

**BEFORE AN INDEPENDENT HEARING PANEL APPOINTED BY THE
BULLER DISTRICT COUNCIL**

S42A PLANNING REPORT

APPLICATION FOR RESOURCE CONSENT

ACG PROPERTIES LIMITED

In The Matter of the
Resource Management Act 1991 ("**the Act**") and

Resource Consent Application:
RC240079

By ACG Properties Limited

Hearing Date: Monday 27 July 2026

Hearing Location: NBS Theatre Complex, Palmerston Street, Westport

Hearing Commissioners: Mr Gary Rae (Chair) and Mr Tim Harris

CONTENTS

1.0 Foreword	Page 2
2.0 Introduction	Page 2
Technical Reviews	Page 2
3.0 Existing Environment	Page 2
4.0 Application description	Page 3
Timeline	
Table 1 – Applicant’s Superseded and Replacement Documentation	Page 4
Outline of Proposal	Page 5
West Coast Regional Council Consents	Page 7
5.0 Operative Buller District Plan	Page 8
Table 2 - Reasons for consent under BDP	Page 8
6.0 Te Tai O Poutini Decisions Version	Page 12
Table 3 Reasons for consent under TTPPDV	Page 13
Council Position on consents required under TTPPDV	Page 17
7.0 Notification and Submissions	Page 17
Table 4 Summary of Submissions	Page 18
Section 100 of the Act	Page 23
8.0 Consideration of Application - Section 104 of the Act	Page 23
9.0 Actual and Potential Effects on the Environment - Section 104(1)(a) of the Act	Page 24
Permitted Baseline	Page 24
Effects on the Environment	Page 24
Overall Conclusion on Effects on the Environment	Page 40
10.0 Relevant Provisions of Statutory Documents – Section 104(1)(b) of the Act	Page 42
New Zealand Coastal Policy Statement 2010	
Table 5 - Assessment against NZCPS	Page 42
National Policy Statement for Freshwater Management 2020	
Table 6 - Assessment against NPS-FM	Page 51
National Policy Statement for Indigenous Biodiversity 2023	
Table 7 - Assessment against NPS-IB	Page 52
National Policy Statement for Natural Hazards 2025	
Table 8 - Assessment against NPS-NH	Page 54
West Coast Regional Policy Statement	
Table 9 – Assessment against RPS	Page 55

Buller District Plan	
Table 10 – Assessment against BDP	Page 66
Te Tai o Poutini Plan Decisions Version	
Table 11 – Assessment against TTPPDV	Page 71
Overall Conclusion on Statutory Documents	Page 89

11.0 Other Matters - Section 104(1)(b) of the Act	Page 90
--	---------

12.0 Non-Complying Activity Restrictions - Section 104D of the Act	Page 90
---	---------

Test 1 - Adverse effects on the environment	Page 90
Test 2 - Objectives and Policies	Page 90

13.0 Part 2 of the Act	Page 90
-------------------------------	---------

14.0 Recommendation	Page 92
----------------------------	---------

Appendices

Appendix One	Technical Reviews for Council
Appendix Two	Pre-hearing Meeting Report
Appendix Three	Applicant & DOC Correspondence – 26 June 2026
Appendix Four	Key Application Plans
Appendix Five	Applicant's TTPPDV Rule Assessment
Appendix Six	Issues Raised in Submissions
Appendix Seven	Consent Conditions – Working Version

SECTION 42A REPORT – APPLICATION: RC240079

From: Jessica Hollis, Buller District Council Reporting Planner
To: Hearing Commissioners – Mr Gary Rae and Mr Tim Harris
Subject: Section 42A Planning Report for RC240079
Hearing Date: 27 July 2026

Applicant: ACG Properties Limited
Subject Site: 4663 State Highway 6, Te Miko, Punakaiki
Legal Description: Part Section 1 Block IX Brighton Survey District, RT NL10D/1176

Zoning – Operative Buller District Plan:

Paparoa Character Area
Historic Place - #60 Sea Caves

Zoning – Te Tai o Poutini Plan Decisions Version:

General Rural Zone
Coastal Environment Overlay (entire site)
High Coastal Natural Character: NCA 43 – Te Miko (over the majority of the site with the balance land area within an Outstanding Coastal Natural Character Area)
Outstanding Coastal Natural Character: NCA 42 - Dolomite Point Pancake Rocks (in part), NCA44 - Woodpecker Bay foothills to Needle Point (in part)
Outstanding Natural Landscape - ONL 45 - Ōkoriko/Razorback, Dolomite, and Perpendicular Point (entire site)
Sites and Areas of Significance to Māori - SASM 30 – Te Miko (Ara tāwhito) (part of site)
Coastal Inundation 2 Hazard Overlay (along coastal edge/perimeter of site)
State Highway Road Noise Overlay (alongside State Highway 6)
Designation – NZTA1 covers State Highway 6 – access upgrade works proposed

Consents Sought: Land Use consent to establish and operate a luxury lodge and visitor accommodation development, named 'Punakaiki Wild'. The proposed development involves a luxury lodge (comprising a restaurant, bar and spa facility), 12 self-contained visitor accommodation cabins, a worker's accommodation building, a lodge support / utility building, along with associated access, parking, infrastructure and earthworks, and ecological restoration planting throughout the site. The proposal includes works within the legal road reserve of State Highway 6 to upgrade the access.

1.0 Foreword

- 1.1 I request the opportunity to provide an addendum or additional evidence if necessary at the time the s42A report is presented to the hearing. The addendum will not materially change the report or the position adopted with regard to the analysis of the application. It may however provide further information regarding the assessment of the actual and potential effects or address matters raised by the submitters.

2.0 Introduction

- 2.1 My name is Jessica Hollis and I hold a Bachelor in Resource Studies, majoring in Environmental Management, from Lincoln University. I am an Associate Member of the New Zealand Planning Institute. I have over 20 years' experience in the field of resource management / planning. During this time, I have been employed in various positions in local government, central government and private companies, including extensive experience with statutory resource consent planning in various regions throughout New Zealand.
- 2.2 I currently operate as an independent resource management consultant based in Christchurch, and I have also been employed by Canterbury Regional Council since the beginning of May 2026 in a systems design and iwi partnership innovation role.
- 2.3 Whilst this s42A report is not prepared as evidence for the Environment Court, I have read and understand the Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023. This s42A report is within my area of planning expertise and where I have relied upon, or drawn conclusions based on, the information and opinions of other technical experts, this is stated.

Technical Reviews

- 2.4 To assist in the consideration of this resource consent application and the preparation of this s42A report, Buller District Council ("**Council**") has engaged independent technical advice from Mr Stephen Brown of Brown NZ Limited (landscape, natural character and visual effects) and Dr Gary Bramley of Ecological Solutions Limited (effects on avifauna). The respective reviews are contained in Appendix One to this s42A report and are referred to herein as the 'Brown landscape review' and 'Bramley avifauna review'.
- 2.5 The application, including supporting technical reports, have also been reviewed by Council's Development Engineer – Ms Sarie van der Walt, and Council's Manager Building – Mr Richard Knudsen. Ms van der Walt will be in attendance at the hearing.

3.0 Existing Environment

- 3.1 The application site ("**the site**") is located at 4663 SH6, Te Miko, Punakaiki, and is legally described as Part Section 1 Block IX Brighton Survey District, held in Record of Title NL10D/1176. The applicant and landowner of the site is ACG Properties Limited ("**the applicant**").
- 3.2 I undertook a visit to the site on 11 February 2025, accompanied by the applicant's agent - Mr Daniel Thorne of Town Planning Group, and the applicant's project manager - Mr Ant Beale. Having previously lived in Westport and worked along the West Coast for long periods of time, I am also familiar with the coastline in the immediate vicinity of the site and the wider area.

A description of the site and surrounds is included in Section 3 (pages 12-20) of the application document dated 29 April 2025 – REV 1, prepared by Town Planning Group. This includes reference to the applicant's supporting technical reports that provide further details on the site features such as waterbodies, flora and fauna and natural hazards. These descriptions are adopted for the purpose of this s42A report.

3.3 In summary, the following points provide an overview of the site and surrounds:

- (a) The site is located approximately 2km north of Punakaiki/Dolomite Point, in an area known as Te Miko/Perpendicular Point, and is approximately 21.86ha in area.
- (b) The site is bordered by State Highway 6 (“**SH6**”) to the east, coastline with sea cliffs, caves, and small beaches to the north/west and conservation land that forms part of Paparoa National Park to the south. The land slopes west from SH6 (100m above sea level) towards the sea cliffs (40m above sea level), within a predominately rural and conservation setting that has high to outstanding natural character and landscape qualities.
- (c) The site has been historically used for small-scale farming and grazing and remains predominately modified pastoral land. There is a residential dwelling and ancillary buildings in the southeast corner and a central farm track running through the site. The site is accessed via a formed vehicle crossing from SH6.
- (d) Freshwater features on the site include four largely unmodified streams in generally good ecological condition and six natural inland wetlands, which are partly degraded from historic grazing but are recovering and retain hydrological and habitat functions.
- (e) The site supports indigenous biodiversity values, including habitat for a range of native bird species (including Threatened and At Risk coastal species), while habitat values for other fauna (e.g. fish and lizards) are more limited.
- (f) The site comprises predominantly exotic grassland and scrub within the more modified parts of the site, with areas of regenerating mixed native–exotic shrubland, and pockets of indigenous coastal forest and native vegetation concentrated along steeper slopes and cliff margins.
- (g) The site is subject to multiple natural hazards, including coastal erosion and cliff instability, falling debris, gully hazards, and localised subsidence associated with coastal cave features.
- (h) The surrounding environment is characterised by predominantly rural and conservation land uses, with some limited rural-residential development nearby. The wider locality is a recognised tourism destination, with high visitor numbers associated with nearby attractions including Punakaiki, the Pancake Rocks, and coastal viewing locations.

4.0 Application Description

Timeline

- 4.1 The applicant's original resource consent application was formally received by Council on 13 January 2025. A request for further information letter was issued to the applicant on 7 March 2025.
- 4.2 The applicant provided a response to the request for further information letter on 1 May 2025 (letter dated 29 April 2025) and at that time elected to provide a complete

set of revised application documents to avoid confusion and duplication. The revised application document is dated **29 April 2025 – REV 1**. All revised documents that were finalised for public notification are available on the Council website under the headings [“Application documents”](#) and [“Request for further information and response documents 2025”](#).

- 4.3 Following public notification and the close of submissions, a second request for further information letter was issued to the applicant on 25 June 2025. At the request of the applicant, a pre-hearing meeting was held on 10 September 2025 for the purpose of discussing potential amendments to the proposal, clarifying submitters’ issues and concerns, and potentially facilitating resolution of concerns.
- 4.4 The pre-hearing meeting report is contained in Appendix Two to this s42A report. Under section 99(7) of the Act, the Hearing Commissioners (that are delegated by Council to make a decision on this application) must have regard to the pre-hearing meeting report in making their decision.
- 4.5 The applicant provided a response to the second request for further information letter on 4 May 2026 (letter dated 3 May 2026). The response included amendments to the proposal in response to submitter feedback, including matters raised at the pre-hearing meeting, and an assessment of the proposal against the Te Tai o Poutini Plan Decisions Version (“**TTPPDV**”). This information is available on the Council website under the heading [“Request for further information response documents post-submissions 2026”](#).
- 4.6 I subsequently sought clarification from the applicant on some specific matters, and the applicant provided a response to these on 18 June 2026. This information is available on the Council website under the heading [“Request for further information response documents post-submissions June 2026”](#).
- 4.7 On 26 June 2026, the applicant provided amended volunteered consent conditions as agreed with the Department of Conservation (“**DOC**”). A copy of this correspondence, including the associated correspondence from DOC to Council, is contained in Appendix Three to this s42A report.
- 4.8 It is acknowledged the process outlined above has occurred over a period of approximately 18 months, and some earlier versions of plans and technical reports that were included for public notification have been superseded. The applicant has confirmed the following documents and plans in Table 1 below that have been superseded and should be disregarded.

Table 1 – Applicant’s Superseded and Replacement Documentation

Superseded Document/Plan	Replaced By:
“Transportation Assessment”, dated 19 December 2024, prepared by Carriageway Consulting	“Transportation Assessment”, dated 24 April 2026, prepared by Carriageway Consulting
“Ecological Effects Assessment”, dated February 2025, prepared by RMA Ecology Ltd	“Ecological Effects Assessment”, dated April 2026, prepared by RMA Ecology Ltd
“Punakaiki Wild Masterplan”, dated 22 April 2025, Revision 7, prepared by Rough Milne Mitchell Landscape Architects	“Punakaiki Wild Masterplan”, dated 15 June 2026, Revision 8, prepared by Rough Milne Mitchell Landscape Architects
“Punakaiki Wild Masterplan”, dated 22 August 2025, Revision 8, prepared by Rough Milne	

Superseded Document/Plan	Replaced By:
Mitchell Landscape Architects	
"Punakaiki Wild Vegetation Management Plan", dated 22 April 2025, Revision 3, prepared by Rough Milne Mitchell Landscape Architects "Punakaiki Wild Vegetation Management Plan", dated 22 August 2025, Revision 4, prepared by Rough Milne Mitchell Landscape Architects	"Punakaiki Wild Vegetation Management Plan", dated 15 June 2026, Revision 4, prepared by Rough Milne Mitchell Landscape Architects
Plan set (x 6 plans) for Main Lodge and Spa, dated 22/12/2024, prepared by Ground Up Studio	Plan set (x 8 plans) for Main Lodge and Spa, dated 10/07/2025, prepared by Ground Up Studio
Access Plans (x 3), dated 24/09/2024, prepared by East Cape Consulting	Access Plan, dated 05/09/2025, prepared by East Cape Consulting
Landscape Earthworks Plan and Summary (x 2 pages), dated 28/05/2025, prepared by Ground Up Studio Landscape Earthworks Plan, dated 28/05/2025, Revision 2, prepared by Ground Up Studio	Landscape Earthworks Plan, dated 28/05/2025, Revision 5, prepared by Ground Up Studio Earthworks Summary, Revision 5, dated 17/06/2026

Outline of Proposal

- 4.9 The applicant seeks land use consent to establish and operate a luxury lodge and visitor accommodation development, named 'Punakaiki Wild'. Full details of the proposal are contained in the application documents and I do not intend to repeat all of the information in this s42A report.
- 4.10 As detailed above, aspects of the proposal have changed since the application's original lodgement, including to respond to submitters' concerns. As at the date of writing this s42A report, my understanding is that the proposal involves the following key components:

Lodge, Visitor Cabins, Worker's Accommodation and Support Building

- 4.10.1 Construction and operation of a lodge within two separate buildings. The first building, that will contain the restaurant and bar, will be approximately 176m² in floor area and a maximum of approximately 4.0m in height above existing ground level. The second building, that will contain the health spa including massage, sauna and spa services, will be approximately 105m² in floor area and a maximum of approximately 4.9m in height above existing ground level.
- 4.10.2 The restaurant, bar and health spa will be open to the general public. The application notes the hours of operation are yet to be defined but are expected to be standard hours of Monday to Sunday, 7am to 10pm.
- 4.10.3 Construction and operation of 12 self-contained cabins for visitor accommodation. Eight of the cabins will be single cabins of approximately 44m² in floor area (including decking) and a maximum of approximately 3.3m in height above existing ground level. Four of the cabins will be family cabins of approximately 100m² in floor area (including decking) and a maximum of approximately 3.8m in height above existing ground level.

- 4.10.4 Construction and operation of a worker's accommodation building to provide on-site accommodation for up to 12 employees. The building will be approximately 251m² in floor area and a maximum of 4.8m in height above existing ground level.
- 4.10.5 Construction and operation of a lodge support building that will include the air conditioning plants, general storage and gas bottle storage areas, and a screened refuse area. The building will be approximately 61m² in floor area and a maximum of 3.0m in height above existing ground level.

Access, Driveways and Parking

- 4.10.6 Construction of access, internal driveways and parking areas to service the development. This includes upgrading the existing access point from SH6 involving works within the SH6 legal road reserve, upgrading the existing internal road, and constructing new internal roads, walking tracks and parking areas. The main parking area on the site will be formed to provide 26 car parking spaces with an additional overflow parking area to provide approximately 8 car parking spaces.

Services

- 4.10.7 Construction and operation of associated infrastructure to service the development. Subject to detailed engineering design, this will likely include:
- i) potable water supply via a connection to the Council's reticulated water supply network and on-site treatment, supplemented by water tanks for potable and firefighting water storage
 - ii) on-site management of stormwater via collection of roof water into tanks, and discharge from formed areas, driveways and tracks into swale drains and soak pits
 - iii) on-site wastewater treatment and discharge utilising primary and secondary treatment
 - iv) extension of the existing reticulated electricity cabling within the site, supplemented by photovoltaic solar panels and a back-up generator as required, and use of existing reticulated telecommunications as required
 - v) on-site storage and use of LPG bottles, with storage to be within the fully enclosed lodge support building.

Exterior Lighting

- 4.10.8 The high-level approach is to restrain exterior lighting to the minimum required to provide safe, navigable movement around the site. Lighting will likely include small, low-output, controlled bollard lighting along the access tracks and wall-mounted lighting for the lodge, cabins and other buildings as required. External lighting design is proposed to be confirmed via a Lighting Management Plan, as a condition of consent.

Earthworks

- 4.10.9 Earthworks are proposed to establish building platforms, access roads, and associated infrastructure across the site. The updated earthworks

details (as of 18 June 2026) are approximately 1,736m³ of cut and 3,314m³ of fill, with no works proposed on the upslope side of SH6.

- 4.10.10 Erosion and sediment control measures will be implemented during construction, including staging of works to limit exposed areas, diversion of clean water runoff, and the use of sediment controls and stabilisation measures to manage runoff and minimise sediment discharge.

Vegetation Clearance

- 4.10.11 Indigenous vegetation clearance will be avoided where practicable and is limited to areas required for building platforms and access roads, with an estimated extent of up to approximately 394m² required. No clearance will occur within areas of the site that may qualify as significant indigenous vegetation.

Ecological Restoration and Amenity Planting

- 4.10.12 Ecological restoration work across the site will include pest plant and animal control, passive regeneration, and active revegetation of buffers to streams and wetlands, and within wetlands, native shrublands and coastal forest areas. Ecological restoration work is proposed to be confirmed via a Vegetation and Pest Management Plan, as a condition of consent.
- 4.10.13 The proposal also provides for amenity planting focused on areas in the vicinity of the lodge, worker's accommodation, support buildings, and cabins along the northern side of the site. Amenity planting is also proposed to be confirmed via the Vegetation and Pest Management Plan, as a condition of consent.

Signage

- 4.10.14 Consent was initially sought for one advertising sign at the entrance to the site. However, the applicant has confirmed that signage is not included under this application and will be sought in future if required.

- 4.11 A selection of the applicant's plans showing key elements of the proposal are contained in Appendix Four to this s42A report.

West Coast Regional Council Consents

- 4.12 The applicant has undertaken an assessment of the proposal to determine whether resource consents will also be required from the West Coast Regional Council ("WCRC"). The applicant considers that resource consent will be required for earthworks and vegetation clearance, as a Discretionary Activity, under the West Coast Regional Land and Water Plan.
- 4.13 The application details that a separate resource consent application will be lodged with WCRC in due course and considers the present application includes sufficient detail and information regarding the proposed earthworks and vegetation clearance to enable a complete understanding of the issues involved.
- 4.14 I note that WCRC have not raised any concerns directly with Council regarding the proposal or the need for regional consents to be considered jointly with this land use consent application. Further, no submission has been received from WCRC.
- 4.15 On the basis of the above, I am satisfied that the land use consent application can be considered and determined independently, and in advance of, any WCRC consents.

5.0 Operative Buller District Plan

- 5.1 The site is located within the Paparoa Character Area and is identified as containing a historic site (#60 Sea Caves) under the Buller District Plan (operative January 2000) (“BDP”).
- 5.2 I generally agree with the applicant’s assessment of the relevant rules of the BDP, and I agree that the proposal requires land use consent overall as a Non-Complying Activity under the BDP.
- 5.3 The reasons for consent under the BDP are summarised in Table 2 below, including any differences in opinion with the applicant:

Table 2 – Reasons for consent under BDP

BDP Provision	Comment / Activity Status
Paparoa Character Area	
Permitted Activities	
Rule 5.4.2.1 – Any agricultural, forestry or residential activity which comply with Table 5.10A (excluding controlled activities)	The applicant considers the worker’s accommodation building to be a residential activity. Residential activity is defined in the BDP as “<i>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</i>”. As all of the persons residing in the worker’s accommodation will be employees, I am advised that the Council do not consider the worker’s accommodation to be a residential activity. This rule is therefore not applicable.
Rule 5.4.2.4 – Any clearance of indigenous vegetation incidental to a permitted activity and limited to 200m ² per hectare	The applicant considers the proposed indigenous vegetation clearance to be incidental to a permitted activity of establishing tracks and building platforms. I disagree with this assessment as the earthworks required to establish tracks and building platforms are not a permitted activity (see below). Does not comply.
Rule 5.4.2.5. - 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.	The BDP does not identify significant natural features or landscapes, or areas of significant indigenous vegetation or significant habitats of indigenous fauna. However, these matters are dealt with under the TTPPDV.
Discretionary Activities	

BDP Provision	Comment / Activity Status
Rule 5.4.4.1 – Any earthworks to be incidental to another activity and limited to a maximum volume of 100m ³ .	The proposed earthworks, whilst incidental to another activity, exceed 100m³. The updated earthworks details (as of 18 June 2026) are approximately 1,736m³ of cut and 3,314m³ of fill. Does not comply.
Rule 5.4.4.2. - Maximum clearance of indigenous vegetation is 500m ² per hectare.	Indigenous vegetation clearance will be limited to areas required for building platforms and access roads, with an estimated extent of up to approximately 394m². Discretionary Activity.
Table 5.10A – Paparoa Character Areas Standards	
Boundaries	No buildings will be established within 10m of the road boundary, or 2m of the side yards. Complies, Permitted Activity. Activities will occur within 50m of the Mean High Water Springs (“MHWS”) Mark, however it is noted that the site is separated from this mark via a steep cliff face. Discretionary Activity.
Building Height	Maximum building height will be no more than 7.0m. Complies, Permitted Activity.
Earthworks	Earthworks exceed 100m³. Non-Complying Activity.
Ground Floor Area (“GFA”)	The combined total GFA of all proposed buildings is greater than 500m² (at approximately 1,553m², including 372m² existing) and the maximum GFA of two single buildings is greater than 150m² but less than 300m² (being the lodge and worker’s accommodation). Discretionary Activity.
Riparian Margins	Wetlands on the site are less than 0.5ha and streams have an average bed width of less than 3.0m, therefore this standard is not applicable to the proposal.
Part 6 – Infrastructure, Services and Other Activities District Wide	
Rule 6.3.1 – Hazardous Substances	The storage and use of hazardous substances (LPG bottles). Controlled Activity.
Part 7 – District Wide Rules	

BDP Provision	Comment / Activity Status
7.4 Access	
Rule 7.4.1. – 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.	The proposed access to SH6 does not comply with required sight distances and the proposed activity will generate more than 60 vehicle movements per day. <i>Restricted Discretionary Activity.</i>
7.5 Parking	
Rule 7.5.2 – Vehicle parking for activities other than above shall be provided to the standards in Table 7.2 and shall be located on the site. Parking	The original parking calculations in the application were based on a maximum seated occupancy for the restaurant and spa of 108 persons, however the amended design reduces this total to 66 persons (54 in the restaurant and 12 in the spa). The proposal requires a combined total of approximately 22 required parking spaces for the lodge and worker's accommodation, with 26 provided and an additional 8 overflow. One space is required per visitor cabin which will also be provided. Complies, Permitted Activity.
7.8 – Noise Standards	
Rule 7.8.1 - 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	The applicant is not seeking consent to breach the noise rules.
7.9 – Other General Rules	
Rule 7.9.1.2. Any activity which is not specifically referred to in the Plan or does not fall within the limits of permitted, controlled or discretionary activities is deemed to be a non-complying activity and will require a resource consent.	Commercial activities, including visitor accommodation, are not specifically provided for in the Paparoa Character Area. <i>Non-Complying Activity.</i>

BDP Provision	Comment / Activity Status
Rule 7.9.4.1. - 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. Rule 7.9.4.2. 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.	The application details that all exterior lighting will be designed to comply with these requirements.
Rule 9.7.7.1.1 - 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.	The application notes that whilst there is a historic item identified on the site (#60 Sea Caves), the location of these is in the cliff face and on the shore. Therefore, there will be no effects on the historic site. Complies, Permitted Activity.
Part 8 – Financial Contributions	
8.4.1.16 – Development Contributions 8.4.1.16.2. - Maximum amount of contribution: 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.	The application acknowledges that the proposed development has a value of over \$500,000, at \$2,500,000.00, and that a development contribution of up to \$125,000.00 may be required.
Activity Status – Summary	

BDP Provision	Comment / Activity Status
Rule 7.9.1.2. - Commercial activity and visitor accommodation not provided for	Non-Complying Activity
Table 5.10A - Earthworks exceeding thresholds	Non-Complying Activity
Rule 5.4.4.2 - Indigenous vegetation clearance	Discretionary Activity
Table 5.10A - Ground floor area exceedances	Discretionary Activity
Table 5.10A - Activities within 50m of MHWS	Discretionary Activity
Rule 7.4.1. – Activities having frontage or access to a strategic route which is a State Highway	Restricted Discretionary Activity
Rule 6.3.1 - Storage and use of LPG	Controlled Activity

6.0 Te Tai O Poutini Plan Decisions Version

- 6.1 The TTPPDV was publicly notified on 10 October 2025 with all provisions having legal effect at that date. It is noted that a large number of provisions of the TTPPDV have been appealed and the only fully operative section is 'Signs – Ngā Tohu'.
- 6.2 The applicant has advised that the legal boundaries of the site have been defined via survey and that all application plans accurately depict the legal boundary locations. I note there is a discrepancy between the location of the Coastal Inundation 2 Hazard Overlay on the online mapping of the TTPPDV versus that depicted on the applicant's plan titled "Proposal – Masterplan with Te Tai o Poutini Hazards Overlay" (dated 15 June 2026). For the purposes of this s42A report the applicant's plan has been accepted as accurately depicting the overlay location, however the applicant may wish to provide further explanation on this matter for the benefit of the Hearing Commissioners.
- 6.3 Under the TTPPDV, the site is subject to the following zoning and overlays:
- General Rural Zone
 - Coastal Environment Overlay (entire site)
 - High Coastal Natural Character: NCA 43 – Te Miko (over the majority of the site with the balance land area within an Outstanding Coastal Natural Character area)
 - Outstanding Coastal Natural Character: NCA 42 - Dolomite Point Pancake Rocks (in part), NCA44 - Woodpecker Bay foothills to Needle Point (in part)
 - Outstanding Natural Landscape - ONL 45 - Ōkoriko/Razorback, Dolomite, and Perpendicular Point (entire site)

- Sites and Areas of Significance to Māori (“**SASM**”) - SASM 30 – Te Miko (Ara tāwhito) (part of site)
- Coastal Inundation 2 Hazard Overlay (along coastal edge/perimeter of site)
- State Highway Road Noise Overlay (alongside SH6 boundary)
- Designation – NZTA1 covers SH6 – access upgrade works proposed

6.4 The applicant’s assessment against the rule framework of the TTPPDV is contained in Appendix Five to this s42A report and contains expanded details of the relevant rules, included permitted activities for the proposal. I generally agree with the applicant’s assessment of the relevant rules and consider it is appropriate to apply the most stringent classification as a Non-Complying Activity under the TTPPDV.

6.5 The key reasons for consent under the TTPPDV are summarised in Table 3 below, including any differences in opinion with the applicant:

Table 3 – Reasons for consent under TTPPDV

TTPPDV Provision	Comment / Activity Status
ENG - Energy - Te Pūngao	
ENG-R5 – Renewable electricity generation activity	The applicant notes that solar panels associated with the visitor cabins will comply with ENG-R5.
TRN - Transport - Te Tūnuku	
TRN-R6 – Trip generation activities	The applicant’s transport assessment and further information response anticipates the proposal will generate approximately 100 equivalent car movements per day (including an allowance for 2 delivery trucks per day). Complies, Permitted Activity.
TRN-R8 – Establishment of accessways, vehicle crossings, parking spaces, loading spaces, queuing and standing spaces not meeting Permitted Activity standards	The proposed upgrade to the vehicle crossing to SH6 does not comply with the standards under TRN-R1(1). Non-compliance relates to: • TRN Table 1 – sight distance does not comply (280m required and approximately 181m provided); • TRN Table 3 – minimum distance between vehicle access points does not comply (200m required and approx. 60m provided); • TRN Table 4 – crossing does not comply (Diagram E required). <i>Restricted Discretionary Activity.</i> The applicant notes the provision of parking, loading and manoeuvring will comply with the required standards.
NH - Natural Hazards - Ngā Mōreareatanga Aotūroa	
NH-R30 – New Buildings containing Hazard Sensitive Activities in the Coastal Hazard Inundation Overlay 2	Applicant notes this is limited to a portion of the lodge, and a single visitor cabin (SC8). <i>Restricted Discretionary Activity.</i>

TTPPDV Provision	Comment / Activity Status
ECO - Ecosystems and Biodiversity - Ngā Pūnaha Rauropi me te Kanorau Koiora	
ECO-R1 – General Standards	As per the applicant's updated ecology assessment, approximately 394m ² of indigenous vegetation clearance is proposed within the coastal environment that will comply with ECO-R1(1). Complies, Permitted Activity.
NC - Natural Character - Ngā Āhua me ngā Mahi ka Noho Hāngai ki ngā Hopua Wai	
NC-R1 – Earthworks within the Riparian Margin of a River, Lake or Wetland	Applicant notes the proposal will include earthworks within the riparian margin of Stream 3 to establish a river crossing point up to 3.0m wide to access visitor cabins SC1 and SC2, and will comply with NC-R1. Complies, Permitted Activity.
CE - Coastal Environment - Te Taiao o te Takutai	
CE-R15 – Buildings, Structures and Earthworks within the High Coastal Natural Character Overlay not meeting Permitted Activity Standards	The High Coastal Natural Character Overlay applies to the majority of the site with only three visitor cabins (FC3, FC4 and a portion of FC2) not within this Overlay (but instead within the Outstanding Coastal Natural Character Overlay). Buildings and Structures - Under CE-R5(4)(ii) the maximum ground floor area of a new building is 100m² and under Rule CE-R5(4)(v) new buildings must be setback 25m from MHWS. Visitor cabins SC6, SC7 and SC8, the lodge and worker's accommodation do not comply. Earthworks – Earthworks do not meet the purposes set out under Rule CE-R7(1) and exceed the volumes under Rule CE-R7(2). Restricted Discretionary Activity.
CE-R16 - Earthworks within the Outstanding Coastal Environment Area not meeting Permitted Activity standards	Under the TTPPDV, the "Outstanding Coastal Environment Area" includes those parts of the coastal environment within the Outstanding Natural Character overlay, Outstanding Natural Landscape overlay and Outstanding Natural Feature overlay. The entire site is therefore within the Outstanding Coastal Environment Area. Under CE-R16(1)(ii), earthworks for new roads are a: Restricted Discretionary Activity.
CE-R18 - Earthworks within the Outstanding Coastal Environment Area not provided for as a Permitted or Restricted Discretionary Activity	The proposed earthworks, in addition to those required for road construction, will not destroy any Outstanding Natural Feature. Discretionary Activity.
CE-R22 – Buildings and Structures in the Outstanding Coastal Environment Area not meeting Permitted, Restricted Discretionary or Discretionary Activity Rules	The proposal involves new buildings and structures on site that do not meet the permitted activity standards of Rule CE-R10. Non-Complying Activity.
FC – Financial Contributions – Ngā Rourou Pūtea	

TTPPDV Provision	Comment / Activity Status
FC-R9 – Financial Contribution for Reserves and Community Facilities	Financial contributions may be required to provide for open space, recreational and community facilities to address the need for these facilities created by subdivision and development. The applicable maximum contribution is: - Cash equivalent of the value of 20m² of land for each additional residential unit created, at the time of building consent, less any contribution made at the time of previous subdivision within the preceding eight years; and - Cash equivalent of the value of 4m² of land for each additional 100m² of net, non-residential building floor area created, at the time of building consent, less any contribution made at the time of previous subdivision within the preceding eight years.
EW – Earthworks - Te Huke Whenua	
EW-R7 – Earthworks in any Zone not meeting Permitted Activity standards	The proposal involves earthworks with maximum cut and fill depths up to 2.5m, that are not ancillary to a permitted activity and do not meet permitted activity standards for the High Coastal Natural Character Overlay and Outstanding Coastal Environment Area. <i>Restricted Discretionary Activity.</i>
LIGHT – Lighting - Ngā Rama	
LIGHT-R7 – Artificial Outdoor Lighting within the Outstanding Coastal Natural Character Overlay and not meeting the Permitted Activity Standards.	The applicant notes that artificial outdoor lighting will comply with the permitted activity standards of Rule LIGHT-R5, with the exception of lighting within the Outstanding Coastal Natural Character Overlay where there are three visitor cabins (FC3, FC4 and a portion of FC2) and roading. For these areas, the lighting will not comply with Rule LIGHT-R5(4) as it will involve controlled / managed lighting that may operate between 10.00pm-7.00am. <i>Discretionary Activity.</i>
GRUZ - General Rural Zone - Rules	
GRUZ-R15 - Minor structures not meeting Permitted Activity Standards	The applicant is proposing to use water tanks on the site for potable and fire-fighting water storage. Whilst the final location of the water tanks is proposed to be subject to detailed design, the applicant proposes the following parameters: • The total cumulative footprint of water tank infrastructure across the site shall not exceed 150m²; • Individual water tanks shall not exceed 3.5m in height above ground level and shall have a maximum diameter of 5.0m. Where the water tanks are setback more than 20m from the boundary of SH6, these are a: <i>Controlled Activity.</i>
GRUZ-R27 - Minor structures not	The applicant notes that one or more water tanks may be

TTPPDV Provision	Comment / Activity Status
meeting Permitted or Controlled Activity Standards	located less than 20m from the boundary of SH6, but no closer than 10m. <i>Discretionary Activity.</i>
GRUZ-R30 – Visitor and Temporary Worker Accommodation not meeting Permitted or Restricted Discretionary Activity Standards	The proposed visitor accommodation does not meet the permitted activity standards of Rule GURZ-R7 and is not ancillary to a farming, conservation or residential activity as required under Rule GRUZ-R20(1). <i>Discretionary Activity.</i>
GRUZ-R31 – Residential Activities and Residential Units not meeting Permitted Activity Standards	As previously noted, it is considered that the worker's accommodation does not meet the definition of a "residential activity" under the BDP. However, residential activity is defined more simply in the TTPPDV as "the use of land and building(s) for people's living accommodation". I therefore have taken a precautionary approach to identify the worker's accommodation as a residential activity under the TTPPDV. The worker's accommodation does not comply with permitted activity standards of Rule GRUZ-R3(8) relating to the vehicle crossing from SH6. <i>Discretionary Activity.</i>
GRUZ-R33 – Residential Activities and Residential Units, Commercial and Industrial activities not meeting any other Rule in the zone	The proposal provides for a commercial activity with a combined floor area of greater than 250m ² . <i>Non-Complying Activity.</i>
Activity Status – Summary	
CE-R22 - Buildings and structures in the Outstanding Coastal Environment Area	Non-Complying Activity
GRUZ-R33 - Commercial activity exceeding floor area thresholds	Non-Complying Activity
LIGHT-R7 – Artificial outdoor lighting in Outstanding Coastal Natural Character Overlay	Discretionary Activity
GRUZ-R27 – Water tanks (minor structures) within 20m of SH6	Discretionary Activity
GRUZ-R30 – Visitor accommodation	Discretionary Activity
GRUZ-R31 – Worker's accommodation (as a residential activity) with non-complying access	Discretionary Activity
CE-R18 - Earthworks within the Outstanding Coastal Environment	Discretionary Activity

TTPPDV Provision	Comment / Activity Status
Area	
CE-R15 – Buildings, Structures and Earthworks within the High Coastal Natural Character Overlay	Restricted Discretionary Activity
CE-R16 - Earthworks within the Outstanding Coastal Environment Area not meeting Permitted Activity standards	Restricted Discretionary Activity
EW-R7 - Earthworks	Restricted Discretionary Activity
TRN-R8 – Establishment of accessways, vehicle crossings, parking spaces, loading spaces, queuing and standing spaces	Restricted Discretionary Activity
NH-R30 – New Buildings containing Hazard Sensitive Activities in the Coastal Hazard Inundation Overlay 2	Restricted Discretionary Activity
GRUZ-R15 – Water tanks (minor structures)	Controlled Activity

Council position on consents required under the TTPPDV

- 6.6 The original consent application for this proposal was lodged in advance of the public notice on the decisions of the TTPPDV. At that time the only relevant rule for the proposal with legal effect under the Proposed Te Tai o Poutini Plan (“**PTTPP**”) was for indigenous vegetation clearance. This was included in the consent application.
- 6.7 Following public notice of the TTPPDV on 10 October 2025, Council sought legal advice on whether an additional consent application was required to be lodged for the proposal to address all of the relevant rules that had legal effect as at 10 October 2025.
- 6.8 Following receipt of Council’s legal advice, and consideration of a similar legal opinion from the applicant, Council’s position is that no additional/new consent application is required to address rules of the TTPPDV that now have legal effect. The activity applied for was a land use consent under the BDP and the PTTPP. Whilst additional rules of the TTPPDV now have legal effect, the proposed activity (and the effects thereof) has not materially changed and the resource consent applied for/required under the BDP and TTPPDV remains as a land use consent only.

7.0 Notification and Submissions

- 7.1 The application was publicly notified in accordance with Section 95A of the Act on 12 May 2025. Submissions closed on 10 June 2025.
- 7.2 A total of 15 submissions were received on the application – 10 stated in opposition, 4 stated as neutral and 1 stated as conditional support. A detailed table of

submissions and issues raised is contained in Appendix Six to this s42A report. A summary of submissions received is in Table 4 below:

Table 4 – Summary of submissions

Submitter	Address	Position	Issues Raised in Submission	Wants to be heard
1. Andrzej Suchanski	Address for service: CMB Box 57, Punakaiki, RD1, Runanga 7873	Oppose (in current form)	1. Application lacks documentation of consultation 2. Unclear what relationship is with applicant and Lindis Group 3. Traffic and Access concerns 4. Vegetation regeneration/landscaping plan 5. Water supply 6. Potential for air traffic 7. Effects on neighbouring property of Carolyn Hewlett 8. Natural disaster planning	Yes, but not confirmed hearing attendance
2. Carolyn E Hewlett	Address for service: CMB 14, Punakaiki, RD1, Runanga 7873 Owner/occupier of Pt Section 13 Blk IX Brighton SD (NL87/135) – immediately to the south of the site	Oppose	1. Property at Pt Section 13 Blk IX Brighton SD will be seriously impacted 2. Access, traffic generation and speed 3. Geotechnical risks and natural hazards 4. Appropriateness of the activity (including public bar) in the Paparoa Character Area and High and Outstanding Natural Character Area 5. Visual effects and viewpoints 6. Alignment with relevant policy documents	Yes, confirmed hearing attendance
3. Development West Coast, c/- Fiona Hill, Economic Development Manager	Address for service: PO Box 451, Greymouth	Support (conditional)	1. Development presents a significant opportunity to strengthen and diversify our visitor economy.	No
4. Director-General of Conservation c/- Suvi van Smit, Operations Manager, Buller District, Western South Island Region (acting under delegated	Address for service: c/- Jane Macleod, Senior RM Planner, DOC, P O Box 5244, Dunedin 9054	Oppose (in current form)* <i>*On 26/06/26, DOC advised that subject to the conditions volunteered</i>	1. Insufficient information on indigenous birds, including Spotted shags, Great-spotted kiwi, Sooty shearwater, Westland petrel, Little penguin, Fernbird, Long tailed cuckoo, South Island robin and New Zealand falcon 2. Insufficient information on lizards, including Speckled skink, Forest gecko and West Coast green gecko 3. Insufficient information on an area of significant vegetation or habitat of indigenous fauna (assessed against criteria in Appendix 1 of the West Coast RPS)	Yes* <i>*On 26/06/26, DOC advised that subject to the conditions volunteered by the</i>

Submitter	Address	Position	Issues Raised in Submission	Wants to be heard
authority)		<i>ed by the applicant, it is now neutral on the application.</i>	- Insufficient information on historic and cultural heritage in the coastal environment - Concerned that the proposal will have adverse effects on the natural character and landscape values of the site - The application is contrary to the identified provisions of the Operative Buller District Plan, Proposed Te Tai o Poutini Plan, WCRC RPS, NPS-IB, NZCPS and RMA	<i>applicant, it no longer wishes to be heard.</i>
5. Heritage New Zealand Pouhere Taonga c/- Arlene Baird, Area Manager Canterbury /West Coast	Address for service: c/- Mitzie Bisnar, Planner Canterbury/West Coast, PO Box 4403, Christchurch 8140	Does not oppose subject to recommendations being taken into account. Submission relates to works within proximity of a recorded arch site and within a SASM overlay.	The project has not considered the potential impacts to unknown archaeology	No
6. Lee Harris	17 Kaipakati Point Rd, Pahautane, 7871	Oppose (in current form)	- Application is incomplete/contains insufficient information - Application contains unsupported assumptions and factual errors - Transport Assessment, Access and Traffic Generation - Lighting - Water Supply - Benefits to local or regional economy	Yes, but cannot attend the hearing
7. New Zealand Transport Agency Waka Kotahi	Address for service: c/- Charlotte Niederer PO Box 1479, Christchurch 8022	Oppose	- NZTA oppose application unless the applicant provides more information to be able to assess the impacts on the state highway network and infrastructure. NZTA also considers that appropriate state highway vehicle crossing design and formation is required. - Access design issues - Type and volume of traffic - Sightlines - Driveway Gradient/Safe Egress - Slope stability/property boundary	Yes, confirmed hearing attendance

Submitter	Address	Position	Issues Raised in Submission	Wants to be heard
			adjoining SH6	
8. Richard Arlidge	1 Hartmount Place, Punakaiki	Neutral	1. The scale of the proposed lodge and multiple cabins, along with associated infrastructure, will visually dominate the natural landscape, diminishing the scenic amenity that attracts visitors to Punakaiki and the Coast Road. 2. Unsupported assumptions 3. Transport Assessment 4. Traffic Generation and Distribution 5. Connectivity 6. Ecology	Yes, confirmed hearing attendance
9. Fiona McDonald	Address for Service – CMB 62, Punakaiki, RD1, Runanga, 7873	Neutral	1. Important that this project adheres to strict environmental standards and sustainable development principles, during both construction and operating to ensure the protection of this unique coastal ecosystem for present and future generations 2. Need to protect bird species – Cormorants, Tāiko (Westland petrel), Kororā (Little blue penguins), Pacific reef heron 3. Lighting 4. Building Placement and Design 5. Environmental Management During Construction 6. Community Benefits and Engagement 7. Commitment to No Helicopter Landings and Preservation of Scenic and Environmental Values	Yes, confirmed hearing attendance
10. Marie Elder	Hartmount Place, Te Miko, Punakaiki	Oppose	1. Application is incomplete/contains insufficient information: 2. Application contains unsupported assumptions and factual errors 3. Transport Assessment, Access and Traffic Generation 4. Lighting 5. Water Supply 6. Benefits to local or regional economy	Yes, confirmed hearing attendance
11. Roy Arbon	Flat 5/3 McGowan Street, Runanga	Oppose	1. Change of land use from rural to commercial 2. Breach of rules for Punakaiki Character Area 3. Access to site from Main Road is very dangerous	Yes, but currently an active missing person
12. Wendy Bullard	4 Ross Place, Te Miko, Punakaiki	Oppose	1. Road Access 2. Water Supply 3. Heritage	No, but will attend hearing as

Submitter	Address	Position	Issues Raised in Submission	Wants to be heard
				an observer
13. Teresa Wyndham-Smith	33 Hartmount Place, Punakaiki	Oppose	1. Detail of accommodation options in Punakaiki is incorrect 2. Punakaiki Marine Reserve 3. Traffic Generation and Access 4. Water Supply 5. Lighting	No
14. West Coast Penguin Trust c/- Inger Perkins, Manager, West Coast Penguin Trust	Address for service: PO Box 56, Hokitika	Neutral	1. Effects on Kororā (Little penguin) 2. Effects on Tāiko (Westland petrel) 3. Effects on Parekareka (Spotted (or blue) shag) 4. Other coastal birds 5. We expect the highest environmental standards to be met through the site restoration and construction and operation of 'Punakaiki Wild'. We will be pleased to continue to liaise with the owners and project managers to offer any guidance based on our knowledge and experience, and we recommend seeking local seabird ecological advice to advance the project.	No as per submission but now wishes to be heard
15. Westland Petrel Conservation Trust c/- Denise Lyla Howard (Trustee)	c/- Denise Lyla Howard, CMB 43, RD 1, Runanga 7873	Oppose	1. Lighting 2. Shag colony on the Northern Cliffs 3. Lack of comprehensive predator control programme	Yes, confirmed hearing attendance

- 7.3 As noted in Table 4, on 26 June 2026, DOC advised that subject to the conditions volunteered by the applicant, it is now neutral on the application and no longer wishes to be heard. This correspondence is contained in Appendix Three to this s42A report.
- 7.4 A recurring theme across submissions was concern regarding the adequacy and completeness of the applicant's information, including gaps in technical assessments and unresolved consultation with key entities. As detailed in Section 4.0 of this s42A report, following the close of submissions a request for further information was issued to the applicant to address a number of the concerns raised.
- 7.5 Matters raised in submissions can generally be categorised into the following:
- Access and Traffic*
- 7.6 Submitters raised concerns regarding the safety and suitability of access to SH6, including restricted sight distances, challenging road geometry, and the presence of heavy vehicles, buses, and seasonal peak traffic. The New Zealand Transport Agency Waka Kotahi ("NZTA") were specifically opposed to the access design.

Submitters considered traffic generation was underestimated, and concerns were also raised regarding the lack of provision for pedestrians and cyclists and potential conflicts with nearby accessways.

Ecological Values

- 7.7 Submitters expressed concern regarding potential effects on indigenous biodiversity, including threatened species such as Tāiko (Westland petrel), Kororā (Little penguin), Spotted shag, Kiwi, and potential lizard populations. Gaps in baseline ecological information and species-specific assessment were noted, along with potential adverse effects arising from artificial lighting, increased human activity, noise, and predators. Concerns were also raised regarding proximity to the Punakaiki Marine Reserve.

Landscape, Natural Character and Visual Effects

- 7.8 Submitters considered the scale and intensity of the development would adversely affect the natural character of the coastal environment, outstanding landscape values, and the “wild” and undeveloped character of the area. Concerns included the visibility and prominence of buildings from public viewpoints, effects of lighting on dark sky values, and the appropriateness of the proposal within a sensitive coastal environment.

Infrastructure and Servicing

- 7.9 Concerns were raised regarding reliance on the Punakaiki water supply, which was described as constrained, unreliable, and subject to disruption. Submitters identified a lack of clarity regarding alternative or self-sufficient water supply options, as well as limited information regarding stormwater management, wastewater servicing, and construction-related infrastructure.

Earthworks

- 7.10 Submitters raised concerns regarding the scale and extent of proposed earthworks, including the volume of cut and fill and the overall area of disturbance. Potential effects identified included slope instability, impacts on indigenous vegetation and habitats, and sediment runoff, alongside a lack of detailed information regarding erosion and sediment control.

Cultural and Archaeological Values

- 7.11 Concerns were raised regarding the presence of a SASM on the site and the potential for unidentified archaeological values. Submitters considered that the application lacks a comprehensive archaeological assessment and does not adequately address cultural values or engagement.

Geotechnical and Natural Hazards

- 7.12 Submitters expressed concern regarding underlying karst geology, including potential voids and instability, as well as risks associated with rockfall, steep coastal landforms, and seismic events such as an Alpine Fault rupture. The absence of detailed geotechnical investigations and emergency or evacuation planning was also identified.

Amenity Effects

- 7.13 Concerns were raised regarding adverse effects on neighbouring properties, particularly that of Ms Carolyn Hewlett, including noise, light spill, increased activity, and loss of privacy. Submitters also noted the overall change in amenity resulting

from the increased intensity of development and potential operational effects such as helicopter use (noting this has now been specifically ruled out by the applicant).

Section 100 of the Act

- 7.14 Due to the nature of the proposal and that a number of submitters wish to be heard in support of their submissions, a hearing is necessary pursuant to Section 100 of the Act.

8.0 Consideration of Application - Section 104 of the Act

- 8.1 Under Section 104 of the Act:

(1) *When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2 and section 77M, have regard to—*

(a) any actual and potential effects on the environment of allowing the activity; and

(ab) any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity; and

(b) any relevant provisions of—

(i) a national environmental standard:

(ia) a wastewater environmental performance standard;

(ib) a stormwater environmental performance standard;

(ic) an infrastructure design solution:

(ii) other regulations:

(iii) a national policy statement:

(iv) a New Zealand coastal policy statement:

(v) a regional policy statement or proposed regional policy statement:

(vi) a plan or proposed plan; and

(c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.

- 8.2 As the application is for a Non-Complying Activity, Sections 104B and 104D of the Act are relevant:

104B. Determination of applications for discretionary or non-complying activities

After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority—

(a) may grant or refuse the application; and

(b) if it grants the application, may impose conditions under section 108.

104D. Particular restrictions for non-complying activities

- (1) *Despite any decision made for the purpose of notification in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either—*
- (a) the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or*
 - (b) the application is for an activity that will not be contrary to the objectives and policies of—*
 - (i) the relevant plan, if there is a plan but no proposed plan in respect of the activity; or*
 - (ii) the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or*
 - (iii) both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.*
- (2) *To avoid doubt, section 104(2) applies to the determination of an application for a non-complying activity.*

9.0 Actual and Potential Effects on the Environment - Section 104(1)(a) of the Act
Permitted Baseline

- 9.1 Under Section 104(2) of the Act, when forming an opinion for the purposes of considering any actual and potential effects on the environment of allowing an activity, a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect. This statutory baseline is known as the permitted baseline and it is a discretionary consideration rather than a mandatory one. The baseline has been defined by case law as comprising the 'existing environment' and non-fanciful (credible) activities that would be permitted as of right by the plan.
- 9.2 The rule framework for the Paparoa Character Area under the BDP, and that applying to the Outstanding Coastal Environment Area under the TTPPDV, is very restrictive with respect to earthworks and new buildings or structures. In my opinion there is limited value in undertaking a permitted baseline comparison for this proposal. I also note the applicant is not reliant on this in the application.

Effects on the Environment

- 9.3 Following a review of the application and supporting documents, a site visit, a review of submissions received, and a review of the BDP and TTPPDV provisions, I consider that an assessment of allowing the proposal can be usefully categorised into the following:
- Traffic and Access
 - Ecological Values
 - Landscape, Natural Character and Visual Effects
 - Infrastructure and Servicing
 - Natural Hazards
 - Earthworks
 - Cultural and Archaeological Values

- Amenity Effects
- Positive Effects

9.4 The applicant has provided a range of supporting technical reports that assess the potential effects on the environment from the proposal. The following sections of this s42A report attempt to avoid repetition of the applicant's information and only refer to summaries and key points. In my opinion there are three key areas that require particularly careful assessment for this application, being the access to/from SH6, potential effects on avifauna, and landscape and natural character effects.

Traffic and Access

Applicant's Assessment

- 9.5 The application includes a Transportation Assessment ("TA") (updated April 2026) prepared by Carriageway Consulting, and an access options design statement and access plan prepared by East Cape Consulting. The TA responds to a number of matters raised in submissions, and a separate memo is provided on submissions specifically.
- 9.6 The TA calculates the proposed development would generate a maximum of approximately 88 vehicle movements per day, with a peak of approximately 16 vehicle movements per hour. A subsequent further information response to consider additional movements of heavy vehicles clarified that the proposal would generate a maximum of approximately 100 equivalent car movements per day (including an allowance for 2 delivery trucks per day). This level of traffic is considered in the TA to be low and able to be readily accommodated within the capacity of SH6, which carries relatively modest traffic volumes.
- 9.7 The proposal includes upgrading the existing access to SH6 to incorporate an auxiliary right-turn bay, which the TA concludes will improve safety and provide a better level of service than widening the shoulders of SH6. The application and TA acknowledge the proposal does not achieve full compliance with BDP and TTPPDV sight distance standards based on a 100km/hour design speed, however the TA considers the proposed sight distances (to be achieved through vegetation clearance and design) are acceptable based on an operating speed on SH6 of approximately 75km/hour.
- 9.8 Overall, the applicant considers that the proposal can be supported from a transport perspective and that any non-compliances with the BDP and TTPPDV will not result in adverse transportation-related effects.

Council Review

- 9.9 Council has not engaged independent technical advice relating to traffic and access. NZTA, as the road controlling authority for SH6, made a submission in opposition to the application and considered that insufficient information has been provided to adequately assess the effects of the proposal on SH6. Concerns raised by NZTA included the appropriateness of the proposed access design and the need for a higher standard of access, constrained sight distances and the need for further detailed assessment to confirm what can be achieved and maintained, a need to address the gradient and provision of a level platform where the access meets SH6, and the need for further assessment of slope stability and stormwater effects associated with the access upgrade.

- 9.10 NZTA sought that the application is declined on the basis that the applicant has not sufficiently addressed impacts on SH6 and its infrastructure, or alternatively that further information, redesign of the access, and additional technical assessment be provided to address these matters.
- 9.11 With respect to internal roading and on-site parking arrangements, Council's Development Engineer and Council's Manager Building have reviewed the application and have not raised specific concerns, subject to suitable consent conditions being imposed relating to detailed design, construction and certification. However, Council's Development Engineer has deferred to NZTA as the road controlling authority in relation to the appropriateness of the access to SH6.

Assessment

- 9.12 The proposed development relies on a single point of access to SH6 which requires a significant upgrade. In my opinion, the safety and operational performance of the access, and therefore the effects on the safe and efficient operation of SH6, is a key issue for this application.
- 9.13 While the applicant's updated TA (post-submissions) concludes that there will not be any adverse transportation-related effects, the applicant is reliant on the proposed access design being acceptable to NZTA. The applicant has indicated that consultation with NZTA is ongoing with the intention to agree on an access design that is acceptable to the applicant and NZTA. However, at the time of writing this report I have not received confirmation from the applicant or NZTA that this has been achieved. NZTA therefore remain opposed to the proposal.
- 9.14 There appears to be an unresolved difference between the applicant and NZTA regarding the appropriate access design standard for the proposal. Whilst the applicant considers the inclusion of a right-turn bay is an appropriate access arrangement, without approval from NZTA (and a standing submission in opposition), I consider the information provided to date is insufficient to demonstrate that adverse effects on the safety and efficiency of SH6 will be appropriately avoided or mitigated. I note that I am reliant on the opinion of NZTA as the road controlling authority in making this assessment.
- 9.15 With respect to internal roading, manoeuvring and the provision of vehicle parking, taking into account the feedback from Council's Development Engineer, I am satisfied these matters can be addressed in detailed design via conditions of consent.

Ecological Values

Applicant's Assessment

- 9.16 The application includes two key reports relating to ecology – a Desktop Assessment memo (dated August 2023) and an Ecological Effects Assessment (dated April 2026), both prepared by RMA Ecology Ltd. These assessments are referred to collectively herein as the Ecological Assessments ("**EA**"). RMA Ecology Ltd have also provided a memo (dated June 2026) with specific comments on the applicant's volunteered consent conditions.

(a) Terrestrial and Freshwater Ecology

- 9.17 The EA identifies the site as comprising a mosaic of ecological habitats including modified pasture, regenerating indigenous shrubland, wetlands, riparian margins, and a limited area of remnant coastal forest. The EA notes that whilst the site is not identified or mapped as a Significant Natural Area, some areas of indigenous

vegetation on the site could qualify as significant indigenous vegetation due to meeting some of the criteria for significant indigenous vegetation and/or significant habitats of indigenous fauna under the BDP and the West Coast Regional Policy Statement 2020. The EA notes, however, that there is no vegetation within the proposed clearance areas that meets the definition of significant indigenous vegetation.

- 9.18 With respect to lizards, the EA notes the lack of lizard detections indicates that while the presence of lizards cannot be ruled out entirely, if present, the number and density will be very low.
- 9.19 The EA identifies the presence of six natural inland wetlands, four streams (two permanent and two intermittent), and associated freshwater habitats, which contribute to ecological values and provide potential habitat for aquatic species including fish and kōura.
- 9.20 Potential effects on terrestrial and freshwater ecology identified by the applicant include a loss of vegetation and habitat through clearance, disturbance of fauna during construction, sediment generation and potential effects on streams and downstream receiving environments. The EA concludes that:
- There will be no direct adverse effects on wetlands. The level of effect on Wetland W6 will be negligible and temporary, and related only to works in the buffer of the wetland
 - Potential adverse effects on Stream 3 (scored as having excellent condition), including effects on native fish and kōura due to the culvert upgrade are high but will be reduced to very low with mitigation measures
 - Planting on stream banks will result in a net gain for biodiversity
 - Subject to mitigation measures, adverse effects on native lizards will be negligible and effects on lizard habitat will be positive/a net gain
 - Ecological restoration works - including planting, weed and animal pest control, are not required as part of the effects management package but will contribute to a substantial net-benefit for ecology – both across aquatic and terrestrial values for the site.

(b) Avifauna

- 9.21 The EA identifies that the site has a high-ecological value for birds with nine Threatened or At-risk bird species recorded near the site (including an important colony of Spotted shag on the northern cliffs). The EA also notes that whilst Great spotted kiwi and Little penguin have not been recorded on the site, they are known to be present in the local area, and their presence on the site, at least occasionally, cannot be ruled out.
- 9.22 The EA notes that the proposed vegetation clearance will have a very low adverse effect on any native birds that may be nesting at the time of the clearance, and a very low adverse effect on the loss of roosting, nesting, and foraging habitat. However, introducing lighting is likely to adversely affect nocturnal birds, particularly coastal birds such as Westland petrel, Little penguin and Sooty shearwater. The EA considers the breeding colony of cliff-dwelling shags will not be at risk of lighting due to its location.

- 9.23 The EA recommends a number of mitigation measures that have been adopted by the applicant to address potential effects on avifauna including:
- Preparation of a Lighting Management Plan in accordance with recommended guidelines to ensure the minimisation of light spill that may affect wildlife, including Westland petrel
 - Measures to maintain lighting to a level that will not disturb Westland petrels to include limiting lighting to essential areas, avoiding the use of up-lights or using down-facing shielded lights, use of motion sensors on all roads and accessways, use of amber LEDs across the site, and use of window tints to prevent spill of internal light
 - Drone use will not be permitted by guests. Use of drones by staff or contracted professionals is recommended to be limited over the course of a year, to avoid bird breeding season, and for drones to maintain a distance of at least 100 m from any bird
 - Ban domestic cats from the site. Ban guests from bringing cats or dogs to the site and any dogs that belong to staff on the site must be certified as kiwi aversion trained.
- 9.24 The EA concludes that by applying the recommended mitigation measures, including those above for avifauna, the overall adverse effect of the proposed development on the ecological values of the site will be reduced to a very low level. The EA also states there will be no residual adverse effects that are more than minor, and there will be no requirements for any biodiversity offsetting or ecological compensation measures.

Council Review

- 9.25 Council has not engaged independent technical advice relating to all ecological values on the site, but as previously noted an avifauna review (contained in Appendix One to this s42A report) has been provided from Dr Gary Bramley. This review was sought due to the ecological value of the site for birds.
- 9.26 The submission from DOC raised concerns that the application does not adequately identify and assess ecological values and potential adverse effects, including effects on indigenous vegetation, habitats, and associated fauna. DOC sought that prior to any hearing additional surveys and an archaeological assessment be undertaken to inform the assessment, and that if consent is granted that conditions are imposed to manage effects on indigenous biodiversity, historic and cultural heritage, and natural coastal character and landscape values (the latter being discussed further in this s42A report).
- 9.27 Submissions from two other interest groups - West Coast Penguin Trust and Westland Petrel Conservation Trust, also raised concerns on ecological grounds, particularly effects on avifauna.
- 9.28 The applicant's updated Ecological Effects Assessment (dated April 2026) sought to address the concerns raised by DOC and other submitters, and the applicant has undertaken further engagement with DOC. As previously noted, on 26 June 2026, the applicant provided amended volunteered consent conditions as agreed with DOC, and DOC has subsequently amended its position on the application to neutral and no longer wishes to be heard.

- 9.29 With respect to avifauna specifically, the Bramley avifauna review considers the site should be classified as having 'very high' ecological values with respect to birds, instead of 'high', but notes this does not make a material difference to the conclusions of the EA because the effects can generally be appropriately managed. The review recommends amendments to some of the applicant's volunteered consent conditions in order to more effectively mitigate potential adverse effects on birds and provide increased certainty of outcomes.
- 9.30 Subject to suggested amendments to the consent conditions, Dr Bramley agrees with the EA conclusion that the proposal will result in a 'very low' or 'net gain' overall level of effect on avifauna following mitigation.

Assessment

- 9.31 At this time, it is unknown whether the West Coast Penguin Trust and Westland Petrel Conservation Trust consider the concerns raised in their respective submissions have been adequately addressed. I understand both of these parties will be in attendance at the hearing.
- 9.32 I accept that the scale of indigenous vegetation clearance is relatively limited and that it is likely the ecological restoration works - including planting, weed and animal pest control, will have positive ecological effects. I also agree that the applicant's proposed Vegetation and Pest Management Plan (recommended by Dr Bramley to be reframed as a Biodiversity Management Plan) provides a framework to manage effects associated with vegetation clearance and habitat disturbance.
- 9.33 With respect to freshwater ecology, wetlands and streams contribute to ecological values, including potential habitat for fish and kōura. Potential adverse effects relate primarily to sediment generation and disturbance during works, which are proposed to be managed through erosion and sediment controls, compliance with relevant WCRC requirements, or separate consents (if required) from WCRC.
- 9.34 With respect to avifauna, the key adverse effect arises from artificial lighting, and both the EA and Bramley avifauna review identify that lighting effects are high prior to mitigation, including risks of disorientation, grounding and mortality. The applicant proposes to manage these effects through a Lighting Management Plan and the proposed conditions provide a comprehensive framework to do so. Importantly, as of 26 June 2026, these conditions now include a certification process for management plans, including the Lighting Management Plan, that will provide an opportunity for Council to engage independent advice to ensure the intended outcomes will be achieved.
- 9.35 I consider that the proposal can be designed and operated to ensure adverse effects on terrestrial and freshwater ecology are no more than minor and acceptable, subject to the implementation of mitigation measures and conditions. I consider that adverse effects on avifauna have the potential to be more than minor in the absence of effective mitigation and the acceptability of effects on avifauna is therefore dependent on the robustness and implementation of the proposed conditions.
- 9.36 Taking into account the conclusions of the EA and Bramley avifauna review that the proposal will result in a 'very low' or 'net gain' overall level of effect on avifauna following mitigation, I am satisfied that conditions of consent can be imposed to ensure effects are acceptable. However, I consider the applicant's volunteered consent conditions may benefit from further input from key stakeholders such as the West Coast Penguin Trust and Westland Petrel Conservation Trust.

Landscape, Natural Character and Visual Effects

Applicant's Assessment

- 9.37 The application includes four key pieces of information relating to landscape, natural character and visual effects – a Landscape Assessment Report (dated December 2024) and Graphic Attachment (dated April 2025), an Addendum to Landscape Assessment Report (undated) and an Addendum to Landscape Assessment Report (dated September 2025), all prepared by Rough Milne Mitchell Landscape Architects Ltd. These assessments are referred to collectively herein as the Landscape Assessments (“**LA**”).
- 9.38 The site is located within an Outstanding Natural Landscape and within areas identified as having Outstanding and High Coastal Natural Character under the TTPPDV. The applicant acknowledges the high sensitivity of the receiving environment, including the dramatic coastal landforms and relatively undeveloped character of the coastline.
- 9.39 The LA details that the proposal will introduce built form and activity into this environment and result in some loss of naturalness and a reduction in perceived “wildness”, particularly in the short term. However, the LA considers that the scale and layout of the development, together with the use of recessive design, will enable the proposal to be appropriately integrated into the landscape.
- 9.40 The LA also places reliance on the proposed ecological restoration programme, which will involve the removal of exotic vegetation and re-establishment of indigenous planting across the site. It is considered that this will enhance natural character over time and assist in mitigating landscape and visual effects.
- 9.41 In terms of visual effects, the LA considers that visibility will be limited by separation distance, landform, and existing vegetation, together with the use of recessive building materials and colours. While some moderate effects are identified from certain viewpoints in the short term, these are expected to reduce over time as planting establishes. Specific consideration of effects on neighbouring properties is addressed separately from paragraph 9.104 (Amenity Effects) of this s42A report.
- 9.42 The LA concludes that:
- There will be moderate adverse visual effects during construction and in the early stages following development (over the short-term of 3 to 5 years), however as planting establishes, the visibility of the buildings will reduce and the development will become more visually recessive, thereby reducing visual effects to low (less than minor-minor)
 - The proposal will have a very low (less than minor) degree of adverse effects on the landscape values of the site and its receiving environment
 - Adverse effects on natural character will be no-very low (nil-less than minor) and there will be an improvement in natural character in the long term.

Council Review

- 9.43 As previously noted, a landscape review (and addendum) (contained in Appendix One to this s42A report) has been provided from Mr Stephen Brown. It is noted that Mr Brown has authored the majority of the landscape and natural character technical reports that have informed the TTPPDV.

- 9.44 The Brown landscape review acknowledges the proposal will introduce built form and activity into a relatively undeveloped coastal environment, resulting in some erosion of naturalness and “wildness”, particularly in the short to medium term. However, the review notes *“it appears inevitable that the proposed planting would enhance the natural qualities of the site and wider Perpendicular Point coastline, although it would take time for this to offset the adverse effects associated with a more modified and developed coastal environment and landscape”*.
- 9.45 In contrast to the LA timeframe of 3-5 years being representative of ‘short term’, the review adopts a ‘short-term’ time frame of 0-10 years for mitigation planting enhancement. This is due to the site’s coastal location being exposed to significant winds and salt that would, in the opinion of Mr Brown, slow the maturation of the proposed planting.
- 9.46 The review provides effects ratings for landscape and natural character effects that it considers are very similar to those identified in the LA, with slightly higher effects considered on natural character in the long term (10 years plus). Effects are most pronounced from Viewpoint 4 (located at Irimahuwhere Lookout, looking southwest towards the site at distances of approximately 1.4km) and Viewpoint 5 (located at Coghlan’s Lookout and picnic area looking northwest towards the site at a distance of approximately 175m at the closest point – 640m to the end of the peninsula). From these locations, the review considers that landscape effects will be moderate-high (more than minor) initially, reducing to low (less than minor-minor) in the long term (10 years plus). From these locations, the review considers that natural character effects will be moderate or moderate-high (more than minor) initially, reducing to low or low-moderate (less than minor-minor) in the long term (10 years plus).
- 9.47 The Brown landscape review raises some concerns regarding the quality, or absence, of some imagery in the LA. However, these are noted from a technical standpoint only and Mr Brown considers his findings to be accurate regardless. The review concludes that:
- The lodge development would be appropriately accommodated within the relevant Outstanding Natural Landscape, High and Outstanding Natural Character Areas
 - The key elements, patterns, processes and qualities associated with the High and Outstanding Natural Character Areas would be maintained
 - Significant adverse effects on natural character, natural landscapes, Outstanding Natural Landscapes and Outstanding Natural Character Areas would be avoided
 - The proposed buildings are of a size, scale and nature that is appropriate to the area
 - Development would occur within parts of the coastal environment that have been historically modified by built development and primary production activities
 - The effects of lighting would be limited and largely incremental in nature and would subtly compound awareness of the lighting already associated with the Te Miko and Punakaiki locality. Overall, effects of lighting would be low
 - Overall, the proposal is acceptable in terms of its landscape and visual effects

Assessment

- 9.48 I accept the proposal will introduce built form and increased human activity into the local environment, which will result in some loss of naturalness and a reduction in the perceived “wildness” of the site, particularly in the short-term. However, I also note that the site has been subject to pastoral use and modification and does not represent an entirely unmodified landscape. The applicant considers the proposal has been designed to respond to this context, with built form of a relatively low scale dispersed across a large site, and with development largely avoiding the most sensitive landforms where practicable.
- 9.49 I acknowledge that the Brown landscape review adopts a more conservative position than the LA in relation to the duration of short-term effects that have greater impact. However, both assessments ultimately identify the same key factors influencing the outcome, including the modified nature of the site, the scale and layout of development, and the role of restoration planting in mitigating effects over time.
- 9.50 In terms of visual effects, I accept that the proposal will be visible from some locations, including sections of SH6 and parts of the coastal environment. Visibility will vary depending on distance, elevation, and the presence of intervening vegetation. I agree that visual effects will be most apparent in the short-term, particularly from more exposed coastal viewpoints. Over time, proposed planting is expected to further filter views and reduce the prominence of the development, such that visual effects will reduce and the development will become more assimilated into the landscape.
- 9.51 I acknowledge concerns raised in submissions regarding impacts on the “dark sky” environment. I adopt the conclusion of the Brown landscape review that lighting associated with the development will result in some incremental change to the existing night-time environment, however, having regard to the scale of the development, its separation from other areas, and the proposed lighting controls, I consider these effects will be minor and limited.
- 9.52 Overall, I consider that while the proposal will result in an initial reduction in naturalness and some visual change within a highly valued coastal environment, these effects will lessen over time as planting establishes and the development becomes more integrated into the landscape. While the Brown landscape review identifies a longer period than the LA, of up to 10 years, for more than minor effects on landscape values and natural character, both conclude that effects are not significant at any stage, and will be less than minor-minor (at most) in the long term (whether that is post 5 years or post 10 years).
- 9.53 Taking into account the above, I am satisfied that adverse effects on landscape, natural character and visual amenity, while potentially more than minor in the short-term, will reduce to an acceptable level over the longer term. I consider these effects will be appropriate in the context of the site.

Infrastructure and Servicing

Applicant's Assessment

- 9.54 The application includes an Earthworks, Water Supply, Wastewater and Stormwater Report (dated April 2025) prepared by Chris J Coll Surveying Ltd. This report provides a preliminary engineering assessment of the site and outlines the proposed approach to servicing, including water supply, wastewater disposal and stormwater management. Additional information was also provided in response to information requests and the applicant acknowledges that servicing for the development

remains subject to detailed design.

- 9.55 Water supply will involve accessing the reticulated network that serves the Punakaiki township to provide potable water supply, supplemented by on-site water storage tanks. With respect to potable water, the anticipated peak daily demand is approximately 18m³/day with a flow restrictor to be installed on the inlet pipe to enable Council to restrict water supply as and when required. Treatment of the water supply is proposed, including filtration and UV disinfection, to ensure compliance with drinking water standards.
- 9.56 With respect to fire-fighting water, detailed design has not been confirmed, however the applicant has volunteered a condition of consent requiring compliance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice (SNZ PAS 4509:2008), or provision of an alternative firefighting water source that is deemed acceptable by Fire and Emergency New Zealand (“FENZ”). This approach is supported by FENZ. The proposal will likely involve approximately 9-10 water tanks at locations around the site, including adjacent to SH6, and the applicant has volunteered a condition of consent setting parameters for the water tanks.
- 9.57 Wastewater is proposed to be treated on site via primary treatment in septic tanks followed by secondary treatment by Advanced Enviro-Septic (AES) systems, with treated effluent discharged to land. Compliance with the WCRC Regional Land and Water Plan is envisaged.
- 9.58 Stormwater is proposed to be managed on site with runoff from roads directed to swales, and roof water that is not collected in water tanks will be to soak pits designed with overflow to existing gullies. The proposal also relies on maintaining existing overland flow paths. The engineering report identifies that the development will affect only a small proportion of the overall site and proposes erosion and sediment control measures to manage potential effects during construction.
- 9.59 Electricity supply is available at the site and will be extended to service the development. This may be supplemented by solar generation and backup systems where required. Telecommunications services are available via existing connection and will continue for the development as required.
- 9.60 LPG gas bottles will be stored within 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 they are stored and used safely with a spill response contingency plan implemented at all times.
- 9.61 The applicant considers that the site can be adequately serviced, with detailed engineering design to be undertaken at a later stage, and that there will be no adverse effects relating to infrastructure and servicing.

Council Review

- 9.62 Council has not engaged independent technical advice relating to infrastructure and servicing. Council’s Development Engineer and Council’s Manager Building have reviewed the application and, following satisfactory responses being provided to the further information requests, have not raised any specific concerns in relation to infrastructure and servicing. However, a number of conditions have been recommended which require detailed design, construction and certification.
- 9.63 It is noted that the wastewater calculations contained in the applicant’s engineering report are for loading for the visitor cabins only and do not explicitly refer to the lodge or worker’s accommodation. Council’s Manager Building has not raised concerns

regarding this and considers adequate information is available to provide confidence that a wastewater design solution is available for the entire development. However, the applicant may wish to address this further for the benefit of the Hearing Commissioners.

- 9.64 It is also acknowledged that FENZ are supportive of the approach to fire-fighting water supply and that no submission or correspondence has been received from WCRC indicating concerns with on-site disposal of wastewater and stormwater (or any regional consenting requirements).
- 9.65 No details have been provided of the applicant's proposed management plan to ensure LPG is stored and used safely and the applicant may wish to address this further for the benefit of the Hearing Commissioners.

Assessment

- 9.66 The infrastructure and servicing information provided with the application is at a preliminary level and relies on detailed engineering design to be undertaken if consent is granted. In my opinion, this approach is not uncommon for a larger scale development, however the key question is whether there is sufficient information to demonstrate that servicing can be achieved without resulting in unacceptable adverse effects.
- 9.67 Submissions have raised concerns regarding the adequacy of water supply and potential effects on other users, however, subject to detailed design, these concerns are not shared by Council's Development Engineer. I also note there is no opposition submissions to the proposal from FENZ, WCRC or local utility providers. Whilst there is some uncertainty in relation to water tank infrastructure, I am satisfied the applicant's volunteered consent conditions provide suitable parameters for design.
- 9.68 Taking into account the information provided, and the feedback from Council's Development Engineer and Council's Building Manager, I am satisfied that the proposal can be serviced in principle. However, this is subject to appropriate conditions of consent requiring detailed design and certification. Stormwater effects relating to earthworks are discussed separately from paragraph 9.81 (Earthworks) of this s42A report.
- 9.69 On the basis of the above, and subject to recommended conditions, I consider that adverse effects relating to infrastructure and servicing will be no more than minor and acceptable.

Natural Hazards

Applicant's Assessment

- 9.70 The application includes a Natural Hazard Assessment (Version 2, dated March 2025) prepared by Tonkin + Taylor Ltd ("T+T"), that maps four key hazard areas across the site relating to falling debris, gully hazards, coastal/cliff erosion, and undermined cliff hazards. T+T also provided a memo (dated November 2025) in response to questions arising from submissions.
- 9.71 The T+T assessment pre-dates the TTPPDV and therefore does not map the Coastal Inundation 2 Hazard Overlay, however it provides a site-specific assessment that is targeted to the proposal. With respect to the Coastal Inundation 2 Hazard Overlay, the applicant notes that a portion of the lodge and a single visitor cabin (SC8) are located within this overlay.

- 9.72 The T+T assessment identifies that hazards are present to varying degrees across the site and assigns qualitative risk levels together with concept-level management measures. The assessment advises that buildings will be located outside the identified falling debris, cliff erosion and undermined cliff hazard areas. There are two visitor cabins, SC6 and SC8, proposed to be located within gully hazards and the assessment notes these will require specific foundation design to accommodate localised shallow failure of the gully slopes (e.g. deeper piles may be necessary).
- 9.73 The applicant's approach relies on a combination of avoidance of hazard areas through site layout, detailed geotechnical investigation and engineering design, and construction monitoring by a qualified geotechnical professional. The applicant has volunteered consent conditions to address these matters on the advice of T+T.
- 9.74 In response to concerns raised in submissions, the applicant has acknowledged the importance of ensuring appropriate procedures are in place to manage emergency response following a significant natural hazard event, including earthquakes. An Emergency Management Response Plan is proposed to address operational matters such as evacuation, access, disruption to services and coordination with emergency services.
- 9.75 On the basis of the assessment and advice from T+T, the applicant concludes that natural hazard risks can be appropriately managed and that there are no unacceptable residual risks.

Council Review

- 9.76 Council has not engaged independent technical advice relating to natural hazards. However, following receipt of submissions raising concerns regarding natural hazards and site stability, further information was sought regarding any adverse effects from construction on the stability of the adjacent cliffs and identified sea caves, and on risk levels. T+T provided a response, including to confirm that subject to conditions, the development is supported from a geotechnical coastal slope hazard perspective (both in terms of the buildings affecting the cliff and vice versa).
- 9.77 Council's Development Engineer and Council's Manager Building have reviewed the application and have not raised any specific concerns in relation to natural hazards or geotechnical matters. No alternative technical evidence has been provided on these matters in submissions, and I am reliant on the technical advice provided by T+T.

Assessment

- 9.78 The site is subject to a range of natural hazards however, I accept that the proposal has responded to these constraints in a generally appropriate way. Whilst the T+T assessment is at concept level, importantly, the layout has been developed to avoid the mapped cliff erosion, undermined cliff and falling debris hazard areas. Suitable design solutions are also proposed within the gully hazard area for two visitor cabins.
- 9.79 In terms of the TTPPDV Coastal Inundation 2 Hazard Overlay, I accept that the T+T assessment provides a more detailed site-specific understanding than the regional-scale mapping. On that basis, I consider it reasonable to rely on the refined hazard delineation, rather than the broader overlay.
- 9.80 Taking into account the above, I agree with the applicant that the combination of avoidance, detailed geotechnical design, appropriate construction practices, and operational planning provides an appropriate response. I am therefore satisfied that

natural hazard risks associated with the proposal can be managed to an acceptable level.

Earthworks

Applicant's Assessment

- 9.81 As previously noted, the application includes an Earthworks, Water Supply, Wastewater and Stormwater Report (dated April 2025) prepared by Chris J Coll Surveying Ltd, that includes an assessment of factors influencing erosion on the site and proposed control practices.
- 9.82 The application details that earthworks will be required to facilitate the development, including the formation of access roads, building platforms and associated infrastructure. The updated earthworks details (as of 18 June 2026) are approximately 1,736m³ of cut and 3,314m³ of fill.
- 9.83 The engineering report identifies that the site contains a number of gullies and overland flow paths which will convey stormwater during rainfall events. The applicant acknowledges that earthworks have the potential to result in erosion and sediment generation, particularly in these areas and in proximity to nearby wetlands and watercourses. To address these effects, the applicant proposes the preparation and implementation of a Construction Management Plan ("**CMP**"), including an Erosion and Sediment Control Plan ("**ESCP**"). The ESCP is intended to include measures to minimise the extent and duration of exposed ground, separate clean water from sediment-laden water, manage runoff from earthworks areas, and prevent sediment discharges to sensitive receiving environments.
- 9.84 The applicant advises that staging of works will be undertaken to limit the area of disturbance at any one time, and that disturbed areas will be stabilised as soon as practicable. Soil and debris from earthworks will be managed to avoid placement in areas of concentrated flow. The applicant considers that erosion and sediment control measures, together with construction management practices, will ensure that adverse effects on water quality, land stability and amenity are avoided or minimised.
- 9.85 In the latest version of the applicant's landscape earthworks plan (revision 5), the extent and volume of fill associated with the upgrade of SH6 is greater than originally applied for. The applicant advises this is in response to ongoing consultation with NZTA regarding the access design.

Council Review

- 9.86 Council has not engaged independent technical advice relating to earthworks. However, Council's Development Engineer and Council's Manager Building have reviewed the application and have not raised any specific concerns in relation to the earthworks proposed.
- 9.87 Submissions raise concerns regarding the adequacy of information provided, potential environmental effects during construction, and the robustness of proposed management measures. In particular, NZTA raised concerns regarding the potential effects of earthworks and vegetation clearance in the vicinity of SH6, including slope stability within the road corridor.
- 9.88 No alternative technical evidence has been provided on these matters in submissions, and I am reliant on the technical advice provided by Chris J Coll Surveying Ltd and T+T.

Assessment

- 9.89 The proposal requires a moderate level of earthworks to establish access, roads, building platforms and associated infrastructure across a relatively large site. In the context of the overall site area, I consider that the scale of earthworks is not excessive, however I do note that the area of earthworks adjacent to SH6 has increased and is on a steeper slope.
- 9.90 The primary effects associated with earthworks relate to erosion, sediment generation, the potential for sediment discharge to nearby gullies, wetlands and watercourses, and temporary effects on amenity values. The engineering assessment confirms that the site contains a number of gullies and overland flow paths which have the potential to convey runoff during rainfall events, and the T+T assessment identifies localised areas of slope instability. These matters reinforce the need for careful management of earthworks activities, particularly in relation to staging, drainage control and stabilisation.
- 9.91 I note that NZTA has raised specific concerns regarding the effects of earthworks in the vicinity of SH6, including potential effects on slope stability and drainage within the road corridor. As discussed previously in this s42A report, at the time of writing this report I have not received confirmation from the applicant or NZTA that agreement has been reached on the access design, which includes the earthworks required to achieve it.
- 9.92 In this regard, the T+T memo (dated November 2025) specifically considered potential slope stability effects on SH6, however the extent and volume of earthworks have since been amended (18 June 2026) due to an amended access design.
- 9.93 Subject to appropriate conditions requiring the preparation, certification and implementation of detailed management plans and controls prior to and during construction, I anticipate that the adverse effects associated with earthworks can be appropriately managed. I also anticipate that design solutions will be available to ensure the stability of SH6 is not adversely affected by the proposed earthworks and access upgrade. However, in my opinion, insufficient information has been provided to date to demonstrate that the proposal in its current form will not compromise the stability of SH6. I expect the applicant will address this further at the hearing.

Cultural and Archaeological Values

Applicant's Assessment

- 9.94 The site is identified as containing a historic site (#60 Sea Caves) under the BDP and is located within SASM 30 – Te Miko under the TTPPDV, which is associated with traditional travel routes, mahinga kai and coastal occupation.
- 9.95 Following a request for further information, the applicant has provided an Archaeological Assessment (dated September 2025) prepared by South Island Archaeology. The assessment concludes that:
- No surface archaeological features were observed within the project footprint
 - The site is exposed, poorly drained, and modified by pastoral use, but lies in close proximity to recorded sites (K30/7, K30/3, K30/5, K30/6, and K30/40) that demonstrate Māori occupation and use of the wider landscape
 - Archaeological risk is considered low to moderate in scale, with potential for subsurface deposits primarily near terrace margins and hydrological features

- Proposed works occupy only part of the approximately 20 ha property, reducing the overall extent of potential ground disturbance.

- 9.96 The assessment identifies two available management pathways, either the adoption of an Accidental Discovery Protocol (“**ADP**”) if supported by iwi and Heritage New Zealand Pouhere Taonga (“**HNZPT**”); or seeking an Archaeological Authority to reduce the risk of stand-downs if archaeology is discovered during works. The assessment does not identify any adverse effects on the identified sea caves, and the applicant also notes that specific geotechnical assessment for buildings and foundation design will ensure there are no construction-related effects on the caves.
- 9.97 The applicant has provided correspondence to confirm that Te Rūnanga o Ngāti Waewae, as the relevant Ngāi Tahu Papatipu Rūnanga, have requested the adoption of a Ngāti Waewae ADP, and this is included in the applicant’s volunteered consent conditions. With respect to HNZPT, the applicant notes that their submission acknowledged the adoption of an ADP and recommended an archaeological assessment which has since been provided. Neither Te Rūnanga o Ngāti Waewae or HNZPT opposed the application or wished to be heard, and the applicant considers the ADP is an appropriate mechanism to manage the archaeological risks associated with the development.
- 9.98 The applicant concludes that any potential adverse effects on cultural and archaeological values will be appropriately avoided or mitigated.

Council Review

- 9.99 Council has not engaged independent technical advice relating to cultural and archaeological values and effects of the proposal thereon. I am reliant on the applicants’ archaeological assessment, the submission from HNZPT and correspondence provided from Te Rūnanga o Ngāti Waewae to inform my assessment of these matters.

Assessment

- 9.100 The site is located within a wider cultural landscape of significance, including its identification as a SASM in the TTPPDV and its proximity to recorded archaeological sites along the Te Miko coastline. However, I note that no archaeological features have been identified within the development footprint itself, which largely comprises modified pasture.
- 9.101 I note that the concerns raised by HNZPT have been addressed through the provision of the archaeological assessment, which provides a site-specific understanding of risk. The archaeological assessment identifies a low to moderate level of risk associated with potential subsurface material.
- 9.102 The proposal has been designed to avoid more sensitive landforms and limits the extent of ground disturbance across the site. The primary mechanism to manage residual risk is the ADP and, in my opinion, this is a standard approach in circumstances where archaeological risk is uncertain but not high. The Ngāti Waewae ADP provides a clear process to ensure that any discoveries are appropriately managed in accordance with statutory requirements and tikanga Māori. I also note that Ngāti Waewae have not opposed the proposal and have instead requested the inclusion of the ADP, and that HNZPT does not oppose the application.

- 9.103 Taking into account the above, while there remains uncertainty associated with unknown subsurface archaeological material, I am satisfied that the proposed approach provides an appropriate response. On that basis, I am satisfied that potential effects on cultural and archaeological values can be appropriately managed, and that adverse effects will be no more than minor.

Amenity Values

Applicant's Assessment

- 9.104 The applicant has assessed the effects of the proposal on amenity values, including specific consideration of the adjoining property at 4655 State Highway 6, owned and occupied by Ms Hewlett.
- 9.105 The LA considers potential effects on this property and concludes that visual effects will be low. This reflects the existing viewing context, including established vegetation, a separation distance of approximately 400m between the nearest proposed buildings (worker's accommodation) and Ms Hewlett's dwelling, and approximately 600m between the lodge and the dwelling, and amendments to the proposal reducing the extent of built form. The applicant also considers that building design, including recessive colours and low reflectance materials, will further reduce visibility.
- 9.106 In relation to lighting, the applicant acknowledges that the proposal will introduce additional lighting into the environment but considers that this will be appropriately managed through design and a Lighting Management Plan to limit light spill and minimise effects on the existing night-time environment.
- 9.107 With respect to earthworks and construction-related effects, the applicant notes that the CMP and ESCP will address temporary construction effects such as noise, traffic and dust.
- 9.108 The applicant concludes that effects on amenity values, including those of the adjoining property, can be appropriately managed.

Council Review

- 9.109 The Brown landscape review specifically considered the impacts on Ms Hewlett's amenity and concluded that the potential for direct effects on that property is likely to be very low. Mr Brown noted that whilst he has not visited the Hewlett property, the expanse of 'bush' between the site and the residential properties south of it – in Hartmount Place – suggests that the submission could well be focusing on more public views from SH6 and the coastline to the north, as opposed to any direct, inter-property effects. Ms Hewlett may be able to expand on her concerns at the hearing.

Assessment

- 9.110 The amenity of an area, and how a proposal will affect an environment's existing amenity, is a subjective matter which can only be determined after consideration of many values. The term 'amenity values' arises in Part 2 of the Act, being a matter that particular regard must be had to in the determination of a resource consent application. The definition in the Act refers to "those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes".
- 9.111 The visual amenity of the site and broader area is described in the LA and largely agreed to in the Brown landscape review. It is noted that the site has a high amenity value and this is recognised by its zoning under the BDP within the Paparoa

Character Area, and the Outstanding Natural Landscape, and Outstanding and High Natural Character Area overlays under the TTPPDV.

- 9.112 As a result of the additional built development and human occupation on the site, the local environment will experience minor effects on amenity from increased traffic and potentially people noise. However, the surrounding road network can accommodate the resulting traffic generation, and no consents have been sought to breach the applicable noise rules under the BDP or TTPPDV. Noise associated with the visitor cabins and worker's accommodation will be residential in nature, and the lodge is located approximately 600m from the nearest dwelling of Ms Hewlett. Effects on traffic and noise will rather be that there will be a 'change' to the existing environment; however, the change in itself is not an adverse effect. Notably, the applicant has also confirmed that unless required for an emergency response, no helicopter landings or take-offs associated with the activity will occur on the site.
- 9.113 Lighting has the potential to introduce additional night-time effects. However, I note that lighting design will be subject to a Lighting Management Plan, including controls to limit light spill and direction. In the context of the separation distance and proposed planting, I am satisfied that lighting effects on amenity values will be limited and can be appropriately managed.
- 9.114 While I acknowledge the concerns of Ms Hewlett regarding the overall change in amenity, I consider that the effects will be moderated by the nature, scale, design and layout of the development, the degree of separation, and the presence of intervening vegetation. I also consider that while temporary construction effects will introduce some additional impacts, these will be limited, localised, and can be appropriately managed.
- 9.115 Taking into account the above, I consider that adverse effects on amenity values will be no more than minor and acceptable.

Positive Effects

- 9.116 The proposal will result in a number of positive effects. In particular, the development includes the removal of invasive and exotic vegetation and the implementation of an ecological restoration programme across the site. This will involve the re-establishment of indigenous vegetation and is expected to enhance ecological values and biodiversity over time.
- 9.117 The proposal will also provide economic and social benefits through the establishment of the lodge and visitor accommodation facility, supporting tourism within the Punakaiki area and providing employment and economic activity during both construction and ongoing operation.
- 9.118 A submission in support of the proposal from Development West Coast identifies that the proposal would contribute to the local visitor economy and help address a gap in higher-end accommodation within the region. In my view, it is reasonable to accept that the development will contribute to local employment and economic activity and support the role of Punakaiki as a visitor destination.

Overall Conclusion on Effects on the Environment

- 9.119 The proposal will result in a range of both adverse and positive effects on the environment. The preceding sections identify that most of the adverse effects can be appropriately avoided, mitigated or managed through design responses and conditions of consent. However, in my opinion, there remain some areas where the acceptability of effects is dependent on further information or where a degree of

uncertainty remains.

Acceptable and Manageable Effects

- 9.120 In relation to landscape, natural character and visual effects, I accept that the proposal will introduce built form and activity into a highly valued coastal environment, resulting in an initial reduction in naturalness and a change to the existing visual character. However, I am satisfied that these effects will reduce over time as restoration planting establishes and the development becomes more integrated into the landscape. While there is some variation in expert opinion regarding the duration of these effects, both assessments conclude that effects are not significant and will reduce to a minor level over the longer term (whether that is accepted as 5 plus or 10 plus years).
- 9.121 With respect to cultural and archaeological values, I am satisfied that the potential for effects has been appropriately identified and assessed. While there is some uncertainty associated with unknown subsurface archaeological material, I consider that the use of an ADP provides an appropriate mechanism to manage this risk. On that basis, I am satisfied that adverse effects will be no more than minor.
- 9.122 In relation to amenity values, I consider that while the proposal will result in a change to the existing environment through increased activity, lighting and human presence, these effects will be localised and moderated by the scale, layout and separation distances of the development. I am satisfied that these effects can be appropriately managed and will be no more than minor.
- 9.123 I am satisfied that infrastructure and servicing requirements can be achieved in principle, subject to detailed design and certification secured through conditions of consent. In relation to natural hazards, I am satisfied that risks have been appropriately identified and can be managed through avoidance and site-specific design responses.
- 9.124 In terms of ecological values, I am satisfied that adverse effects on terrestrial and freshwater ecology can be appropriately avoided and mitigated, with the potential for ecological enhancement over time.
- 9.125 I consider adverse effects on avifauna, particularly arising from artificial lighting, have the potential to be more than minor in the absence of effective mitigation. The acceptability of these effects is dependent on the robustness and implementation of proposed mitigation measures and conditions of consent. I note that concerns raised by DOC have now been resolved via the applicant's volunteered consent conditions, however input on consent conditions from other key stakeholders such as the West Coast Penguin Trust and Westland Petrel Conservation Trust may be valuable. Despite this, I am satisfied that, subject to effective mitigation and the implementation of conditions of consent, adverse effects on avifauna can be managed to no more than minor and acceptable levels.

Outstanding Issues and Insufficient Information

- 9.126 In relation to earthworks, I consider that subject to appropriate conditions of consent, the majority of associated effects can be appropriately managed. However, the design of earthworks associated with the proposed access to SH6 has been amended and this creates uncertainty in relation to potential effects on slope stability within the state highway corridor.

9.127 At the time of writing this report, I consider that insufficient information has been provided in relation to the proposed access to SH6. The safety and operational performance of the access is a fundamental component of the proposal and at present the design of the access is not agreed between the applicant and NZTA. NZTA remains in opposition to the proposal. In the absence of an agreed access design and confirmation the access can operate safely and efficiently, I am not satisfied that the effects on the state highway network have been appropriately addressed.

Conclusion

9.128 Taking the above assessment into account, I consider that the majority of the adverse effects associated with the proposal can likely be appropriately managed to an acceptable level. However, I consider that there is currently insufficient information to conclude that all adverse effects on the environment will be acceptable. In particular, the unresolved issues relating to access to SH6, including the associated earthworks, mean that the full extent of effects on the environment cannot be determined at this time.

10.0 Relevant Provisions of Statutory Documents - Section 104(1)(b) of the Act

10.1 The following assessment of relevant provisions of statutory documents follows a similar layout to that in the application document prepared by Town Planning Group. This approach intentionally does not repeat the contextual/introductory information at the start of each statutory document section.

10.2 New Zealand Coastal Policy Statement 2010 ("NZCPS")

Table 5 – Assessment against the relevant objectives and policies of the NZCPS

Provision		Assessment
Objective 1	<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> <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> <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>	The proposal will result in some disturbance to ecological values during construction and introduce ongoing operational effects, particularly in relation to lighting. However, I accept that the extent of indigenous vegetation clearance is limited and that the proposed restoration planting, pest control and habitat enhancement will maintain and, over time, enhance ecological functioning across the site.
Policy 11	<i>To protect indigenous biological diversity in the coastal environment:</i> a) <i>avoid adverse effects of activities on:</i> i. <i>indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System</i>	I consider that subject to appropriate consent conditions, the proposal can be designed and operated to ensure adverse

Provision		Assessment
	<i>lists;</i> <i>ii. taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened;</i> <i>iii. indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare⁶;</i> <i>iv. habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;</i> <i>v. areas containing nationally significant examples of indigenous community types; and</i> <i>vi. areas set aside for full or partial protection of indigenous biological diversity under other legislation; and</i> <i>b) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on:</i> <i>i. areas of predominantly indigenous vegetation in the coastal environment;</i> <i>ii. habitats in the coastal environment that are important during the vulnerable life stages of indigenous species;</i> <i>iii. 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>iv. habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes;</i> <i>v. habitats, including areas and routes, important to migratory species; and</i> <i>vi. ecological corridors, and areas important for linking or maintaining biological values identified under this policy</i>	effects on ecological values and indigenous biological diversity are at most very low. I consider the proposal will therefore be generally consistent with this objective and policy.
Objective 2	<i>To preserve the natural character of the coastal environment and protect natural features and landscape values through:</i> <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</i>	The site is located within a highly valued coastal environment and I accept that the proposal will result in a reduction in naturalness and a change to the existing character of the site, particularly in the short term. However, I also accept that the site is already modified to

Provision		Assessment
Policy 13	<i>environment.</i> <i>(1) To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:</i> <i>a) avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and</i> <i>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;</i> <i>including by:</i> <i>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</i> <i>d) ensuring that regional policy statements, and plans, identify areas where preserving natural character requires objectives, policies and rules, and include those provisions.</i> <i>(2) Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as:</i> <i>a) natural elements, processes and patterns;</i> <i>b) biophysical, ecological, geological and geomorphological aspects;</i> <i>c) natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks;</i> <i>d) the natural movement of water and sediment;</i> <i>e) the natural darkness of the night sky;</i> <i>f) places or areas that are wild or scenic;</i> <i>g) a range of natural character from pristine to modified; and</i> <i>h) experiential attributes, including the sounds and smell of the sea; and their context or setting.</i>	some degree and that the proposal has been designed to respond to that context. There is some tension with Policy 13, as the proposal will introduce built development into an area of high to outstanding natural character and will result in adverse effects, particularly in the short term. However, I accept the proposal has been designed to avoid the most sensitive areas of the site where practicable and that the scale and layout of development are relatively restrained. I also place weight on the restoration planting, which will mitigate effects over time. It may be acceptable to allow activities that have minor or transitory adverse effects in outstanding areas and still give effect to Policy 13 where their avoidance is not necessary (or relevant) to preserve the natural character of the coastal environment. In this case, while the adverse effects will not be completely avoided, I consider that they are appropriately mitigated to preserve the natural character of the coastal environment. I therefore consider the proposal is aligned with the intent of this objective and policy.
Policy 14	<i>Promote restoration or rehabilitation of the natural character of the coastal environment, including by:</i>	The proposal includes a comprehensive

Provision		Assessment
	a) <i>identifying areas and opportunities for restoration or rehabilitation;</i> b) <i>providing policies, rules and other methods directed at restoration or rehabilitation in regional policy statements, and plans;</i> c) <i>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:</i> i. <i>restoring indigenous habitats and ecosystems, using local genetic stock where practicable; or</i> ii. <i>encouraging natural regeneration of indigenous species, recognising the need for effective weed and animal pest management; or</i> iii. <i>creating or enhancing habitat for indigenous species; or</i> 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>	programme of ecological restoration, including the removal of exotic vegetation and the re-establishment of indigenous species across the site. In my view, this aligns with the intent of Policy 14 to promote restoration and rehabilitation of the coastal environment. The scale and commitment to restoration is a positive aspect of the proposal and will contribute to improved natural character over time. On that basis, I consider the proposal is consistent with this policy.
Policy 15	<i>To protect the natural features and natural landscapes (including seascapes) of the coastal environment from inappropriate subdivision, use, and development:</i> 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</i>	Policy 15 requires the avoidance of adverse effects on outstanding natural landscapes and the avoidance of significant adverse effects, and avoidance, remedy or mitigation of other adverse effects on other landscapes. I accept that the

Provision		Assessment
	<i>landscapes in the coastal environment; 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> 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> x. <i>wild or scenic values;</i> 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> e) <i>including the objectives, policies and rules required by (d) in plans.</i>	proposal will result in landscape change within an outstanding natural landscape, including visual effects and a reduction in naturalness, particularly in the short term. However, I am satisfied that adverse effects on landscape values will not be significant and will reduce over time, with long-term effects being very low or low (less than minor to minor) once planting has established. The development is of a relatively low scale, dispersed across a large site, and avoids the most sensitive landforms where practicable. I also accept that visual effects will reduce over time. It may be acceptable to allow activities that have minor or transitory adverse effects in outstanding areas and still give effect to Policy 15 where their avoidance is not necessary (or relevant) to protect natural features and natural landscapes. In this case, while the adverse effects will not be completely avoided, I consider that they are appropriately mitigated to protect the natural landscape. I therefore consider the proposal is aligned with the intent of this policy.
Objective 3	<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>	I am satisfied the proposal recognises and provides for the identified matters in

Provision		Assessment
	• <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>	Objective 3 and Policy 2. The applicant has adopted the Ngāti Waewae ADP and Ngāti Waewae have chosen not to formally submit on the proposal.
Policy 2	<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> 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> 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> 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> d) <i>provide opportunities in appropriate circumstances for Māori involvement in 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> 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> i. <i>where appropriate incorporate references to, or material from, iwi resource management plans in regional policy statements and in plans; and</i> ii. <i>consider providing practical assistance to iwi or hapū who have</i>	Given the nature of the site, the absence of identified archaeological features within the development footprint, and the proposed management approach, I consider that adverse effects on cultural values can be appropriately managed. Ngāti Waewae have engaged with the applicant to the extent it considers appropriate and necessary and, on that basis, I consider the proposal is consistent with this objective and policy.

Provision		Assessment
	<i>indicated a wish to develop iwi resource management plans;</i> f) <i>provide for opportunities for tangata whenua to exercise kaitiakitanga over waters, forests, lands, and fisheries in the coastal environment through such measures as:</i> <i>i. bringing cultural understanding to monitoring of natural resources;</i> <i>ii. providing appropriate methods for the management, maintenance and protection of the taonga of tangata whenua;</i> <i>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</i> g) <i>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:</i> <i>i. recognise the importance of Māori cultural and heritage values through such methods as historic heritage, landscape and cultural impact assessments; and</i> <i>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.</i>	
Objective 5	<i>To ensure that coastal hazard risks taking account of climate change, are managed by:</i> <i>• locating new development away from areas prone to such risks;</i> <i>• considering responses, including managed retreat, for existing development in this situation; and</i> <i>• protecting or restoring natural defences to coastal hazards.</i>	The site is subject to a range of coastal and geotechnical hazards. The T+T assessment provides a site-specific evaluation of hazards across the site, which I consider appropriate and more detailed than regional-scale mapping.
Policy 24	<i>(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:</i> <i>a) physical drivers and processes that cause coastal change including sea level rise;</i>	I accept the layout of the proposal avoids the most significant hazard areas and that a combination of

Provision		Assessment
	b) <i>short-term and long-term natural dynamic fluctuations of erosion and accretion;</i> c) <i>geomorphological character;</i> d) <i>the potential for inundation of the coastal environment, taking into account potential sources, inundation pathways and overland extent;</i> e) <i>cumulative effects of sea level rise, storm surge and wave height under storm conditions;</i> f) <i>influences that humans have had or are having on the coast;</i> g) <i>the extent and permanence of built development; and</i> h) <i>the effects of climate change on:</i> i. <i>matters (a) to (g) above;</i> ii. <i>storm frequency, intensity and surges; and</i> iii. <i>coastal sediment dynamics;</i> <i>taking into account national guidance and the best available information on the likely effects of climate change on the region or district.</i>	avoidance, detailed design and construction practices will be used to manage risk. I am satisfied that coastal hazard risks can be managed to an acceptable level, and that the proposal will not increase hazard risk. On that basis, I consider the proposal is consistent with this objective and policies.
Policy 25	<i>In areas potentially affected by coastal hazards over at least the next 100 years:</i> <i>avoid increasing the</i> a) <i>risk of social, environmental and economic harm from coastal hazards;</i> b) <i>avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards;</i> c) <i>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> d) <i>encourage the location of infrastructure away from areas of hazard risk where practicable;</i> e) <i>discourage hard protection structures and promote the use of alternatives to them, including natural defences; and</i> f) <i>consider the potential effects of tsunamis and how to avoid or mitigate them.</i>	
Objective 6	<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> • <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</i>	The proposal will provide economic and social benefits through the development of the lodge, visitor accommodation and associated facilities, supporting tourism within the Punakaiki

Provision		Assessment
	<i>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 damage from inappropriate subdivision, use, and development.</i>	area. Objective 6 and Policy 6 recognise that development can occur within the coastal environment, provided that adverse effects are appropriately managed and that activities are located and designed in a way that responds to the characteristics of the environment. I consider the proposal responds appropriately to the site, particularly in terms of scale, layout and landscape integration. Whilst site access is yet to be resolved, I consider the proposal will not detract from the existing environment once planting is established, and adverse effects can be managed, including with respect to historic heritage.
Policy 6	<i>1) In relation to the coastal environment:</i> <i>a) 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> <i>b) 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> <i>c) 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> <i>d) recognise tangata whenua needs for papakāinga, marae and associated developments and make appropriate provision for them;</i> <i>e) 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> <i>f) consider where development that maintains the character of the existing built environment</i>	

Provision		Assessment
	<i>should be encouraged, and where development resulting in a change in character would be acceptable;</i> <i>g) 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> <i>h) 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> <i>j) where appropriate, buffer areas and sites of significant indigenous biological diversity, or historic heritage value.</i> <i>(2) Additionally, in relation to the coastal marine area...</i>	

10.3 National Policy Statement for Freshwater Management 2020 (“NPS-FM”)

Table 6 – Assessment against the relevant objectives and policies of the NPS-FM

Provision		Assessment
Objective	<i>(1) The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises:</i> <i>(a) first, the health and well-being of water bodies and freshwater ecosystems</i> <i>(b) second, the health needs of people (such as drinking water)</i> <i>(c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.</i>	The applicant considers the proposal can comply with the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, and that resource consent will be required for earthworks and vegetation clearance, as a Discretionary Activity, under the West Coast Regional Land and Water Plan. A detailed assessment against the NPS-FM would therefore apply to any WCRC consent process. The applicant acknowledges that earthworks have the potential to result in erosion and sediment generation, including
Policy 1	<i>Freshwater is managed in a way that gives effect to Te Mana o te Wai</i>	
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>	
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>	
Policy 6	<i>There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.</i>	
Policy 7	<i>The loss of river extent and values is avoided to the extent practicable</i>	
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</i>	

Provision		Assessment
	<i>consistent with this National Policy Statement</i>	in proximity to wetlands and watercourses. A CMP and ESCP are proposed to address effects and prevent sediment discharges to sensitive receiving environments. I accept the applicant's assessment that for the purposes of this land use consent application under the BDP and TTPPDV, the proposal will give effect to Te Mana o te Wai, and there will be no loss of natural inlands wetlands, river extent or habitats of indigenous freshwater species.

10.4 National Policy Statement for Indigenous Biodiversity 2023 (“NPS-IB”)

Table 7 – Assessment against the relevant objectives and policies of the NPS-IB

Provision		Assessment
Objective	<i>The objective of this National Policy Statement is:</i> <i>a) 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> <i>b) to achieve this:</i> <i>i. through recognising the mana of tangata whenua as kaitiaki of indigenous biodiversity; and</i> <i>ii. by recognising people and communities, including landowners, as stewards of indigenous biodiversity; and</i> <i>iii. by protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity; and</i> <i>iv. while providing for the social, economic, and cultural wellbeing of people and communities now and in the future.</i>	The proposal involves a combination of limited indigenous vegetation clearance and a substantial programme of ecological restoration and enhancement across the site. I accept that, over time, this will result in an overall increase in indigenous vegetation cover and improved habitat values. In that respect, I am satisfied that the proposal will maintain, and likely enhance, indigenous biodiversity at a site level. I consider the proposal is consistent with this objective.
Policy 1	<i>Indigenous biodiversity is managed in a way that gives effect to the decision-making principles and takes into</i>	The applicant has engaged with Ngāti

Provision		Assessment
	<i>account the principles of the Treaty of Waitangi.</i>	Waewae, and I note that cultural values associated with the site have been taken into account.
Policy 2	<i>Tangata whenua exercise kaitiakitanga for indigenous biodiversity in their rohe, including through:</i> <i>a) managing indigenous biodiversity on their land; and</i> <i>b) identifying and protecting indigenous species, populations and ecosystems that are taonga; and</i> <i>c) actively participating in other decision-making about indigenous biodiversity.</i>	No specific recommendations have been provided by Ngāti Waewae in relation to indigenous biodiversity outcomes on the site. I am satisfied that Ngāti Waewae has been acknowledged as kaitiaki in the area and I consider the proposal is consistent with this policy.
Policy 3	<i>A precautionary approach is adopted when considering adverse effects on indigenous biodiversity.</i>	I consider the proposal can be designed and operated to ensure adverse effects on terrestrial and freshwater ecology are no more than minor. I have acknowledged that adverse effects on avifauna have the potential to be more than minor in the absence of effective mitigation, therefore a precautionary approach is warranted. However, I am satisfied that conditions of consent can be imposed to ensure effects are acceptable. The site is not identified as a Significant Natural Area in the BDP or TTPPDV and indigenous biodiversity is to be maintained and enhanced under this proposal. The proposal is consistent with these policies.
Policy 8	<i>The importance of maintaining indigenous biodiversity outside SNAs is recognised and provided for.</i>	
Policy 10	<i>Activities that contribute to New Zealand's social, economic, cultural, and environmental wellbeing are</i>	The proposal will provide social and

Provision		Assessment
	<i>recognised and provided for as set out in this National Policy Statement.</i>	economic benefits, particularly through tourism and employment. At the same time, it incorporates measures to protect and enhance indigenous biodiversity. On that basis, I consider the proposal appropriately recognises and provides for the matters in this policy and is generally consistent with it.
Policy 13	<i>Restoration of indigenous biodiversity is promoted and provided for.</i>	A key strength of the proposal is the inclusion of a comprehensive ecological restoration programme, including pest management and revegetation with indigenous species. In my view, this directly aligns with the policy direction to promote restoration of indigenous biodiversity and will result in positive long-term outcomes for the site. On that basis, I consider the proposal is consistent with these policies.
Policy 15	<i>Increased indigenous vegetation cover is promoted in both urban and nonurban environments.</i>	

10.5 National Policy Statement for Natural Hazards 2025 (“NPS-NH”)

Table 8 – Assessment against the relevant objectives and policies of the NPS-NH

Provision		Assessment
Objective	<i>(1) Natural hazard risk to people and property associated with subdivision, use and development is managed using a risk-based proportionate approach.</i>	The applicant has provided an assessment from T+T against the NPS-NH. The assessment concludes that the proposal aligns with the objective and policies of the NPS-NH, in particular that: • Risk has been
Policy 1	<i>When considering natural hazard risk associated with subdivision, use or development, the risk level must be assessed using the risk matrix.</i>	
Policy 2	<i>Natural hazard risk associated with subdivision, use and development must be managed using an approach that is proportionate to the level of natural hazard risk.</i>	
Policy 3	<i>Where subdivision, use or development is assessed as having very high natural hazard risk, that risk must be avoided.</i>	
Policy 4	<i>Where subdivision, use or development, including any</i>	

Provision		Assessment
	<i>associated mitigation measures, will create or increase significant natural hazard risk on other sites, that risk must be avoided or mitigated using an approach that is proportionate to the level of natural hazard risk.</i>	assessed using a likelihood–consequence risk matrix. • Very high risk is avoided through the development layout and proposed conditions. • The creation or increase of a significant risk on other sites is addressed through proposed conditions. • Decisions have been based on the best available information, with detailed assessment appropriately staged to detailed design. • the effects of climate change to at least 100 years have been considered. Taking into account the assessment of T+T, I am satisfied that the proposal is consistent with this objective and policies.
Policy 5	<i>Natural hazard risk assessment and decisions must be based on the best available information and must be made even when that information is uncertain or incomplete.</i>	
Policy 6	<i>The potential impacts of climate change to at least 100 years into the future must be considered.</i>	

10.6 West Coast Regional Policy Statement (“RPS”)

Table 9 – Assessment against the relevant objectives and policies of the RPS

Provision		Assessment
Section 3 – Resource Management Issues of Significance to Poutini Ngāi Tahu		
Objective 1	<i>To take into account the principles of the Treaty of Waitangi in the exercise of functions and powers under the RMA</i>	I am satisfied the proposal recognises and provides for the identified matters in Objective 1 and 2, and Policy 3. Whilst the site is located within a SASM, the applicant has adopted the Ngāti Waewae ADP and Ngāti Waewae have
Objective 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	<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</i>	

Provision		Assessment
	<i>decisions and practices.</i>	not chosen to formally submit on the proposal. Given the nature of the site, the absence of identified archaeological features within the development footprint, and the proposed management approach, I consider that adverse effects on cultural values can be appropriately managed. Ngāti Waewae have engaged with the applicant to the extent it considers appropriate and necessary and, on that basis, I consider the proposal is consistent with these objectives and policy.
Section 4 – Resilient and Sustainable Communities		
Objective 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 will contribute to economic wellbeing and support the local tourism economy. The design also responds to the natural environment, and most environmental effects can be managed to an acceptable level. However, integration with infrastructure is not fully demonstrated with respect to the unresolved access design to SH6.
Objective 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>	Historic features, including the sea caves, have been identified and avoided through the layout of the proposal and an

Provision		Assessment
		ADP is proposed to address any unknown archaeological features with respect to the SASM. I am satisfied that these values are appropriately managed and therefore consider the proposal is consistent with this objective.
Objective 5	<i>To recognise and provide for the relationships of Poutini Ngāi Tahu with cultural landscapes.</i>	The cultural setting and relationship of Poutini Ngāi Tahu with cultural landscapes has been recognised through the engagement with Ngāti Waewae. Accordingly, I consider the proposal is consistent with this objective.
Policy 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>	The proposal supports economic development and makes productive use of land in a way that contributes to regional wellbeing. This aligns with the intent of this policy.
Section 5 - Use and Development of Resources		
Objective 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>	The proposal enables the use of land to support economic and social wellbeing, which aligns with the enabling direction of Objective 1. I am satisfied that the majority of adverse effects can be avoided, remedied or mitigated through design and conditions. However, the proposal has not yet demonstrated that conflict with the state highway network has been avoided or minimised.
Objective 2	<i>Incompatible use and development of natural and physical resources are managed to avoid or minimise conflict.</i>	
Policy 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 2	<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> <i>a. Avoiding, remedying or mitigating reverse sensitivity effects arising from new activities located near existing:</i> <i>i. Primary production activities;</i> <i>ii. Industrial and commercial activities;</i> <i>iii. Minerals extraction*;</i> <i>iv. Significant tourism infrastructure;</i> <i>v. Regionally significant infrastructure; and</i>	

Provision		Assessment
	<i>b. Managing new activities to retain the potential future use of:</i> <i>i. Land with significant mineral resources; or</i> <i>ii. Land which is likely to be needed for regionally significant infrastructure.</i> <i>*Minerals extraction includes aggregates and other mining activities.</i>	At this stage I consider there is insufficient information to conclude the proposal is consistent with Objective 2, however I anticipate that a design solution will be available to address this in consultation with NZTA.
Section 6 – Regionally Significant Infrastructure (“RSI”)		
Objective 1	Enable the safe, efficient and integrated development, operation, maintenance, and upgrading of regionally and nationally significant infrastructure.	SH6 is considered RSI under the RPS. At the time of writing this report, I consider that insufficient information has been provided in relation to the proposed access to SH6. The safety and operational performance of the access is a fundamental component of the proposal and at present the design of the access is not agreed between the applicant and NZTA. NZTA remains in opposition to the proposal.
Policy 4	Recognise that RSI important to the West Coast’s wellbeing needs to be protected from the reverse sensitivity effects arising from incompatible new subdivision, use and development, and the adverse effects of other activities, which would compromise the effective operation, maintenance, upgrading, or development of the infrastructure.	
Section 7 - Ecosystems and Indigenous Biological Diversity		
Objective 2	Protect significant indigenous vegetation and significant habitats of indigenous fauna.	The proposal does

Provision		Assessment
Objective 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>	not seek to remove any significant indigenous vegetation or destroy any significant habitats of indigenous fauna. The proposal integrates development with ecological management and enhancement, including restoration planting and pest control, which supports the ongoing functioning of ecosystems. Indigenous biodiversity will be maintained overall, with enhancement over time as restoration planting establishes. On that basis, I consider the proposal is consistent with these objectives.
Objective 4	<i>Maintain the region's terrestrial and freshwater indigenous biological diversity.</i>	
Policy 2	<i>Activities shall be designed and undertaken in a way that does not cause:</i> <i>a. 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> <i>b. A change of the Threatened Environment Classification to category two or below at the Ecological District Level;</i> <i>c. Further measurable reduction in the proportion of indigenous cover on those land environments in category one or two of the Threatened Environment Classification at the Ecological District Level;</i> <i>d. 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>	Based on the EA and Bramley avifauna review, I am satisfied that none of these matters will result from the proposal.
Policy 7	<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> <i>a. Allowing activities with no more than minor adverse effects;</i> <i>b. Avoiding, remedying or mitigating more than</i>	The proposal involves a combination of limited indigenous vegetation clearance and a substantial programme of ecological restoration

Provision		Assessment
	<i>minor adverse effects;</i> <i>c. Where there are significant residual adverse effects, considering any proposal for indigenous biological diversity offsetting or compensation.</i>	and enhancement across the site. I accept that, over time, this will result in an overall increase in indigenous vegetation cover and improved habitat values.
Policy 8	<i>Maintain indigenous biological diversity, ecosystems and habitats in the region by:</i> <i>a. Recognising that it is more efficient to maintain rather than to restore indigenous biological diversity;</i> <i>b. Encouraging restoration or enhancement of indigenous biological diversity and/or habitats, where practicable; and</i> <i>c. Advocating for a co-ordinated and integrated approach to reducing the threat status of indigenous biological diversity.</i>	In that respect, I am satisfied that the proposal will maintain, and likely enhance, indigenous biodiversity at a site level. I consider the proposal will be consistent with these policies.
Policy 9	<i>Give effect to Objective 2 of Chapter 3 by:</i> <i>a. Providing for the kaitiakitanga role of Poutini Ngāi Tahu in the management of indigenous biological diversity;</i> <i>b. 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> <i>c. 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>	The applicant has engaged with Ngāti Waewae, and I note that cultural values associated with the site have been taken into account. No specific recommendations have been provided by Ngāti Waewae in relation to indigenous biological diversity outcomes on the site. I am satisfied that Ngāti Waewae has been acknowledged as kaitiaki in the area and I consider the proposal is consistent with this policy.
Section 7A - Natural Character		
Objective 1	<i>Use regionally consistent criteria to identify the elements, patterns, processes and qualities of the natural character of wetlands, and lakes and rivers and their margins.</i>	These objectives and policies relate to the natural character of land that is <u>inland</u> from the landward coastal environment boundary. The coastal environment under the RPS includes land areas adjacent to the coastal marine area that have a coastal character, which includes the site. Therefore, whilst
Objective 2	<i>Provide for appropriate subdivision, use and development to enable people and communities to maintain or enhance their economic, social and cultural wellbeing.</i>	
Policy 2	<i>Protect the elements, patterns, processes and qualities that together contribute to the natural character of wetlands, and lakes and rivers and their margins from inappropriate subdivision, use and development.</i>	
Policy 3	<i>When determining if an activity is appropriate, the following matters must be considered:</i> <i>a. The degree and significance of actual or</i>	

Provision		Assessment
	<i>potential adverse effects on the elements, patterns, processes and qualities that contribute to natural character;</i> b. <i>The value, importance or significance of the natural character at the local, or regional level;</i> c. <i>The degree of naturalness;</i> d. <i>The potential for cumulative effects to diminish natural character, and the efficacy of measures proposed to avoid, remedy or mitigate such effects; and</i> e. <i>The vulnerability of the natural character to change, and its capacity to accommodate change, without compromising its values.</i>	these objectives and policies have been assessed by the applicant, I do not consider they are applicable.
Policy 4	<i>Allow activities which have no more than minor adverse effects on natural character.</i>	
Section 7B – Natural Features and Landscapes		
Objective 1	<i>Protect the region’s outstanding natural features and outstanding natural landscapes from inappropriate subdivision, use and development.</i>	I accept that the proposal will result in landscape change within an outstanding natural landscape, including visual effects and a reduction in naturalness, particularly in the short term. However, I am satisfied that adverse effects on landscape values will not be significant and will reduce over time, with long-term effects being very low or low (less than minor to minor) once planting has established. The development is of a relatively low scale, dispersed across a large site, and avoids the most sensitive landforms where practicable. I also accept that visual effects will reduce over time. I consider adverse effects will be appropriately mitigated to protect the natural landscape and the development of the site will be appropriate. I therefore consider the proposal is
Objective 2	<i>Provide for appropriate subdivision, use and development on, in or adjacent to outstanding natural features and outstanding natural landscapes to enable people and communities to maintain or enhance their economic, social and cultural wellbeing.</i>	
Policy 2	<i>Protect the values which together contribute to a natural feature or landscape being outstanding, from inappropriate subdivision, use and development.</i>	
Policy 3	<i>When determining if an activity is appropriate, the following matters must be considered:</i> a) <i>Whether the activity will cause the loss of those values that contribute to making the natural feature or landscape outstanding;</i> b) <i>The extent to which the outstanding natural feature or landscape will be modified or damaged including the duration, frequency, magnitude or scale of any effect;</i> c) <i>The irreversibility of any adverse effects on the values that contribute to making the natural feature or landscape outstanding;</i> d) <i>The resilience of the outstanding natural feature or landscape to change;</i> e) <i>Whether the activity will lead to cumulative adverse effects on the outstanding natural feature or landscape;</i>	
Policy 4	<i>Allow activities in outstanding natural features and outstanding natural landscapes which have no more than minor adverse effects.</i>	

Provision		Assessment
		consistent with these objectives and policies.
Section 8 - Land and Water		
Objective 1	<i>The life-supporting capacity of freshwater is maintained or improved.</i>	The applicant acknowledges that earthworks have the potential to result in erosion and sediment generation, including in proximity to wetlands and watercourses. A CMP and ESCP are proposed to address effects and prevent sediment discharges to sensitive receiving environments.
Objective 2	<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>	
Objective 5	<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>	
Policy 1	<i>Adverse effects on fresh and coastal water quality and aquatic ecosystems arising from:</i> <i>a. Subdivision, use or development of land;</i> <i>b. Discharges of contaminants to water and to land in circumstances which may result in contaminants entering water;</i> <i>c. Water use and take; and</i> <i>d. Activities in, or on, water including damming and diversion,</i> <i>will be avoided, remedied or mitigated, to ensure that water quality and aquatic ecosystems are maintained or improved.</i>	Whilst effects on freshwater will be addressed through the WCRC consent process as required, I accept the applicant's assessment that for the purposes of this land use consent application under the BDP and TTPPDV, the proposal will be consistent with these objectives and policy.
Policy 2	<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> <i>a. A preference by Poutini Ngāi Tahu for discharges to land over water where practicable;</i> <i>b. The value of riparian margin vegetation for water quality and aquatic ecosystems; and</i> <i>c. Effects on the sustainability of mahinga kai, and protection of taonga areas.</i>	In so far as these matters are relevant to the land use consent application, I am satisfied the proposal will avoid adverse effects on Poutini Ngāi Tahu cultural values. The applicant has adopted the Ngāti Waewae ADP as requested, and Ngāti Waewae have chosen not to formally submit on the proposal.
Policy 3	<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 water quality effects on sites that are significant to Poutini Ngāi Tahu, including the following:</i> <i>a. Estuaries, hāpua lagoons, and other coastal wetlands; and</i>	

Provision		Assessment
	<i>b. Shellfish beds and fishing areas.</i>	
Section 9 – Coastal Environment		
Objective 1	<i>Within the coastal environment:</i> <i>a. Protect indigenous biological diversity;</i> <i>b. Preserve natural character, and protect it from inappropriate subdivision, use and development; and</i> <i>c. Protect natural features and natural landscapes from inappropriate subdivision, use and development</i>	As previously assessed, I consider the proposal can be designed and operated to ensure adverse effects on ecological values and indigenous biological diversity are at most very low.
Policy 1	<i>Within the coastal environment protect indigenous biological diversity, and natural character, natural features and natural landscapes from inappropriate subdivision, use and development by:</i> <i>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;</i> <i>b. Avoiding adverse effects on significant indigenous biological diversity, areas of outstanding natural character and outstanding natural landscapes and features; and</i> <i>c. Avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects on indigenous biological diversity, natural character, natural features and natural landscapes.</i>	The site is located within a highly valued coastal environment, and I accept that the proposal will result in a reduction in naturalness and a change to the existing character of the site. While the adverse effects will not be completely avoided, I consider that they are appropriately mitigated to preserve the natural character of the coastal environment and to protect the outstanding natural landscape. I consider the proposal is aligned with the intent of this objective and policy.
Policy 9	<i>Consider opportunities for the restoration or rehabilitation of natural character.</i>	The proposal includes a comprehensive programme of ecological restoration, including the removal of exotic vegetation and the re-establishment of indigenous species across the site. In my view, this aligns with the intent of this policy to restore or rehabilitate natural character. The scale and commitment to restoration is a positive aspect of the proposal and will contribute to

Provision		Assessment
		improved natural character over time. On that basis, I consider the proposal is consistent with this policy.
Objective 2	<i>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.</i>	The proposal will provide social and economic benefits, particularly through tourism and employment, which will enhance the social and economic well-being of people and communities. The applicant notes the selected location for the development is intrinsic to the proposal and this meets an operational requirement test. I do not agree that the proposal has an operational need to be located on the site, it is rather a commercial desirability and preference. Nevertheless, I consider the proposal responds appropriately to the site, particularly in terms of scale, layout and landscape integration. Whilst site access is yet to be resolved, I consider the proposal will not detract from the existing environment once planting is established, and adverse effects can be managed to ensure they are no more than minor on the coastal environment. I consider the proposal is generally
Policy 3	<i>Provide for subdivision, use or development in the coastal environment:</i> <i>a. Which maintains or enhances the social, economic and cultural well-being of people and communities;</i> <i>b. Which:</i> <i>i. Requires the use of the natural and physical resources in the coastal environment; or</i> <i>ii. Has a technical, functional or operational requirement to be located within the coastal environment;</i> <i>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).</i> <i>d. By allowing subdivision, use and development where the adverse effects are no more than minor within those areas described in Policy 1.c).</i> <i>e. By allowing lawfully established activities to continue provided the adverse effects are the same or similar in scale, character or intensity.</i>	

Provision		Assessment
		consistent with this objective and policy.
Policy 5	<i>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:</i> <i>a. Estuaries, hāpua lagoons, and other coastal wetlands; and</i> <i>b. Shellfish beds and fishing areas.</i>	Ngāti Waewae have engaged with the applicant and have not recommended any changes to the proposal. I consider the proposal is consistent with this policy.
Objective 3	<i>Ensure that any new subdivision, use or development in the coastal environment has appropriate regard to the level of coastal hazard risks.</i>	The site is subject to a range of coastal and geotechnical hazards.
Policy 6	<i>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:</i> <i>a. Official, nationally recognised guidelines for sea level rise;</i> <i>b. The type and life-cycle of the proposed development, including whether it is short-term, long term, or permanent;</i> <i>c. Whether the predicted impacts are likely to have material or significant consequences;</i> <i>d. The acceptability of those potential consequences, given their likelihood; and,</i> <i>e. Whether there are suitable options to avoid increasing the risk of harm from coastal hazards, and whether future adaptation options are feasible.</i>	The T+T assessment provides a site-specific evaluation of hazards across the site, which I consider appropriate and more detailed than regional-scale mapping. I accept the layout of the proposal avoids the most significant hazard areas and that a combination of avoidance, detailed design and construction practices will be used to manage risk.
Policy 7	<i>Coastal hazard risks should be assessed over at least a 100 year timeframe.</i>	I am satisfied that coastal hazard risks can be managed to an acceptable level, and that the proposal will not increase hazard risk. On that basis, I consider the proposal is consistent with this objective and policies.

10.7 Buller District Plan (“BDP”)

Table 10 – Assessment against the relevant objectives and policies of the BDP

Provision		Assessment
Chapter 4.2 - Infrastructure		
Objective 4.2.5.1	To provide for the efficient development, operation and maintenance of infrastructure throughout the District, while avoiding, remedying or mitigating adverse effects.	As detailed in this report, I am satisfied that the proposal can be serviced in principle for water, wastewater stormwater, electricity and telecommunications. However, this is subject to appropriate conditions of consent requiring detailed design and certification. With respect to potential effects on SH6, at the time of writing this report, I consider that insufficient information has been provided in relation to the suitability of the proposed access design. In the absence of an agreed access design and confirmation the access can operate safely and efficiently, I am not satisfied that SH6 will be protected from adverse effects that could compromise its effective operation. I acknowledge that there is likely to be a design solution available, however at this time I consider the proposal is inconsistent with these objectives and Policy 4.2.6.3.
Objective 4.2.5.2	To protect infrastructure resources from the adverse effects of activities located adjacent to, or in association with, the facility.	
Policy 4.2.6.2	To ensure that services are provided in a manner which does not have adverse effects on the environment, and which enables communities to provide for their health and safety.	
Policy 4.2.6.3	To utilise a roading hierarchy which enables the effects of activities on the roading resource to be avoided, remedied or mitigated depending on the status of the road in the hierarchy.	
Chapter 4.3 – The Built Environment		
Objective 4.3.6.1	To recognise, and where possible, protect the distinctive character and heritage values of Buller settlements from the adverse effects of inappropriate development.	Whilst Policy 4.3.7.4 specifically refers to residential buildings, taking into account the

Provision		Assessment
Policy 4.3.7.4	<i>The design and height of residential buildings within the Paparoa Character Area and Punakaiki and Ross Subdivision (located within the Urban Character Area) shall be controlled with criteria for assessment designed to ensure that the landscape setting rather than the building remains the dominant visual perspective, in this scenically spectacular location.</i>	LA and the Brown landscape review, I am satisfied that the design and height of the buildings proposed will be compatible with the scenic values of the Paparoa Character Area.
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>	Historic features, including the sea caves, have been identified and avoided through the layout of the proposal and an ADP is proposed to address any unknown archaeological features. Given the nature of the site, the absence of identified archaeological features within the development footprint, and the proposed management approach, I consider that adverse effects on historic and cultural values can be appropriately managed. Ngāti Waewae have also chosen not to formally submit on the proposal. I consider the proposal is consistent with this objective and 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 adverse effects of land use activities and subdivision requiring a coastal location.</i>	The site is located within a highly valued coastal environment, recognised by the Paparoa Character Area zoning. I accept that the proposal will result in a reduction in naturalness and a
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>	
Policy 4.7.6.4	<i>The maintenance and enhancement of public access to and along the coastline shall be encouraged except where</i>	

Provision		Assessment
	<i>restrictions are necessary to ensure public safety or to avoid the potential adverse effects of people and/or vehicles on the coastal environment.</i>	change to the existing character of the site, particularly in the short term. However, I also accept that the site is already modified to some degree and that the proposal has been designed to respond to this context.
Policy 4.7.6.7	<i>The needs of existing and future activities requiring a coastal location shall be recognised.</i>	There is some tension with this objective, as the proposal will introduce built development into an area of high to outstanding natural character and will result in adverse effects, particularly in the short term. However, I accept the proposal has been designed to avoid the most sensitive areas of the site where practicable and that the scale and layout of development are relatively restrained. I also place weight on the restoration planting, which will mitigate effects over time. In this case, while the adverse effects will not be completely avoided, I consider that they are appropriately mitigated to preserve the natural character of the coastal environment. Public access will also not be impacted by the proposal. I therefore consider the proposal is aligned with the intent of this objective and policies.
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</i>	The proposal does not seek to remove any significant indigenous

Provision		Assessment
	<i>and physical environment and to the wellbeing of the people and communities in Buller.</i>	vegetation or destroy any significant habitats of indigenous fauna. The proposal integrates development with ecological management and enhancement, including restoration planting and pest control, which supports the ongoing functioning of ecosystems. Indigenous biodiversity will be maintained overall, with enhancement over time as restoration planting establishes. I consider the proposal is consistent with this objective and policies.
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>	
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>	I accept that the proposal will result in landscape change within an outstanding natural landscape, including visual effects and a reduction in naturalness, particularly in the short term. However, I am satisfied that adverse effects on landscape values will not be significant and will reduce over time, with long-term effects being very low or low (less than minor to minor) once planting has established. The development is of a relatively low scale, dispersed across a large site, and avoids the most sensitive landforms where practicable. I also accept that visual effects will reduce over time.
Policy 4.9.4.1	<i>To discourage activities which would significantly alter the character of outstanding landscapes.</i>	

Provision		Assessment
		In this case, while the adverse effects will not be completely avoided, I consider that they are appropriately mitigated to protect the natural landscape. I therefore consider the proposal is aligned with the intent of this objective and policy.
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>	I accept the layout of the proposal avoids the most significant hazard areas and that a combination of avoidance, detailed design and construction practices will be used to manage risk. I am satisfied that coastal hazard risks can be managed to an acceptable level, and that the proposal will not increase hazard risk. On that basis, I consider the proposal is consistent with this objective and policy.
Policy 4.10.7.2	<i>An assessment of natural hazard risk shall be provided where appropriate with all applications for resource consents.</i>	

10.8 Te Tai o Poutini Plan Decisions Version (“TTPPDV”)

Table 11 – Assessment against the relevant objectives and policies of the TTPPDV

Provision		Assessment
Strategic Direction – Te Pae Tawhiti		
NENV Natural Environment - Te Taiao		
Objective NENV- O1	<i>Recognise, protect and where necessary restore the natural character, outstanding landscapes and features, significant ecosystems and indigenous biodiversity that contribute to Te Tai o Poutini/the West Coast's character and identity.</i>	The natural character and outstanding landscape in the locality will be preserved, and indigenous biodiversity will be improved over the longer term due to ecological enhancement, including weed and pest control. This will ensure the character and identity of Te Tai o Poutini is maintained. I am satisfied the rights, interests, values and connections of Poutini Ngāi Tahu are protected and provided for, and Ngāti Waewae have chosen not to submit on the application.
Objective NENV- O2	<i>The rights, interests, values and connections of Poutini Ngai Tahu to the natural environment are protected and provided for and the ability to exercise kaitiakitanga and tino rangatiratanga is maintained and enhanced.</i>	
Policy NENV-P1	<i>Within significant and/or outstanding natural environment areas and features:</i> <i>a. Identify areas which must be protected from inappropriate subdivision use and development, and</i> <i>b. Identify areas where subdivision, use and development can be sustainably managed, using, where appropriate, the effects management hierarchy, to enable community, economic, cultural and social wellbeing.</i>	The site is located within a highly valued coastal environment, and I accept that the proposal will result in a reduction in naturalness and a change to the existing character of the site. While the adverse effects will not be completely avoided, I consider that they are appropriately mitigated to preserve the natural character of the coastal environment and to protect the outstanding natural landscape.
Policy NENV-P2	<i>In relation to the natural environment recognise:</i> <i>a. The substantial contribution to the protection of natural environment values that is made by the existence of public conservation land;</i> <i>b. The functional or operational need for regionally significant infrastructure to sometimes be located in significant and/or outstanding natural environment areas and features;</i> <i>c. The need to support the ethic of stewardship on private and public lands;</i> <i>d. There are lawfully established activities located in significant natural environment areas; and</i> <i>e. The need for weed and pest control to protect, maintain and enhance natural environment values.</i>	I consider the proposal aligns with these objectives and policies.

TRM Tourism – Te Tāpoi		
Objective TRM – O1	<i>Recognise the significance of tourism to Te Tai o Poutini/the West Coast economy by providing for sustainable tourism development while managing the adverse effects on the environment, communities and infrastructure.</i>	I agree with the applicant that the proposal will provide economic and social benefits through the development of the lodge, visitor accommodation and associated facilities, supporting tourism within the Punakaiki area. The site is conveniently located just 2.5km from the Punakaiki township and will provide a visitor accommodation offering and services that can add value to the existing tourism economy. Taking into account the assessment in this report, I consider that the natural and Poutini Ngāi Tahu values, and amenity and character of Te Tai o Poutini and its communities will be maintained. I consider the proposal is consistent with this objective and policies.
Policy TRM – P1	<i>Support:</i> a. <i>The development of visitor facilities and accommodation within and near existing settlements and communities and on public conservation land where appropriate;</i> b. <i>The development of cycling and walking connections between tourism sites;</i> c. <i>Ngāti Waewae and Ngāti Māhaki to exercise kaitiakitanga, and provide education about the cultural importance of maunga, other landforms, taonga, wāhi tapu to Poutini Ngāi Tahu and how to treat these areas with respect;</i> d. <i>Poutini Ngāi Tahu in expansion of their tourism and visitor activities to deliver better economic outcomes for the hapū; and</i> e. <i>The strategic importance of Weheka/Fox Glacier, Waiau/Franz Josef and Punakaiki Townships.</i>	
Policy TRM – P2	<i>Provide for the development, maintenance and upgrading of supporting infrastructure and ensure that visitor facilities are connected to existing services and infrastructure.</i>	
Policy TRM – P3	<i>Manage the development and expansion of visitor activities and services so that the natural and Poutini Ngāi Tahu values, amenity and character of Te Tai o Poutini/the West Coast and its communities are maintained.</i>	
Policy TRM – P4	<i>Ensure a sustainable approach to tourism and minimising the adverse effects, and in particular cumulative adverse effects, of visitor activities and services on Poutini Ngāi Tahu values and wāhi tapu, natural values, amenity and landscape.</i>	
EIT – Energy, Infrastructure, and Transport – Te Pūngao, Te Tūāhanga, me Te Tūnuku		
TRN Transport - Te Tūnuku		
Objective TRN – O2	<i>To provide for the safe and efficient operation of land transport infrastructure while managing adverse effects on the environment.</i>	With respect to potential effects on SH6, at the time of writing this report, I consider that insufficient information has been provided in relation to the proposed access to SH6. In the absence of an agreed access design and confirmation the access can operate
Objective TRN – O3	<i>To enable accessibility, safety and connectivity of land transport infrastructure and to provide for the amenity of all transport users, including pedestrians and cyclists.</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 – P1	<i>The road and rail transport networks shall:</i> a. <i>Be maintained or enhanced to provide safe and efficient transportation;</i> b. <i>Consider the needs of all transport users and modes of transport;</i>	

	c. <i>Minimise effects on adjoining properties including the impacts of vibration, noise and glare; and</i> d. <i>Recognise the different functions and design requirements for each road classification under the National Transport Network classification system.</i>	safely and efficiently, I am not satisfied that SH6 will be protected from adverse effects that could compromise its effective operation.
Policy TRN – P2	<i>Vehicle crossings and associated access will;</i> a. <i>Be designed and located to provide for safe, effective and efficient movement to and from sites;</i> b. <i>Minimise potential conflicts between vehicles, pedestrians and cyclists on the adjacent road network; and</i> c. <i>Manage vehicle access to and from sites adjacent to intersections, and where State Highways meet.</i>	I acknowledge that there is likely to be a design solution available, however at this time I consider the proposal is inconsistent with Objective TRN-O2, TRN-O3, and TRN-O5, and Policy TRN-P1 and TRN-P2.
Policy TRN – P8	<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> a. <i>The safe, efficient and effective operation of the transport network;</i> b. <i>The functional and operational requirements of activities;</i> c. <i>The use of sustainable transport options including cycling and walking;</i> d. <i>Provision of safe access and egress for vehicles, pedestrians and cyclists;</i> e. <i>Avoid or mitigate potential conflicts between vehicles, pedestrians and cyclists;</i> f. <i>Mitigation of stormwater contamination from vehicles through treatment of stormwater from large areas of car parking;</i> g. <i>Provision for flexible approaches to parking, including more efficient use of parking spaces, and reduce incremental and individual parking provision.</i>	Parking, loading and manoeuvring can be provided on the site to ensure there will be no adverse effects beyond the boundaries of the site, including that reverse manoeuvring will not be required onto SH6. I consider the proposal is consistent with these policies.
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> a. <i>The safe, effective and efficient operation of roads including State Highways; or</i> b. <i>Pedestrian access and amenity; or</i> c. <i>Safe and functional access.</i>	
HAZ – Hazards and Risks – Ngā Pūmate me ngā Mōrea		
NH – Natural Hazards – Ngā Mōreareatanga Aotūroa		
Objective NH – O1	<i>Adopt a risk-based approach to natural hazard management where:</i> 1. <i>Subdivision, use and development within Severe Natural Hazard Overlays reduces or does not increase the existing risk from natural hazards to people, buildings, and regionally significant infrastructure.</i> 2. <i>Subdivision, use and development within all other Natural Hazard Overlays manages and does not</i>	The site is subject to a range of coastal and geotechnical hazards. The T+T assessment provides a site-specific evaluation of hazards across the site, which I consider appropriate and more detailed than

	<i>increase the risk from natural hazards to people, buildings, and regionally significant infrastructure.</i>	regional-scale mapping.
Objective NH – O4	<i>To recognise and provide for the impacts of climate change, and its influence on the frequency and severity of natural hazards.</i>	I accept the layout of the proposal avoids the most significant hazard areas and that a combination of avoidance, detailed design and construction practices will be used to manage risk. I am satisfied that coastal hazard risks can be managed to an acceptable level, and that the proposal will not increase hazard risk. On that basis, I consider the proposal is consistent with these objectives and policies.
Objective NH – O5	<i>Measures taken to mitigate natural hazards do not increase the risks to people, buildings and regionally significant infrastructure.</i>	
Policy NH – P1	<i>Identify areas subject to natural hazards within Te Tai o Poutini Plan and take a risk-based approach to the management of subdivision, use and development based on:</i> <i>The sensitivity of the activities to the impacts of natural hazards;</i> <i>The risk posed to people's lives and wellbeing, buildings and regionally significant infrastructure, by considering the likelihood and consequences of natural hazard events; and</i> <i>The operational need or functional need for some activities to locate within the Natural Hazard Overlays.</i>	
Policy NH – P8	<i>Provide for subdivision, use and development for Potentially Hazard Sensitive Activities and Hazard Sensitive Activities in the Land Instability, Coastal Hazard Inundation Overlay 1, Coastal Hazard Inundation Overlay 2, Flood Alert, Flood Susceptibility and Earthquake Susceptibility Hazard Overlays where:</i> <i>Measures are incorporated to mitigate the risk to people, buildings and regionally significant infrastructure; and</i> <i>In the Flood Susceptibility and Land Instability Overlays the risk to people and buildings on adjacent sites is not increased as a result of the activity proceeding.</i>	
Policy NH – P9	<i>When assessing the actual and potential effects of subdivision, use and development in the Natural Hazard Overlays consider:</i> <i>The level of risk posed by natural hazards to people, buildings and regionally significant infrastructure;</i> <i>Existing and proposed technological and engineering mitigation measures and other non-engineered options;</i> <i>The location and design of proposed sites, buildings, vehicle access, earthworks and on-site infrastructure in relation to the natural hazard risk;</i> <i>The clearance or retention of vegetation or other natural features to mitigate natural hazard risk;</i> <i>The timing, location, scale and nature of any earthworks in relation to the natural hazard;</i> <i>The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site.;</i> <i>The functional need or operational need to locate in these areas; and</i> <i>Any adverse effects on the environment of any proposed mitigation measures.</i>	

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 site is located within SASM 30 – Te Miko, which is associated with traditional travel routes, mahinga kai and coastal occupation. There are no rules in the TTPPDV that restrict development within SASM30, however the applicant has engaged with Ngāti Waewae and adopted the Ngāti Waewae ADP. Ngāti Waewae have chosen not to formally submit on the proposal.
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 with landowner agreement.</i>	
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>	
Policy SASM – P1	<i>Protect Poutini Ngāi Tahu cultural landscapes from adverse effects of inappropriate subdivision, use and development while enabling their values to be enhanced through ongoing Poutini Ngāi Tahu access and cultural use, in agreement with landowners.</i>	Given the nature of the site, the absence of identified archaeological features within the development footprint, and the proposed management approach, I consider that adverse effects on cultural values and landscapes can be appropriately managed. The applicant has proposed to implement the Ngāti Waewae ADP at all times to ensure that the accidental discovery of kōiwi, urupā or other taonga are appropriately managed. The wording of the ADP in Appendix Four of the TTPPDV is not identical to that put forward by the applicant in agreement with Ngāti Waewae but sets out to achieve the same general outcomes. Ngāti Waewae have engaged with the applicant to the extent Ngāti Waewae considers appropriate
Policy SASM – P3	<i>Upon accidental discovery of kōiwi (skeletal remains), urupā or taonga ensure that the Accidental Discovery Protocol in Appendix Four is followed.</i>	
Policy SASM – P4	<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>Protect and maintain sites and areas of significance to Māori from adverse effects by:</i> <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>	
Policy SASM – P7	<i>Where an activity is proposed within any site or area of significance to Māori identified in Schedule Three ensure that:</i> <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 need or operational need 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>	
Policy SASM – P11	<i>Avoid the demolition or destruction of sites and areas of significance to Māori identified in Schedule Three.</i>	

Policy SASM – P14	<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> <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> <i>The functional need or operational need for the activity to be undertaken in the location;</i> <i>Outcomes articulated by Poutini Ngāi Tahu through an assessment of environmental effects, cultural impact assessment or iwi planning documents;</i> <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> <i>How values of significance to Poutini Ngāi Tahu, including tikanga, kaitiakitanga and mātauranga Māori may be incorporated; and</i> <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>	and necessary and, on that basis, I consider the proposal is consistent with these objectives and policies.
Natural Environment Values – Ngā Uara Taiao Aotūroa		
ECO - Ecosystems and Indigenous Biodiversity – Ngā Pūnaha Rauropi me te Kanorau Koiora		
Objective ECO – O1	<i>To maintain indigenous biodiversity across Te Tai o Poutini/the West Coast so there is at least no overall loss in indigenous biodiversity, while providing for the social, economic, and cultural wellbeing of people and communities now and in the future.</i> <i>Maintaining indigenous biodiversity requires:</i> <i>the maintenance and at least no overall reduction of all of the following:</i> <i>the size of populations of indigenous species;</i> <i>indigenous species occupancy across their natural range;</i> <i>the properties and function of ecosystems and habitats used or occupied by indigenous biodiversity;</i> <i>the full range and extent of ecosystems and habitats used or occupied by indigenous biodiversity;</i> <i>connectivity between, and buffering around, ecosystems used or occupied by indigenous biodiversity;</i> <i>the resilience and adaptability of ecosystems; and</i> <i>where necessary, the restoration and enhancement of ecosystems and habitats.</i>	The proposal involves a combination of limited indigenous vegetation clearance and a substantial programme of ecological restoration and enhancement across the site. I accept that, over time, this will result in an overall increase in indigenous vegetation cover and improved habitat values. I am satisfied that the proposal will maintain, and likely enhance, indigenous biodiversity at a site level and will be consistent with this objective.
Objective ECO – O2	<i>To protect areas of significant indigenous vegetation and significant habitats of indigenous fauna.</i>	The proposal does not seek to remove any

Objective ECO – O3	<i>To manage the adverse effects of subdivision, use and development on significant indigenous vegetation and significant habitats of indigenous fauna.</i>	significant indigenous vegetation or destroy any significant habitats of indigenous fauna.
Policy ECO – P4	<i>Encourage the protection, enhancement and restoration of significant indigenous biodiversity and the protection of significant habitat for indigenous fauna by:</i> <i>a. Providing for up to three additional bonus allotments and reduced minimum allotment sizes when subdividing if areas of significant indigenous vegetation or significant habitat of indigenous fauna within the same property are legally protected as part of the subdivision;</i> <i>b. Promoting the creation of connections and ecological corridors between areas of significant indigenous biodiversity;</i> <i>c. Promoting the use of eco-sourced species from the relevant ecological district;</i> <i>d. Supporting opportunities for Poutini Ngāi Tahu to exercise their cultural rights and responsibilities as mana whenua and kaitiaki in restoring, protecting and enhancing areas of significant indigenous biodiversity;</i> <i>e. Supporting initiatives by landowners, community groups and others to protect, restore and maintain areas of significant indigenous biodiversity;</i> <i>f. Promoting site and landscape scale biodiversity programmes to manage plant and animal pests; and</i> <i>g. Supporting any other measures to protect, enhance and restore indigenous biodiversity.</i>	The proposal integrates development with ecological management and enhancement, including restoration planting and pest control, which supports the ongoing functioning of ecosystems. Indigenous biodiversity will be maintained overall, with enhancement over time as restoration planting establishes. I consider the proposal is consistent with these objectives and policies.
Policy ECO – P5	<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>	
Policy ECO – P7	<i>In relation to all indigenous biodiversity, when providing for subdivision, use and development, avoid activities that will:</i> <i>a. Prevent an indigenous species or community being able to persist in their habitats within their natural range in the Ecological District;</i> <i>b. 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>c. Result in a reduction in the local population size or occupancy of Threatened or At Risk (Declining) species or in the population or occupancy of locally endemic species; and</i> <i>d. Within a Significant Natural Area result in:</i> <i>i. disruption to sequences, mosaics or ecosystem function;</i>	Based on the EA and Bramley avifauna review, I am satisfied that these activities will be avoided.

	ii. fragmentation or the loss of buffers or connections; or iii. reduction in the function of the Significant Natural Area as a buffer or connection to important habitats or ecosystems.	
Policy ECO – P9	Maintain indigenous habitats and ecosystems across Te Tai o Poutini/the West Coast by: a. Protecting, and where appropriate enhancing or restoring indigenous biodiversity, including the functioning of ecological corridors, linkages, dunes and indigenous coastal vegetation and wetlands; b. Minimising adverse effects on, and providing access to, areas of indigenous biodiversity which are significant to Poutini Ngāi Tahu; c. Restricting the modification or disturbance of coastal indigenous vegetation, dunes, estuaries and wetlands; d. Protecting the significant habitats of indigenous fauna, including threatened and at-risk species; e. Encouraging and enabling site and landscape scale biosecurity programmes to manage plant and animal pests; and f. Encouraging and enabling active conservation management of indigenous biodiversity, including voluntary animal and plant pest and stock control and/or formal legal protection:	As detailed above, I consider the proposal will maintain indigenous habitats and ecosystems and will be consistent with this policy.
Policy ECO – P10	Protect indigenous biodiversity in the coastal environment by: a. Avoiding adverse effects on: i. indigenous species that are listed as threatened or at risk in the New Zealand Threat Classification System lists; ii. species that are listed by the International Union for Conservation of Natural and Natural Resources as threatened; iii. indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare; iv. habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare; v. areas containing nationally significant examples of indigenous community types; vi. areas set aside for full or partial protection of indigenous biological diversity under other legislation; and b. Avoiding adverse effects on significant indigenous biodiversity; and c. Using the effects management hierarchy to avoid significant adverse effects on indigenous vegetation, dunes, estuaries, coastal wetlands, habitats and species within the coastal environment.	Based on the EA and Bramley avifauna review, I am satisfied that adverse effects on the identified matters will be avoided.
NFL - Natural Features and Landscapes - Ngā Āhua me ngā Horanuku Aotūroa		
Objective NFL	<i>The values of outstanding natural landscapes and</i>	The site is located within

– O1	<i>outstanding natural features on Te Tai o Poutini/the West Coast are protected from inappropriate subdivision, use and development.</i>	Outstanding Natural Landscape – ONL 45 - Ōkoriko/Razorback, Dolomite, and Perpendicular Point, under the TTPPDV.
Policy NFL – P2	<i>Provide for activities within outstanding natural landscapes described in Schedule Five and outstanding natural features described in Schedule Six where they maintain the values that contribute to a natural feature or landscape being outstanding and are for:</i> <i>a. Existing land uses and lawfully established activities including residential activities, regionally significant infrastructure, network utilities, renewable electricity generation activities, mineral extraction, agricultural, horticultural and pastoral activities;</i> <i>b. Conservation activities;</i> <i>c. Recreational activities;</i> <i>d. Maintenance and repair of existing lawfully established natural hazard mitigation structures;</i> <i>e. Upgrading of existing lawfully established natural hazard mitigation structures where this is undertaken by a statutory agency of authorised contractor acting on its behalf;</i> <i>f. Operation, maintenance and upgrade of existing lawfully established renewable electricity generation facilities;</i> <i>g. Operation, maintenance and upgrading of existing lawfully established network infrastructure and regionally significant infrastructure;</i> <i>h. New renewable electricity generation activities where there is a functional need to be located in these areas;</i> <i>i. Poutini Ngāi Tahu activities; or</i> <i>j. The alteration, maintenance or removal of existing lawfully established buildings or structures; and</i> <i>k. Use and development of Māori land.</i>	I accept that the proposal will result in landscape change within the outstanding natural landscape, including visual effects and a reduction in naturalness, particularly in the short term. However, I am satisfied that adverse effects on landscape values will not be significant and will reduce over time, with long-term effects being very low or low (less than minor to minor) once planting has established. The development is of a relatively low scale, dispersed across a large site, and avoids the most sensitive landforms where practicable. I also accept that visual effects will reduce over time. Whilst the proposal is not specifically provided for under Policy NFL-P2, I consider adverse effects will be appropriately mitigated to protect the natural landscape and the development of the site will be appropriate.
Policy NFL – P3	<i>Avoid adverse effects on the values that contribute to outstanding natural landscapes described in Schedule Five and outstanding natural features described in Schedule Six. Where adverse effects cannot be avoided, ensure that the adverse effects are remedied and mitigated to be no more than minor.</i>	
Policy NFL – P4	<i>Recognise that there are settlements, farms, land uses, and infrastructure and activities located within outstanding natural landscapes or outstanding natural features by providing for new activities and allowing existing uses in these areas where the values that contribute to the outstanding natural landscape or feature are maintained.</i>	I therefore consider the proposal is consistent with this objective and policies.
Policy NFL – P5	<i>Require that new buildings, structures within outstanding natural features or landscapes avoid, remedy or mitigate any adverse visual effects including by:</i> <i>a. Ensuring the scale, design and materials of the building and/or structure are appropriate in the location;</i>	

	b. <i>Using naturally occurring building platforms, materials and colour that blends into the landscape;</i> c. <i>Minimising landform modification from earthworks;</i> d. <i>Minimising the prominence or visibility of buildings and structures including by integrating it into the outstanding natural feature or landscape; and</i> e. <i>Landscaping buildings and structures with appropriate vegetation to reduce visual effects.</i>	
Policy NFL – P6	<i>When assessing whether a proposal for land use or subdivision is appropriate, consider the following matters:</i> a. <i>The nature, scale and extent of modification to the landscape or feature;</i> b. <i>Whether the proposal is located within a part of the outstanding natural feature or outstanding natural landscape that has capacity to absorb change;</i> c. <i>Whether the proposal can be visually integrated into the landscape and whether it would break the skyline or ridgelines;</i> d. <i>The temporary, short term or permanent nature of any adverse effects;</i> e. <i>The functional, technical, operational or locational need of any activity to be sited in the particular location, including an assessment of alternative sites;</i> f. <i>Any historical, spiritual or cultural association held by Poutini Ngāi Tahu;</i> g. <i>Any positive effects the development has on the identified characteristics and qualities;</i> h. <i>Any positive effects at a national, regional and local level;</i> i. <i>Any relevant public safety considerations; and</i> j. <i>The measures proposed to mitigate the effects on the values and characteristics;</i> k. <i>The management of effects on natural character, amenity, recreation, historical and biodiversity values; and</i> l. <i>Any effects on values of Māori land.</i>	
Policy NFL – P8	<i>Consider the incorporation of mātauranga Māori principles into the design, development and/or operation of activities in outstanding natural features and landscapes with cultural, spiritual and/or historic values, interests or associations of importance to Poutini Ngāi Tahu and opportunities for Poutini Ngāi Tahu to exercise their customary responsibilities as mana whenua and kaitiaki in respect of the feature or landscape.</i>	The application does not incorporate mātauranga Māori into the design or development, however no concerns have been raised by Ngāti Waewae in this regard.
PA – Public Access – Te Aheinga Tūmatanui		
Policy PA – O1	<i>To maintain and enhance customary and public access to and along the coastal marine area, waterbodies and public resources.</i>	The applicant notes 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. No specific infrastructure is proposed to facilitate direct access to the beach.
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 and the protection of them from inappropriate subdivision, use and development.</i>	No works are proposed in wetlands and whilst the proposal will include earthworks within the riparian margin of Stream 3 to establish a river crossing, the applicant confirms these will be undertaken as a permitted activity. All earthworks associated with the development will be managed in accordance with a CMP and ESCP to ensure any potential adverse effects on the wetlands and/or streams are appropriately avoided or mitigated. The applicant has engaged with Ngāti Waewae, and I note that cultural values associated with the site have been taken into account. No specific recommendations have been provided by Ngāti Waewae in relation to riparian margins. It is not anticipated that any activity associated with the operation of the development will be located within the margin of waterbodies on an ongoing basis. I consider the proposal is consistent with these objectives and policy.
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>	
Objective NC – O3	<i>To provide for activities which have a functional need to locate in the margins of lakes, rivers and wetlands while ensuring adverse effects on natural character are minimised.</i>	
Policy NC – P1	<i>Avoid, remedy or mitigate adverse effects of activities on the natural character of the riparian margins of lakes, rivers and wetlands by ensuring that subdivision, development and land use maintains the elements, patterns and processes that contribute to their natural character.</i>	

Policy NC – P2	<i>Provide for earthworks within riparian margins of lakes, rivers and wetlands where adverse effects on natural character are avoided, remedied or mitigated and:</i> <i>a. It is for the purpose of natural hazard mitigation; or</i> <i>b. It is for the maintenance, repair, upgrade and extension of network utilities and regionally significant infrastructure including the national grid; or</i> <i>c. It is for the establishment, operation, maintenance or upgrading of renewable electricity generation activities or regionally significant infrastructure where this has a functional or operational need to be located in a riparian margin; or</i> <i>d. It is for Poutini Ngāi Tahu Activities or Māori Purpose Activities in accordance with an Iwi/Papatipu Rūnanga Management Plan; or</i> <i>e. It is for the repair and maintenance of legally established structures; or</i> <i>f. The activity has a functional need to be located adjoining a waterbody. adjoining a waterbody.</i>	Whilst the proposal is not specifically provided for under Policy NC-P2, I consider the effects of earthworks will be acceptable as the applicant has confirmed the permitted activity conditions will be met.
Policy NC – P4	<i>Encourage the restoration and enhancement of the natural character of the riparian margins of lakes, rivers and wetlands including pest plant and pest animal control.</i>	The applicant proposes to implement a programme of ecological restoration and enhancement planting that will enhance 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, and protect natural features and landscapes in the coastal environment from inappropriate subdivision, use and development, and protect areas of significant indigenous biodiversity.</i>	As previously assessed, I consider the proposal can be designed and operated to ensure adverse effects on ecological values and indigenous biological diversity are at most very low. I have previously referred to the ONL covering the site and in addition, the majority of the site is located within High Coastal Natural Character Area: NCA 43 – Te Miko, with the balance land area within Outstanding Coastal Natural Character Area: NCA 42 - Dolomite Point Pancake Rocks.
Objective CE – O2	<i>To enable people and communities to provide for their social, economic and cultural wellbeing and their health and safety, through appropriate subdivision, use and development.</i>	
Objective CE – O3	<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 site is located within a highly valued coastal environment, and I accept that the proposal will result in a reduction in naturalness and a change to the existing character of the site. While the adverse effects will not be completely avoided, I consider that they are appropriately mitigated to preserve the outstanding and high natural character of the coastal environment and to protect the outstanding natural landscape. Appropriate consideration is also given to Poutini Ngāi Tahu cultural values, traditions and interests. I consider the proposal is generally consistent with these objectives.
Objective CE – O4	<i>To provide for activities which have a functional need or operational need to locate in the coastal environment, including regionally significant infrastructure and mineral extraction activities, while ensuring that adverse effects, including cumulative adverse effects, on natural character, landscape, natural features, coastal processes, access, ecosystems and biodiversity values are avoided, remedied or mitigated.</i>	The applicant notes the selected location for the development is intrinsic to the proposal, whereby they seek to establish a coastally situated luxury eco-tourism offering and this meets an operational need test. I do not agree that the proposal has an operational need to be located on the site, it is rather a commercial desirability and preference and there are no particular aspects of the activity that <u>rely on</u> the coastal environment to operate. However, I also note this policy is enabling for certain activities rather than exclusionary of others such as that proposed. Therefore, whilst not

		aligned with the policy, I do not consider the proposal to be contrary to it.
Policy CE – P3	<i>Only allow new subdivision, use and development within areas of outstanding coastal natural character, outstanding coastal natural landscapes and outstanding coastal natural features where:</i> <i>a. The elements, patterns, processes and qualities that contribute to the outstanding or high natural character or landscape are maintained;</i> <i>b. Adverse effects on areas of significant indigenous biodiversity, and Outstanding Coastal Environment Areas are avoided;</i> <i>c. The development is of a size, scale and nature that is appropriate to the environment;</i> <i>d. It is for:</i> <i>e. Poutini Ngāi Tahu activities; or</i> <i>f. Māori Purpose Activities within the Māori Purpose Zone; or</i> <i>g. Cultural harvest;</i> <i>h. It is National Grid infrastructure that has a functional or operational need to locate in these areas;</i> <i>i. It has a minor or transitory effect.</i>	As detailed above, the site is located within a highly valued coastal environment, and I accept that the proposal will result in a reduction in naturalness and a change to the existing character of the site. While the adverse effects will not be completely avoided, I consider that they are appropriately mitigated to preserve the outstanding and high natural character of the coastal environment and to protect the outstanding natural landscape.
Policy CE – P7	<i>In areas of high natural character:</i> <i>a. Provide for lawfully established land uses and activities to continue;</i> <i>b. Provide for other uses with a functional need or operational need to locate in the coastal environment;</i> <i>c. Allow for Poutini Ngāi Tahu Activities and Māori Purpose Activities;</i> <i>d. Avoid encroachment into unmodified areas of the coastal environment; and</i> <i>e. Ensure subdivision, use and development is of a scale and design where adverse effects on the elements, patterns and processes that contribute to natural character are avoided, remedied or mitigated.</i>	I consider the proposal responds appropriately to the site, particularly in terms of scale, layout and landscape integration. Whilst site access is yet to be resolved, I consider the proposal will not detract from the existing environment once planting is established, and adverse effects can be managed to ensure they are no more than minor on the coastal environment. I consider the proposal is generally consistent with these policies.
EW – Earthworks – Te Huke Whenua		
Objective EW – O1	<i>To provide for earthworks to facilitate subdivision, use and development of Te Tai o Poutini/the West Coast's land resource, while ensuring adverse effects on the environment are avoided, remedied or mitigated.</i>	Subject to appropriate conditions requiring the preparation, certification and implementation of detailed management plans and controls
Policy EW – P1	<i>Enable earthworks for the subdivision, use and development of land, the provision of infrastructure,</i>	

	<i>and hazard mitigation, while managing those with the potential to create more than minor adverse effects.</i>	prior to and during construction, including the CMP and ESCP, I anticipate that the adverse effects associated with earthworks can be appropriately managed. However, in my opinion, insufficient information has been provided to date to demonstrate that the earthworks proposed will not compromise the stability of SH6. Therefore, I cannot determine whether the proposal is consistent or otherwise with this objective and policy.
Policy EW – P2	<i>Manage the adverse effects of earthworks on natural landscape values, natural character, amenity values, natural features, indigenous biodiversity, cultural and heritage items and areas and the quality of the environment to avoid, remedy or mitigate adverse effects, as appropriate.</i>	I consider that temporary effects of earthworks on these matters can be appropriately managed and I consider the proposal is consistent with this policy.
Policy EW – P3	<i>Require the use of accidental discovery protocols to mitigate the potential risk of earthworks to archaeological sites and sites and areas of significance to Māori and archaeological sites that are not scheduled in the Plan.</i>	The proposal includes an ADP to address potential risk to unknown archaeological sites and the SASM associated with earthworks. I consider the proposal is consistent with this policy.
LIGHT – Light – Ngā Rama		
Objective LIGHT – O1	<i>Artificial outdoor lighting enables night-time work, primary production activities, recreation activities, sport, entertainment activities, transportation, energy activities and public health and safety.</i>	Artificial outdoor lighting is necessary to support the operation of the development and a range of measures have been adopted by the applicant to ensure that any effects on the matters identified in these objectives and policies are avoided, remedied or mitigated to an acceptable level. The applicant proposes to manage effects,
Objective LIGHT – O2	<i>Artificial outdoor lighting is located, designed and operated to:</i> <i>Maintain the character and amenity values within zones;</i> <i>Protect the natural character of the coastal environment and outstanding natural features and landscapes;</i> <i>Provide for the health and safety of people, and the safe operation of the transport network;</i> <i>Protect and maintain the qualities of the natural darkness of the night sky;</i>	

	e. <i>Outside the coastal environment, protect significant habitats of indigenous biodiversity and the species themselves by applying the effects management hierarchy and maintain the habitats of biodiversity and the species themselves;</i> f. <i>Protect significant indigenous biodiversity within the coastal environment by avoiding adverse effects on Threatened or At Risk indigenous species and their habitats; and</i> g. <i>Protect indigenous biodiversity within the coastal environment by avoiding significant adverse effects on indigenous species and their habitats.</i>	including those on avifauna and other wildlife, and on amenity values, through a Lighting Management Plan that provides a comprehensive framework and will require certification from Council. This approach is supported by the Bramley avifauna review.
Policy LIGHT – P1	<i>Provide for the use of artificial outdoor lighting that:</i> a. <i>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> b. <i>Maintains the character and amenity values of the zone;</i> c. <i>Supports the social, cultural, and economic wellbeing or health and safety of people and communities, including road safety;</i> d. <i>Maintains the natural darkness of the night sky within the coastal environment and minimises adverse effects on the darkness of the night sky in other areas;</i> e. <i>Outside the coastal environment, avoids adverse effects on significant habitats of indigenous biodiversity and threatened or at risk species by applying the effects management hierarchy and maintains the habitats of other indigenous biodiversity and the species themselves;</i> f. <i>Recognises the functional or operational needs of activities</i> g. <i>Within the coastal environment, avoids adverse effects on significant indigenous biodiversity, habitats and threatened or at risk indigenous species and their habitats; and</i> h. <i>Within the coastal environment, avoids significant adverse effects on indigenous biodiversity and their habitats.</i>	The Brown landscape review considers that the effects of lighting would be limited and largely incremental in nature and would subtly compound awareness of the lighting already associated with the Te Miko and Punakaiki locality. Overall, effects of lighting are assessed by Mr Brown as low. Taking into account the above, I consider the proposal will be consistent with these objectives and policies.
Policy LIGHT – P3	<i>Control the intensity, location and direction of any artificial outdoor lighting to:</i> a. <i>Ensure that any artificial outdoor lighting avoids conflict with existing light sensitive areas and uses;</i> b. <i>Internalise light spill within the site where the outdoor lighting is located;</i> c. <i>Avoid, remedy or mitigate adverse effects on the natural darkness of the night sky and maintain natural character within the coastal environment;</i> d. <i>Avoid, remedy or mitigate adverse effects on the significant habitats of indigenous biodiversity and the species themselves and significant adverse</i>	

	<i>effects on the habitats of other indigenous biodiversity and the species themselves;</i> <i>e. Avoid, remedy or mitigate adverse effects on amenity values, and the health and safety of people and communities in the receiving environment; and</i> <i>f. Recognise the functional and operational need of activities.</i>	
NOISE – Noise – Ngā Oro		
Objective NOISE – O1	<i>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 result in unreasonable noise that may compromise community health, safety and wellbeing.</i>	The applicant notes the site is not anticipated to generate significant noise; however, states that noise will be managed to achieve consistency with these provisions.
Objective NOISE – O3	<i>The health and wellbeing of people and communities, including sensitive activities are protected from significant levels of noise.</i>	
Policy NOISE – P1	<i>Enable the generation of noise when it is of a type, character, scale and level that is appropriate to the zone, having regard to:</i> <i>a. The purpose, character and qualities of the zone that the activity is located in;</i> <i>b. The nature, frequency and duration of the noise generating activity;</i> <i>c. Whether the noise generating activity is regionally significant infrastructure;</i> <i>d. Methods of mitigation; and</i> <i>e. The sensitivity of the surrounding environment.</i>	The applicant has not sought consent to breach the noise rules of the BDP or TTPPDV. Noise associated with the visitor cabins and worker’s accommodation will be residential in nature, and the lodge is located approximately 600m from the nearest dwelling of Ms Hewlett.
Policy NOISE – P4	<i>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:</i> <i>a. Maximum noise limits to reflect the character and amenity of each zone;</i> <i>b. Type, scale and location of the activity in relation to any sensitive activities;</i> <i>c. Hours of operation and duration of activity;</i> <i>d. The temporary or permanent nature of any adverse effects;</i> <i>e. The ability to internalise and/or avoid, remedy or mitigate adverse effects; and</i> <i>f. The functional or operational need of the activity.</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 Te Tai o Poutini/the West Coast while minimising adverse effects.</i>	Temporary construction activities will be required to establish the overall development and effects will be managed under the CMP.
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 protecting highly productive land for land based primary production, and supporting a productive rural working environment and rural activities.</i>	Whilst the site is located within the General Rural Zone under the TTPPDV, the site is not being used for primary production and the surrounding area is also dominated by conservation land. The Coastal Environment, Outstanding and High Natural Character, and Outstanding Natural Landscape overlays, further recognise the distinct values and attributes of the site.
Objective RURZ – O3	<i>To maintain and enhance the distinctive rural character and amenity of Te Tai o Poutini/the West Coast settlements while :</i> <i>a. Allowing settlements to grow and adapt as economic activity changes;</i> <i>b. Providing for commercial and industrial land uses in larger settlements where these landuses provide for local community and rural services.</i>	
Policy RURZ – P2	<i>Rural character and amenity within the GRUZ - General Rural Zone and RLZ - Rural Lifestyle Zone is maintained by:</i> <i>a. Buildings and structures having a bulk and location that is characteristic of rural environments and primary production activities;</i> <i>b. Maintaining privacy and rural outlook for residential buildings;</i> <i>c. Ensuring activities are compatible with existing development and the surrounding area while recognising that primary production activities can generate noise, odour and dust;</i> <i>d. Having appropriate setbacks from the road and adjacent primary production activities; and</i> <i>e. Locating activities sensitively in the environment to minimise adverse visual and cultural effects including restricting activities on ridge lines or ancestral mountains.</i>	Whilst the proposal is a commercial activity, I consider the effects on the existing amenity and character of the area will be moderated by the nature, scale, design and layout of the development. With respect to land productivity, the site is Land Use Capability Class 6 and 7 under the New Zealand Land Resource Inventory (NZLRI), which is a spatial database managed by Landcare Research containing land information including that of land use capability. The site therefore does not meet the definition of Highly Productive Land (“HPL”) under the National Policy Statement for Highly Productive Land 2022, and is not mapped as such under the TTPPDV. The proposal will therefore not have adverse effects on HPL.
Policy RURZ – P7	<i>Recognise that the rural areas may be the most appropriate location for some utilities, regionally significant infrastructure, educational facilities, industrial or commercial uses to establish, where these have a functional relationship with rural areas, or where regionally significant infrastructure has a functional need or operational need to locate in that area provided the character and amenity of the rural areas is maintained and adverse effects are managed.</i>	
Policy RURZ – P8	<i>Recognise that where non-rural activities are located in rural areas, this should not be to the detriment of the effective functioning of towns and settlements, nor to avoid the costs of connection to community funded infrastructure.</i>	
Policy RURZ – P9	<i>Provide for new commercial and industrial activities within settlements where this does not detract from residential amenity.</i>	
Policy RURZ – P10	<i>Recognise that the rural areas form an important part of the visitor economy of Te Tai o Poutini/the West Coast, particularly as a location where tourism and</i>	

	<i>visitor attractions are established.</i>	Policy RURZ-P11 specifically supports the development of appropriate tourism and visitor businesses such as accommodation, which do not adversely affect primary production activities.
Policy RURZ – P11	<i>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 and which do not adversely affect primary production activities.</i>	Overall, I consider the proposal will be generally consistent with these objectives and policies.

Overall Conclusion on Statutory Documents

Key Areas of Tension

- 10.9 Similar to the assessment of environmental effects, uncertainty relating to the SH6 access is the most significant issue arising from the statutory documents assessment. Across the relevant statutory documents, I consider that the proposal is not consistent with provisions requiring the safe and efficient operation of transport infrastructure, including RPS Regionally Significant Infrastructure Objective 6.1 and Policy 6.4, BDP Infrastructure Objective 4.2.5.1 and Policy 4.2.6.3, and TTPPDV Transport Objectives TRN-O2, TRN-O3 and TRN-O5, and Policies TRN-P1 and TRN-P2. The applicant has not agreed on an access design with NZTA, and in my opinion, the proposal has not demonstrated that the proposed access to SH6 can operate safely and efficiently.
- 10.10 While overall biodiversity outcomes are positive, I have found that adverse effects on avifauna have the potential to be more than minor prior to mitigation, and outcomes are dependent on the effectiveness of proposed mitigation measures. This creates potential tension with provisions that require protection of indigenous biodiversity, however I consider that subject to effective mitigation the proposal is generally consistent with biodiversity provisions.
- 10.11 There is some inherent tension with provisions that require avoidance of adverse effects in sensitive environments, including NZCPS Policies 13 and 15, and RPS and TTPPDV Coastal Environment objectives and policies. I acknowledge that the proposal will result in adverse effects on natural character and landscape values in the short term, however, I am satisfied that significant adverse effects are avoided, other adverse effects are appropriately mitigated to be no more than minor, and restoration planting will improve outcomes over time. On that basis, I consider the proposal is broadly consistent with these provisions when read as a whole.
- 10.12 Overall, I consider that the proposal is generally consistent with the relevant statutory framework when considered as a whole. However, I consider that there is currently insufficient information to form an opinion in relation to the identified infrastructure and transport objectives and policies.

11.0 Other Matters - Section 104(1)(b) of the Act

- 11.1 I have not identified any other matters requiring consideration for this application.

12.0 Non-Complying Activity Restrictions - Section 104D of the Act

- 12.1 Section 104D(1) sets a gateway test for non-complying activities which Consent Authorities must consider prior to undertaking an assessment under Section 104. The gateway is an “either/or” test, meaning that if either limb is met, the application may proceed.
- 12.2 The first test considers whether the adverse effects of the activity on the environment will be minor. The second test considers whether the application is not contrary to the objectives and policies of the relevant plan(s). In applying the second test, I note that “contrary” means being opposed in nature, or opposite, and the assessment requires a broad overall judgement, rather than focusing on individual provisions in isolation.

Test 1 - Adverse effects on the environment

- 12.3 The potential adverse effects of the proposal have been assessed in detail in this s42A report. While I consider that many effects can be appropriately managed through design and conditions of consent, I am not satisfied that all adverse effects will be minor. In particular, unresolved issues relating to access to SH6, including the associated earthworks, mean that the full extent of transport and infrastructure effects cannot be determined at this time. On that basis, I consider that the proposal does not meet the first gateway test.

Test 2 - Objectives and Policies

- 12.4 As set out in Section 10 of this s42A report, I have found that the proposal is generally consistent with the relevant statutory framework when considered as a whole. However, I have identified potential areas of inconsistency in relation to transport and infrastructure provisions, including those relating to the safe and efficient operation of SH6. In the absence of an agreed access design, I am not satisfied that this issue has been resolved and I am not satisfied the proposal meets the second gateway test when applying a broad overall judgement.
- 12.5 I note that this position may change if sufficient information is provided to demonstrate that the access-related effects can be appropriately addressed.

13.0 Part 2 of the Act

- 13.1 It is considered that the relevant plans as detailed in Section 10 of this s42A report have been competently prepared in accordance with Part 2 of the Act. For completeness however, the relevant Part 2 matters are identified below.
- 13.2 Section 5 sets out the Purpose of the Act, and states:

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while—*

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

13.3 Section 6 details matters of national importance to be recognised and provided for. Of relevance to this application are:

- (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:*
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- (f) the protection of historic heritage from inappropriate subdivision, use, and development:*

13.4 Section 7 provides other matters to which Council shall have particular regard. Of relevance to this application are:

- (a) kaitiakitanga:*
- (c) the maintenance and enhancement of amenity values:*
- (f) maintenance and enhancement of the quality of the environment:*

13.5 The proposal will provide positive social and economic benefits through the development of visitor accommodation and associated facilities, contributing to the tourism economy of the Punakaiki area.

13.6 I have concluded that most adverse effects, including those on natural character, outstanding landscapes, biodiversity, cultural values and historic heritage can be avoided, remedied or mitigated to an acceptable level, with ecological restoration providing positive long-term outcomes. However, I have also identified unresolved issues relating to access to SH6, and associated transport effects, which mean that I cannot be satisfied that all adverse effects have been appropriately addressed at this time.

13.7 Section 8 relates to the principles of the Treaty of Waitangi which shall be taken into account when considering matters under the Act, including resource consent applications. Taking into account the position of Ngāti Waewae, I am satisfied this is achieved for this proposal.

13.8 Having regard to the above, I consider that the proposal is generally consistent with the purpose and principles of the Act. However, I cannot conclude that the proposal fully achieves the purpose of the Act at this time, in the absence of sufficient information to demonstrate that transport-related effects can be appropriately addressed.

14.0 Recommendation

- 14.1 In my opinion the application should not be granted at this time due to the unresolved access and transport-related issues. While I acknowledge that a design solution for access to SH6 may be achievable, insufficient information has been provided to demonstrate that adverse effects on the safe and efficient operation of SH6 can be appropriately avoided or mitigated. The relevant environmental effects and statutory provisions have been identified in this s42A report and should be considered in conjunction with evidence presented at the hearing.
- 14.2 Where identified issues can be appropriately resolved through the imposition of conditions of consent, such conditions should be applied to ensure that adverse environmental effects are avoided, remedied or mitigated to an acceptable level.
- 14.3 Given my recommendation, I have not prepared a full set of recommended conditions. Should the Hearing Commissioners determine that consent can be granted, a 'working version' of consent conditions is contained in Appendix Seven to this s42A report that may be of assistance.

Reporting Officer: Date: 2 July 2026


Jessica Hollis, Planning Consultant
BULLER DISTRICT COUNCIL

Peer Reviewer: Date: 2 July 2026


Carissa du Plessis, Manager Planning
BULLER DISTRICT COUNCIL