

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



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

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

**To: Buller District Council**

**Full Name of Submitter:**

Teresa Wyndham-Smith

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

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

**Contact details:**

Landline: [REDACTED]

Mobile: [REDACTED]

Email: [REDACTED]

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

Resource Consent Number: RC240079

Name of Applicant: ACG Properties Ltd

Site/Location: 4663 SH6 Te Miko Punakaiki

**Proposed Activity:**

establishment and operation of 'luxury' visitor accommodation including lodge, cabins, workers accommodation

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

land use - earthworks, vegetation clearance, vehicle tracks access, vegetation planting, signage etc for establishment and operation of visitor accommodation and supporting buildings/infrastructure at 4663 SH6 Te Miko

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

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

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

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

2.2, 3.1, 3.6.1, 4.2.2, 4.4.1, 4.5, 6.3.1

My submission is: (tick one)

I support                       I am neutral                       I oppose

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

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

2.2 - states it's "been recognised that Punakaiki has a severe lack of visitor accommodation offering particularly in the luxury market". No evidence cited. Punakaiki is very busy at times [November through to mid-December with international visitors; the fortnight over Xmas/New Year with NZ visitors; mid-January to mid-March with international visitors]. Pre-booking accommodation - including the high-end accommodation already available some time ahead of these times is highly recommended. There is also a range of accommodation to the north and south of Punakaiki e.g. Fox River area, considered to be wider Punakaiki when it comes to tourism and the community.

At other times of the year, with the exception of school holidays and long weekends, it is very easy to book a place at Punakaiki's many short-stay accommodation options.

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

I seek amendments to the sections of the application as listed earlier in my submission to address concerns raised.

3.1 - acknowledgement of existence of Punakaiki Marine Reserve and protections which will be put in place to ensure marine reserve not harmed by the development

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

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

Signature/s of (Name of submitter)

Signature:

Date: 10 June 2025

Name of person

Signature: n/a

Date:

Name of person signing:

n/a

Signature: n/a

Date:

Name of person signing:

n/a

#### NOTES TO SUBMITTER

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

## **Continuation of Form 13 submission section “the reasons for making my submission are”**

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### **3.1**

I am flabbergasted that neither here, nor elsewhere in the application or supporting documents, is there any mention of the Punakaiki Marine Reserve on the western boundary of the property.

The marine reserve is one of five marine reserves established on the West Coast in 2014. Punakaiki Marine Reserve covers more than 35 square km from Te Miko/Perpendicular Point [so has its northern start point at the property boundary] to near Maher Swamp in the south, and out to two nautical miles from shore. Paparoa National Park and the marine reserve combined protect heavily forested land and water catchments from the mountains out to sea.

The Punakaiki reserve protects a wide variety of marine species and habitats, including kelp forests, rocky reefs, and sandy seabeds. It is a sanctuary for species such as blue cod, paua, crayfish, and various types of sponges and anemones. Its ecosystems are relatively undisturbed making them important refuges for marine life.

The application fails to even acknowledge the existence of the Punakaiki Marine Reserve so totally lacks any information about the impacts of the development on the reserve and what will be done to protect it.

### **3.6.1**

In this section it is claimed: *“Despite a posted speed limit of 100 km/h, the highway's alignment and narrow carriageway likely reduce speeds to around 70 km/h due to its gradient and horizontal curves.”*

Where is the evidence for “likely reduce speeds”? There is none because there can be none, it's a totally meaningless statement without anything to back it up.

I've been commuting on this road for 10 years and have acutely observed motorists' driving behaviour [including that of tradies commuting between Greymouth and Westport, tourists, milk tanker drivers] over this time.

The statement totally ignores that from the south the road travels mostly straight up hill (apart from one bend before Coghlan's Lookout) from the Truman Track. Many drivers are most certainly travelling 100km/h as they pass the property.

Milk tankers are significant users of the road in summer both in the morning and the evening so likely to overlap with the busiest times for visitors coming and going. One of the crashes referenced in the transport section of the application was a milk tanker which slid across the highway and ended up with its trailer down a bank just metres south of the property.

There's significant truck traffic on the road including deliveries between Greymouth and Westport and a lot of tradesperson traffic particularly in the mornings and evenings.

This section also claims the area *“lacks footpaths, cycling infrastructure, and bus services, reflecting its rural nature”*.

This again points to lack of real knowledge and evidence about Punakaiki. There are four bus services per day passing through Punakaiki (and therefore past the property). The East-West Shuttle service travels every day [apart from Christmas] from Westport in the morning to Chch International Airport return stopping at Punakaiki on the way there and back. The Intercity bus service is daily from Nelson, stopping at Punakaiki and going on to Fox Glacier, the return service travels the same route daily.

There is a shared pedestrian and cyclist pathway from Truman Track, about 500m south of the property all the way through to the Punakaiki River on the southern boundary of the township.

#### **4.2.2**

The lodge will be “*finished in a highly textured vertical flute render mixed with a high content of local beach pebbles*”. Where are these coming from? There’s no acknowledgement that removing natural materials, such as pebbles, from beaches requires permission or resource consent. It is illegal under the Marine Reserves Act to remove any stones from a marine reserve.

#### **4.4.1**

The application says the Punakaiki water supply will be used for potable water. The applicants may not be aware the Punakaiki Water Supply has been sabotaged at the intake (which is on the other side of the highway very close to 4663 SH6) on several occasions as recently as late March/early April 2025. Despite this being a criminal offence no one has ever been charged so it is highly likely it will be repeated.

The Environment Court has also been involved in an issue to do with a small piece of private land the intake flows through. However, there has been no public disclosure about any result in this case so no allaying of concerns the community has about the security of the supply for the township.

#### **4.5**

In this section about lighting there is no mention of the Westland Petrel/taiko, a bird hugely important for the wider Punakaiki area and community. Fledglings’ navigation is affected by light, particularly LEDs. Community members maintain a nightly patrol over November-January when the taiko are taking their first flights to sea. At least one taiko was found on the road in close proximity to 4663 SH6 during last summer’s patrols.

#### **6.3.1**

This section speculates that “*The somewhat remote location of the site means that those choosing to stay there will be unlikely to be regularly travelling to and from their cabin – rather, those that choose to stay there are likely to remain generally based at the site. As such, the additional vehicle movements associated with the site are negligible in the context of the capacity of SH6.*”

Where is the evidence for the thinking behind this? People come to Punakaiki for the Pancake Rocks, the Paparoa Track, the Pororari River Track (touted as one of the best

half day walks in the country). The award winning Punangairi complex with its multi-media exhibition about the Punakaiki area, the Department of Conservation visitor centre and other amenities is also becoming a major drawcard. A new lookout track behind Punangairi is nearly finished – all part of encouraging people to stay longer around Punakaiki as there's so much to do. From my observations of the tourism sector, and having previously run an accommodation business, I think it's highly unlikely most people aren't going to go out and explore everything which is on offer.

**Continuation of “I seek the following decisions from the consent authority....**

3.6.1

I seek an evidence based Transport Plan with comprehensive detail about how the critical dangers of the entry/exit will be managed and that this plan is approved by NZTA

4.4.1

I seek the lodge and all associated infrastructure to be totally self-sufficient for all potable water and not have access to the Punakaiki water supply intake

4.5

I seek acknowledgement of the importance of the Westland Petrel/taiko to the Punakaiki area and measures put in place to safeguard it in terms of lighting used by the development.