

File Reference: RC240079

7 March 2025

ACG Properties Limited
C/- Daniel Thorne
Town Planning Group (NZ) Ltd

Via email: daniel@townplanning.co.nz

Dear Sir

REQUEST FOR FURTHER INFORMATION – RC240079 – 4663 State Highway 6, Te Miko, Punakaiki.

Thank you for your resource consent application as detailed above. I have reviewed your application and supporting documents and received initial comments from Buller District Council's (Council) building and infrastructure departments. I have also now received the landscape peer review (attached) completed by Mr Stephen Brown.

Pursuant to section 92(1) of the Resource Management Act 1991 (RMA), and further to the draft questions provided to you on 18 February 2025, the following information is requested so that Council can better understand the details of the proposal and the actual and potential effects on the environment:

General

1. Function Centre. The traffic assessment provided with the application refers to the lodge also being utilised as a function centre; however limited details are provided in the application document. Provide additional details and assessment of this aspect of the application, including frequency and scale of events, potential operating hours, potential for noise generation and other effects.
2. The application refers to the maximum height of the proposed lodge being well within 5.5 metres above the original ground level, please confirm the proposed maximum height of the building.
3. The application details "There is a single instrument registered on the Record of Title, with this relating to a right of way easement in favour of Buller District Council (Council), with this providing rights of access to their water supply infrastructure that serves Punakaiki". Please confirm/show where this is located.

	<p>4. Provide the value of the development and undertake an assessment against Part 8 – Financial Contributions of the Buller District Plan (BDP).</p>
Other consents required	<p>1. The application notes that proposed earthworks and wastewater discharge will require consent from West Coast Regional Council (WCRC), however the assessment provided is limited to Rule 79 of the West Coast Regional Water and Land Plan. Provide a full assessment of the proposal, including earthworks, discharges, land disturbance, works within and in the riparian margins of waterways, and works in proximity to wetlands (referred to in ecology report for Wetland W6), against the applicable WCRC plans and NES-FW to identify all consent requirements from WCRC.</p> <p>This is required so Council can determine whether section 91 of the RMA is applicable. (Note: it is acknowledged that further engineering design may be needed to assist in the assessment as discussed during the site visit).</p>
Ecology	<p>1. Page 18 of the ecology report details “Our preliminary assessment below indicates that the native vegetation units on the site could qualify as significant indigenous vegetation, which means that any development proposal should aim to minimise or avoid clearance of these vegetation types”. In consultation with the ecologist, provide an additional plan(s) to clearly identify the proposed extent of land disturbance and buildings associated with the proposal, relative to all areas that do or could qualify as significant indigenous vegetation or significant habitats of indigenous fauna as per the WCRC Regional Policy Statement and BDP (including the location recorded for fernbird as referenced in the ecology report).</p> <p>2. The application seeks consent under Rule ECO-R7 of the Proposed Te Tai o Poutini Plan (TTPP) for indigenous vegetation clearance, however the location and extent of this is unclear. Page 30 of the ecology report details that “The proposed development will result in the clearance of open paddock vegetation, and exotic weedland and scrub. The two short lengths of walkway proposed to link parts of the northern and western areas of the site (see Figure 7 will be routed through mainly gorse areas, with a minimal amount of low regenerating native shrubland that will be removed estimated to be less than 50 m²”. In consultation with the ecologist, provide an additional plan(s) and details for the proposed location and extent of indigenous vegetation clearance that is sought under Rule ECO-R7.</p> <p>3. Page 44 of the ecology report provides details on consent conditions that have been proposed by the applicant. Please provide further details/proposed wording for those consent conditions that have not been mentioned in the application document.</p>

Natural Hazard Assessment	<ol style="list-style-type: none"> 1. The Natural Hazard Desktop Assessment details “We recommend reviewing and, if necessary, updating your site layout in light of this assessment. Once the site layout is finalised, we can conduct a targeted site visit to refine the hazard areas further concerning the proposed buildings, infrastructure, and access roads/tracks within these areas”. As discussed during the site visit, it is understood that Tonkin and Taylor have subsequently completed a site visit, therefore provide an updated assessment/addendum from Tonkin and Taylor with respect to the risks from natural hazards on the proposed development.
Earthworks	<ol style="list-style-type: none"> 1. Page 29 of the application refers to minor earthworks associated with the development, however the transportation assessment details retaining structures required for access and there is limited information on the location and extent of cut and fill shown on the site works plan. Provide further details/plan(s) for proposed cut and fill earthworks clearly showing the locations of cut and fill, together with the existing and proposed finished ground contours. 2. It is acknowledged that a Construction Management Plan is proposed as a condition of consent, however, please provide an engineering assessment (at least preliminary) of the proposed earthworks.
Signage	<ol style="list-style-type: none"> 1. Consent is sought for a single advertising sign however no details of the proposed location or indicative design of the sign has been provided. Provide further details of the location, dimension and design of the sign to enable an assessment to be undertaken.
Lighting and Glare	<ol style="list-style-type: none"> 1. The application details that a detailed lighting plan has yet to be determined, and it is proposed to address lighting design outcomes via a management plan condition. It is considered that preliminary details of proposed lighting, including location, design, minimum/maximum parameters, etc, are at least required to assess the potential effects from lighting and glare, and an assessment of the proposed lighting. This is particularly important given the potential for adverse effects from artificial lighting on birds (especially penguins and Westland petrels) identified in the ecology report. 2. Provide additional details on the scope, content and requirements of the proposed Exterior Lighting Management Plan as the condition as currently worded, and in lieu of further supporting information, essentially defers the assessment of lighting effects. A draft management plan may also be useful.
Hazardous Substances	<ol style="list-style-type: none"> 1. A ‘gas bottle storage area’ is referred to in the application and on the proposed plans. Provide an assessment of this aspect of the application against the hazardous substance rules in the BDP and include any consents as required.
Landscape, Natural	<ol style="list-style-type: none"> 1. Provide an updated landscape assessment, or addendum to the existing assessment, that addresses the recommendations

Character and Visual Effects	detailed in Section 4.2 of the peer review (attached) completed by Mr Stephen Brown.
Electricity	1. Provide details of proposed electricity supply to service the development and confirmation from the network utility provider that there is sufficient capacity in the network, or details of any upgrade(s) required.
Water Supply	1. Council understands the applicant 's intention, as described in item 4.4.1 of the application documentation, is to connect to the existing Council owned water main that at this point is an untreated supply, with additional water tanks on-site. Provide additional information on the treatment proposed for water supplied from the water main to the site and the expected volumes of water that will be taken/required from Council's supply for potable water and potential firefighting capability.
Wastewater	<ol style="list-style-type: none"> 1. The application proposes to install Biorock-S On-site Domestic Wastewater Treatment systems for this development. In item 4.4.3 of the application, the applicant refers to a feasibility assessment in regard to wastewater management on this site. In order for Council to assess this proposed system, please provide an engineering assessment of the proposed wastewater treatment and disposal, including suitability of the proposed systems for this site, any on-site test results to support the assessment, examples of where these systems have been used in New Zealand and the how these systems are performing, and any correspondence with WCRC to obtain their acceptance/approval of this system. 2. Further to the above, the application states that the system will result in high quality effluent discharge. Please provide more information on how and where this was determined and how this will be achieved at this site. 3. The Certificate of Approval for Biorock expired in December 2021. Please provide more information on this expiry date or current certification.
Stormwater	<ol style="list-style-type: none"> 1. Please provide a Stormwater Management Plan, prepared by a suitably qualified and experienced engineer, to demonstrate how stormwater from the proposed development will be managed to ensure that discharge from this development will be maintained at pre-development levels. This information should include, but is not limited to: <ol style="list-style-type: none"> a. Stormwater catchment and design calculations for 10% AEP and 1% AEP rainfall events, using the HIRDS – NIWA RCP8.5 scenario for rainfall intensity; b. Supporting calculations using TP108 methodology for the catchment areas profiles, including pre-development versus post-development for the site for 100yr ARI and dispersion pipe calculations; c. Results of soakage tests;

	<ul style="list-style-type: none"> d. Updated stormwater plans showing secondary flow paths/overland flow paths with anticipated volumes; e. Tank details for stormwater attenuation; f. Hydrological assessment; and g. Easements and freeboard.
Access, roading and parking	<ul style="list-style-type: none"> 1. In order for Council's Infrastructure department to assess the proposed internal roads, parking and manoeuvring areas for the development, please provide additional details and preliminary engineering design plans to demonstrate that the internal roads, parking and manoeuvring areas will comply with NZS4404:2010. These details/plan(s) should include consideration of the geotechnical constraints identified by Tonkin and Taylor, any on-site directional signage required, and existing and proposed culvert design/condition. 2. The application details the site works will occur in stages, however no specific details are provided on this. Additionally, no details are provided on construction traffic, either in the transportation assessment, application or proposed CMP condition. Provide an indicative construction timeline that details the staging of the project and length of each stage, and an assessment of the construction traffic that will be generated by the development and any measures proposed to manage this. 3. Page 46 of the application refers to an unsealed area by the lodge support building to provide 8 car parks (to meet the requirements of the BDP). Show where this is on a plan(s) and whether or not carparks are proposed to be formed/marked as available parking areas.
Waste Management	<ul style="list-style-type: none"> 1. Provide a Waste Management Plan for the site addressing solid waste management, including: <ul style="list-style-type: none"> a. What options have been considered for waste disposal and what is proposed; b. Any proposals/plans for waste reduction; and c. How will the waste (rubbish and recyclables) be sorted.
Additional Comments	<ul style="list-style-type: none"> 1. The site is located adjacent to Paparoa National Park. Provide evidence of/outcomes from any engagement with the Department of Conservation. 2. The site will be accessed from State Highway 6 and the vehicle access is proposed to be upgraded. Provide evidence of/outcomes from any engagement with NZTA Waka Kotahi (noting that approval will be required from NZTA Waka Kotahi for the works). 3. There is a historic place noted on the site under the BDP and a SASM under the TTPP. Provide evidence of/outcomes from any

engagement with Te Rūnanga o Ngāti Waewae and the NZ Historic Places Trust.

4. Whilst it does not affect the activity status of the application, the Council, in being consistent with previous consideration of applications, does not consider any component of the proposal (including visitor accommodation) to meet the definition of 'tourist related activity'.

Section 92A of the RMA requires you to respond to the Council by 28 March 2025 (being 15 working days from the date of this request) by either:

- (a) Providing the information requested by 28 March 2025;
- (b) Telling Council, in a written notice, that you agree to provide the information. Council must then set a reasonable time within which you must provide the information and give you written notice of the date by which you must provide the information. If you are aware of any circumstances that may affect the time within which you can provide the information requested, please advise of these in your written notice, as Council may be able to take them into account in setting the time within which you must reply, or
- (c) Telling Council, in a written notice, that you refuse to provide the information

If you do not respond in one of the three ways set out by 28 March 2025, section 92A(3) of the RMA requires Council to continue processing your application. Please note that under section 104(6) of the RMA, Council may decline an application for resource consent on the grounds that it has inadequate information to determine the application.

Please contact me at 0275 975 831 or jessica@hollisplanning.co.nz if you would like to discuss any matters relating to this letter.

Yours faithfully



Jess Hollis
Consultant Planner

PUNAKAIKI WILD LODGE APPLICATION, TE MIKO LANDSCAPE & NATURAL CHARACTER EFFECTS REVIEW

Prepared For:

Hollis Planning & Buller District Council

1. Introduction

This review addresses the landscape and natural character effects associated with the proposed *Punakaiki Wild Lodge* at Te Miko, north of Punakaiki. The proposal has been subject to a detailed assessment of landscape effects undertaken by Nikki Smetham of Rough Milne Mitchell Landscape Architects (RMM) and focuses very largely on that report (*Attachment Q* to the Application), dated the 20th of December 2024 and the *Revised Landscape and Visual Graphic Attachment* (*Attachment R*).

In addition, it takes into account the following reports, which have also been read in the course of this review:

Attachment E – Ecology Report

Attachment L – Architectural Plans: Lodge

Attachment L – Architectural Plans: Lodge Support Building

Attachment L – Architectural Plans: Worker Accommodation Building

Attachment O – Site Earthworks and Details

Attachment K – Site Master Plan

Attachment P – Vegetation Management Plan

Attachments S – Detailed Ecological Report

In Section 1.2 of the RMM / Smetham Report it is stated that the landscape assessment has been undertaken in accordance with the guidelines of *Te Tangi a te Manu*, the NZILA guidelines in relation to landscape assessment (May 2022). Consequently, **Section 2** of this review addresses this statement, comprising a technical review that focuses on the assessment methodology employed by Ms Smetham, the matters covered by the assessment, and its structure.

Section 3 of this review then addresses the findings of the report in relation to landscape and natural character effects, indicating areas where there is agreement in relation to Ms Smetham's findings and any areas of concern or disagreement. This is followed by **Section 4**, which focuses on the effects identified relative to the Operative Buller District Plan and *Te Tai o Poutini* – the proposed combined district plan for the West Coast – together with the conclusions of this review and any recommendations.

2. Technical Review

At Section 1.1, the RMM Report's format is outlined as follows:

- *A description of the proposal*
- *A description of the site.*
- *An outline of the relevant policy provisions within the Operative Buller District Plan (oBDP) and the proposed Te Tai o Poutini Plan (TTPP)*
- *The identification and description of the receiving environment. The receiving environment is described in terms of the landform, land cover and land use attributes and how those landscape attributes contribute to the receiving environment's existing landscape values.*
- *An assessment of the actual and potential landscape, natural character and visual effects, including cumulative effects.*
- *An assessment against the relevant statutory provisions.*
- *A conclusion.*

In my view this is consistent with the approach to landscape assessment anticipated in *Te Tangi a te Manu*, as too are the rating scales outlined in Section 1.2. I further note that even though the title of the report

and its Section 1 Introduction focus on the evaluation of landscape effects associated with the proposed lodge, Section 3.2 also address matters related to the coastal environment, including Section 4.7 of the Operative District Plan (The Coastal Environment) and the following – related – matters:

- 4.7.9.1. *Siting and development of activities in a manner and scale which is in harmony with and/or enhances the character of the coastal environment.*
- 4.7.9.2. *Improved quality of the coastal environment.*
- 4.7.9.3. *Improved access to, and public appreciation of, the coastal environment.*

In addition, both the ODP and *Te Tai o Poutini* also address historic heritage and ecosystem (and indigenous biodiversity), which are relevant to both the landscape and natural character values of the Te Miko area. Importantly, the subject site is then identified as being located:

- Within an Outstanding Natural Landscape (ONL);
- Partly within an Area of High Natural Character (HNC Area) in the coastal environment;
- Partly within an Area of Outstanding Natural Character (ONC Area) in that same environment;
- In a Pounamu Management Area; and
- Within part of an Area of Significance to Maori.

Provisions within *Te Tai o Poutini* that are relevant to the area's identified values are also described in the RMM / Smetham Report, while Appendix A contains a more fulsome breakdown of all the ODP provisions that are relevant to the application.

This is followed by descriptions of the site and its wider landscape context, which usefully delve into the attributes of both in more detail. It also identifies the receiving environments found around the subject site (including its 14 existing dwellings on the coastal side of SH6), together with Te Miko's relationship with both the wider coastline and the renowned Punakaiki Rocks to the south. Of note, this description and analysis is supported by the Graphic Attachment images of Attachment R, particularly those of the site (pp.24 and 25) and from 5 key viewpoints (pp.27-29). Key physical, perceptual and associative values are also described, reflecting *Te Tangi a te Manu's* description of landscapes as the combination of these three 'layers' or dimensions.

Section 4.5 then employs 5 viewpoints that represent the receiving environments around the subject site to assess the effects of the proposed lodge on those 'catchments' and related audiences in some detail. Although this analysis does not employ explicit assessment criteria, the descriptive evaluation of effects for each viewpoint usefully details factors that would affect perception of the lodge and associated development (such as viewing distance and screening / integrating elements), any mitigating factors, and the nature of any incursion into the local landscape / environment and effects on it.

Again, this is supported by pp.27-29 of Attachment R, although the photos provided for Viewpoints 1, 2 and 5 are of poor quality, with that for Viewpoint 2 noticeably smaller than those provided for the other four viewpoints, while the image for Viewpoint 5 is made almost illegible due to the time of day at which it was taken (sun glare and lens flare). In my opinion, these three photos are not of the standard I would expect for a landscape assessment. I also note that no photo simulations or other graphic devices are employed to illustrate the location, form and scale of the proposed buildings – or even the location(s) of proposed planting. While 4 of the 5 viewpoints employed by RMM are too distant for montages or simulations to be meaningful, a photo simulation or even just an image from **Viewpoint 4** (the Irimahuwhero Lookout on SH6) pointing out the location of the lodge's proposed buildings and car parking would have been helpful in this regard.

Regardless, each viewpoint analysis culminates in a summary evaluation of the proposed lodge's landscape effects. I am unclear if this focus on 'landscape' effects alone is deliberate, but it appears to be contrary to

the ODP and *Te Tai o Poutini*, which address landscape and natural character as distinct entities. Instead, both appear to be treated ‘as one’ in this part of the RMM / Smetham Report. On this subject, it is only fair to acknowledge that *Te Tangi a te Manu* recognises the inherent overlap between landscape and natural character in many respects. Even so, there remain differences between them – in line with sections 6(a) and (b) of the RMA, and Policies 13 and 15 of the NZ Coastal Policy Statement (2010) and the related requirement to preserve outstanding natural character values versus the imperative to protect outstanding natural features and landscapes (to paraphrase the Act).

Notwithstanding this, Section 5 of the RMM Report then addresses both landscape and natural character values in its assessment of the proposal against relevant ODP policies. Consequently, the gap just referred to is largely ‘patched over’ in this part of the assessment. Furthermore, other related matters, including impacts on the site’s cultural values and significance, and its ecological / habitat values, are also touched on in the statutory review. Somewhat confusingly, though, Section 5 begins by reviewing the proposal employing the ODP’s Assessment Criteria for a Discretionary Activity; not a Non Complying Activity, which the lodge proposal is also described as being. As such, it should be subject to s.104(D) of the RMA, which provides two gateways through which the *Punakaiki Wild* proposal can pass to obtain consent – if:

- (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.*

Having made this point, the RMM / Smetham Report does, in fact, ‘test’ the lodge proposal against the relevant provisions of the ODP and *Te Tai o Poutini*, concluding that the proposal is not contrary to them. These include provisions under the umbrella of ODP Section 4.6 addressing cultural values, Section 4.7 focusing on the coastal environment, Section 4.8 addressing ecosystems and natural habitats, and Section 4.9 which pertains to landscapes and natural features. Provisions particular to the Paparoa Character Area are also covered in this part of the RMM Report, as too are effects on natural character in a more limited fashion – primarily in relation to ODP Policy 9.2.3.3.

Turning to *Te Tai o Poutini*, the report then goes on to respond to NFL-01, NFL—P4, and NFL-P5, which address effects in relation to natural features and landscapes. That response includes commentary about effects on ONLs, local cultural values, and light (night-time effects). However, it again fails to directly address effects in relation to natural character values, even though natural character is mentioned in the introduction to Section 5.3. Again, this appears to be a gap in the RMM / Smetham Report.

Returning briefly to s.104(D)(a) and the magnitude of the proposed lodge’s effects, the commentary under ODP Policy 9.2.2 includes the following statement:

*The visual assessment demonstrates that the prominence of the Lodge will be visually absorbed into the site with **No - Low** effects on high natural coastal character.*

However, in terms of NZCPS Policy 13(1), it is also important to know if the proposed lodge would have an adverse effect on the ONC part of the site and/or a significant adverse effect on the natural character values of the ‘other parts’ of the local coastline, including its HNC area¹.

¹ **Policy 13 Preservation of Natural Character**

(1) *To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:*

In relation to landscape effects, there is description of the various means by which the lodge and ancillary proposals would be integrated into the Te Miko / Paparoa landscape, but I have been unable to find a summary assessment of the proposal against relevant provisions which concludes its effects would be 'minor'. For this, one must turn back to the very last sentence of Section 4.6, where it is stated that:

Overall, for the reasons set out above, the proposal will have a very low degree of adverse effects on the landscape values of the site and its receiving environment.

At Section 6, the report reiterates this finding, as follows:

Overall, it is considered that the proposed development will have a No-Low degree of adverse effects on the landscape values of the site and the receiving coastal environment equating to a less than minor adverse effect. In addition, as a non-complying activity the proposed development will not be contrary to the relevant objectives and policies of the oBDP and the proposed TTPP..

Consequently, both limbs of section 104(D) are ultimately addressed, albeit in a slightly circuitous manner.

3. Landscape & Natural Character Effects

3.1 Preliminary Comments

Having also reviewed Ground Up Studio's architectural plans, I agree that there would be a synergy between the site's gently rolling / undulating, terrace landforms and the profile of the proposed lodge. Furthermore, its colouring would help to bed the lodge into the subject site, even though it would be located quite close to the distal end of Perpendicular Point. The 9 single cabins to be sited close to the site's northern cliff-line (SC1-SC9) would share the same materiality and colour palette and would have a low 3.8m profile, although their rectilinear, pre-fab, form would be less responsive to the site overall. Conversely, the more centrally located car park, lodge support building, workers' accommodation building, and 6 other family cabins (FC1 – FC6) would also share the same colour scheme and materiality, but would also be slightly more visually and physically discreet – close to the western ocean cliffs, but further removed from SH6 and most other public vantage points.

Consequently, the location of the lodge building and 9 single cabins makes it unfortunate that a photomontage or simulation has not been provided for Viewpoint 4, which looks directly towards Perpendicular Point's northern coastline and terrace.

I have also reviewed RMA Ecology's assessment of ecological effects. In Section 2.1 of that report, the site is described as follows:

The site is located within the Punakaiki Ecological District and is a 'Paparoa Character Area'. The original vegetation of the Ecological District comprised of hardwood forest with few podocarps inland from the coast. The coastline had a vegetation community that comprised of high diversity broadleaved forest species and northern rata. The Punakaiki Ecological District has remained largely unmodified throughout, with the coastline of the district succumbing to the highest degree of modification.

The Threatened Environments Classification (Walker et al. 2015) shows how much native (indigenous) vegetation remains within land environments, and how past vegetation loss and legal protection are distributed across New Zealand's landscape. The site lies within the Threatened Environment class categorised as having 30 % of indigenous cover left and 20 % of that cover legally protected from clearance. In these environments, the indigenous vegetation cover is still vulnerable to threats such as weeds, pests, logging, and other extractive land uses.

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- (a) avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and
 - (b) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment;

This highlights the vulnerability of the site from an ecological standpoint, while in Section 3 of the report, it is concluded that:

The proposed plans for the development of the site are confined to very small areas of development and the placement of these on the concept design plans indicates that adverse effects on ecology values could be avoided in most instances

Once we have undertaken site investigation to ground-truth aspects of ecology highlighted in this preliminary desktop report, we will be able to advise in more detail on the ways in which specific potential effects can be managed

There are opportunities for enhancing the ecology of the site, and these could be included as part of the overall development project:

- *Control of invasive ecological weeds*
- *Accelerate the change from native weedland/ grassland to native coastal and shrubland communities through a planting programme*
- *Include pest animal control as part of the site restoration programme*
- *Plant native species that produce flower and nectar to encourage native birds to the site.*

At least some of these proposals are incorporated in RMM's Vegetation Management Plan and Strategy (Attachment P), with extensive revegetation proposed across the centre of the site, as well as down both its northern and western coastlines. The coastal forest, shrubland, riparian, and wetland planting employed in this programme would mainly comprise native species, although I am uncertain if this is also the case in relation to the proposed Amenity Planting near the lodge, single cabins, workers accommodation, lodge support building and car park, as the Ecological Plant List found in Attachment R doesn't outline the planting proposed for those areas.

Notwithstanding this concern, 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. As such, it is my view that a time frame of 10 years is more likely than the 5 years suggested by Ms Smetham for such enhancement to take hold and begin to effectively integrate the proposed buildings into their setting.

3.2 Additional Contextual Matters

As indicated above, I accept that Ms Smetham's report appropriately describes and analyses both the subject site and its wider landscape /coastal environment setting. This includes those public receiving environments exposed to the site and their related audiences – mostly road users on SH6.

I further agree that the ODP and *Te Tai o Poutini* provisions identified in her report capture those provisions more directly applicable to the subject site and lodge proposal. However, the absence of *Te Tai o Poutini* provisions addressing the natural character of the coastal environment is significant. Relevant policies include the following:

CE-P2 *Preserve the natural character, natural features and landscape qualities and values of areas within the coastal environment that have:*

- a. *Significant indigenous biodiversity including Significant Natural Areas as described in Schedule Four*
- b. *Outstanding natural landscapes as described in Schedule Five;*
- c. *Outstanding natural features as described in Schedule Six;*
- d. *High coastal natural character as described in Schedule Seven; and*
- e. *Outstanding coastal natural character as described in Schedule Eight*

CE-P3 *Only allow new subdivision, use and development within areas of outstanding and high coastal natural character, outstanding coastal natural landscapes and outstanding coastal natural features where:*

- a. *The elements, patterns, processes and qualities that contribute to the outstanding or high natural character or landscape are maintained;*
 - b. *Significant adverse effects on natural character, natural landscapes and natural features, and adverse effects on areas of significant indigenous biodiversity, areas of outstanding natural character and outstanding natural landscapes and features are avoided;*
 - c. *The development is of a size, scale and nature that is appropriate to the environment;*
- CE-P5** *Provide for buildings and structures within the coastal environment outside of areas of outstanding coastal natural character, outstanding natural landscape and outstanding natural features where these:*
- a. *Are existing lawfully established structures; or*
 - b. *Are of a size, scale and nature that is appropriate to the area; or*
 - c. *Are in the parts of the coastal environment that have been historically modified by built development and primary production activities; or*
 - d. *Have a functional or operational need to locate within the coastal environment.*

In relation to these policies, it is further noted that most of the lodge site sits within HNC Area NCA43 shown on p.7 of RMM's Attachment Q, with the more forested, southern, parts of the site and rising land close to SH6 captured by ONC Area NCA42. All of the proposed lodge buildings and car park would avoid the ONC Area, although the lodge's accessway would still traverse it and an existing house and shed would also remain within it near SH6. For the sake of completeness, the Schedule 7 and Schedule 8 descriptions of these natural character areas is shown below, followed by Schedule 5's description of ONL45, which covers the entire site:

ONC Area NCA42 Dolomite Point Pancake Rocks

Sequence of distinct rock formations including Dolomite Point Pancake Rock and Razorback Point as well as adjoining cliff faces.

- *Varied amalgam of raw and exposed landforms, rock stratification, blowholes, sheer cliffs, caves, and windswept vegetation impart a strong sense of naturalness.*
- *Striking interface with the Tasman Sea. Sheer cliffs plunge dramatically into the sea.*
- *Dramatic wave action, evident coastal erosion, and seasonal changes to atmospheric conditions are highly expressive and natural processes.*
- *Extensive flax vegetation cover across the rock formations along with pockets of lowland forest and stands of nikau.*

HNC Area NCA43 Perpendicular Point – Woodpecker Bay

An extensive assemblage of craggy headlands and points, rock shoals and outcrops interspersed with sweeping sandy / stony beaches, dunefields, vegetated in coastal scrub and forest.

- *High aesthetic values are associated with the inter- relationship between the series of craggy points and outcrops and the open waters of the Tasman Sea.*
- *Natural qualities are clearly evident in the amalgam of landforms, wind swept vegetation cover and their relationship with the Tasman Sea contributing to a very endemic landscape.*
- *Dramatic wave action, evident coastal erosion, and seasonal changes to atmospheric conditions are highly expressive and natural processes.*
- *The prominence of number of houses / batches and SH6 along the coastline affects the perceived intactness and cohesion of the coastal environment, however they do not overly detract from the highly expressive and natural processes that dominate the landscape.*
- *Backed by a steep escarpment covered in mature coastal forest.*

ONL45 Ōkoriko/Razorback, Dolomite, and Perpendicular Point

Sequence of distinct rock formations including Dolomite Point Pancake Rock and Ōkoriko/Razorback Point as well as adjoining cliff faces.

- Varied amalgam of raw and exposed landforms, rock stratification, blowholes, sheer cliffs, caves, and windswept vegetation impart a strong sense of naturalness.
- Striking interface with the Tasman Sea. Sheer cliffs plunge dramatically into the sea.
- Patterning of wind swept coastal forest and scrub across the rock formations along with pockets of lowland forest and stands of nikau reinforce the landscapes topography and exposure.
- Dramatic wave action, evident coastal erosion, and seasonal changes to atmospheric conditions are highly expressive and natural processes.
- This landscape as a whole is a landmark.
- Area below mean high water springs also scheduled in Proposed Regional Coastal Plan as ONL45.

3.3 Re-assessment of the Proposal's Landscape & Natural Character Effects

I have utilised RMM's 5 viewpoints to re-evaluate the landscape and natural character effects of the proposed lodge, notwithstanding the limitations associated with Viewpoint 4's current imagery. In assessing both I have taken into account the descriptions of each 'unit', as described above. The following is also a brief summary of the key differences between landscape and natural character, which is applicable to the assessment process:

Landscape is an all-encompassing term. The New Zealand Institute of Landscape Architects (NZILA) Charter (2010) describes "Landscape" as being "the cumulative expression of natural and cultural elements, pattern and processes in a geographical area." The NZILA's *Te Tangi A Te Manu*² – Aotearoa New Zealand Landscape Assessment Guidelines, 2022 (p. 35, section 4.22) – identifies landscape values as comprising three 'layers' of attributes:

The current professional practice of conceptualising 'landscape' as the overlap of its physical, associative, and perceptual dimension is reflected in 'case law' including the following recent decision³:

"Landscape means the natural and physical attributes of land together with air and water which change over time and which is made known by people's evolving perceptions and associations."

"In keeping with the Act such a definition enables the development of landscape assessment which takes account of:

1. *natural and physical environment: and*
2. *perceptual; and*
3. *associative aspects (beliefs, uses, values and relationships) which may change over time"*

As such, landscape effects relate to modification of both the biophysical and sensory (or perceptual) characteristics and values of an environment. Often, these are addressed in terms of changes to the biophysical values within a landscape, together with its visual legibility and memorability, expressiveness, aesthetic value, and its sense of place or identity and other 'associative' matters. Changes to the character and values of a landscape may also affect people's appreciation of its cultural and historical dimensions.

Natural character values and effects overlap with landscape effects, but have more of an emphasis upon effects that impair, or otherwise alter, the coastal environment's biophysical attributes and characteristics, together with its perceived character. Policy 13(2) of the NZCPS provides further direction in this regard, by identifying some of the elements / features / characteristics associated with natural character values.

Thus, coastal environments that are highly natural will be much more sensitive and susceptible to the effects of change than those that are already highly developed and modified. Yet, whereas landscape

² P.35 *Te Tangi A Te Manu* – Aotearoa New Zealand Landscape Assessment Guidelines (2022)

³ Paras: 300-301 [2011] NZEnvC 384, *Mainpower NZ Limited v Hurunui District Council*, ('Mount Cass Wind Farm'),

values can often be ‘driven’ by one or two key factors (e.g. the dramatic profile of Punakaiki’s pancake rock formations), natural character values tend to ‘step’ in line with the combined natural qualities of any environment – covering its water bodies, geomorphology and landforms, vegetation cover, land uses / activities and wider ‘context’. Locations of high natural character value will generally reflect high levels of naturalness across all of these layers. Consequently, natural character effects are derived from changes to the characteristics of a coastal environment, either in part or whole, that affect its elements, features, patterns, and processes. These effects become adverse when such changes diminish that coastal environment’s biophysical and/or perceived degree of naturalness.

Returning, therefore, to RMM’s Viewpoints 1-5, I have taken into account these descriptions in my re-appraisal of the proposal’s landscape and natural character effects:

Landscape Effects:

Viewpoint:	Effects Rating:	Relevant Factors That Have Influenced The Rating:
1.	Very Low	<ul style="list-style-type: none"> Viewing Distance Very low visibility of the site & development on it No perceptible changes to the Perpendicular Point landscape
2.	Very Low	<ul style="list-style-type: none"> Viewing Distance Very low visibility of the site & development on it No perceptible changes to the Perpendicular Point landscape
3.	Very Low	<ul style="list-style-type: none"> The profile of the single cabins and lodge could rise just above the profile of the escarpment edge, although they appear likely to still be backed by the line of bush near the southern boundray of the lodge site No appreciable change to the landscape qualities of Perpendicular Point
4.	Moderate-high (initially) Low (long term)	<ul style="list-style-type: none"> The panoramic overview of the site offered from this vantage point The distinctive profile and highly legible / memorable nature of Perpendicular Point Signs of existing modification near the current access track It is clear that the wider site has been cleared and used for farming in the past The relatively low profile of the proposed buildings – especially the single cabins, lodge, and lodge support building closer to the northern escarpment Their location near the existing access track and its ‘disturbance’ of an otherwise largely natural landscape Their small scale relative to that of the peninsular feature on which they would be located Their recessive colouring The likely part screening of some buildngs by the proposed planting – moreso in the long term (10 years plus) Enhancement of the site in general with the proposed planting
5.	Moderate-high (initially) Low (long term)	<ul style="list-style-type: none"> The slightly peripheral nature of views towards the subject site – offset to the main viewing axis towards the coast and sea The visibility of the accessway running through the site suggests that at least some of the proposed buildings would be visible from this viewpoint, together with the car park (the photo supplied is not adequate to fully assess this) It is clear that the wider site has been cleared and used for farming in the past The recessive colouring and low profile of the buildings would help to bed them into the site The likely part screening of most buildngs by the proposed planting – moreso in the long term (10 years plus) Human activities across the site would be visible, but not intrusive Key qualities associated with a coastline that is otherwise dominated by bush, coastal landforms and the sea would be diminished, including its naturalness / intactness, aesthetic appeal, cohesion, and (perhaps) some of its cultural value as a natural promonotory and landmark These effects would be much more apparent initally, less so in the longer term

Natural Character Effects:

Viewpoint:	Effects Rating:	Factors That Have Influenced The Rating:
1.	Very Low	<ul style="list-style-type: none"> No changes to the perceived natural character of the Perpendicular Peninsula coastline
2.	Very Low	<ul style="list-style-type: none"> No changes to the perceived natural character of the Perpendicular Peninsula coastline
3.	Low	<ul style="list-style-type: none"> The profile of the single cabins and lodge could rise just above the profile of the escarpment edge, although they appear likely to still be backed by the line of bush near the southern boundary of the lodge site This would give rise to a low level of change along the upper edge and skyline of the site's northern escarpment
4.	Moderate-High (initially) Low-Moderate (long term)	<ul style="list-style-type: none"> The distinctive profile and highly legible / memorable nature of Perpendicular Point as a coastal feature and landmark Signs of existing modification down the length of the current access track and near it The site has been largely cleared and used for farming in the past The relatively low profile and recessive appearance of the proposed buildings – especially the single cabins, lodge, and lodge support building closer to the northern escarpment Their location near the existing access track and its 'disturbance' of an otherwise largely natural environment The likely part screening of most buildings by the proposed planting – moreso in the long term (10 years plus) Enhancement of the site in general with the proposed planting Awareness of the lodge and related buildings sitting 'in front' of the ONC Area running down its southern side and closer to SH6, subtly diminishing both its natural character and that of the wider coastline – moreso in the short to medium term Awareness of vehicle movements and activities associated with the lodge The largely incremental nature of these changes overall
5.	Moderate (initially) Low (long term)	<ul style="list-style-type: none"> The recessive colouring and low profile of the buildings would help to bed them into the site Signs of existing modification down the length of the current access track and near it The site has been largely cleared and used for farming in the past The relatively low profile and recessive appearance of the proposed buildings – from the family cabins to the single cabins and lodge near the northern escarpment The location of much of this development near the existing access track and its 'disturbance' of an otherwise largely natural environment The likely part screening of most buildings by the proposed planting – moreso in the long term (10 years plus) Enhancement of the site in general with the proposed native planting Awareness of vehicle movements and activities associated with the lodge The incremental nature of these changes overall

These ratings are very similar to those identified by Ms Smetham, although the permanent changes to the site would result in slightly higher long-term ratings in relation to natural character effects. It should be noted that 'very low' is the lowest rating for effects employing *Te Tangi a te Manu's* rating scale, and I therefore agree with Ms Smetham that the proposal's effects in relation to Viewpoints 1 and 2 would be 'negligible'.

I also need to qualify my assessment of Viewpoint 5 by reiterating that the photos provided for Viewpoints 1, 2 and 5 are sub-standard from my point of view: they do not provide a sound basis for assessment – in particular, the image provided for Viewpoint 5. Photo simulations should also have been provided for Viewpoints 4 and 5, in my opinion.

4. Conclusions

4.1 Preliminary Findings

Acknowledging these shortcomings and using the material available, I tentatively agree with Ms Smetham that the longer-term landscape effects of the proposal are acceptable from a landscape standpoint. They would not result in a significant level of change to ONL45, more particularly in the longer term. As such, the landscape effects identified are also considered to be acceptable with regard to the various ODP and *Te Tai o Poutini* provisions addressed in the RMM Report, together with those identified in Section 3.2 (above) and NZCPS Policy 15(a) – which requires the ‘avoidance’ of adverse effects (of inappropriate development) on outstanding natural landscapes in the coastal environment. In this case, the long-term effects of the proposed lodge are deemed to be sufficiently low that it would meet the ‘avoidance’ test of Policy 15(a).

However, the situation in relation to natural character effects is more finely balanced. The lodge proposal would result in changes to the coastal environment of Perpendicular Point that peak at a moderate level in the long term, reflecting the reality that changes to that environment would arise from both structures and human activities in a cumulative fashion. Additionally, even though the proposed development would sit within an HNC Area, and physical modification would be isolated to that area, it would also abut the ONC Area of NCA42. There would be visual interaction between both areas, most notably when viewed from vantage points at and near Viewpoints 4 and 5.

Acknowledging this, it is also considered that the effects identified would remain below a ‘significant’ level (high) in terms of *Te Tangi a te Manu*’s rating scale and this is consistent with NZCPS Policy 13(1)(b) in relation to the HNC Area of NCA43. On the other hand, the proposal would subtly erode some of the perceived (visual) naturalness of the adjoining ONC Area. However, this also has to be balanced against the gradual enhancement of the site, including its building curtilage areas, over time, and the reality that changes are always likely to occur near the interface with ONC Areas – even within neighbouring HNC Areas, as is the case here.

Taking all of these factors into account, it is my preliminary view that the lodge proposal would meet the test of Policy 13(1)(a), which again requires the ‘avoidance’ of adverse effects (of inappropriate development) on areas in the coastal environment that are identified as having outstanding natural character. It further means that the proposal would be aligned with *Te Tai o Poutini*’s Policies CE-P2, CE-P3 and CE-P5, insofar as:

- The lodge development would be appropriately accommodated within the relevant ONL, HNC Area and ONC Area (CE-P2);
- The key elements, patterns, processes and qualities associated with the HNC and ONC Areas would be maintained (CE-P3);
- Significant adverse effects on natural character, natural landscapes, ONLs and ONC Areas would be avoided (CE-P3); and
- The proposed buildings are of a size, scale and nature that is appropriate to the area (CE-P5); and
- Development would occur within parts of the coastal environment that have been historically modified by built development and primary production activities (CE-P5).

Finally, I need to emphasise that, like Ms Smetham, I have addressed the positive effects of planting and the related integration of the proposed buildings and areas of activity into their landscape and coastal setting. Thus, I have concluded that the proposed lodge would generate adverse effects that are of a moderate to moderate-high order for an initial 0-10 year period, reducing to a low level beyond that – in relation to both landscape and natural character effects. These time frames differ from those of Ms Smetham, as I believe

that the site's coastal location – exposed to significant winds and salt – will slow the maturation of the proposed planting. Regardless, I have ultimately put much more weight on the long-term effects of the *Punakaiki Wild* proposal in reaching my preliminary view that it is acceptable in terms of its landscape and natural character effects. As such, the proposal appears to meet both gateway tests posed by s.104D in terms of those effects.

4.2 Recommendations

Even so, I also need to reiterate that these preliminary findings have been reached using material that is not considered adequate in relation to best practice and the *Te Tangi a te Manu* / NZILA guidelines on landscape assessment. To address these shortcomings, it is my opinion that Ms Smetham's assessment needs to address both natural character values and effects on those values more directly in an updated report. That same report needs to evaluate such effects with reference to the relevant provisions of *Te Tai o Poutini* and Policy 13(1) of the NZCPS. In addition, it needs to make it clear that the proposal is a Non Complying Activity and, as such, must be assessed against both limbs of s.104(D) – not the ODP's Assessment Criteria for a Discretionary Activity.

Furthermore, both that report and my preliminary review findings need to be better supported by additional graphic material, including:

- a) Better quality viewpoint photos in an A3 (or larger) format – for Viewpoints 1, 2 and 5, in particular; and
- b) Use of the panoramic image taken from Viewpoint 4 to clearly indicate the proposed location of all lodge buildings, car parking and planting areas, preferably accompanied by a photomontage / simulation showing the form and scale of the proposed buildings.

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