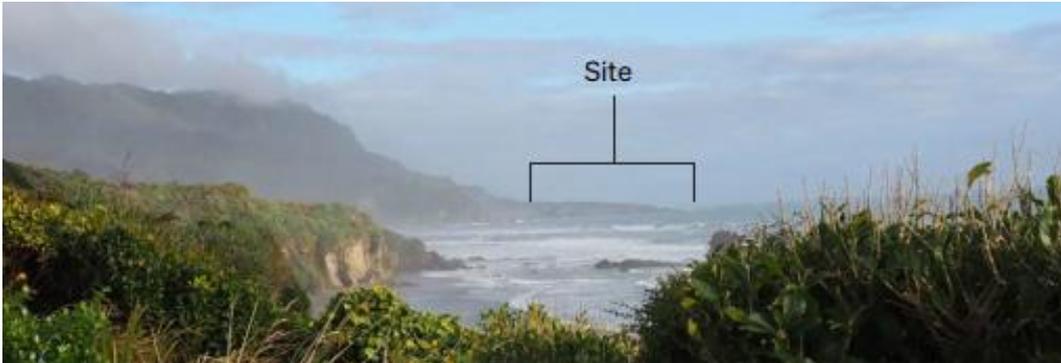


Figure 24: Viewpoint 2 (RMM)

The area features a 16-lot subdivision along Kaipataki Road, with lots ranging from 5622 m² to 32 ha, mostly covered in native vegetation. Nearby settlements, such as Tiromoana / Fox River, are well integrated into the landscape. Despite being inhabited, the area retains a wild and remote appearance, characterised by native vegetation, complex topography, and dynamic coastal views.

The lodge will be visible as a dark shape near the end of the peninsula, blending with the natural surroundings due to its organic roof form and low profile. Six smaller cabins (SC 1-3, 7, and 8) will not be visible due to their recessive colour and setback from the coastal cliffs, further reducing visual impact. Overall, the visual effects on landscape values from these viewpoints are considered very low, and less than minor.

(b) Viewpoint 3. Located at Puhautane / Limestone Creek Beach carpark and beach access looking southwest towards the site at distances of approximately 3.6km

Viewpoint 3 (**Figure 25**), located along the rocky coastline, offers a gravel shoulder and access to a small grey sand beach, enclosed by native coastal vegetation and intersected by Limestone Creek. This sheltered bay, known for its high natural character and dramatic vegetated slopes, contributes significantly to the area's visual amenity. On clear days, the site is visible as part of the distant coastal landmass but not distinctly as a peninsula.



Figure 25: Viewpoint 3 (RMM)

Views from passing vehicles will be fleeting and unaffected by the proposal. For those who stop to enjoy the view, the Lodge may appear as a dark organic form but will likely be indistinguishable as a built development. Due to the distance, winding road, and brief viewing intervals, the visual effects on landscape values are considered very low and less than minor.

(c) Viewpoint 4. Located at Irimahuwhero Lookout, looking southwest towards the site at distances of approximately 1.4km

Viewpoint 4 (**Figure 26**) offers an elevated view of the site from a designated lookout and roadside shoulder, popular for its panoramic coastal views north and south. An interpretation sign highlights the significance of Irimahuwhero, named by Māori travelers for the crimson rata flowers that adorn the coastal bluffs in summer. The landscape values here include high legibility, naturalness, wildness, and visual coherence due to the geology and consistent native vegetation, except at the site.



Figure 26: Viewpoint 4 (RMM)

The site is clearly visible in good weather, distinguished from the surrounding native forest by its gently sloping pasture and gorse. The proposal, particularly the dark, recessive organic form of the lodge near the cliff edge, will be visible. Cabins along the northern edge will be noticeable but not prominent, especially post-construction when mitigation planting is established.

The active revegetation will enhance the natural character, making the proposal consistent with other developments along the West Coast SH6. Visual effects on landscape values will be low, and less than minor, as vegetation matures.

(d) Viewpoint 5. Located at Coghlan's Lookout and picnic area looking northwest towards the site at a distance of approximately at 175m closest point – 640m to end of peninsula.

Viewpoint 5 (**Figure 27**) offers the closest view of the site, located 840 meters north of Truman Track and 577 meters north of Te Miko subdivision. A sealed footpath extends 1.6 km from Punakaiki to Truman Track. This viewpoint is a mown grass clearing with a sealed road shoulder, providing a direct view of the site through a gap in roadside vegetation. The view overlooks dense native vegetation, cleared undulating pastoral slopes, and the expanse of the sea. Landscape values are highlighted by the dense native vegetation and the sea, creating a pleasant visual amenity.



Figure 27: Viewpoint 5 (RMM)

The lodge, positioned at the far edge of the site, will be visible as an organic structure. Despite its large scale, the recessive colour and organic form will add visual interest without detracting from the natural landscape values. The car park will be located at the end of the access road, with its visibility mitigated by amenity planting and mounding.

The lodge's support structure and seven of the 15 cabins will be visible around the site's periphery. Their small scale and recessive cladding colours will ensure they do not appear prominent and will be further mitigated by proposed planting. The revegetation will enhance the site's topography and natural character and ensure adverse effects are low and less than minor.

(e) Conclusion

The minimal overall visibility is due to the strategic placement of the main building at the northern sector of the Perpendicular Point headland, its modest size and height, and the natural screening provided by the surrounding vegetation. The use of natural materials, like hardwood timber (NZ Beech) and batten timber cladding, helps the building blend seamlessly with the local environment. The inclusion of a living roof and large eaves further reduces the building's visual prominence from SH6, helping it blend into the natural landscape.

All cabins have been appropriately located to reduce visual prominence, from both external and within the site itself, and will be planted with indigenous vegetation to provide further screening. New native plantings around the car parks will further integrate these features into the area. The proposal will not interfere with views toward important landscape features. Instead, it will enhance the local amenity, adding value to the area. Additionally, low-level lighting at night will not create glare through the implementation of the ELMP.

The proposed development has been carefully designed to respond to the landscape values particularly the natural character, scenic and amenity values of the coastal environment. The proposed development includes a EEMP that will restore the site's natural character by replacing farmland with native vegetation, enhancing natural habitats and ecosystems, and protecting karst features, the existing wetlands and waterways on the site.

The Landscape and Visual Assessment an associated addendum (refer **Attachment [Q]** and **Attachment [U]** respectively) concludes that long-term visual effects on amenity including scenic values will be very low, and less than minor.

6.1.3 Construction and short-term effects

The initial stages of the project will result in the highest visual effects, primarily due to the presence of heavy machinery and construction activities. These temporary visual effects will last approximately 12 months and include earthworks, vegetation planting, and construction. The Landscape and Visual Assessment (**Attachment [R]**) considers the effects from the initial phases of the development to be moderate, without the implementation of mitigation planting established prior to construction commencing.

The presence of machinery will heighten the visual effects temporarily, but these will be localised and short-term, primarily affecting passing vehicles not associated with the site. Visual effects will be temporary in nature, are necessary for the wider development to progress, and will be appropriately managed to be less than minor.

Although the temporary visual impacts will be more significant than the long-term effects, they are temporary in nature and the implementation of the EEMP, including the provision of key mitigation planting to be established prior to construction commencing revegetation will ensure adverse effects are mitigated as necessary to a less than minor extent.

It is noted that Policy 9.3(c) of the West Coast Regional Policy Statement (**RPS**) recognises that transitional effects associated with development in areas of outstanding natural character and landscapes may not be considered as adverse effects. Further, Objective EW – O1 and Policy EW - P1 of the TTPP enables earthworks to facilitate development, when appropriately managed. Objective TEMP – O1 further supports temporary activities where they contribute to social, economic, and cultural wellbeing of the West Coast – all of which are met as part of this proposal.

6.1.4 Summary of landscape and visual effects

In summary:

- The proposal will have less than minor adverse effects on landscape values, and natural character.
- There will be less than minor adverse effects to the broader visual amenity values, due to the contained nature of the proposal within an already modified part of the broader landscape.

- Adverse visual effects on the Perpendicular Point headland area will be less than minor.
- Any adverse visual effects generated by the temporary construction effects will be localised, short term, and managed appropriately through the implementation of the EEMP, to be less than minor.

As such, any adverse landscape and visual effects can be appropriately mitigated to be less than minor.

6.2 Ecological effects

Potential ecological effects relate to the adverse effects from construction, the built form itself, and ongoing effects through the operation of the site. The Ecology Report(s) (enclosed as **Attachment [E] and [S]**) provide a detailed description of the ecological values of the site (as summarised in **SECTIONS 3.2** and **3.3** above) and the potential adverse effects arising from the proposal. The findings of the ecological investigations have been summarised as follows:

6.2.1 Waterbodies

The design and location of the proposed tracks, parking and built form have incorporated the recommendations of the Detailed Ecology Report to ensure that adverse effects on waterbodies are avoided. There will be a minimum buffer of 10m from all wetlands, which will be planted with indigenous vegetation. All streams will have a minimum buffer of 5m which will also be planted with indigenous vegetation. The proposed ecological enhancement project, implemented through the EEMP, will ensure that all ecological values associated with waterbodies on the site will be enhanced through the implementation of native planting.

Throughout construction, effective CMP and ESCP measures will be implemented (as discussed in more detail in **SECTION 6.5** below) to ensure that waterbodies are adequately protected, which will be clearly delineated on site.

As such, any adverse effects associated with waterbodies will be less than minor.

6.2.2 Flora and fauna

The native forest, native shrubland, and regenerating coastal forest vegetation areas across the site will remain, which will serve as continued habitat for lizards and native birds. Through effective weed and pest control and the extensive infilling of native planting these areas will be improved upon providing a net gain in indigenous vegetation across the site and increased potential habitat for fauna.

A proportion of the native planting proposed on site will be selected so that there is an abundance of species that produce flower and nectar to encourage native birds to the site in addition to catering to arboreal geckos and New Zealand fernbirds.

Further, lighting on site will be designed and managed to minimise light spill and avoid potential adverse effects on nocturnal seabirds (notably petrels and penguins), through



the implementation of the ELMP. The Environmental Lighting Report (enclosed as **Attachment [T]**) includes high level details around the potential lighting outcomes, with this including remote controlled and programmable capabilities to suit the site's peak operational hours, and utilisation of amber LEDs to ensure adverse effects on ecological values are minimised.

As such, any adverse effects on flora and fauna will be less than minor.

6.3 Traffic effects

Carriageway Consulting have prepared a Transport Assessment of the proposed development, with this enclosed as **Attachment [I]**. In addition, a specific access design has been advanced, with this outlined in the Site Access Upgrade Plan enclosed as **Attachment [M]**. The following summarises the key findings arising from these assessments.

6.3.1 Vehicle movements

The trip generation for this site has been estimated based on the number of cabins, the lodge facilities and services, alongside the anticipated vehicle movements for each. The somewhat remote location of the site means that those choosing to stay there will be unlikely to be regularly travelling to and from their cabin – rather, those that choose to stay there are likely to remain generally based at the site. As such, the additional vehicle movements associated with the site are negligible in the context of the capacity of SH6 and can be safely accommodated by both SH6 and the internal roading requirements and it is not considered that adverse capacity-related issues will arise on the roading network due to the operation of the site.

6.3.2 Vehicle access

The proposed vehicle access conforms with the design criteria of NZTA's PPM and extensive consultation with NZTA has been undertaken. Consultation has been undertaken with NZTA to inform the design criteria of the proposed access. The design has been identified in **Figure 17**, above, (refer **Attachment [M]**)

As identified in **SECTION 5.2** above, and noting the overall activity is Non-Complying, the BDC has restricted its discretion under Rule 7.4.1.2 for the proposed vehicle access to the stated matters. This forms the basis of the following assessment, which is supported by the Transport Assessment (refer **Attachment [I]**).

Whether the crossing is sufficiently remote from an intersection having regard to traffic volumes on the roads, the 85th percentile speed of vehicles on the roads, and any other factors that will prevent congestion and confusion between vehicles turning at the crossing or at the intersection.

The nearest intersection is located approximately 650m south of the site, for a road servicing the small Te Miko settlement. This is sufficiently setback to ensure that any adverse effects relating to congestion and confusion between vehicles turning at the crossing or at the intersection are de minimis.



The proposed vehicle crossing is in accordance with a Diagram D layout, which as per the Transport Assessment is appropriate for the site.

Whether there is a need to separate entry and exit in order to reduce potential traffic confusion and congestion.

Considering the relatively low level of vehicle movements proposed daily, there is not a functional need for a separate entry and exit. The proposed access will sufficiently accommodate traffic as to avoid potential traffic confusion and congestion, in addition to any safety requirements.

Whether the physical form of the road will minimise the adverse effects of access, for example whether the road offers good visibility; the presence of a solid median to stop right hand turns; or a flush median to assist right hand turns.

NZTA's PPM requires sight distances of 200m for roads posted as 100kmh, in comparison to the BDP requirements of 250m, which is achievable at this site. Further, considering the highway alignment and narrow carriageway mean that speeds will be lower the posted speed of 100kmh and therefore sight distances could be reasonably reduced to 140m (as per both the BDP and PPM for a speed of 70kmh).

The existing driveway serving the site is signposted with a 'concealed access' sign. There is also a solid yellow centreline for southbound traffic meaning that vehicles are not permitted to overtake.

As such, the physical form of the road does assist with minimising the potential adverse effects of access to the site.

Whether particular mitigation measures such as a deceleration lane are required due to the speed and volume of vehicles on the road.

As discussed above, the volume of vehicles on the road are modest and well within the capacity of the highway and the speed of traffic are anticipated to be significantly lower than the posted speed, at approximately 70kmh. As such, the proposed access is appropriately designed, and no particular mitigation measures are required to this note.

The design of the crossing in relation to the ability of traffic exiting the site to safely enter the traffic stream.

The crossing has been designed by a traffic engineer based of the site's design criteria. The crash history near the site does not suggest any particular issues that would be impacted by the proposed development, as all crashes occurred under different circumstances and locations.

Currently, the site access meets Diagram C of the NZTA Planning Policy Manual. However, due to increased traffic, an upgrade to a Diagram D arrangement is proposed to accommodate expected flows, given the highway carries fewer than 10,000 vehicles per day and is not used by heavy vehicles.

Additionally, landscaping will be removed to improve sightlines, based on a future detailed assessment of topography and vehicle speeds. It is expected that appropriate sight distances for the highway's operating speed can be achieved.



As such, the crossing has been appropriately designed to manage traffic exiting the site safely.

Whether there is adequate queuing and parking space on site so that vehicles do not queue over vehicle crossings.

There is adequate space for queuing and parking on site, designed in accordance with the BDP, ensuring that vehicles will not queue over the proposed vehicle crossing.

The design of the crossing in relation to pedestrian and cyclist safety.

As the site is located on a State Highway there will be no pedestrian traffic present, and therefore safety considerations in relation to pedestrians are not relevant to this proposal. It is noted that the level of traffic along both SH6 and to/from the site is relatively minor in any case.

In regard to cyclist safety, it is anticipated that the overall volume of cyclists will be low with the majority of them doing long distance cycling tours. There are adequate sightlines ensuring that all traffic coming from the site will see cyclists in a safe manner.

There is no additional infrastructure required to support pedestrians or cyclists.

The effects of the location of the access on the amenity and safety of neighbouring properties.

The access is to remain in the same location as that which is already existing and therefore will have no additional adverse effects on the amenity and safety of neighbouring properties.

Any cumulative effects of the introduction of extra access points in relation to access for other activities in the vicinity.

Any cumulative effects of extra access points on the function of the frontage road(s) in terms of its position in the roading hierarchy.

No additional access points are proposed, there is already an access located on this site which is to be replaced/upgraded to the design specifications for the proposed activity. As such, no cumulative effects in relation to the introduction of extra access points are present.

Whether the speed environment on the road, as determined by the 85th percentile speed data, is such that the sight distance standards in the Plan can be safely reduced.

As discussed above, the sight distance standards in the BDP can be safely reduced due to the lower speed environment present on the road, in comparison to the posted speed. As such, the access has been designed in an appropriate and safe manner when discussing the required sight distance. This is supported by the Transport Assessment, enclosed as **Attachment [1]**.

6.3.3 Parking

Adequate parking in accordance with BDP permitted activity standards have been provided for, resulting in 26 spaces in a formed car parking area, an additional 8 parking spaces provided by the Lodge Support Building, each cabin being provided with a



carparking space and workers accommodation being provided with two spaces. This is supported by the Transport Assessment (refer **Attachment [I]**).

6.3.4 Additional matters

The proposed TTPP specifies a maximum gradient of 1 in 5 for driveways or rights-of-way. The site drawings show gradients of 21.8% (1 in 4.6) for the first 30m, 23.2% (1 in 4.3) for the next 40m, and 17.0% (1 in 5.9) for most of the remaining length. The initial 70m is steeper than expected, requiring 1.5m of fill to flatten it to meet the 1 in 5 gradient. The next section can be steepened to 1 in 5, providing an engineering solution to meet the required gradient overall. The accessway features cut or batter slopes, likely requiring retaining structures for the necessary earthworks. Currently, the driveway is 5.5m wide, which may pose a road safety hazard on curves. This can be addressed by localised widening up to 1m or designating short sections as single lane with give-way controls due to light traffic flows.

Overall, it is considered that there are engineering solutions that mean the driveway can be upgraded / improved to achieve compliance with the relevant guides and standards.

6.4 Infrastructure and servicing

The site can be adequately serviced as described in **SECTION 4.4** above. All gas will be stored in the fully enclosed lodge support building in accordance with the Hazardous Substances and New Organisms Act 1996. A management plan will be developed to ensure that they are stored and used safely with a spill response contingency plan implemented at all times. Records of the storage and use of gas will be provided to Council on request.

As such, there will be no adverse effects related to infrastructure and servicing.

6.5 Effects related to earthworks

6.5.1 Overview of the extent of earthworks and mitigation

The earthworks will be undertaken outside of any nearby waterbodies; however, the site contains gullies and depressions which will also operate as overland flow paths during rainfall and storm events.

It is proposed, that prior to works commencing, a detailed CMP will be prepared and submitted by the consent holder to BDC. As part of the preparation of the CMP, the consent holder will develop and implement an ESCP in accordance with the key principles of the CMP to keep clean water clean and manage “dirty” water to ensure it does not contaminate nearby sensitive receptors. Therefore, avoiding or minimising adverse effects associated with construction phase discharges of contaminants to land.

The ESCP will be submitted to BDC prior to works and on completion of the detailed design drawings, or as otherwise required by conditions of consent. The measures

outlined in the ESCP will serve to avoid or minimise erosion and the risk of sediment-laden discharges entering nearby sensitive receptors (namely watercourses, wetlands, and adjoining properties) and mitigate any other environmental issues that may arise during the construction works (e.g. dust nuisance, flooding, erosion, land instability or property damage).

The duration of bare ground will be minimised by efficient management of the construction phases. Soil or debris from earthworks will be placed well away from sensitive receptors or areas of concentrated overland flow. Any staging of works to minimise the extent of exposed area at any one time, and the identification of any stockpiles and associated management will be undertaken as part of the ESCP and CMP processes.

6.5.2 Sensitive receptors including effects on water quality, ecosystems and instream values

Earthworks have the potential to result in erosion and sediment losses which may enter waterbodies. As described above the site contains six wetlands, and three streams. The majority of the works will be well setback from these waterbodies, and where they will be in closer proximity is noted that the BDP does not regulate works within proximity to wetlands and waterbodies of a small size, as is present on the site.

Nonetheless, the CMP and associated ESCP, will be designed to implement and maintain erosion and sediment control measures to ensure that any risk to surface waterbodies on the site are to be avoided, and if not avoided minimised so that the adverse effects on the environment are less than minor.

There will be less than minor adverse effects on groundwater quality, as any stormwater discharge will be filtered through the underlying soils prior to reaching groundwater.

6.5.3 Effects from erosion, sedimentation, and land stability

A key component of the CMP will be to deploy measures to separate clean and dirty water, minimising the amount of stormwater which is entrained with sediment and therefore requiring further management and treatment to ensure that it is clean, when discharging. The sediment management regime will focus on separating the sediment-laden stormwater from water outside the immediate works areas.

The erosion of soil and generation of sediments during earthworks, will be managed through an effective EMP, which also incorporates the key principles of GD05. The CMP will manage all construction phase stormwater discharges and any windblown sediment discharges to air. Following the completion of construction, all excavated areas will be stabilised and contoured to prevent erosion. Clean water will be diverted away from exposed areas, primarily by diverting the stormwater flows away from the development area, as discussed above. Diversion and sediment basins will be formed to manage runoff associated with the construction area, where necessary.



It is considered that the design and implementation of an EMP, including post consent approval and pre-construction auditing and compliance will provide confidence that the activity will ensure that sediment leaving the site is minimised to an appropriate standard, and that any dust does not cause a nuisance effect. Further, no land stability issues will arise.

As it relates to the site, an CMP can be implemented to ensure that no sediment laden stormwater or runoff would be discharged to any surface waterbody (including wetlands) and will be less than minor.

6.5.4 Effects of amenity values

The earthworks are to be undertaken on private land with no existing public access, and no public throughfare anticipated during the proposed works. As noted above, measures will be taken to minimise the area of land disturbed at any one time, and to rehabilitate exposed area with seeding. While the primary purpose of these measures are to manage erosion and sediment, they also have the associated effect of mitigating adverse effects on visual amenity.

The CMP also addresses the management of nuisance effects such as dust, and the above detailed management of erosion and sediment will ensure amenity is maintained to a reasonable level and not unduly compromised as part of the earthworks activities, noting that the activity is for a relatively limited duration, given the nature of the works.

6.6 Cultural & archaeological effects

The site is located within SASM 30, identified as *ara tāwhito*, representing the traditional travel routes whereby the coastline between Mawhera/Greymouth and Kawatiri/Westport was traditionally a key pathway for pounamu trading and mahinga kai, especially inshore fishing. It is noted that within the context of the TTPP, the relevant activities (i.e. earthworks and buildings) can be undertaken as a permitted activity within the stated SASM.

The site has been subject to long term small scale agricultural activities, with invasive exotic flora present throughout. As part of the wider proposal, a comprehensive ecological enhancement and restoration program, implemented through the EEMP, is to be undertaken whereby native, endemic, planting is to be established as set out **Figure 8**. The specific species proposed have been selected to uphold the integrity of the local ecological character and restore Ngāi Tahu taonga species to the site.

The site is also subject to an overlay under the BDP identifying the sea caves in the cliff-face on the northern boundary of the site, whilst these are not *within* the site as such, the proposed development must be carefully considered within their context. There are no other known archaeological sites located within the site (refer **Attachment [J]**). Nonetheless, an Accidental Discovery Protocol (**ADP**) is to be implemented at all times throughout the works to ensure that any discovered archaeological findings are appropriately managed.



The proposed works and development have been designed to be sensitive to the receiving natural environment and avoids adversely effecting ecological features on the site. The overall project and mitigation are considered to be an appropriate response to potential cultural values of the site and surrounding area. However, it is noted that consultation with Ngāti Waewae is ongoing, with the Applicant agreeable to continued discussions to ensure any adverse effects on mana whenua and cultural values are appropriately avoided and mitigated.

6.7 Effects related to natural hazards

As outlined in the Natural Hazard Assessment (enclosed as **Attachment [F]**), there are a number of hazards present at the site. In the assessment, T&T have assessed the qualitative risk and assigned management measures and geotechnical development advice for each hazard. These recommendations have been implemented into the site design, principally through the following:

- All new built forms will be located outside the Falling Debris Hazard Area and Cliff Erosion Hazard Area (in addition to the TTPP mapped Coastal Hazard Variation Area) as per **Figure 8**.
- Building structures within gully hazard areas will be avoided where possible, whilst access tracks and infrastructure will be cleared and/or repaired following debris occurring from a flow event.
- After heavy rainfall events gullies may flood resulting in an inundation of structures or infrastructure, including access routes. Structures will be avoided, where possible, in gullies or catchment areas, and access roads and infrastructure will be cleared and/or repaired following a debris flow event.

The Natural Hazard Assessment identifies that buildings and access routes generally avoid the hazard areas where feasible. However, three cabin locations overlap with gully hazard areas, and these cabins will require specific geotechnical consideration to accommodate localised shallow failure of the gully slope. One of the cabins is near to, and potentially within, the TTPP coastal setback boundary which will need further consideration prior to being confirmed. These matters will need particular consideration prior to construction, with the Applicant agreeable to a condition of consent requiring further geotechnical reporting (i.e. confirmation of site location / hazard delineation or specific foundation design) prior to construction.

6.8 Positive effects

The project represents a significant investment, and is considered to have a number of positive effects, including:

- Removal of invasive and exotic vegetation such as wilding pine and gorse.
- Establishment of a luxury visitor accommodation offering aimed at boosting the local tourist-related economy, both during construction but also in long term operation.

- The indigenous planting restoration and enhancement regime will help restore and preserve the local ecosystem, promoting biodiversity and natural character.
- Visitors will learn about local flora, fauna, raising awareness and fostering a greater appreciation for nature.
- The unique combination of luxury and eco-friendly accommodation can attract a diverse range of visitors, increasing Punakaiki's visibility as a travel destination.

The project will provide significant benefits to the social, economic, cultural, and environmental wellbeing of both locals and visitors to the Punakaiki region alike.

6.9 Conclusion

The site master planning and architectural design has had extensive regard to the site location and characteristics, with the site considered to be well located for the establishment of a unique luxury eco-tourism offering that responds to the character and landscape of the area, whilst capturing the significant tourist and visitor demands within the region. The proposed buildings have been architectural designed so as to assimilate with the surrounding natural environment, using natural tones and forms.

The proposed adoption of a range of environmental controls, and the sensitive placement and design of built form and associated infrastructure, will ensure adverse effects on both landscape and visual values, and ecological values are sufficiently mitigated to an acceptable level. The proposed ecological enhancement project, implemented through the EEMP, will provide for an increase in indigenous vegetation across the site, and will assist with maintaining and enhancing the natural character of the site. Further, the proposed site access upgrade has designed and specified to facilitate the anticipated traffic movements on and off the site in a safe and efficient manner.

Overall, for the reasons outlined above and supported by technical assessments enclosed to this application, any adverse effects of the proposed development are considered to be on balance, **less than minor**.

7 Statutory assessment

7.1 Section 95, RMA

7.1.1 Section 95A assessment

Section 95A of the RMA considers the need for public notification and sets out four steps in a specific order to be considered in determining whether to publicly notify.

In terms of Step (1), Section 95C pertaining to notification in the event that further information is not provided under Section 92 is not applicable, noting that the relevant request for further information has been fulfilled. However, public notification is requested by the Applicant.

In terms of Step (2), the District Plan does not preclude public notification.

Moving to Step (3), notification is not required by a rule in a Plan or a NES, and as demonstrated in **SECTION 6** of this report, the adverse effects on the environment are considered to be less than minor.

Lastly, in terms of Step (4) as no special circumstances are considered to apply public notification is not required under any of the pathways in Section 95A.

7.1.2 Section 95B assessment

While public notification is not necessary, any effects of the proposal on the local environment and upon particular parties must still be considered. This is addressed through Section 95B of the RMA, which has four steps similar to Section 95A.

In terms of Step (1), there are no affected protected customary rights or customary marine title groups in terms of Subclause (2), nor is the proposed activity on or adjacent to, or may affect land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11 in terms of Subclause (3).

In terms of Step (2), there are no relevant provisions within the District Plan precluding limited notification. We therefore move to Step (3).

Step (3) requires the consent authority to determine, in accordance with Section 95E, whether there are any affected parties as a result of this proposal. Section 95E states that a person is an affected person if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but are not less than minor). There are not considered to be any affected persons in this instance for the reasons given in the above assessment of effects, however as part of the site master planning and design process, consultation has taken place with a number of stakeholders, including:

- Buller District Council (Planning and Engineering)
- Department of Conservation

- Development West Coast
- Ngāti Waewae
- Heritage New Zealand
- New Zealand Transport Agency
- West Coast Penguin Trust

Consultation with these groups (and others) will be ongoing as part of the resource consent process and moving forward into site development.

In terms of Step (4), no special circumstances exist therefore the application may be processed on a non-notified basis.

With respect to the above, in consideration of the conclusions of the AEE, it is concluded that the proposal will, on balance, result in less than minor adverse effects on the environment, and there are no other circumstances requiring or warranting public or limited notification.

7.2 Section 104(1), RMA

Section 104 (1) of the RMA requires that the consent authority must, subject to Part 2, have regard to a range of matters when considering an application. Section 5 of this AEE addresses the matters contained in Section 104 (1) (a) and (ab).

Section 104(1)(b) of the RMA requires that the provisions of any national policy statement, the Operative Plan, or any other matter the consent authority considers relevant and reasonably necessary, to be considered when assessing an application. In this instance, the relevant planning documents that requires consideration are set out below:

7.2.1 New Zealand Coastal Policy Statement 2010

The New Zealand Coastal Policy Statement 2010 (**NZCPS**) guides day-to-day management of the coastal environment to achieve the purpose of the RMA in relation to the coastal environment of New Zealand. An assessment against the relevant provisions of the NZCPS has been provided in **Table 9** below.

Table 9: Assessment against the relevant Objectives and Policies of the NZCPS.

Provision		Assessment
Objective 1	<p><i>To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land, by:</i></p> <ul style="list-style-type: none"> • <i>maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex and interdependent nature;</i> • <i>protecting representative or significant natural ecosystems and sites of biological importance and maintaining the diversity of New Zealand's indigenous coastal flora and fauna; and</i> 	<p>The proposal seeks to protect, and enhance, indigenous biodiversity across the site. As assessed above, any effects on ecology will be less than minor and acceptable.</p> <p>All waterbodies will be sufficiently</p>



Provision	Assessment
<ul style="list-style-type: none"> <i>maintaining coastal water quality, and enhancing it where it has deteriorated from what would otherwise be its natural condition, with significant adverse effects on ecology and habitat, because of discharges associated with human activity.</i> 	<p>protected, and any indigenous vegetation proposed will be limited to establishing site tracks and building platforms to the greatest extent practicable.</p>
<p>Policy 11</p> <p><i>To protect indigenous biological diversity in the coastal environment:</i></p> <p>a) <i>avoid adverse effects of activities on:</i></p> <ol style="list-style-type: none"> <i>indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists;</i> <i>taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened;</i> <i>indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare;</i> <i>habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;</i> <i>areas containing nationally significant examples of indigenous community types; and</i> <i>areas set aside for full or partial protection of indigenous biological diversity under other legislation; and</i> <p>b) <i>avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on:</i></p> <ol style="list-style-type: none"> <i>areas of predominantly indigenous vegetation in the coastal environment;</i> <i>habitats in the coastal environment that are important during the vulnerable life stages of indigenous species;</i> <i>indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh;</i> <i>habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes;</i> <i>habitats, including areas and routes, important to migratory species; and</i> <i>ecological corridors, and areas important for linking or maintaining biological values identified under this policy</i> 	<p>The proposal includes extensive planting of native flora across the site, enhancing the overall ecological function of the site.</p> <p>Any adverse effects of the proposal will be appropriately avoided or mitigated to ensure they are less than minor and acceptable.</p> <p>As such, the overall proposal is consistent with these provisions.</p>
<p>Objective 2</p> <p><i>To preserve the natural character of the coastal environment and protect natural features and landscape values through:</i></p> <ul style="list-style-type: none"> <i>recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution;</i> <i>identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and</i> <i>encouraging restoration of the coastal environment.</i> 	<p>The proposed cabins and lodge have been architecturally designed to be in synergy with the character of the site and surrounding area.</p> <p>The site has been laid out as to minimise any visual</p>



Provision		Assessment
<p>Policy 13</p>	<p>(1) To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:</p> <ul style="list-style-type: none"> a) avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and b) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment; including by: c) assessing the natural character of the coastal environment of the region or district, by mapping or otherwise identifying at least areas of high natural character; and d) ensuring that regional policy statements, and plans, identify areas where preserving natural character requires objectives, policies and rules, and include those provisions. <p>(2) Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as:</p> <ul style="list-style-type: none"> a) natural elements, processes and patterns; b) biophysical, ecological, geological and geomorphological aspects; c) natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks; d) the natural movement of water and sediment; e) the natural darkness of the night sky; f) places or areas that are wild or scenic; g) a range of natural character from pristine to modified; and h) experiential attributes, including the sounds and smell of the sea; and their context or setting. 	<p>intrusion from public and private places and incorporate the distinctive features of the coastal environment.</p> <p>The proposal includes extensive planting of native flora across the site and seeks to increase upon the overall natural character on the site.</p> <p>Overall, the proposed activity will not significantly alter the character of the present outstanding landscape but will rather seek to enhance it, and to this end, is consistent with this Objective and associated Policies.</p>
<p>Policy 14</p>	<p>Promote restoration or rehabilitation of the natural character of the coastal environment, including by:</p> <ul style="list-style-type: none"> a) identifying areas and opportunities for restoration or rehabilitation; b) providing policies, rules and other methods directed at restoration or rehabilitation in regional policy statements, and plans; c) where practicable, imposing or reviewing restoration or rehabilitation conditions on resource consents and designations, including for the continuation of activities; and recognising that where degraded areas of the coastal environment require restoration or rehabilitation, possible approaches include: <ul style="list-style-type: none"> i. restoring indigenous habitats and ecosystems, using local genetic stock where practicable; or ii. encouraging natural regeneration of indigenous species, recognising the need for effective weed and animal pest management; or iii. creating or enhancing habitat for indigenous species; or 	



Provision		Assessment
	<ul style="list-style-type: none"> iv. <i>rehabilitating dunes and other natural coastal features or processes, including saline wetlands and intertidal saltmarsh; or</i> v. <i>restoring and protecting riparian and intertidal margins; or</i> vi. <i>reducing or eliminating discharges of contaminants; or</i> vii. <i>removing redundant structures and materials that have been assessed to have minimal heritage or amenity values and when the removal is authorised by required permits, including an archaeological authority under the Historic Places Act 1993; or</i> viii. <i>restoring cultural landscape features; or</i> ix. <i>redesign of structures that interfere with ecosystem processes; or</i> x. <i>decommissioning or restoring historic landfill and other contaminated sites which are, or have the potential to, leach material into the coastal marine area.</i> 	
<p>Policy 15</p>	<p><i>To protect the natural features and natural landscapes (including seascapes) of the coastal environment from inappropriate subdivision, use, and development:</i></p> <ul style="list-style-type: none"> a) <i>avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes in the coastal environment; and</i> b) <i>avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on other natural features and natural landscapes in the coastal environment;</i> <i>including by:</i> c) <i>identifying and assessing the natural features and natural landscapes of the coastal environment of the region or district, at minimum by land typing, soil characterisation and landscape characterisation and having regard to:</i> <ul style="list-style-type: none"> i. <i>natural science factors, including geological, topographical, ecological and dynamic components;</i> ii. <i>the presence of water including in seas, lakes, rivers and streams;</i> iii. <i>legibility or expressiveness—how obviously the feature or landscape demonstrates its formative processes;</i> iv. <i>aesthetic values including memorability and naturalness;</i> v. <i>vegetation (native and exotic);</i> vi. <i>transient values, including presence of wildlife or other values at certain times of the day or year;</i> vii. <i>whether the values are shared and recognised;</i> viii. <i>cultural and spiritual values for tangata whenua, identified by working, as far as practicable, in accordance with tikanga Māori; including their expression as cultural landscapes and features;</i> ix. <i>historical and heritage associations; and</i> 	



Provision		Assessment
	<p>x. <i>wild or scenic values;</i></p> <p>d) <i>ensuring that regional policy statements, and plans, map or otherwise identify areas where the protection of natural features and natural landscapes requires objectives, policies and rules; and</i></p> <p>e) <i>including the objectives, policies and rules required by (d) in plans.</i></p>	
<p>Objective 3</p>	<p><i>To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by:</i></p> <ul style="list-style-type: none"> • <i>recognising the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources;</i> • <i>promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act;</i> • <i>incorporating mātauranga Māori into sustainable management practices; and</i> • <i>recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua.</i> 	<p>Consultation with Ngāti Waewae has been undertaken and is ongoing, with the Applicant agreeable to continued discussions to ensure any adverse effects on mana whenua are adequately mitigated.</p> <p>Nonetheless, the proposal will have less than minor and acceptable adverse effects on mana whenua values, in consistency with these provisions.</p>
<p>Policy 2</p>	<p><i>In taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), and kaitiakitanga, in relation to the coastal environment:</i></p> <p>a) <i>recognise that tangata whenua have traditional and continuing cultural relationships with areas of the coastal environment, including places where they have lived and fished for generations;</i></p> <p>b) <i>involve iwi authorities or hapū on behalf of tangata whenua in the preparation of regional policy statements, and plans, by undertaking effective consultation with tangata whenua; with such consultation to be early, meaningful, and as far as practicable in accordance with tikanga Māori;</i></p> <p>c) <i>with the consent of tangata whenua and as far as practicable in accordance with tikanga Māori, incorporate mātauranga Māori in regional policy statements, in plans, and in the consideration of applications for resource consents, notices of requirement for designation and private plan changes;</i></p> <p>d) <i>provide opportunities in appropriate circumstances for Māori involvement / decision making, for example when a consent application or notice of requirement is dealing with cultural localities or issues of cultural significance, and Māori experts, including pūkenga, may have knowledge not otherwise available;</i></p> <p>e) <i>take into account any relevant iwi resource management plan and any other relevant planning document recognised by the appropriate iwi authority or hapū and lodged with the council, to the extent that its content has a bearing on resource management issues in the region or district; and</i></p> <p style="margin-left: 40px;">i. <i>where appropriate incorporate references to, or material from, iwi resource management plans in regional policy statements and in plans; and</i></p> <p style="margin-left: 40px;">ii. <i>consider providing practical assistance to iwi or hapū who have indicated a wish to develop iwi resource management plans;</i></p>	



Provision		Assessment
	<p>f) provide for opportunities for tangata whenua to exercise kaitiakitanga over waters, forests, lands, and fisheries in the coastal environment through such measures as:</p> <ul style="list-style-type: none"> i. bringing cultural understanding to monitoring of natural resources; ii. providing appropriate methods for the management, maintenance and protection of the taonga of tangata whenua; iii. having regard to regulations, rules or bylaws relating to ensuring sustainability of fisheries resources such as taiāpure, mahinga mātaītai or other non commercial Māori customary fishing; and <p>g) in consultation and collaboration with tangata whenua, working as far as practicable in accordance with tikanga Māori, and recognising that tangata whenua have the right to choose not to identify places or values of historic, cultural or spiritual significance or special value:</p> <ul style="list-style-type: none"> i. recognise the importance of Māori cultural and heritage values through such methods as historic heritage, landscape and cultural impact assessments; and ii. provide for the identification, assessment, protection and management of areas or sites of significance or special value to Māori, including by historic analysis and archaeological survey and the development of methods such as alert layers and predictive methodologies for identifying areas of high potential for undiscovered Māori heritage, for example coastal pā or fishing villages. 	
Objective 5	<p>To ensure that coastal hazard risks taking account of climate change, are managed by:</p> <ul style="list-style-type: none"> • locating new development away from areas prone to such risks; • considering responses, including managed retreat, for existing development in this situation; and • protecting or restoring natural defences to coastal hazards. 	<p>Coastal hazard risks have been assessed and adequately avoided through the design of the site layout. As such, the proposal is consistent with these Objectives and Policies.</p>
Policy 24	<p>(1) Identify areas in the coastal environment that are potentially affected by coastal hazards (including tsunami), giving priority to the identification of areas at high risk of being affected. Hazard risks, over at least 100 years, are to be assessed having regard to:</p> <ul style="list-style-type: none"> a) physical drivers and processes that cause coastal change including sea level rise; b) short-term and long-term natural dynamic fluctuations of erosion and accretion; c) geomorphological character; d) the potential for inundation of the coastal environment, taking into account potential sources, inundation pathways and overland extent; e) cumulative effects of sea level rise, storm surge and wave height under storm conditions; f) influences that humans have had or are having on the coast; g) the extent and permanence of built development; and 	



Provision		Assessment
	<p><i>h) the effects of climate change on:</i></p> <ul style="list-style-type: none"> <i>i. matters (a) to (g) above;</i> <i>ii. storm frequency, intensity and surges; and</i> <i>iii. coastal sediment dynamics;</i> <p><i>taking into account national guidance and the best available information on the likely effects of climate change on the region or district.</i></p>	
Policy 25	<p><i>In areas potentially affected by coastal hazards over at least the next 100 years:</i></p> <p><i>avoid increasing the</i></p> <ul style="list-style-type: none"> <i>a) risk¹⁰ of social, environmental and economic harm from coastal hazards;</i> <i>b) avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards;</i> <i>c) encourage redevelopment, or change in land use, where that would reduce the risk of adverse effects from coastal hazards, including managed retreat by relocation or removal of existing structures or their abandonment in extreme circumstances, and designing for relocatability or recoverability from hazard events;</i> <i>d) encourage the location of infrastructure away from areas of hazard risk where practicable;</i> <i>e) discourage hard protection structures and promote the use of alternatives to them, including natural defences; and</i> <i>f) consider the potential effects of tsunami and how to avoid or mitigate them.</i> 	
Objective 6	<p><i>To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:</i></p> <ul style="list-style-type: none"> <i>• the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;</i> <i>• some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities;</i> <i>• functionally some uses and developments can only be located on the coast or in the coastal marine area;</i> <i>• the coastal environment contains renewable energy resources of significant value</i> <i>• the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities;</i> <i>• the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land;</i> <i>• the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected; and</i> <i>• historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or</i> 	<p>The proposal provides for the social, economic, and cultural well-being by providing a sustainable tourist offering which will stimulate the local economy, whilst not impeding on the sites outstanding landscape values and protecting cultural heritage.</p>



Provision	Assessment
	<i>damage from inappropriate subdivision, use, and development.</i>
Policy 6	<p>1) <i>In relation to the coastal environment:</i></p> <ul style="list-style-type: none"> a) <i>recognise that the provision of infrastructure, the supply and transport of energy including the generation and transmission of electricity, and the extraction of minerals are activities important to the social, economic and cultural well-being of people and communities;</i> b) <i>consider the rate at which built development and the associated public infrastructure should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the coastal environment;</i> c) <i>encourage the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth;</i> d) <i>recognise tangata whenua needs for papakāinga³, marae and associated developments and make appropriate provision for them;</i> e) <i>consider where and how built development on land should be controlled so that it does not compromise activities of national or regional importance that have a functional need to locate and operate in the coastal marine area;</i> f) <i>consider where development that maintains the character of the existing built environment should be encouraged, and where development resulting in a change in character would be acceptable;</i> g) <i>take into account the potential of renewable resources in the coastal environment, such as energy from wind, waves, currents and tides, to meet the reasonably foreseeable needs of future generations;</i> h) <i>consider how adverse visual impacts of development can be avoided in areas sensitive to such effects, such as headlands and prominent ridgelines, and as far as practicable and reasonable apply controls or conditions to avoid those effects;</i> i) <i>set back development from the coastal marine area and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment; and</i> j) <i>where appropriate, buffer areas and sites of significant indigenous biological diversity, or historic heritage value.</i> <p>(2) <i>Additionally, in relation to the coastal marine area...</i></p>

As assessed in **Table 9**, above, the proposal is consistent with, and not contrary to, the relevant provisions of the NZCPS.

7.2.2 National Policy Statement for Freshwater Management 2020

The National Policy Statement for Freshwater Management 2020 (**NPS-FM**) provides direction to local authorities on managing the activities that affect the health of freshwater and became operative on 3 September 2020 and has subsequently been



amended in February 2023. The NPS-FM provides national direction that postdates all the regional planning documents within the West Coast region.

The overarching direction of the NPS-FM is the fundamental concept of Te Mana o te Wai that refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community.

Further to this, the sole Objective of the NPS-FM is defined as follows:

“The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises:

- a. first, the health and well-being of water bodies and freshwater ecosystems;*
- b. second, the health needs of people (such as drinking water); and*
- c. third, the ability of people and communities to provide for their social economic, and cultural well-being, now and in the future.”*

The proposal meets this Objective as follows:

- **First Order Priority:** The proposal is appropriately setback from any surface waterbody, including both wetlands and streams, supported by the Detailed Ecology Report, enclosed as **Attachment [E]**, to ensure that any adverse effects are sufficiently acceptable. All works will be subject to a comprehensive CMP and ESCP to ensure waterbodies are protected. In addition, the proposal contributes an ecological enhancement project, implemented through the EEMP, across the site, including along the margins of waterbodies on the site. As such, the health and well-being of waterbodies and freshwater ecosystems have been prioritised and protected accordingly.
- **Second Order Priority:** As above, the proposal seeks to protect the health needs of people through appropriate mitigation measures and through the absence of adverse effects on any persons.
- **Third Order Priority:** The proposal provides for the social, economic, and cultural well-being by providing a sustainable tourist offering which will stimulate the local economy, whilst not impeding on the sites outstanding landscape values and protecting cultural heritage or have significant adverse environmental effects.

The proposal meets the following relevant Policies as follows in **Table 10**:

Table 10: Assessment against the relevant Policies of the NPS-FM.

Provision		Assessment
Policy 1	<i>Freshwater is managed in a way that gives effect to Te Mana o te Wai</i>	As assessed above against the sole Objective, the proposal gives effect to Te Mana o te Wai.

Provision		Assessment
Policy 2	<i>Tangata whenua are actively involved in freshwater management (including decision-making processes), and Māori freshwater values are identified and provided for.</i>	As assessed above, Māori freshwater values have been identified and provided for with the adverse effects on cultural values being less than minor acceptable.
Policy 3	<i>Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.</i>	The proposed land use is not anticipated to result in adverse effects on freshwater, as assessed above, noting that waterbodies will be sufficiently protected across the site and an ecological enhancement project is proposed.
Policy 6	<i>There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.</i>	Wetlands, and all habitats of indigenous freshwater species, will be protected during construction phases through appropriate CMP and ESCP measures.
Policy 7	<i>The loss of river extent and values is avoided to the extent practicable</i>	There will be no loss of extent of natural inland wetlands on the site with the margins being enhanced through the rehabilitation of indigenous vegetation. No river extent will be lost, and river values will be maintained, if not enhanced, by the result of the indigenous planting proposed across the site.
Policy 9	<i>The habitats of indigenous freshwater species are protected.</i>	
Policy 15	<i>Communities are enabled to provide for their social, economic, and cultural well-being in a way that is consistent with this National Policy Statement</i>	As assessed against the third order priority above, the proposal meets this Policy.

Given the nature of the proposed activity and that the effects are considered to be less than minor, it is considered that the activity is consistent with, and not contrary to, the Policies and Objectives of the NPS-FM.

7.2.3 National Policy Statement for Indigenous Biodiversity 2023

The National Policy Statement for Indigenous Biodiversity 2023 (**NPS-IB**) was amended in October 2024 and provides direction to protect, maintain and restore indigenous biodiversity requiring at least no further reduction nationally.

The proposal has been assessed against the relevant provisions of the NPS-IB in **Table 11**, below.

Table 11: Assessment against the relevant Objectives and Policies of the NPS-IB.

Provision		Assessment
Objective	<p><i>The objective of this National Policy Statement is:</i></p> <ul style="list-style-type: none"> a) <i>to maintain indigenous biodiversity across Aotearoa New Zealand so that there is at least no overall loss in indigenous biodiversity after the commencement date; and</i> b) <i>to achieve this:</i> <ul style="list-style-type: none"> i. <i>through recognising the mana of tangata whenua as kaitiaki of indigenous biodiversity; and</i> 	<p>This Objective is met as follows:</p> <p>Indigenous biodiversity is to be maintained across the site, where present, and enhanced through the establishment of an ecological enhancement project, implemented through the EEMP. There will be no net loss in indigenous biodiversity on the site, meeting (a).</p> <p>(b) has been met through ongoing attempts to engage with Ngāti Waewae, the implementation of an ecological enhancement project and for the provision of a sustainable eco-tourism offering that</p>



Provision		Assessment
	<ul style="list-style-type: none"> ii. <i>by recognising people and communities, including landowners, as stewards of indigenous biodiversity; and</i> iii. <i>by protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity; and</i> iv. <i>while providing for the social, economic, and cultural wellbeing of people and communities now and in the future.</i> 	seeks to stimulate the social, economic, and cultural wellbeing of both tourists and the local community.
Policy 1	<i>Indigenous biodiversity is managed in a way that gives effect to the decision-making principles and takes into account the principles of the Treaty of Waitangi.</i>	The Applicant is committed to continued discussions with Ngāti Waewae, including on identifying the indigenous species best placed to be established on this site.
Policy 2	<i>Tangata whenua exercise kaitiakitanga for indigenous biodiversity in their rohe, including through:</i> <ul style="list-style-type: none"> a) <i>managing indigenous biodiversity on their land; and</i> b) <i>identifying and protecting indigenous species, populations and ecosystems that are taonga; and</i> c) <i>actively participating in other decision-making about indigenous biodiversity.</i> 	
Policy 3	<i>A precautionary approach is adopted when considering adverse effects on indigenous biodiversity.</i>	The proposal involves significant ecological revegetation works across a site that has a long history of small scale agricultural use, along with extensive scrub clearance. The proposal has been informed and supported by suitable ecological and landscape expertise, and is considered to enhance the indigenous biodiversity of the site.
Policy 8	<i>The importance of maintaining indigenous biodiversity outside SNAs is recognised and provided for.</i>	The site is not identified as an SNA, but indigenous biodiversity is to be maintained, and enhanced, at this site.
Policy 10	<i>Activities that contribute to New Zealand's social, economic, cultural, and environmental wellbeing are recognised and provided for as set out in this National Policy Statement.</i>	The proposed activity seeks to establish an eco-tourism offering that seeks to stimulate the social, economic, and cultural wellbeing of both tourists and the local community.
Policy 13	<i>Restoration of indigenous biodiversity is promoted and provided for.</i>	As part of the wider proposal, an ecological enhancement project is proposed, meeting consistency with these Policies.
Policy 15	<i>Increased indigenous vegetation cover is promoted in both urban and nonurban environments.</i>	



As assessed in **Table 11**, above, the proposal is consistent with, and not contrary to, the relative Objectives and Policies within the NPS-IB, noting that the proposal will result in a net gain of indigenous vegetation present on the site.

7.2.4 West Coast Regional Policy Statement

The West Coast Regional Policy Statement (**RPS**) seeks to promote the sustainable management of the natural and physical resource of the West Coast. It does this by:

- Providing an overview of the resource management issues of the region; and
- Identifying policies and methods to achieve integrated management of the West Coast's natural and physical resources.

The following provisions are considered to be relevant to this proposal and are assessed accordingly in **Table 12** below:

Table 12: Assessment against the relevant Objectives and Policies of the RPS.

Provision		Assessment
Section 3 – Resource Management Issues of Significance to Poutini Ngāi Tahu		
Objective 3.1	<i>To take into account the principles of the Treaty of Waitangi in the exercise of functions and powers under the RMA</i>	The site is located with a SASM under the TTPP, however, there will be less than minor, and acceptable, adverse effects on cultural values and the proposed activity will not impede any cultural use to Ngāi Tahu. The proposed earthworks are to be undertaken in accordance with a best practice CMP, ESCP an ADP at all times. The proposal is consistent with these Objectives and Policy
Objective 3.2	<i>Recognise and provide for the relationship of Poutini Ngāi Tahu and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga within the West Coast Region.</i>	
Policy 3.3	<i>The special relationship that Poutini Ngāi Tahu have with te taiao (the environment), and their economic, cultural, and spiritual values, including their role as kaitiaki, will be given particular consideration in resource management decisions and practices.</i>	
Section 4 – Resilient and Sustainable Communities		
Objective 4.3	<i>To ensure that the West Coast has physical environments that effectively integrate subdivision, use and development with the natural environment, and which have a sense of place, identity and a range of lifestyle and employment options.</i>	The proposal represents a sustainable use and development of land resources as part of the wider development an eco-tourism offering whilst protecting all waterbodies, including surface water and groundwater from adverse effects.
Objective 4.4	<i>The significant values of historic heritage are appropriately managed to contribute to the economic, social and cultural wellbeing of the West Coast.</i>	
Objective 4.5	<i>To recognise and provide for the relationships of Poutini Ngāi Tahu with cultural landscapes.</i>	The proposed earthworks are to be undertaken in accordance with a best practice ESCP and CMP will have a less than minor adverse effect overall. The proposal is consistent with these Objectives and Policies.
Policy 4.1	<i>To sustainably manage the West Coast's natural and physical resources in a way that enables a range of existing and new economic activities to occur, including activities likely to provide substantial employment that benefits the long term sustainability of the region's communities.</i>	
Policy 4.6	<i>Cultural landscapes are appropriately identified, and effects of activities are managed in a way that provides for the cultural relationships of Poutini Ngāi Tahu.</i>	



Provision		Assessment
Section 5 - Use and Development of Resources		
Objective 5.1	<i>To recognise the role of resource use and development on the West Coast and its contribution to enabling people and communities to provide for their social, economic and cultural wellbeing.</i>	<p>The proposal seeks to sustainably and effectively use land resources to establish a luxury tourist accommodation and service offering that blends into the receiving environment seamlessly whilst efficiently contributing to the economic, social and cultural wellbeing of the local community.</p> <p>By the very nature of the proposal, it seeks to enhance and provide for the West Coasts economy through a sustainable eco-tourism development that utilises and co-exists with natural and physical resources.</p> <p>The adverse effects will be less than minor and acceptable, and the proposal is consistent with these Objectives and Policies.</p>
Objective 5.2	<i>Incompatible use and development of natural and physical resources are managed to avoid or minimise conflict.</i>	
Policy 5.1	<i>Enabling sustainable resource use and development on the West Coast to contribute to the economic, social and cultural wellbeing of the region's people and communities.</i>	
Policy 5.2	<p><i>To recognise that natural and physical resources important for the West Coast's economy need to be protected from significant negative impacts of new subdivision, use and development by:</i></p> <ol style="list-style-type: none"> a. <i>Avoiding, remedying or mitigating reverse sensitivity effects arising from new activities located near existing:</i> <ol style="list-style-type: none"> i. <i>Primary production activities;</i> ii. <i>Industrial and commercial activities;</i> iii. <i>Minerals extraction*;</i> iv. <i>Significant tourism infrastructure;</i> v. <i>Regionally significant infrastructure;</i> b. <i>Managing new activities to retain the potential future use of:</i> <ol style="list-style-type: none"> i. <i>Land with significant mineral resources; or</i> ii. <i>Land which is likely to be needed for regionally significant infrastructure.</i> <p><i>*Minerals extraction includes aggregates and other mining activities.</i></p>	
Section 7 - Ecosystems and Indigenous Biological Diversity		
Objective 7.2	<i>Protect significant indigenous vegetation and significant habitats of indigenous fauna.</i>	<p>The proposal does not seek to remove any indigenous vegetation where possible, with some minor vegetation clearance required to establish vehicle tracks and building foundations. All vegetation removal will be kept to the minimum extent practicable.,</p> <p>The project will contribute to the overall increased biodiversity of the area by establishing more indigenous vegetation on the site through the ecological enhancement project which will be implemented through the proposed EEMP.</p> <p>Therefore, the proposal will have a positive effect on ecosystems and indigenous biological diversity with a net</p>
Objective 7.3	<i>Provide for sustainable subdivision, use and development to enable people and communities to maintain or enhance their economic, social, and cultural wellbeing in areas of significant indigenous vegetation and significant habitats of indigenous fauna.</i>	
Objective 7.4	<i>Maintain the region's terrestrial and freshwater indigenous biological diversity.</i>	
Policy 7.2	<p><i>Activities shall be designed and undertaken in a way that does not cause:</i></p> <ol style="list-style-type: none"> a. <i>The prevention of an indigenous species' or a community's ability to persist in their habitats within their natural range in the Ecological District, or</i> b. <i>A change of the Threatened Environment Classification to category two or below at the Ecological District Level;</i> c. <i>Further measurable reduction in the proportion of indigenous cover on those land environments in category one or two of the</i> 	



Provision		Assessment
	<p><i>Threatened Environment Classification at the Ecological District Level;</i></p> <p>d. <i>A reasonably measurable reduction in the local population of threatened taxa in the Department of Conservation Threat Classification Categories 1 – nationally critical, 2 – nationally endangered, and 3a – nationally vulnerable.</i></p>	<p>gain of indigenous biodiversity as a result.</p> <p>The development will have less than minor adverse effects and is consistent with these Objectives and Policies.</p>
Policy 7.7	<p><i>Provide for subdivision, use or development within land areas or water bodies containing indigenous biological diversity that does not meet any of the significance criteria in Appendix 1 or 2, by:</i></p> <p>a. <i>Allowing activities with no more than minor adverse effects;</i></p> <p>b. <i>Avoiding, remedying or mitigating more than minor adverse effects;</i></p> <p>c. <i>Where there are significant residual adverse effects, considering any proposal for indigenous biological diversity offsetting or compensation.</i></p>	
Policy 7.8	<p><i>Maintain indigenous biological diversity, ecosystems and habitats in the region by:</i></p> <p>a. <i>Recognising that it is more efficient to maintain rather than to restore indigenous biological diversity;</i></p> <p>b. <i>Encouraging restoration or enhancement of indigenous biological diversity and/or habitats, where practicable; and</i></p> <p>c. <i>Advocating for a co-ordinated and integrated approach to reducing the threat status of indigenous biological diversity.</i></p>	
Policy 7.9	<p><i>Give effect to Objective 2 of Chapter 3 by:</i></p> <p>a. <i>Providing for the kaitiakitanga role of Poutini Ngāi Tahu in the management of indigenous biological diversity;</i></p> <p>b. <i>Provided that Policy 2 is met, recognising and providing for subdivision, use and development in a SNA where it is for the purpose of papakainga, cultural harvest or mahinga kai gathering by papatipu rūnanga in a manner that accords with tikanga and kaitiakitanga;</i></p> <p>c. <i>Where practicable, provide for Poutini Ngāi Tahu customary use of indigenous species in a manner that accords with tikanga and kaitiakitanga, within the framework of the regional and district council's RMA functions</i></p>	
Section 7A - Natural Character		
Objective 7A.2	<p><i>Provide for appropriate subdivision, use and development to enable people and communities to maintain or enhance their economic, social and cultural wellbeing.</i></p>	<p>Whilst the proposal is located in an area of outstanding natural character, it is considered to be appropriate development outcome within this landscape. The development has been architecturally designed to</p>
Policy 7A.3	<p><i>When determining if an activity is appropriate, the following matters must be considered:</i></p> <p>a. <i>The degree and significance of actual or potential adverse effects on the elements,</i></p>	



Provision		Assessment
	<p><i>patterns, processes and qualities that contribute to natural character;</i></p> <p><i>b. The value, importance or significance of the natural character at the local, or regional level;</i></p> <p><i>c. The degree of naturalness;</i></p> <p><i>d. The potential for cumulative effects to diminish natural character, and the efficacy of measures proposed to avoid, remedy or mitigate such effects; and</i></p> <p><i>e. The vulnerability of the natural character to change, and its capacity to accommodate change, without compromising its values.</i></p>	<p>assimilate in with the natural environment in a way that has a less than minor and acceptable effect on natural character.</p> <p>The proposal is consistent with this Objective and the associated Policies.</p>
Policy 7A.4	<p><i>Allow activities which have no more than minor adverse effects on natural character.</i></p>	
Section 8 - Land and Water		
Objective 8.1	<p><i>The life-supporting capacity of freshwater is maintained or improved.</i></p>	<p>The proposal will have less than minor and acceptable adverse effect on all freshwater bodies, including surface waterbodies and groundwater.</p> <p>It will provide for land uses that enable the economic, social and cultural wellbeing of the community.</p> <p>The proposal has been designed and assessed in an integrated manner with all adverse effects considered holistically, being less than minor and acceptable.</p> <p>The proposal is consistent with these Objectives and Policies.</p>
Objective 8.2	<p><i>Provide for a range of land and water uses to enable the economic, social and cultural wellbeing of West Coast communities while maintaining or improving water quality and aquatic ecosystems</i></p>	
Objective 8.5	<p><i>Achieve the integrated management of water and the subdivision, use and development of land within catchments, recognising the interconnections between land, fresh water, and coastal water, including by managing adverse effects of land and water use on coastal water quality</i></p>	
Policy 8.1	<p><i>Adverse effects on fresh and coastal water quality and aquatic ecosystems arising from:</i></p> <p><i>a. Subdivision, use or development of land;</i></p> <p><i>b. Discharges of contaminants to water and to land in circumstances which may result in contaminants entering water;</i></p> <p><i>c. Water use and take; and</i></p> <p><i>d. Activities in, or on, water including damming and diversion, will be avoided, remedied or mitigated, to ensure that water quality and aquatic ecosystems are maintained or improved.</i></p>	
Policy 8.2	<p><i>To give effect to Objective 2 of Chapter 3, the adverse effects of subdivision, use and development on Poutini Ngāi Tahu cultural values will be avoided, remedied or mitigated taking into account the following matters:</i></p> <p><i>a. A preference by Poutini Ngāi Tahu for discharges to land over water where practicable;</i></p> <p><i>b. The value of riparian margin vegetation for water quality and aquatic ecosystems; and</i></p> <p><i>c. Effects on the sustainability of mahinga kai, and protection of taonga areas.</i></p>	
Policy 8.3	<p><i>To give effect to Objective 2 of Chapter 3, manage land and water use in a way that avoids significant adverse effects (other than those arising from the development, operation, maintenance, or upgrading of RSI and local roads) and avoids, remedies or mitigates other adverse</i></p>	



Provision		Assessment
	<p>water quality effects on sites that are significant to Poutini Ngāi Tahu, including the following:</p> <ul style="list-style-type: none"> a. Estuaries, hāpua lagoons, and other coastal wetlands; and b. Shellfish beds and fishing areas. 	
Policy 8.5	Maintain or improve water quality within freshwater management units.	
Policy 8.7	Encourage the coordination of urban growth, land use and development including the provision of infrastructure to achieve integrated management of effects on fresh and coastal water.	
Policy 8.8	Provide for the social, economic and cultural wellbeing derived from the use and development of land and water resources, while maintaining or improving water quality and aquatic ecosystems.	
Policy 8.9	Implement the National Policy Statement for Freshwater Management including the National Objectives Framework.	
Section 9 – Coastal Environment		
Objective 9.1	<p>Within the coastal environment:</p> <ul style="list-style-type: none"> a. Protect indigenous biological diversity; b. Preserve natural character, and protect it from inappropriate subdivision, use and development; and c. Protect natural features and natural landscapes from inappropriate subdivision, use and development 	<p>The proposal seeks to enhance indigenous biological diversity through the implementation of the EEMP, whilst designing the overall proposal in a manner that will preserve natural character of the site and surrounding area.</p> <p>The development is appropriate for both the site and the coastal environment with all natural landscapes, character, and features present being sufficiently protected.</p> <p>Further, through the protection of existing indigenous vegetation, and the ecological enhancement project proposed across the site, indigenous biological diversity will be enhanced, and natural character can be rehabilitated from the existing state of the site.</p>
Policy 9.1	<p>Within the coastal environment protect indigenous biological diversity, and natural character, natural features and natural landscapes from inappropriate subdivision, use and development by:</p> <ul style="list-style-type: none"> a. Identifying in regional and district plans areas of significant indigenous biological diversity, outstanding and high natural character and outstanding natural features and landscapes, recognising the matters set out in Policies 11, 13 and 15 of the NZCPS; b. Avoiding adverse effects on significant indigenous biological diversity, areas of outstanding natural character and outstanding natural landscapes and features; and c. Avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects on indigenous biological diversity, natural character, natural features and natural landscapes. 	
Policy 9.9	Consider opportunities for the restoration or rehabilitation of natural character.	
Objective 9.2	Provide for appropriate subdivision, use and development in the coastal environment to enable people and communities to maintain or enhance their economic, social, and cultural wellbeing.	<p>The proposal provides for the social, economic, and cultural well-being by providing a sustainable tourist offering which will stimulate the local economy, whilst avoiding</p>
Policy 9.3	Provide for subdivision, use or development in the coastal environment:	



Provision		Assessment
	<p>a. Which maintains or enhances the social, economic and cultural well-being of people and communities;</p> <p>b. Which:</p> <ul style="list-style-type: none"> i. Requires the use of the natural and physical resources in the coastal environment; or ii. Has a technical, functional or operational requirement to be located within the coastal environment; <p>c. Recognising that minor or transitory effects associated with subdivision, use and development may not be an adverse effect within those areas described in Policy 1.b).</p> <p>d. By allowing subdivision, use and development where the adverse effects are no more than minor within those areas described in Policy 1.c).</p> <p>e. By allowing lawfully established activities to continue provided the adverse effects are the same or similar in scale, character or intensity.</p>	<p>adverse effects outlined in Policy 9.1(c) and ensuring any potential adverse effects on mana whenua and cultural values are avoided.</p> <p>Any adverse effects described in Policy 9.1(b) will be limited to within the construction works itself and will be temporary in nature, whilst still be sufficiently mitigated and avoided through the implementation of management plans. Further, works will be occurring in stages so that any potential adverse effects are minimised.</p> <p>The selected location is intrinsic to the proposal, whereby the Applicant seeks to establish a coastally situated luxury eco-tourism offering. The lodge, and associated cabins, would not be proposed in any alternative location (such as further inland, outside of the coastal environment) as this detracts from the core concept of the overall proposal.</p>
Policy 9.5	<p>To give effect to Objective 2 of Chapter 3 of this RPS, manage land and water use in the coastal environment in a way that avoids significant adverse effects (other than those arising from the development, operation, maintenance, or upgrading of RSI and local roads) and avoids, remedies or mitigates other adverse water quality effects on sites that are significant to Poutini Ngāi Tahu, including the following:</p> <ul style="list-style-type: none"> a. Estuaries, hāpua lagoons, and other coastal wetlands; and b. Shellfish beds and fishing areas. 	
Objective 9.3	<p>Ensure that any new subdivision, use or development in the coastal environment has appropriate regard to the level of coastal hazard risks.</p>	<p>Coastal hazard risks have been assessed as part of this application and adequately avoided through the design of the site layout. As such, the proposal is consistent with this Objective and associated Policies.</p>
Policy 9.6	<p>Where new subdivision, use or development in the coastal environment may be adversely affected by coastal hazards, adopt a risk management approach taking into account, where applicable:</p> <ul style="list-style-type: none"> a. Official, nationally recognised guidelines for sea level rise; b. The type and life-cycle of the proposed development, including whether it is short-term, long term, or permanent; c. Whether the predicted impacts are likely to have material or significant consequences; d. The acceptability of those potential consequences, given their likelihood; and, e. Whether there are suitable options to avoid increasing the risk of harm from coastal hazards, and whether future adaptation options are feasible. 	
Policy 9.7	<p>Coastal hazard risks should be assessed over at least a 100 year timeframe.</p>	

As assessed in **Table 12** above, the proposal is consistent with, and not contrary to, the relevant provisions of the RPS.



7.2.5 Buller District Plan

The relevant Objectives and Policies of the BDP are identified and assessed in **Table 13** as follows:

Table 13: Assessment against the relevant Objectives and Policies of the Buller District Plan.

Provision		Assessment
Chapter 4.4 - Rural Land And Water Resource		
Objective 4.4.13.1	<i>Promote land use activities which maintain or improve the water quality of the District's rivers and do not adversely affect water quantity, in order to safeguard the life supporting capacity of water</i>	The proposal seeks to undertake earthworks within relative proximity of the site's wetlands and streams (noting that the rules within the BDP itself for this are not relevant due to the size of wetlands and streams). Nonetheless, all works will be undertaken with an appropriate CMP and ESCP prepared by a SQEP and will be managed to protect all waterbodies on the site. The ongoing use of the site seeks to promote synchrony between guests and the local environment and will be managed to ensure that wetlands and streams are appropriately protected. The proposal is consistent with these provisions.
Policy 4.4.14.4	<i>The protection of water resources from adverse effects of land based activities shall be encouraged and promoted.</i>	
Policy 4.4.14.7	<i>To protect and enhance riparian margins adjacent to rivers, streams, lakes, wetlands and the coast for the purposes of:</i> <i>i. Maintenance of the natural character of waterways, natural habitats and water quality including the mitigation of adverse effects of contaminant discharges and other natural and aesthetic and amenity values associated with the adjacent waterway.</i> <i>ii. Public recreation.</i> <i>iii. Public access.</i> <i>iv. Maintenance of bank stability and reduction in sedimentation.</i>	
Chapter 4.6 – Cultural/Historic Resources		
Objective 4.6.7.1	<i>To protect places and sites of historical and cultural value from the adverse effects of land use activities and to ensure where appropriate, access to historic and cultural sites is maintained and enhanced.</i>	The site is host to sea caves, which are present on the shore and cliff face, rather than within the site itself. Nonetheless, they will be protected as part of the proposal, with no works occurring on the cliff face itself. Further, an ADP is to be implemented at all times to manage any accidental discovery. The proposal is consistent with this Objective and associated Policies.
Policy 4.6.8.2	<i>Evaluate and protect heritage resources by identifying those resources of historic, cultural or architectural value or of special significance to the District.</i>	
Policy 4.6.8.4	<i>Assessment of resource consent applications shall include their potential impact on known places of historic and/or cultural value.</i>	
Policy 4.6.8.6	<i>Upon accidental discovery of urupa or skeletal remains, consultation with the tangata whenua shall be required.</i>	
Chapter 4.7 – The Coastal Environment		
Objective 4.7.5.1	<i>To maintain or enhance the natural character of the coastal environment by avoiding, remedying or mitigating the</i>	The site is located within the Paparoa Natural Character Zone, where the scenic values of the coastal landscape are



	<i>adverse effects of land use activities and subdivision requiring a coastal location.</i>	particularly high and has distinctive character.
Policy 4.7.6.1	<i>The subdivision, use and development of land in the coastal environment shall be tightly controlled within the Paparoa Character Area.</i>	The emphasis for the Paparoa Character Area is on retaining and enhancing the scenic and amenity values of the coastline, of which the proposal meets, as assessed above.
Policy 4.7.6.4	<i>The maintenance and enhancement of public access to and along the coastline shall be encouraged except where restrictions are necessary to ensure public safety or to avoid the potential adverse effects of people and/or vehicles on the coastal environment.</i>	The chosen site is essential to the proposal, aiming to create a luxurious eco-tourism experience along the coast, whilst capturing the desire of tourists to make the most of extended stays within the Punakaiki area. The lodge and its accompanying cabins are specifically designed for this coastal setting and relocating them inland would undermine the essence of the project.
Policy 4.7.6.7	<i>The needs of existing and future activities requiring a coastal location shall be recognised.</i>	The design of the project has been carefully considered to blend into the landscape character of the area, whilst appropriately avoiding, or mitigating, any adverse effects to an acceptable level. The project is consistent with these provisions.
Chapter 4.8 – Ecosystems and Natural Habitats		
Objective 4.8.6.1	<i>To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna and to recognise their importance to the character and quality of the natural and physical environment and to the wellbeing of the people and communities in Buller.</i>	The Applicant proposes to retain the vast majority of indigenous vegetation, and thus protect any potential areas of significant flora/fauna on the site. All wetlands on the site will be appropriately protected through the retention of vegetation in their margins, and the implementation of a 10m setback for any works and built form.
Policy 4.8.7.1	<i>The adverse effects of land use activities on natural habitats and ecosystems shall be taken into account when considering development proposals which impact on these areas</i>	Further, an EEMP is proposed to provide for the planting of native vegetation across the site, including within the margins of the site's wetlands and streams, and will ensure that indigenous biodiversity on the site is enhanced.
Policy 4.8.7.2	<i>The protection and enhancement of the natural values of wetlands, estuarine habitats, whitebait spawning areas, significant indigenous vegetation and significant habitats of indigenous fauna shall be encouraged.</i>	
Policy 4.8.7.7	<i>To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna from inappropriate use, subdivision and development.</i>	
Policy 4.8.7.8	<i>To encourage the retention of existing indigenous vegetation on the margins of waterways, wetlands and the coast and the enhancement of these areas through the use of indigenous vegetation where rehabilitation plantings are to be carried out</i>	
Chapter 4.9 – Landscapes and Natural Features		
Objective 4.9.3.1	<i>To protect the distinctive character and unique values of outstanding landscapes and natural features.</i>	The proposed cabins and lodge have been architecturally designed to be in synergy with the character of the site and



Policy 4.9.4.1	<i>To discourage activities which would significantly alter the character of outstanding landscapes.</i>	<p>surrounding area. The site has been laid out as to minimise any visual intrusion from public and private places and incorporate the distinctive features of the Paparoa Character Area.</p> <p>The proposal includes extensive planting of native flora across the site and seeks to increase upon the overall natural character on the site.</p> <p>Overall, the proposed activity will not significantly alter the character of the present outstanding landscape but will rather seek to enhance it and is consistent with this Objective and Policy.</p>
Chapter 4.10 – Natural Hazards		
Objective 4.10.6.1	<i>Taking into account community views, to reduce the risks to people and communities from natural hazards, and to avoid the establishment of activities which increase the likelihood of natural hazards occurring.</i>	All built forms have been located so that they are sufficiently setback from natural hazards, as outlined in Attachment [F] , and as such the adverse effects related to natural hazards have been sufficiently avoided.
Policy 4.10.7.2	<i>An assessment of natural hazard risk shall be provided where appropriate with all applications for resource consents.</i>	

As assessed in **Table 13** above, the proposal is consistent with, and not contrary to, the relevant provisions of the BDP.

7.2.6 Proposed Te Tai o Poutini Plan

The TTPP is the combined District Plan for the Buller, Grey and Westland District Councils and will replace the current individual district plans. The TTPP has been notified is currently undertaking hearings. Whilst it is noted that hearings remain ongoing in the TTPP, a full assessment against the relevant notified provisions of the TTPP has been provided in **Table 14** below.

Table 14: Assessment against the relevant Objectives and Policies of the TTPP.

Provision		Assessment
Strategic Directions		
NENV Natural Environment - Te Taiao		
Objective NENV- 01	<i>To recognise and protect the natural character, landscapes and features, ecosystems and indigenous biodiversity that contribute to the West Coast's character and identity and Poutini Ngāi Tahu's cultural and spiritual values.</i>	The natural character, landscapes and features, ecosystems and indigenous biodiversity will be appropriately protected through the design and implementation of the proposed eco-tourism pursuit. Mana whenua values have been identified and will be protected with ongoing consultation with Ngāti Waewae being undertaken.
Objective NENV- 02	<i>To ensure that the rights, interests and values of Poutini Ngai Tahu to natural environment areas and features are protected and provided for and that the ability to exercise kaitiakitanga and tino rangatiratanga is maintained and enhanced.</i>	
Objective NENV- 03	<i>To recognise:</i> <ol style="list-style-type: none"> a. <i>The substantial contribution to the protection of natural environment values that is made by the existence of public</i> 	



Provision		Assessment
	<p>conservation land in protecting significant areas, habitats and features;</p> <p>b. The need for infrastructure to sometimes be located in significant areas; and</p> <p>c. The need to support the ethic of stewardship and to consider the positive effects of the conservation estate in achieving the requirements of the RMA.</p>	
TRM Tourism – Te Tāpoi		
Objective TRM – O1	<p>To recognise the significance of tourism to the West Coast/Te Tai o Poutini economy by providing for sustainable tourism development while managing the adverse effects on the environment, communities and infrastructure. This includes:</p> <p>a. Supporting the development of visitor facilities and accommodation within and near existing settlements and communities and on public conservation land where appropriate;</p> <p>b. Supporting the development of cycling and walking connections between tourism sites;</p> <p>c. Providing for the development, maintenance and upgrading of supporting infrastructure;</p> <p>d. Ensuring that visitor facilities are connected to existing services and infrastructure;</p> <p>e. Managing the development and expansion of visitor activities and services so that the natural and cultural values, amenity and character of the West Coast/Te Tai o Poutini and its communities are maintained;</p> <p>f. Promoting a sustainable approach to tourism and minimising the adverse effects, and in particular cumulative adverse effects, of visitor activities and services on cultural values and wāhi tapu, natural values, amenity and landscape;</p> <p>g. Supporting Ngāti Waewae and Ngāti Māhaki o Makaawhio to exercise kaitiakitanga, and provide education about the cultural importance of maunga, other landforms, taonga and wāhi tapu to Poutini Ngāi Tahu and how to treat these areas with respect; and</p> <p>h. Supporting Poutini Ngāi Tahu in expansion of their tourism and visitor activities to deliver better economic outcomes for the hapū.</p>	<p>The proposal seeks to establish and operate a tourism development in a sustainable manner.</p> <p>The site is located just 2.5km from the Punakaiki township, whereby over 500,000 visitors are anticipated yearly. The development provides a much needed offering of visitor accommodation in this area and will be connected to existing services and infrastructure</p> <p>As assessed in Section 6 above, the proposal will have a less than minor and acceptable adverse effects on the natural and cultural values, amenity and character of the West Coast / Te Tai o Poutini and its communities.</p> <p>The proposal is consistent with this Objective and provides a high-quality and sustainable tourism offering.</p>
EIT – Energy, Infrastructure, and Transport – Te Pūngao, Te Tūāhanga, me Te Tūnuku		
TRN Transport - Te Tūnuku		
Objective TRN – O2	<p>To manage the effects of land transport infrastructure on the character, landscape and</p>	<p>The proposed accommodation, restaurant and spa facilities will</p>



Provision		Assessment
	<i>amenity of the towns, settlements and rural areas and minimise adverse effects on the environment.</i>	<p>create minimal traffic movements on and off the site. The access has been designed to manage this accordingly.</p> <p>Parking provisions have been designed in accordance with the BDP permitted standards and are suitable for the proposed use.</p> <p>The overall proposal is supported by the Transport Report (enclosed as Attachment [I]) and has been designed to ensure any adverse effects related to transport managed to be acceptable.</p>
Objective TRN – O3	<i>To enable accessibility, safety and connectivity of land transport infrastructure and consider the amenity of all transport users, including pedestrians and cyclists.</i>	
Objective TRN – O4	<i>To encourage resilience within the transport network to natural hazards and climate change reflecting its vital role in community wellbeing and economic activity.</i>	
Objective TRN – O5	<i>To ensure that the provision of safe and efficient parking, loading and access is consistent with the character, scale and intensity of the zone, the roading hierarchy and the activity being undertaken.</i>	
Policy TRN – P2	<p><i>Vehicle crossings and associated access will;</i></p> <ol style="list-style-type: none"> <i>a. Be designed and located to provide for safe, effective and efficient movement to and from sites;</i> <i>b. Minimise potential conflicts between vehicles, pedestrians and cyclists on the adjacent road network; and</i> <i>c. Manage vehicle access to and from sites adjacent to intersections, and where State Highways meet.</i> 	
Policy TRN – P8	<p><i>Manage the number, location and type of parking and loading spaces, including bicycle parking and electric car charging spaces to support the following:</i></p> <ol style="list-style-type: none"> <i>a. The safe, efficient and effective operation of the transport network;</i> <i>b. The functional and operational requirements of activities;</i> <i>c. The recognition of different activities having different trip characteristics;</i> <i>d. The use of sustainable transport options including cycling and walking;</i> <i>e. Provision of safe access and egress for vehicles, pedestrians and cyclists;</i> <i>f. Avoid or mitigate potential conflicts between vehicles, pedestrians and cyclists;</i> <i>g. Mitigation of stormwater contamination from vehicles through treatment of stormwater from large areas of car parking;</i> <i>h. Provision for flexible approaches to parking, including more efficient use of parking spaces, and reduce incremental and individual parking provision.</i> 	
Policy TRN – P9	<i>Require parking and loading areas to be designed so that reverse manoeuvring of vehicles onto or off the road does not occur in situations which will compromise:</i>	



Provision		Assessment
	<ul style="list-style-type: none"> a. The safe, effective and efficient operation of roads including State Highways; or b. Pedestrian access and amenity; or c. Safe and functional access. 	
HCV - Historic and Cultural Values – Ngā Uara ā-Ahurea, ā-Hītori Hoki		
SASM – Sites and Area of Significance to Māori – Ngā Wāhi Tāpua ki te Māori		
Objective SASM – O1	<i>Sites and areas of significance to Poutini Ngāi Tahu are recognised and identified and Poutini Ngāi Tahu are actively involved in decision making that affects their values to provide for tino rangatiratanga and kaitiakitanga.</i>	The Applicant has sought to engage with Ngāi Waewae through the preparation of this application and is committed to ongoing consultation as the proposal progresses through the consenting process and beyond.
Objective SASM – O2	<i>Poutini Ngāi Tahu are able to access, maintain and use areas and resources of cultural value within identified sites, areas and cultural landscapes.</i>	The proposed development will not inhibit Poutini Ngāi Tahu to access, maintain, and use areas and resources of cultural value.
Objective SASM- O3	<i>The values of sites and areas of significance to Māori and cultural landscapes are protected from inappropriate subdivision, use and development including inappropriate modification, demolition or destruction.</i>	The site is suitable for the proposed development, and mana whenua values will be protected through the implementation of appropriate management practices, including the EEMP proposed.
Policy SASM – P1	<i>Protect Poutini Ngāi Tahu cultural landscapes from adverse effects of subdivision, use and development while enabling their values to be enhanced through ongoing Poutini Ngāi Tahu access and cultural use.</i>	
Policy SASM – P3	<i>Upon accidental discovery of kōiwi (skeletal remains) or urupā ensure that the Accidental Discovery Protocol in Appendix Four is followed.</i>	The Applicant has proposed to implement an ADP at all times to ensure that the accidental discovery of kōiwi or urupā are appropriately managed in accordance with Appendix Four of the TTPP.
Policy SASM – P4	<i>Promote the provision or development of access for Poutini Ngāi Tahu to the identified sites and areas of significance to Poutini Ngāi Tahu listed in Schedule Three, including through:</i> <ul style="list-style-type: none"> a. <i>Formal arrangements, such as co-management, joint management or relationship agreements, easements and land covenants, or access agreements; and/or</i> b. <i>Informal arrangements or understandings between landowners and local Poutini Ngāi Tahu hapū and/or marae.</i> 	The Applicant is committed to ongoing consultation with Ngāi Waewae.
Policy SASM – P5	<i>Recognise and provide for the exercise of tino rangatiratanga and kaitiakitanga by Poutini Ngāi Tahu in decisions made in relation to identified sites and areas of significance in Schedule Three.</i>	
Policy SASM – P6	<i>Within the Pounamu and Aotea Management overlay, enable tino rangatiratanga and kaitiakitanga of the pounamu and aotea resource by Poutini Ngāi Tahu and avoid the disturbance</i>	The site is located within the Pounamu and Aotea Management overlay, however the Applicant has no intent to disturb or support



Provision		Assessment
	<i>or removal of this resource by non-hapū members.</i>	fossicking across the site for pounamu.
Policy SASM – P7	<p><i>Protect and maintain sites and areas of significance to Māori from adverse effects by:</i></p> <ul style="list-style-type: none"> <i>a. Ensuring identified sites and areas of significance to Māori are not disturbed, destroyed, removed and/or visually encroached upon by inappropriate activities; and</i> <i>b. Requiring activities on sites and areas of significance to Māori to minimise adverse effects on cultural, spiritual and/or heritage values, interests or associations of importance to Poutini Ngāi Tahu.</i> 	<p>The site is identified as a SASM, for ara tāwhito (traditional travel routes) which will not be affected as part of the proposal development. It is noted that all the proposed activities can be undertaken as permitted activities under the SASM chapter in the TTPP.</p> <p>Engagement with Ngāti Waewae is ongoing, and an ADP will be implemented, and an ecological enhancement project will enhance any cultural values related to indigenous flora and fauna.</p>
Policy SASM – P8	<p><i>Where an activity is proposed within any site or area of significance to Māori identified in Schedule Three ensure that:</i></p> <ul style="list-style-type: none"> <i>a. Engagement with Poutini Ngāi Tahu occurs to ensure that effects of the activity on the values of the site or area are understood;</i> <i>b. The accidental discovery protocol in Appendix Four is adopted for any earthworks;</i> <i>c. Any adverse effects on identified values are avoided, unless it can be demonstrated that due to the functional needs of the activity it is not possible to avoid all adverse effects; and</i> <i>d. Any residual effects that cannot be practicably avoided are mitigated in a way that protects, maintains or enhances the values of the site or area.</i> 	<p>It is considered that the adoption of the ADP, the minimal earthworks proposed, and the extensive ecological restoration works will ensure that adverse effects on cultural values will be avoided and mitigated as far as practicable.</p>
Policy SASM – P9	<p><i>Require that activities within identified sites and areas of significance to Poutini Ngāi Tahu that support taonga species and mahinga kai resources as identified in Schedule Three:</i></p> <ul style="list-style-type: none"> <i>a. Minimise adverse effects on indigenous habitats and waterbodies;</i> <i>b. Enable the maintenance and enhancement of these areas; and</i> <i>c. Maintain and where appropriate improve access for Poutini Ngāi Tahu to these areas.</i> 	
Policy SASM – P11	<p><i>Recognise the significance to Poutini Ngāi Tahu of the sites and areas of significance to Māori listed in Schedule Three and protect the identified values of these sites and areas by avoiding the following activities in, or in close proximity to, these areas;</i></p> <ul style="list-style-type: none"> <i>a. Mining and quarrying other than Poutini Ngāi Tahu collection of Pounamu and Aotea;</i> <i>b. Landfills and waste disposal facilities, hazardous facilities and offensive industries;</i> <i>c. Intensive indoor primary production;</i> 	



Provision		Assessment
	<ul style="list-style-type: none"> d. Cemeteries and crematoria; and e. Wastewater treatment plants and disposal facilities. 	
Policy SASM – P12	<i>Avoid the demolition or destruction of sites and areas of significance to Māori identified in Schedule Three.</i>	There will be no demolition or destruction of site or areas of significance to Māori.
Policy SASM – P15	<p><i>Allow any other use and development on sites and areas of significance to Māori in Schedule Three where it can be demonstrated that the identified values of the site or area are protected and maintained, having regard to:</i></p> <ul style="list-style-type: none"> a. <i>Whether there are alternative methods, locations or designs that would avoid or reduce the impact on the values associated with the site or area of significance;</i> b. <i>The functional or operational need for the activity to be undertaken in the location;</i> c. <i>Outcomes articulated by Poutini Ngāi Tahu through an assessment of environmental effects, cultural impact assessment or iwi planning documents;</i> d. <i>The potential to enhance the values of the site of significance and the relationship of Poutini Ngāi Tahu with their taonga, commensurate with the scale and nature of the proposal;</i> e. <i>How values of significance to Poutini Ngāi Tahu, including tikanga, kaitiakitanga and mātauranga Māori may be incorporated; and</i> f. <i>Any practical mechanisms to maintain or enhance the ability of Poutini Ngāi Tahu to access and use the site or area of significance for karakia, monitoring, cultural activities and ahi kā roa.</i> 	The values of the site are appropriately protected through the proposed development and the proposal has been considered in relation to (a) to (f).
Natural Environment Values – Ngā Uara Taiao Aotūroa		
ECO - Ecosystems and Indigenous Biodiversity – Ngā Pūnaha Rauropi me te Kanorau Koiora		
Objective ECO – 01	<i>To identify and protect areas of significant indigenous vegetation and significant habitats of indigenous fauna on the West Coast/Te Tai o Poutini.</i>	The proposed development is entirely appropriate for the receiving environment, with all built form being appropriately placed in accordance with the natural values on site. Further, the ecological enhancement proposed, and implemented through the EEMP, will ensure that there is a net gain in indigenous biodiversity of the site.
Objective ECO – 02	<i>To provide for appropriate subdivision, use and development within areas of significant indigenous vegetation and significant habitats of indigenous fauna where the values of the area can be maintained or enhanced.</i>	
Objective ECO – 03	<i>To provide for tino rangatiratanga in relation to management of areas of significant indigenous vegetation and significant habitats of indigenous fauna where these are located on Poutini Ngāi Tahu and Te Rūnanga o Ngāi Tahu land.</i>	The Applicant has sought to engage with Ngāti Waewae through the preparation of this application, and is committed to ongoing consultation as the proposal progresses through the consenting process and beyond, including on



Provision		Assessment
		the ecological enhancement project.
Objective ECO – O4	<i>To maintain the range and diversity of ecosystems and indigenous species found on the West Coast/Te Tai o Poutini.</i>	The proposal will ensure that the range and diversity of ecosystems found at the site are maintained, and enhanced.
Policy ECO – P4	<i>Provide for eco-tourism activities that complement the protection and/or enhancement of areas of significant indigenous vegetation or significant habitats of indigenous fauna and contribute to the vitality and resilience of the economy and wellbeing of the community.</i>	Whilst the site is not located within an area of significant indigenous vegetation or fauna, the proposal seeks to establish an eco-tourism activity that involves extensive ecological restoration as a key element of the overall development.
Policy ECO – P6	<p><i>When assessing consents for subdivision, use and development, avoid activities which will:</i></p> <ol style="list-style-type: none"> <i>Prevent an indigenous species or community being able to persist in their habitats within their natural range in the Ecological District;</i> <i>Result in a degradation of the threat status, further measurable loss of indigenous cover or disruption to ecological processes, functions or connections in land environments in category one or two of the Threatened Environment Classification at the Ecological District level; and</i> <i>Result in a reasonably measurable reduction in the local population of threatened taxa in the Department of Conservation Threat Categories 1 – 3a - nationally critical, nationally endangered and nationally vulnerable.</i> 	Indigenous habitats and ecosystems will be enhanced through the development and the proposed ecological enhancement project, whilst any effect on existing habitats and ecosystems will be avoided or mitigated to an acceptable level.
Policy ECO – P8	<p><i>Maintain indigenous habitats and ecosystems across the West Coast/Te Tai o Poutini by:</i></p> <ol style="list-style-type: none"> <i>Maintaining, and where appropriate enhancing or restoring the functioning of ecological corridors, linkages, dunes and indigenous coastal vegetation and wetlands;</i> <i>Minimising adverse effects on, and providing access to, areas of indigenous biodiversity which are significant to Poutini Ngāi Tahu;</i> <i>Restricting the modification or disturbance of coastal indigenous vegetation, dunes, estuaries and wetlands;</i> <i>Preserving protected wildlife; and</i> <i>Recognising the benefits of active management of indigenous biodiversity, including voluntary animal and plant pest and stock control and/or formal legal protection.</i> 	
Policy ECO – P10	<p><i>Protect indigenous biodiversity in the coastal environment from inappropriate subdivision, use and development by:</i></p> <ol style="list-style-type: none"> <i>Avoiding adverse effects on significant indigenous biodiversity; and</i> 	



Provision		Assessment
	b. <i>Avoiding, remedying or mitigating other adverse effects on indigenous vegetation, habitats and species within the coastal environment.</i>	
NFL - Natural Features and Landscapes - Ngā Āhua me ngā Horanuku Aotūroa		
Objective NFL – O1	<i>To protect the values of outstanding natural landscape and outstanding natural features on the West Coast/Te Tai o Poutini, while providing for subdivision, use and development where the values that make the landscape or feature outstanding can be maintained or enhanced.</i>	The proposed development, being a luxury eco-tourism offering, is well placed in the proposed location, noting the sensitive location of the buildings, and the architectural designs advanced. The natural values present at the site, and surrounding area, combine seamlessly with the overall proposal.
Policy NFL – P1	<p><i>Provide for activities within outstanding natural landscapes described in Schedule Five and outstanding natural features described in Schedule Six where they do not adversely affect the values that contribute to a natural feature or landscape being outstanding and are for:</i></p> <ul style="list-style-type: none"> a. <i>Existing land uses and lawfully established activities including existing network utilities, energy activities, agricultural, horticultural and pastoral activities;</i> b. <i>Conservation activities;</i> c. <i>Recreational activities;</i> d. <i>Natural hazard mitigation activities;</i> e. <i>Operation, maintenance and upgrade of renewable electricity generation facilities;</i> f. <i>Operation, maintenance and upgrading of network infrastructure;</i> g. <i>Upgrading and/or new infrastructure and renewable electricity generation facilities where there is a functional need for it to be located in these areas;</i> h. <i>Poutini Ngāi Tahu uses; or</i> i. <i>The alteration, maintenance or removal of existing buildings or structures.</i> 	<p>The proposal, as assessed in Section 6.1 above, and supported by Attachment [Q], will not significantly adversely affect the values that contribute to the nature landscape of Perpendicular Point.</p> <p>The proposed ecological enhancement project, design of built form, and mitigation proposed will ensure the proposal is consistent with these Policies.</p>
Policy NFL – P2	<i>Where possible, avoid significant adverse effects on the values that contribute to outstanding natural landscapes described in Schedule Five and outstanding natural features described in Schedule Six. Where significant adverse effects cannot be avoided, ensure that the adverse effects are remedied, mitigated or offset.</i>	
Policy NFL – P3	<i>Recognise that there are settlements, farms and infrastructure located within outstanding natural landscapes or outstanding natural features and provide for new activities and existing uses in these areas where the values that contribute to the outstanding natural landscape or feature are not adversely affected.</i>	The proposal is for a restoration of an existing site that has been farmed and grazed for a long period of time, with the development outcomes sympathetic to the landscape.
Policy NFL - P4	<i>Require that new buildings, structures within outstanding natural features or landscapes minimise any adverse visual effects by:</i>	The proposed built form has been architecturally designed to ensure that it blends seamlessly into the



Provision		Assessment
	<ul style="list-style-type: none"> a. Ensuring the scale, design and materials of the building and/or structure are appropriate in the location; b. Using naturally occurring building platforms, materials and colour that blends into the landscape; and c. Limiting the prominence or visibility of buildings and structures including by integrating it into the outstanding natural feature or landscape. 	<p>surrounding environment and is of a scale that is entirely appropriate for the site.</p> <p>Each built form is to be screened using indigenous vegetation and bunding as so far that they are not visually prominent from within, or outside of, the site.</p>
Policy NFL – P5	<p>Minimise adverse effects on outstanding natural landscapes and outstanding natural features by considering the following matters when assessing proposals for land use or subdivision:</p> <ul style="list-style-type: none"> a. The scale of modification to the landscape; b. Whether the proposal is located within a part of the outstanding natural feature or outstanding natural landscape that has capacity to absorb change; c. Whether the proposal can be visually integrated into the landscape and whether it would break the skyline or ridgelines; d. The temporary or permanent nature of any adverse effects; e. The functional, technical, operational or locational need of any activity to be sited in the particular location; f. Any historical, spiritual or cultural association held by Poutini Ngāi Tahu; g. Any positive effects the development has on the identified characteristics and qualities; h. Any positive effects at a national, regional and local level; i. Any relevant public safety considerations; and j. The measures proposed to mitigate the effects on the values and characteristics, including: <ul style="list-style-type: none"> k. The location, design and scale of any buildings or structures, or earthworks; l. The intensity of any activity; and m. The finish of any buildings or structures, including materials, reflectivity and colour; and landscaping and fencing. 	<p>The matters listed in (a) to (m) have been considered from the outset, both in terms of master planning and architectural design.</p> <p>The built form has been designed to be of a scale suitable to the surrounding landform, whilst also being visually integrated into the site's landscape. The proposed EEMP and ecological enhancement will provide for natural, ecological, and cultural values on the site.</p>
PA – Public Access – Te Aheinga Tūmatanui		
Policy PA – O1	<p>To maintain and enhance customary and public access to and along the coastal marine area, waterbodies and public resources.</p>	<p>The site has been in private ownership for a significant period of time, with no direct public access through the site to the coastal marine area. The proposal is likely to enhance public access to the coastal marine area, albeit noting that at this point, no specific infrastructure is proposed to</p>



Provision		Assessment
		facilitate direct access to the beach / shore environment.
NC - Natural Character and Margins of Waterbodies - Ngā Āhua me ngā Mahi ka Noho Hāngai ki ngā Hopua Wai		
Objective NC – O1	<i>To preserve the natural character of lakes, rivers and wetlands and their margins while providing for appropriate subdivision, use and development where adverse effects can be avoided or mitigated.</i>	The site comprises a number of wetlands and streams. No works in the wetlands or streams are proposed, and the earthworks associated with the development will be managed in accordance with an CMP to ensure any potential adverse effects on the wetlands and/or streams are appropriately avoided or mitigated.
Objective NC – O2	<i>To recognise and provide for the relationship of Poutini Ngāi Tahu and their traditions, values and interests associated with the natural character of lakes, rivers and wetlands and their margins.</i>	The Applicant has sought to engage with Ngāi Waewae through the preparation of this application and is committed to ongoing consultation as the proposal progresses through the consenting process and beyond, including on the ecological enhancement project.
Objective NC – O3	<i>To provide for activities which have a functional need to locate in the margins of lakes, rivers and wetlands in such a way that the impacts on natural character are minimised.</i>	It is not anticipated that any activity will be located within the margin of waterbodies, noting that all proposed built forms have been appropriately located in accordance with the Ecology Reports (Attachment [E] and [S]) recommendations.
Policy NC – P1	<i>Minimise the adverse effects of activities on the natural character of the riparian margins of lakes, rivers and wetlands by ensuring that subdivision and land use maintains the elements, patterns and processes that contribute to their natural character.</i>	
Policy NC – P2	<i>Provide for indigenous vegetation removal and earthworks within riparian margins of lakes, rivers and wetlands where significant adverse effects on natural character are minimised as far as practicable and:</i> <ol style="list-style-type: none"> a. <i>It is for the purpose of natural hazard mitigation; or</i> b. <i>It is for the maintenance, repair, upgrade and extension of network utilities and infrastructure including the national grid; or</i> c. <i>It is for the establishment, operation, maintenance or upgrading of renewable electricity generation structures or infrastructure where this has a functional or operational need to be located in a riparian margin; or</i> d. <i>It is for Poutini Ngāi Tahu cultural purposes; or</i> e. <i>It is for the repair and maintenance of legally established structures; or</i> f. <i>The activity has a functional or operational need to be located adjoining a waterbody.</i> 	No indigenous vegetation clearance is proposed in the riparian margins of lakes, rivers or wetlands.



Provision		Assessment
Policy Nc – P4	<i>Encourage the restoration and enhancement of the natural character of the riparian margins of lakes, rivers and wetlands.</i>	The Applicant proposes to implement an EEMP, which includes the restoration and enhancement of the natural character of the riparian margins of waterbodies.
General District-Wide Matters – Ngā Kaupapa ā-Rohe Whānui		
CE - Coastal Environment - Te Taiao o te Takutai		
Objective CE – O1	<i>To preserve the natural character, landscapes and biodiversity of the coastal environment while enabling people and communities to provide for their social, economic and cultural wellbeing in a manner appropriate for the coastal environment.</i>	The proposal provides for the social, economic, and cultural well-being by providing a sustainable tourist offering which will stimulate the local economy, whilst not impeding on the sites outstanding landscape values of the coastal environment.
Objective CE – O2	<i>The relationship of Poutini Ngāi Tahu with their cultural values, traditions, interests and ancestral lands in the coastal environment is recognised and provided for and Poutini Ngāi Tahu are able to exercise tino rangatiratanga and kaitiakitanga.</i>	The Applicant has engaged with Ngāi Waewae through the preparation of this application and is committed to ongoing consultation as the proposal progresses through the consenting process and beyond, including on the EEMP and enhancement of the site.
Objective CE – O3	<i>To provide for activities which have a functional need to locate in the coastal environment in such a way that the impacts on natural character, landscape, natural features, access and biodiversity values are minimised.</i>	<p>The objective is derived from the direction in the NZCPS and the WCRPS. The NZCPS recognises in Objective 6 that there are some activities which have a functional requirement to locate in the coastal environment, for example ports which are specifically provided for in the NZCPS.</p> <p>Whilst the NZCPS does not specifically recognise “operational need” which has a much wider application, the WCRPS, in relation to the coastal environment, does provide for a technical, function or operational requirement. The s42a planning report has recommended revised wording to include operational need in this condition (the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints).</p> <p>The selected location is intrinsic to the proposal, whereby the Applicant seeks to establish a coastally situated luxury eco-tourism offering. The lodge, and associated cabins, would not be proposed in alternative location (such as further inland, outside of the coastal environment) as this detracts from the core concept of the overall proposal.</p>



Provision		Assessment
		As assessed above, the proposal will maintain, and in terms of ecological values enhance, natural character, landscape, natural features, access and biodiversity values. As such, this Objective supports the proposal, which has a functional (or operational, as per the s42a report) need to be located within the coastal environment.
Policy CE – P2	<p><i>Preserve the natural character, natural features and landscape qualities and values of areas within the coastal environment that have:</i></p> <ul style="list-style-type: none"> a. <i>Significant indigenous biodiversity including Significant Natural Areas as described in Schedule Four</i> b. <i>Outstanding natural landscapes as described in Schedule Five;</i> c. <i>Outstanding natural features as described in Schedule Six;</i> d. <i>High coastal natural character as described in Schedule Seven; and</i> e. <i>Outstanding coastal natural character as described in Schedule Eight</i> 	The site is located within an area identified as outstanding natural landscape, high coastal natural character, and outstanding coastal natural character. The proposal has incorporated the characteristics and values attributed to each of these overlays to ensure that natural character, natural features, and landscape qualities and values within the coastal environment are preserved and enhanced where applicable.
Policy CE – P3	<p><i>Only allow new subdivision, use and development within areas of outstanding and high coastal natural character, outstanding coastal natural landscapes and outstanding coastal natural features where:</i></p> <ul style="list-style-type: none"> a. <i>The elements, patterns, processes and qualities that contribute to the outstanding or high natural character or landscape are maintained;</i> b. <i>Significant adverse effects on natural character, natural landscapes and natural features, and adverse effects on areas of significant indigenous biodiversity, areas of outstanding natural character and outstanding natural landscapes and features are avoided;</i> c. <i>The development is of a size, scale and nature that is appropriate to the environment;</i> d. <i>It is for a Poutini Ngāi Tahu cultural purpose; or</i> e. <i>It is National Grid infrastructure that has a functional and operational need to locate in these areas.</i> 	<p>The proposed development is consistent with this Policy as the design has incorporated the specific values attributed to the outstanding and high coastal natural character of the area. The overall development is at an appropriate scale for the receiving environment whilst ensuring that significant adverse effects will be avoided.</p> <p>Through the implementation of natural design features in the proposed built form, the ecological enhancement project, and the mitigation proposed throughout the project, the elements, patterns, processes and qualities that contribute to the outstanding or high natural character or landscape will be maintained.</p>
Policy CE – P3	<p><i>Provide for buildings and structures within the coastal environment outside of areas of outstanding coastal natural character, outstanding natural landscape and outstanding natural features where these:</i></p> <ul style="list-style-type: none"> a. <i>Are existing lawfully established structures; or</i> b. <i>Are of a size, scale and nature that is appropriate to the area; or</i> c. <i>Are in the parts of the coastal environment that have been historically</i> 	



Provision		Assessment
	<p><i>modified by built development and primary production activities; or</i></p> <p><i>d. Have a functional or operational need to locate within the coastal environment.</i></p>	
EW – Earthworks – Te Huke Whenua		
Objection EW – O1	<i>To provide for earthworks to facilitate subdivision, use and development of the West Coast/Te Tai o Poutini's land resource, while ensuring that their adverse effects on the surrounding environment are avoided or mitigated.</i>	<p>The CMP will promote an active management approach to ensure the erosion and sediment controls are all adequate prior to any significant rainfall events, including pre and post event inspections of the effectiveness of the measures proposed by the ESCP.</p> <p>The risk of potential discharge of sediment will be limited in duration while the earthworks are undertaken, and land is disturbed. The erosion and sediment controls will be effective at minimising the release of sediment into the existing reticulated stormwater management network.</p>
Policy EW – P1	<i>Enable temporary and small scale earthworks for the subdivision, use and development of land, the provision of utilities, and hazard mitigation, while managing those with the potential to create significant adverse effects.</i>	
Policy EW – P2	<i>Manage the effects of earthworks to minimise impacts on landscape character, amenity, natural features, water quality, biodiversity, cultural and heritage sites and the quality of the environment.</i>	
Policy EW – P3	<i>Require the use of accidental discovery protocols to mitigate the potential risk to earthworks to archaeological sites and sites and areas of significance to Māori and archaeological sites that are not scheduled in the Plan.</i>	
LIGHT – Light – Ngā Rama		
Objective LIGHT – O1	<i>Artificial outdoor lighting enables night-time work, rural productive activities, recreation activities, sport, entertainment activities, transportation and public health and safety.</i>	<p>Lighting has been designed to ensure that it is located, designed and operated to maintain the character and amenity values of the site, and surrounds. It will be managed in accordance with these provisions through the ELMP.</p>
Objective LIGHT – O2	<i>Artificial outdoor lighting is located, designed and operated to maintain the character and amenity values within zones, so that it does not adversely affect the health and safety of people, the safe operation of the transport network, protects views of the night sky, the habitats and ecosystems of nocturnal native fauna and the species themselves.</i>	
Policy LIGHT – P1	<p><i>Provide for the use of artificial outdoor lighting that:</i></p> <ul style="list-style-type: none"> <i>a. Allows people and communities to enjoy and use sites and facilities during night time hours and contributes to the security and safety of private and public spaces;</i> <i>b. Maintains the character and amenity values of the zone and surrounding area;</i> <i>c. Supports the social, cultural, and economic wellbeing or health and safety of people and communities, including road safety;</i> <i>d. Minimises sky glow and light spill; and</i> <i>e. Protects the health and well-being of people and ecosystems.</i> 	



Provision		Assessment
Policy LIGHT – P2	<p>Enable artificial outdoor lighting where this is:</p> <ol style="list-style-type: none"> Of short duration outside of daylight hours associated with temporary activities; and Artificial outdoor lighting for the purpose of emergency response or public health and safety. 	
Policy LIGHT – P3	<p>Control the intensity, location and direction of any artificial outdoor lighting to:</p> <ol style="list-style-type: none"> Ensure that any artificial outdoor lighting avoids conflict with existing light sensitive areas and uses; Internalise light spill within the site where the outdoor lighting is located; Minimises adverse effects on views of the night sky and intrinsically dark landscapes including in areas of outstanding coastal natural character; Minimises adverse effects on the significant habitats of light sensitive native fauna and the species themselves; and Minimises adverse effects on the health and safety of people and communities in the surrounding area. 	
NOISE – Noise – Ngā Oro		
Objective NOISE – O1	<p>The benefits of noise generating activities are provided for in a way that is compatible with the role, function and character of each zone and does not compromise community health, safety and wellbeing.</p>	<p>The site is not anticipated to generate significant noise; however, it will be managed to achieve consistency with these provisions.</p>
Objective NOISE – O3	<p>The health and wellbeing of people and communities are protected from significant levels of noise.</p>	
Policy NOISE – P1	<p>Enable the generation of noise when it is of a type, character, scale and level that is appropriate to the zone, having regard to:</p> <ol style="list-style-type: none"> The purpose, character and qualities of the zone that the activity is located in; The nature, frequency and duration of the noise generating activity; Whether the noise generating activity is critical infrastructure; Methods of mitigation; and The sensitivity of the surrounding environment. 	
Policy NOISE – P4	<p>Ensure noise effects generated by an activity are of a type, scale and level that are appropriate for the predominant role, function and character of the receiving environment and protect the health and wellbeing of people and communities by having regard to:</p> <ol style="list-style-type: none"> Maximum noise limits to reflect the character and amenity of each zone; 	



Provision		Assessment
	<ul style="list-style-type: none"> b. <i>Type, scale and location of the activity in relation to any noise sensitive activities;</i> c. <i>Hours of operation and duration of activity;</i> d. <i>The temporary or permanent nature of any adverse effects; and</i> e. <i>The ability to internalise and/or minimise any conflict with adjacent activities.</i> 	
SIGN – Signs – Ngā Tohu		
Objective SIGN – O1	<p><i>Signs contribute to the social, cultural and economic wellbeing of the West Coast/Te Tai o Poutini while:</i></p> <ol style="list-style-type: none"> 1. <i>Supporting the needs of business, infrastructure and community activities;</i> 2. <i>Ensuring that the character and amenity values of the surrounding area are maintained or enhanced and protected from any adverse visual and amenity effects; and</i> 3. <i>Maintaining public safety.</i> 	<p>One sign is proposed at the entrance of the site to assist with directed visitors from SH6. The sign will not adversely affect traffic safety, nor will it adversely affect landscape, natural character and amenity values of the area.</p>
Policy SIGN – P2	<i>Ensure the landscape, natural character and amenity values of residential areas, settlements, rural areas, open space and outstanding natural landscapes and features are protected from adverse visual and amenity effects from large areas or numbers of signs.</i>	
Policy SIGN – P3	<i>Ensure that signs do not adversely affect traffic safety of all road users including motorists, cyclists, pedestrians, or obstruct roads or footpaths.</i>	
Policy SIGN – P4	<i>Ensure signs relating to a particular activity or/use of land or buildings on the site are located at the site of that activity, land or building.</i>	
Policy SIGN – P5	<i>To support the use of bilingual signage and the use of traditional Poutini Ngāi Tahu place names within the District.</i>	
TEMP – Temporary Activities – Ngā Mahi Taupua		
Objective TEMP – O1	<i>To provide for temporary activities where they contribute to social, economic and cultural wellbeing of the West Coast.</i>	<p>Temporary construction activities will be required to establish the overall development. These will contribute to the social, economic and cultural wellbeing of the West Coast whilst being managed to ensure adverse effects on amenity values are kept to an acceptable level.</p>
Policy TEMP – P1	<i>Enable temporary construction and demolition structures while minimising their adverse effects on amenity values of adjacent sites.</i>	
Zones – Ngā Takiwā		
RURZ – Rural Zones – Objectives and Policies – Ngā Whāinga me ngā Kaupapa Here		
Objective RURZ – O1	<i>To provide for a range of activities, uses and developments that maintain the amenity and rural character values of the rural environment, while retaining highly productive land and rural activities, and supporting a productive rural working environment.</i>	<p>The site is identified as a Rural Zone within the TTPP, and the proposed development has been designed to assimilate seamlessly with the surrounding environment, noting that the rural environment</p>



Provision		Assessment
Policy RURZ – P1	<p>Enable a variety of activities to occur within RURZ - Rural Zones while maintaining rural amenity and character. Outside of settlements, activities should:</p> <ol style="list-style-type: none"> For buildings and structures have a bulk and location that is characteristic of rural environments; Maintain privacy and rural outlook for residential buildings; Be compatible with existing development and the surrounding area; Have appropriate setbacks from the road and significant natural and cultural features; Minimise adverse visual effects if sited on prominent ridges or immediately adjacent to public roads; and Have awareness of cultural landscapes and avoid activities being located on the ridgelines and peaks of ancestral mountains. 	<p>forms a critical part of the visitor and tourist economy of the region whereby the proposal will assist with this.</p> <p>The proposal is consistent with these provisions.</p>
Policy RURZ – P6	<p>Recognise that the rural areas may be the most appropriate location for some utility, industrial or commercial uses to establish, where these have a functional relationship with rural areas, provided the character and amenity of the rural areas is maintained and adverse effects are managed.</p>	
Policy RURZ – P7	<p>Recognise that where non rural activities are located in rural areas, this should not be to the detriment of the effective function of towns and settlements, or to avoid the costs of connection to community funded infrastructure.</p>	
Policy RURZ – P8	<p>Provide for new commercial and industrial activities within settlements where this does not detract from residential amenity.</p>	
Policy RURZ – P9	<p>Recognise that the rural areas form an important part of the visitor economy of the West Coast/Te Tai o Poutini, particularly as a location where tourism and visitor attractions are established.</p>	
Policy RURZ – P10	<p>Support the development of appropriate tourism and visitor businesses such as accommodation, education and other facilities which relate to the rural environments in which they are located.</p>	

Overall, the proposal is consistent with, and not contrary to, the provisions of the TTPP.

7.3 Section 104B, RMA

In accordance with Section 104B of the RMA, after considering an application for a resource consent for a non-complying activity, a consent authority:

- May grant or refuse the application; and
- If it grants the application, may impose conditions under section 108 of the RMA.

Any adverse effects can be appropriately mitigated, avoided or remedied to be less



than minor and acceptable. Therefore, the consent authority should grant the application and, under s188A, may only impose conditions on the resource consent where:

- (a) the applicant for the resource consent agrees to the condition; or
- (b) the condition is directly connected to 1 or more of the following:
 - (i) an adverse effect of the activity on the environment;
 - (ii) an applicable district or regional rule, or a national environmental standard;
 - (iii) a wastewater environmental performance standard made under section 138 of the Water Services Act 2021;
 - (iv) a stormwater environmental performance standard made under section 139A of the Water Services Act 2021; or
- (c) the condition relates to administrative matters that are essential for the efficient implementation of the relevant resource consent.

The Applicant requests an opportunity to review and provide feedback on any conditions drafted.

7.4 Section 104D, RMA

As a non-complying activity, the proposal must meet the 'gateway' tests of Section 104D of the RMA, specifically the application may only be granted if the decision maker is satisfied that:

- a. The adverse effects of the activity (except where Section 104(3)(a)(ii) of the RMA applies) will be minor; or
- b. The application is not contrary to the Objective and policies of the relevant plan and/or proposed plan.

As identified in **Section 6** above, the adverse effects on the environment arising from the proposed development will be less than minor. As identified above in **Section 7.2** above, the application has also been assessed against the provisions of the operative proposed plan and it is not contrary to those provisions.

7.5 Part 2, RMA

A consent authority is generally no longer required to consider Part 2 of the RMA beyond its expression in the relevant statutory documents. Notwithstanding this and noting the requirements of Schedule 4 of the RMA, we provide the following assessment against Part 2 of the RMA.

Part 2 defines the purpose of the RMA, which is to promote the sustainable management of natural and physical resources. The sustainable management definition is in two parts, the first of which may be regarded as an enabling provision for resources to be used in a way that enables people and communities to provide for their economic, social and cultural well-being and for their health and safety.

Provision of eco-tourism facilities that incorporate the natural character of the area into their design is strongly consistent with this part of the definition. The West Coast, and Punakaiki more specifically, is reliant on tourism activities to provide for its economic, social and cultural well-being. In this regard, the proposal will facilitate land to be used



for recreation and tourism purposes and in meeting the needs of the community. The proposal has also sufficiently incorporated safety into its design through extensive hazard investigation and mitigation.

The second part of the RMA's definition of sustainable management contains three limbs related to the values of resources and management of effects on the environment. These will also be fully implemented by the proposal. Specifically:

- a) The luxury eco-tourism development will provide essential recreational and opportunities for present and future generations. By developing the site for a tourism offering, whilst incorporating an ecological enhancement program, through the proposed EEMP, the natural and physical resources will be sustained to ensure future visitors keep coming to the region whilst promoting an ongoing appreciation of the environment;
- b) The proposal will not adversely affect the life-supporting capacity of air, water, soil, and ecosystems. The site will be equipped with necessary infrastructure services, and the ecological enhancement program will actively restore and maintain native vegetation, ensuring the health and diversity of local ecosystems; and
- c) As detailed within **SECTION 6** above, any adverse effects from the proposed will be avoided, remedied, or mitigated. The development will incorporate sustainable practices to ensure that any environmental impacts are minimal and the overall natural character and ecological integrity of the site are enhanced.

Section 6 of the RMA sets out those matters of national importance which persons exercising powers and functions under the RMA need to recognise and provide for. Of relevance in this instance is the following:

- 6(a) – the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- 6(b) – the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- 6(c) – the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- 6(d) – the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (e) – the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- ...
- 6(h) – the management of significant risks from natural hazards.*

The natural character of the coastal environment, wetlands, rivers and their margins, will be appropriately protected and preserved through the implementation of this proposal. The built form has been designed to be in synergy with the receiving environment, and setbacks will be applied to all wetlands and streams present on the site. Further, through the extensive rehabilitation and enhancement project across the site, the margins of both wetlands and rivers will be enhanced.



It is acknowledged that the site is located within an area of outstanding landscape with the design of the overall development incorporating natural features of the surrounding landscape. Further, the development has been assessed in accordance with the relevant assessment criteria of all statutory documents showing a cohesion between the relevant provisions and the overall design of the proposal. The outstanding landscape will be appropriately protected.

The site has been historically farmed, with an extensive array of invasive species present across the site. Where indigenous vegetation is present, it will be protected, and the implementation of the EEMP will ensure that indigenous biodiversity of the site will be enhanced.

There will be no impedance of public access to the coastal marine area, lakes or rivers due to the proposed development.

In recognition of the cultural values present at the site and surrounds, the Applicant has sought to engage with Ngāti Waewae, with a view to obtaining feedback and input into the broad proposal, as well as the EEMP.

Notwithstanding the above, this report has undertaken a comprehensive review of relevant cultural interests in the locality, with this informed by the BDP, TTPP, and relevant Iwi Management Plan with no critical issues of cultural concern identified.

The Applicant will continue to engage with iwi, with a view to ensuring appropriate cultural inputs and values are incorporated into the subsequent planning and design phase of the project, including the ecological enhancement programme. In addition, it is anticipated that appropriate stormwater and wastewater management will be undertaken, and accidental discovery protocols applied across the site as development progresses.

The site has undertaken a comprehensive hazard assessment, with the findings implemented into the design and layout of the proposal. All potential hazards will be appropriately avoided as such.

Section 7 of the RMA sets out those ‘other matters’ which persons exercising powers and functions under the Act need to have particular regard to. Of most relevance in this instance are:

7(b) – The efficient use and development of natural and physical resources.

7(c) – The maintenance and enhancement of amenity values.

7(f) – Maintenance and enhancement of the quality of the environment.

The proposed site is strategically located at within the frequently visited Punakaiki area and falls within an area for which tourism related development has been enabled and recognised by the TTPP. By its location it will maximise access to and contribute to the efficient use and development of the land resource. Physically, the proposal will be developed to a high standard required by the BDP and TTPP and will contribute towards high amenity values and the quality of the environment.



Section 8 of the RMA states that persons exercising powers and functions under the Act need to take into account the principles of the Te Tiriti o Waitangi. In this regard, the principles of the Te Tiriti o Waitangi have been taken into account, noting that there are no known sites of cultural significance specific to the site that will be adversely affected, and ongoing engagement with mana whenua will take place throughout the development of the site.

Overall, the proposed luxury eco-tourism offering on the site is strongly consistent with and gives effect to the purpose and principles of the RMA.

7.6 Summary

The proposal is considered to be consistent with the overriding themes of the relevant provisions of the NZCPS, NPS-FM, NPS-IB and RPS, BDP, and the TTPP. In this regard, the establishment of tourism facilities in this location is considered to contribute positively to the receiving environment and the overall values of the Punakaiki region with any adverse effects of the development able to be appropriately controlled through conditions such that they are less than minor.

Overall, the proposed development responds to the ongoing visitor pressures in Punakaiki, with the site master planning and architectural design serving to maintain the landscape and visual amenity of the site and surrounds, and assisting to enhance the ecological values and natural character of the site.



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Supporting Information:

SHAREFILE LINK:

[REVISED AEE AND SUPPORTING DOCUMENTS](#)

- [A] Application Form/s
- [B] Record of Title and Topographic Survey Plan
- [C] Historical Site Imagery
- [D] Existing Infrastructure Details
- [E] Desktop Ecology Report
- [F] Natural Hazard Assessment
- [G] Selected Land Use Sites Register Report
- [H] Historical Site Use Letter
- [I] Transport Assessment
- [J] Archaeological Records
- [K] Site Master Plan
- [L] Architectural Drawings
- [M] Site Access Upgrade Plan
- [N] Earthworks, Water Supply, Wastewater and Stormwater Report
- [O] Landscape Earthworks Plan and Details
- [P] Vegetation Management Plan
- [Q] Landscape and Visual Assessment
- [R] Landscape and Visual Graphical Attachments
- [S] Detailed Ecological Report
- [T] Environmental Lighting Report
- [U] Addendum to Landscape Assessment (Peer Review Response)
- [V] Aotea Electric Confirmation of Power Supply

