

RC240079 – Volunteered Conditions of Consent

RC240079 – Applicant Volunteered Conditions of Consent (in response to RFI, submitter engagement, and Pre-hearing Meeting)		
	Condition Text	Context / Commentary
1.	<p>Prior to the operation of the lodge and visitor accommodation, the consent holder shall ensure that firefighting water supply is provided in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice (SNZ PAS 4509:2008), or an alternative firefighting water source is provided that is deemed acceptable to Fire and Emergency New Zealand, with evidence of this to be provided to Council.</p>	<p>As per correspondence / discussions between Ant Beale (Project Manager) and Arlia O-Sullivan (Beca Planner) and Myles Taylor (District Manager, Fire and Emergency NZ), with this condition in response to the BDC RFI, and reflective of the discussions with Fire and Emergency NZ</p>
2.	<p>Prior to the operation of the lodge and visitor accommodation, detailed engineering design plans and supporting calculations for the proposed water supply system shall be provided to Council. The detailed design shall be prepared by a suitably qualified and experienced engineer and shall demonstrate that the water supply system is capable of adequately servicing the development, including potable water supply, fire-fighting water supply where required, storage, reticulation, pump systems, treatment systems and any associated infrastructure.</p> <p>The detailed design shall confirm the source of supply, expected demand, storage capacity, pressure and flow rates, and any proposed staging of infrastructure. The design shall also specifically address:</p> <ol style="list-style-type: none"> the potential for degradation in raw water quality during weather events, including increased silt and sand at the intake, and the measures proposed to manage this, including consideration of sand filtration with backwash capability, selective abstraction intake design, and/or an appropriately sized sedimentation tank with regular flushing arrangements; and the potential need to manage reduced flows during drought periods, including provision of a flow restrictor on the inlet pipeline at the site boundary capable of adjustment between 1.5 m³/hr and 2.5 m³/hr, with a default setting of 2.0 m³/hr, and sufficient on-site water storage to ensure continuity of supply in the event that Council restricts supply to 1.5 m³/hr. 	<p>As per correspondence / discussions between Ant Beale (Project Manager) and Vernie Ng and Sarie van der Walt from BDC, with this condition in response to the BDC RFI. It is noted that the detail of the water infrastructure remains subject to detailed design, with the Applicant committed to working with BDC (and Taumata Arowai) in relation to these works, with the condition recognizing the key matters noted by BDC.</p>
3.	<p>All water storage tanks located on the site shall be finished in recessive colours that blend with the surrounding landscape and shall be located and/or screened by planting, or partially buried, to minimise their visibility from State Highway 6 and adjoining properties.</p>	<p>The site master plan identifies a number of water tanks located in proximity to State Highway 6, with these specific controls ensuring</p>

		<p>the final location and detail are appropriately located and designed, recognizing the specific detail of the potable and fire fighting water supply infrastructure remains subject to engagement with BDC and Fire and Emergency NZ.</p>
<p>4.</p>	<p>a. Prior to the commencement of operation of the lodge and visitor accommodation activity, the vehicle crossing for access to the site from State Highway 6 shall be formed in accordance with the approved plans and access arrangement (Motsam Rural Right Turn bay, Drawing number 24-0162-04A-Rev A, East Cape Consulting).</p> <p>b. Prior to the vehicle crossing formation works occurring, the consent holder shall submit to the Buller District Council a copy of the New Zealand Transport Agency's approval to undertake works on the State Highway (as detailed in advice notes a – e, below).</p> <p>Advice Notes:</p> <p>a) It is a requirement of the Government Roadway Powers Act 1989 that any person wanting to carry out works on a state highway first gain the approval of the New Zealand Transport Agency for the works and that a Corridor Access Request (CAR) is applied for and subsequently a Work Access Permit issued before any works commence. A CAR will be required for the vehicle crossing from the subject site to State Highway 6.</p> <p>b) Detailed design approval will be provided through the CAR process.</p> <p>c) A CAR is made online via www.beforeudig.co.nz and/or www.submitica.co.nz. The CAR needs to be submitted at least 15 working days before the planned start of works.</p> <p>d) A copy should also be sent to the Waka Kotahi/New Zealand Transport Agency environmental planning team at environmentalplanning@nzta.govt.nz</p> <p>e) The Corridor Access Request will need to include:</p> <p>i. The detailed design for the vehicle crossing. In developing the detailed design, the consent holder will need to consult with the New Zealand Transport Agency appointed state highway maintenance contractor for the West Coast and the New Transport Agency Safety Engineer.</p> <p>ii. A Construction Traffic Management Plan that has attained approval from the New Zealand Transport Agency appointed state highway maintenance contractor for the West Coast.</p> <p>iii. A design safety audit which has been prepared, processed and approved in accordance with the New Zealand Transport Agency's guidelines for Road Safety Audit Procedures for Projects</p>	<p>As per correspondence and engagement with NZTA, with this condition confirming the adoption of the right turn bay, with detailed design to be undertaken in conjunction with NZTA.</p>

5.	No helicopter landings or take-offs associated with the lodge and visitor accommodation activity shall occur on the site, except in the case of emergency services, search and rescue operations, fire-fighting, or for maintenance and servicing purposes directly related to the operation of the site.	As per the feedback from submitters at the pre-hearing meeting, and in response to the BDC RFI.
6.	The use of drones by guests of the lodge and visitor accommodation activity is prohibited. Advice Note: a) This condition does not restrict the use of drones associated with ecological monitoring, site investigation, maintenance, emergency response, or marketing purposes, provided the drone use is operated in accord with Department of Conservation protocols (including maintaining a 100m distance between any coastal birds and the drone), and any necessary authorisations are obtained from the Department of Conservation.	As per the recommendation from DOC, albeit noting that the restriction is focused on guests, with limited other use recognized subject to adherence to relevant DOC guidance.
7.	No cats or dogs shall be kept on the site, except for dogs owned by staff residing on the site that have completed kiwi aversion training recognised by the Department of Conservation prior to being brought onto the site, and evidence of that training shall be provided to the Council on request.	As per the request from DOC, albeit noting provision has been made for resident staff to have a dog, subject to the completion of kiwi aversion training.
8.	<p>Prior to commencement of any earthworks, a Construction Management Plan (CMP) shall be prepared by a suitably qualified professional and provided to Council. The objective of the CMP is to provide a framework to ensure that construction activities remain within the limits approved under this consent and avoid, remedy or mitigate adverse effects. The CMP shall identify how the objective is to be achieved, and shall as a minimum address the following:</p> <ul style="list-style-type: none"> • Site management arrangements; • Construction programme and hours of operation; • Description of any anticipated environmental issues and measures to deal with these; • Traffic Management Plan; • Noise management measures; • Refuse and site waste management; • Measures for ensuring karst features and forest edges remain protected during construction activities; • Measures to prevent the introduction, establishment and spread of weeds; and • Systems for responding to queries and complaints. <p>Prior to commencement of any earthworks, an Erosion and Sediment Control Plan (ESCP) shall be prepared by a suitably qualified professional and provided to Council. The objective of the Plan is to manage earthworks so that sediment and stormwater run-off is contained within the Site and to ensure that no dust nuisance arises. The ESCP shall identify how the objective is to be achieved, and shall as a minimum address the following:</p>	As per the condition identified in the original AEE, and feedback from the pre-hearing meeting. The condition has been amended to align with the condition on the DOC Dolomite Point resource consent (RC210036), and elevate the importance of erosion and sediment control management.

	<ul style="list-style-type: none"> • Description of all site earthworks and key environmental risks; • Earthwork sequencing; • Erosion and sediment control measures to be installed prior to, and during, all construction activities; • Dust control measures to be implemented prior to, and during, all construction activities to prevent as far as practicable, dust spreading beyond the boundary of the site; • Procedures for decommissioning the erosion and sediment control measures; and • Procedures for monitoring erosion, sediment and dust control measures. 	
<p>9.</p>	<p>Prior to the commencement of any construction works on the site, a Vegetation and Pest Management Plan (VPMP) shall be prepared by a suitably qualified and experienced ecologist and/or landscape professional and provided to Council. The objectives of the VPMP are:</p> <ol style="list-style-type: none"> a. To detail the proposed vegetation management, ecological enhancement and planting outcomes across the site, including active and passive regeneration areas, as per the approved vegetation management plan; b. To manage the effects of construction and operation of the lodge and visitor accommodation activity on indigenous vegetation, ecological values and amenity values; c. To outline the details of proposed revegetation, restoration planting, enrichment planting, pest plant management, pest animal management and the staging of those works across the site; d. To identify all existing indigenous vegetation to be retained and protected, and the measures proposed to avoid, remedy or mitigate adverse effects on that vegetation; and e. To implement vegetation clearance protocols to minimise effects on ecological values and fauna. <p>The VPMP shall identify measures to achieve these objectives and shall, as a minimum, address the following matters:</p> <ol style="list-style-type: none"> f. Identification of all existing indigenous vegetation to be retained and protected; g. Details of all proposed revegetation and restoration planting, including plant species, plant sizes, spacing, staging, timing and maintenance requirements across both the construction and operational stages of the project; h. Details of restoration activities proposed to be undertaken across the site, including any riparian, wetland, shrubland or indigenous habitat enhancement works, and specifically the provision of restoration planting to a width of 5 metres along the margins of Stream 3; i. Confirmation that, where practicable, native plant species used for revegetation, restoration and enrichment planting shall be eco-sourced from local nursery suppliers; 	<p>In response to feedback from DOC and the prehearing meeting, and recommendations from the updated Detailed Ecological Report.</p> <p>It is noted that the original AEE identified a proposed 'Ecological Enhancement Management Plan' condition. This has been renamed to align with the updated Detailed Ecological Assessment (i.e. now a Vegetation and Pest Management Plan), with this still addressing all ecological restoration works (i.e. planting, weed and animal pest control etc).</p> <p>The condition includes specific reference to consultation with the directly adjacent neighbor, enabling an opportunity for feedback on planting outcomes that may afford initial and prompt screening opportunities.</p>

	<ul style="list-style-type: none"> j. Measures to control and manage pest plant species and animal pests during construction and operation of the lodge and visitor accommodation activity; k. Details of consultation undertaken with the Department of Conservation, the owners and occupiers of the adjacent property at 4655 State Highway 6, and any relevant community restoration groups, in relation to pest management and planting restoration opportunities across the site; l. A description of the proposed vegetation clearance methods, including progressive mowing of grassland areas prior to excavation where appropriate; m. Measures to avoid vegetation clearance during the native bird nesting season, generally between October and February, unless otherwise approved by a suitably qualified ecologist; n. Methods for vegetation clearance within shrubland areas, including use of hand tools where appropriate and relocation of cut vegetation to adjoining areas to enable fauna dispersal prior to mulching or disposal; o. Measures to ensure there is no vegetation clearance within 20 metres of locations recorded for fernbird, as identified in the Detailed Ecological Report submitted with the application; p. Ongoing monitoring, maintenance and replacement requirements for planting, including replacement of any dead or diseased plants; and q. Long-term management obligations for pest control, planting establishment, vegetation maintenance and ecological enhancement works. 	
<p>10.</p>	<p>Prior to the commencement of operation of the lodge and visitor accommodation activity, a Lighting Management Plan (LMP) shall be prepared by a suitably qualified ecologist in consultation with a suitably qualified lighting professional and provided to Council. The objective of the LMP shall be to manage the effects of lighting on wildlife (specifically the Westland Petrel) and amenity values, and to ensure that all lighting associated with the lodge and visitor accommodation activity is designed, installed and operated in accordance with best practice lighting principles.</p> <p>All lighting shall be designed, installed and operated in accordance with the LMP. The LMP shall, as a minimum, address the following matters:</p> <ul style="list-style-type: none"> a. A description of the location, height, type and specification of all proposed lighting installations; b. Measures to ensure all exterior lighting is directed downward, shielded to avoid light spill, and designed to minimise effects on ecological values and wildlife, including consideration of the Australasian Government’s National Light Pollution Guidelines for Wildlife January 2023 and Australasian Dark Sky Alliance (ADSA) Guidance; c. The use of lighting with a colour temperature no greater than 3000K, filtered where practicable to reduce blue and violet wavelengths; 	<p>In response to feedback from DOC, the pre-hearing meeting, and recommendations from the updated Detailed Ecological Report, and the Interior Lighting Memo prepared by 3D Lighting Design. The proposed condition reflects a comprehensive approach to lighting management at the site, including measures to address both interior and exterior lighting outcomes.</p>

	<p>d. Measures to ensure fixed exterior lighting is mounted as close to the ground as practicable, and that lighting is limited to the minimum necessary for safety, access and operational purposes, including the use of light-minimising technology, motion sensors, timers or dimmers where practicable;</p> <p>e. Measures to avoid adverse effects of lighting on any wildlife present on or around the site, including identification of any light-sensitive species and specific management actions to protect those species;</p> <p>f. Measures to manage light spill from interior lighting, including consideration of supplementary control measures focused on the building envelope, including specialist glazing options and/or window films designed to attenuate blue wavelength transmission and reduce ecological effects associated with interior light spill;</p> <p>g. Details of operational controls for interior lighting, including dimming, scene-setting and reduced night-time light levels during periods of lower occupancy or overnight use;</p> <p>h. Details of consultation undertaken with the Department of Conservation and local ecological interest groups in relation to the preparation of the LMP, including a summary of feedback received and how that feedback has been addressed;</p> <p>i. Monitoring, maintenance and reporting procedures to confirm ongoing compliance with the LMP, and a framework for responding to complaints or queries regarding lighting effects from adjoining landowners, stakeholders or the wider community.</p> <p>The LMP shall be implemented prior to the operation of any lighting and maintained thereafter for the duration of the activity.</p>	
11.	In the event of an accidental discovery of archaeological items, every practical effort shall be made to avoid damage to the archaeological site, and the measures outlined in the Ngati Waewae Accidental Discovery Protocol attached as Appendix [X] shall be followed.	As per the request from Ngati Waewae, and consistent with the condition on the DOC Dolomite Point resource consent (RC210036).
12.	Any incidental discoveries of lizards while undertaking construction within the project footprint shall be managed in accordance with the Lizard Accidental Discovery Response Protocol included within the approved consent documentation. As a minimum, works in the immediate vicinity of the discovery shall cease immediately, the lizard shall not be harmed, handled or relocated except by a suitably qualified and experienced ecologist holding all necessary permits and approvals, and works shall not recommence in the affected area until the ecologist confirms that it is appropriate for works to proceed.	As per the recommendation from the updated Detailed Ecological Report and feedback from DOC, with the protocol detailed in Section 5.5 of the Detailed Ecological Report
13.	All buildings shall be located outside the 'cliff erosion hazard area', 'undermined cliff hazard area', and 'falling debris hazard area' as delineated on Sheets 3 and 4 of Tonkin + Taylor Perpendicular Point Natural Hazard Desktop Assessment Version 2.	As per the recommendation from the T+T geotechnical response and Natural Hazard Report, with no buildings identified in these specific hazard areas identified by T+T..

14.	All buildings, earthworks, and drainage infrastructure shall be designed and constructed to avoid materially increasing the natural hazard risk on the site or adjacent properties, including during construction.	As per the recommendation from the T+T geotechnical response and Natural Hazard Report.
15.	Prior to the submission of any building consent application for buildings across the site, a site-specific geotechnical assessment shall be prepared by a suitably qualified and experienced geotechnical engineer for the proposed building location(s). The assessment shall confirm the suitability of the building location and identify any specific foundation design requirements, earthworks, retaining, drainage or other mitigation measures necessary to ensure the safe development of the site. The assessment shall have regard to, and incorporate as appropriate, the recommendations and mitigation measures identified in the Tonkin + Taylor Perpendicular Point Natural Hazard Desktop Assessment Version 2.	As per the recommendation from the T+T geotechnical response and Natural Hazard Report.
16.	<p>General Advice Notes:</p> <ul style="list-style-type: none"> b) The consent holder is advised to prepare and maintain an Emergency Management Response Plan for the lodge and visitor accommodation activity. The plan should address, as a minimum, emergency access and evacuation procedures, power outages, water supply failure, communication protocols, staff training, and coordination with emergency services. c) A Waste Management and Minimisation Plan should be prepared prior to operation of the lodge and accommodation facility. The Plan should identify measures to minimise waste generation, maximise reuse and recycling opportunities, and provide for the appropriate storage, collection and disposal of waste. The Plan should also include procedures for managing recyclable materials, green waste and any hazardous waste generated on-site. 	<p>In response to the RFI and pre-hearing meeting feedback regarding emergency response / civil defence measures. The issue of water supply failure is specifically identified within the Advice Note, noting the concerns raised at the pre-hearing meeting on unreliability of supply.</p> <p>In response to the original RFI from BDC around management of waste / recycling on site, and to avoid and minimise potential waste and litter from the site.</p>