

APPENDIX THREE

APPLICANT & DOC CORRESPONDENCE - 26 JUNE 2026

Jessica Hollis

From: Daniel Thorne | Town Planning Group <daniel@townplanning.co.nz>
Sent: Friday, 26 June 2026 1:05 pm
To: Jessica Hollis
Cc: Raewyn Mayo; Jane Macleod
Subject: RC240079 Punakaiki Wild - Updated Volunteered Conditions following Discussions with DOC
Attachments: 3178-24 - Volunteered Conditions of Consent AS AGREED WITH DOC 26.26.2026.pdf

Hi Jess,

As you're aware, we've been working with DOC to resolve their outstanding concerns and have now reached agreement on the volunteered conditions (as they relate to DOC's area of interest). Please find **attached** the updated conditions, as agreed with Jane Macleod at DOC.

By way of summary, the attached conditions update those previously provided to BDC (on 3 May 2026) and comprise a number of minor refinements to the existing volunteered conditions, together with a new condition setting out the process for certification of the various management plans. For the avoidance of doubt, all other volunteered conditions remain unchanged at this point (noting we're still engaging with NZTA, and some amendments to the condition around water tanks may be advanced). Please treat the application as amended accordingly, with the attached conditions replacing those previously provided.

I have copied Jane into this email, and understand she will confirm DOC's position with respect to their stance on the proposal, and their hearing attendance.

Any queries, please let me know,

Cheers



Daniel Thorne – Director

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Town Planning Group | www.townplanning.co.nz

Offices in Tāhuna & Ōtautahi

RC240079 – VOLUNTEERED CONDITIONS OF CONSENT AS PER DISCUSSIONS AND AGREEMENT WITH THE DEPARTMENT OF CONSERVATION – 26.06.2026

6	a. The use of drones on the site by guests of the lodge and visitor accommodation activity is prohibited. b. The use of drones on the site by staff of the lodge and visitor accommodation activity, including contractors, is only allowed where all of the following circumstances apply: i. the drone use is associated with ecological monitoring, site investigation, maintenance, emergency response, or marketing purposes; - ii the drone use is operated in accordance with Department of Conservation drone operating conditions for interaction with wildlife and marine mammals; and - iii any necessary authorisations are obtained from the Department of Conservation. <u>Advice Note:</u> Department of Conservation drone operating conditions can be viewed at www.doc.govt.nz/get-involved/apply-for-permits/all-permissions/drone-use-on-conservation-land/drone-operating-conditions/ and include the following conditions relating to interaction with birds (there are separate conditions for interaction with marine mammals): • Drones must take off or land at least 100m from any wildlife. • Drones must fly no closer than 50m from any wildlife. • Drones must not be flown over roosting or nesting birds. • Drones must not hover over any wildlife. If any wildlife repeatedly circles or engages directly with the drone, for example dive bombs, the drone must be landed immediately, and drone operation must cease.
7	a. 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. b. If any dogs are kept on the site: i. while on-site the dog(s) must, at all times, be contained indoors or in an outdoor run, or kept on the leash; and ii. a secure, fenced outdoor run, of a size that meets or exceeds the minimum dimensions set out in the MPI's Code of Welfare: Dogs 2018, must be provided on the site, using fencing that prevents dogs, kiwi or weka from exiting or entering (e.g. mesh fencing).
9	Prior to the commencement of any construction works on the site, a Biodiversity Management Plan (BMP) shall be prepared by a suitably qualified and experienced ecologist and/or landscape professional and provided to Council for certification. The objectives of the BMP are: 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. The BMP shall be prepared in consultation with the Department of Conservation, with at least 15 working days allowed to provide comments. The BMP shall identify measures to achieve these objectives and shall, as a minimum, address the following matters: 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 and the enhancement of natural habitat around wetland areas W3, W4, W5, W6; i. Confirmation that, where practicable, native plant species used for revegetation, restoration and enrichment planting shall be eco-sourced from local nursery suppliers; 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; q. Incidental discovery protocols for any grounded seabirds; and r. Long-term management obligations for pest control, planting establishment, vegetation maintenance and ecological enhancement works.
10	Prior to the commencement of construction of the lodge and visitor accommodation activity, a Lighting Management Plan (LMP) shall be prepared by a suitably qualified and experienced ecologist in consultation with a suitably qualified and experienced lighting professional and provided to Council for certification. a. The objectives of the LMP shall be to: iii. Avoid adverse effects of lighting on the Westland Petrel and the Spotted Shag and minimize the effects of lighting on other wildlife; iv. Manage the effects of lighting on amenity values; and



	v. Ensure that all lighting associated with the lodge and visitor accommodation activity is designed, installed and operated in accordance with best practice lighting principles. b. The LMP shall be prepared in consultation with the Department of Conservation, with at least 15 working days allowed to provide comments. c. All lighting, including construction lighting and operational lighting, and interior and exterior lighting shall be designed, installed and operated in accordance with the LMP. The LMP shall, as a minimum, address the following matters: i. A description of the location, height, type and specification of all proposed operational lighting installations; ii. 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 (or subsequent revision) and Australasian Dark Sky Alliance (ADSA) Guidance; iii. The use of exterior lighting with a colour temperature no greater than 3000K, filtered where practicable to reduce blue and violet wavelengths; iv. 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; v. 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, including measures to ensure the lighting from the activity does not attract birds; vi. 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; vii. 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; viii. Measures to manage temporary construction phase lighting; ix. 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; x. Monitoring, maintenance and reporting procedures to enable the Consent Authority to confirm ongoing compliance with the LMP, a framework for responding to complaints or queries regarding lighting effects from adjoining landowners, stakeholders or the wider community, and requirement for remedial action if the objectives of the LMP are not being met. d. The LMP shall be implemented prior to the construction or operation of the lodge as relevant, and thereafter maintained thereafter for the duration of the activity.
11	Where the conditions refer to a certification required from the Council, the Consent Holder must, in writing: a. Submit the relevant management plan to the Council with a request for certification. b. Specify under what consent number(s) and condition(s) the certification or approval is required.



	c. Detail how the management plan will implement the applicable condition(s), including any environmental objectives, performance standards or other requirements set out in the applicable condition(s). d. The preparation of plans and actions required by these conditions must be undertaken by a Suitably Qualified and Experienced Person. e. If the Council's response is that they are not able to certify the management plan the Consent Holder may request that the Council provide reasons and recommendations for changes to the management plan in writing. The Consent Holder may then consider any of the reasons and recommendations and resubmit a revised management plan to be certified. f. Should certification of the revised plan be refused, the Council's determination is final. The Consent Holder will be unable to comply with the relevant condition of consent and will be required to cease the activity(ies) enabled by that management plan. g. Any revision of a management plan including its component plans shall be submitted to the Council for review and, subject to the process in (a) to (f) above, certification. The Consent Holder must comply with all certified management plans.
12	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.
13	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. <u>Advice Note:</u> If any lizards are discovered, a Wildlife Act authority for their salvage must then be obtained, prior to any handling or moving of the lizards.

26 June 2026

Buller District Council
PO Box 21
Westport
7866

ATTENTION: Jess Hollis and Raewyn Mayo
jessica@hollisplanning.co.nz and Raewyn.Mayo@bdc.govt.nz

Dear Jess and Raewyn,

**SUBMISSION ON RMA APPLICATION RC240079 ACG PROPERTIES LTD, PUNAKAIKI WILD PROJECT
RMA WITHDRAWAL OF REQUEST TO BE HEARD AND NEUTRAL SUBMISSION**

Following the lodging of a submission by the Director-General of Conservation on this application, DOC staff have had further discussions with the applicant and reviewed the further information and amended conditions volunteered by the applicant, including conditions that: manage the use of drones and the keeping of dogs on site; require a Biodiversity Management Plan and Lighting Management Plan to be provided to the Council for certification following consultation on those plans with DOC; and set out appropriate objectives and minimum requirements for the LMP, including avoidance of adverse effects on tāiko/Westland petrel and kawau tikitiki/spotted shag. A copy of the relevant revised conditions is provided as **Attachment 1** to this letter.

In light of the further information provided and the volunteered amendments to conditions, the Director-General is satisfied that the concerns in her submission have been addressed.

I therefore advise that the Director-General no longer wishes to be heard, and no longer opposes the application, subject to the amended conditions volunteered by the applicants. I would appreciate it if you could advise the hearing panel accordingly.

Please contact Jane Macleod (jmacleod@doc.govt.nz or 027 332 4204) if you have any questions on this.

Yours sincerely



Suvi van Smit
Operations Manager, Buller

Copy: Daniel Thorne daniel@townplanning.co.nz

Attachment 1: RC240079 – Volunteered Conditions of Consent 26.06.2026

	Condition Text
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