

15 December 2025

Environment Southland
Email: esconsents@es.govt.nz

ATTENTION: Stephen West
Stephen.west@es.govt.nz

Dear Stephen,

**SUBMISSION ON RMA APPLICATION APP-20233491
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, attended a site visit and reviewed further information and conditions now volunteered by the applicant. A copy of the proposed conditions are set out in **Attachment 1** to this letter.

As a result of that, 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 we no longer oppose the application subject to the condition volunteered by the applicants. I would appreciate it if you could advise the hearing coordinator accordingly.

Please contact Liz Williams if you have any questions on this (027 253 8586 or lwilliams@doc.govt.nz).

Yours sincerely



John Lucas
Operations Manager, Te Anau

Copy: Will Nicolson will@landpro.co.nz

Attachment 1: Condition proposed by the applicants.

15 December 2025

Landpro Reference: 22702

To: Liz Williams – DOC
From: Will Nicolson - Landpro
Subject: Wetland fencing application proposed consent conditions

As part of ongoing consultation following receipt of a submission from the Department of Conservation (DOC) in relation to resource consent application APP-20233491, DOC has requested a list of consent conditions proposed by the applicant.

Proposed conditions are presented below, in no particular order. Note that these conditions have not yet been proffered to Environment Southland (ES) for adoption into the application – this process will be initiated once DOC has reviewed and provided feedback on these conditions.

General

The Consent Holder shall ensure that all persons engaged to undertake any activities authorised by this consent are made aware of these conditions [all resource consents granted] and any measures required to comply with them. A copy of these conditions shall be kept on-site at all times.

Site Management Plan

The Consent Holder shall undertake the works associated with the fence and track in accordance with the Site Management Plan dated 8 August 2025. This includes the procedures and environmental controls recommended to ensure that the proposed activities will be carried out in a manner that minimises environmental effects, particularly within and adjacent to the wetland. This includes the following measures:

- *The timing of the works;*
- *Pre construction procedures;*
- *Ground assessment and installation considerations;*
- *To provide a plan with any culverts required, and culvert details;*
- *Measures to minimise effects during earthworks associated with the fence and maintenance track, including ensuring that:*
 - a) *contaminants, other than sediment, are prevented from entering the waterway during the construction works;*
 - b) *all reasonable steps shall be taken to minimise the release of sediment to water including but not limited to:*
 - *implementing erosion and sediment control measures such as sediment traps, silt fences, straw bales or sediment mats*
 - *sediment controls shall be placed downstream of earthworks or near watercourses to prevent fine sediment from entering the stream or wetland environment*
 - c) *fish passage is not impeded as a result of the construction works;*
 - d) *all construction equipment, machinery, plant, and debris are removed from the site on completion of the works;*
 - e) *silt disturbance and instream works are kept to a minimum;*
 - f) *areas of wetland and bog pine shrubland and mature trees are avoided where possible;*
 - g) *no washing of equipment occurs in any watercourse or within 20 metres of the wetland;*
 - h) *no works occur in flowing water;*

- i) *the spread of pest plants and aquatic weeds is prevented by removing any vegetation caught on the machinery prior to entering or leaving the site, and any machinery used in the previous 20 days where didymosphenia geminata is known to be present is thoroughly cleansed*
 - j) *Adherence to the recommendations in the certified Lizard Management Plan and in the application with regards to the protection of native fish; and*
- *Rehabilitation of disturbed areas following the completion of the works and post construction monitoring*
- *On completion of the construction and rehabilitation work as described in the Site Management Plan, the Consent Holder shall provide Environment Southland with a statement, signed by a suitably qualified and experienced person, that the works have been undertaken in accordance with this condition and the Site Management Plan.*

Wetland Maintenance and Enhancement

- *The consent holder shall maintain and enhance the natural inland wetland in accordance with The Pocket Wetland Planting Plan, dated April 15 2024. The consent holder shall maintain and enhance the wetland by:*
 - a) *Preventing stock and vehicle access*
 - b) *Removing weed and pest plants, including willows, ragwort and briar rose;*
 - c) *Implementing the restoration and enhancement planting at the site locations identified in the Wetland Planting Plan totalling an area of approximately 2000m²*
 - d) *Maintaining wetland plantings in good condition, including weed control, and replacing dead or damaged plants*
- *All planting required under the Pocket Wetland Planting Plan shall be maintained for a minimum period of three years from the date planted, with annual monitoring to assess the establishment of planting and identify any constraints to achieving Condition X (as above). At the conclusion of the three-year monitoring and maintenance period, a Suitably Qualified Person will prepare a report setting out whether the Pocket Wetland Planting Plan has been achieved. This report shall be provided to Environment Southland.*

Lizard Management Plan

- *Prior to the commencement of any earthworks or vegetation clearance, the consent holder shall prepare a Lizard Management Plan (LMP) prepared by a suitably qualified and experienced herpetologist/ecologist and submit it to the consent authority for certification. The objective of the LMP is to minimise adverse effects on indigenous lizards within the areas of vegetation clearance and earthworks associated with the fence and track construction and to create and enhance habitats for lizards.*
 - (a) *The LMP shall include, but not be limited to:*
 - i. *Undertake lizard surveys to establish the presence of native lizards;*
 - ii. *the process and timing to extract lizards from the site prior to works;*
 - iii. *measures to salvage native lizards from any suitable habitat within the Site;*
 - iv. *details of suitable release site(s) for salvaged lizards;*
 - v. *Accidental discovery protocols for threatened or at-risk species discovered during Project Works; and*
 - (b) *In consultation with a SQEP, undertake measures and methods to minimise effects on lizards, including but not limited to:*
 - i. *Restoring vegetation as soon as practicable following works (where practicable)*
 - ii. *Details of additional refugia or any other provision of lizard habitat e.g depositing salvaged logs or rock or debris for newly released lizards that have been rescued;*
 - iii. *Measures to promote the success of the salvage population(s) such as pest control and habitat enhancement;*

- iv. *Details of monitoring and reporting to confirm the effectiveness of measures required above;*
 - v. *Details of the person(s)/organisation that will undertake the work, and*
 - vi. *Measures to ensure consistency with requirements of the Wildlife Act 1953.*
- (c) *No works shall commence until the LMP has been certified in writing by the consent authority, and all works must be carried out in accordance with the certified LMP.*

Advice Note: Approvals may also be required under the Wildlife Act 1953, so the Consent Holder should ensure that the methodologies adopted under this condition do not conflict with any requirements of that Act.

Culvert Installation

- *Where the fence or track intersect permanently flowing tributaries of the wetland, install culverts in accordance with the New Zealand Fish Passage Guidelines (2024) and any relevant requirements under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020. Best practice approaches for culvert installation include:*
 - a) *Positioning culvert inverts slightly below the natural streambed level to maintain continuity of streambed.*
 - b) *Avoiding perched outlets that create vertical drops.*
 - c) *Ensuring sufficient culvert width and low-flow depth to accommodate fish movement.*
 - d) *Using natural substrate material inside culverts to replicate natural stream conditions.*
- *Where the fence or track intersect wet or unstable ground, the consent holder must use clean gravel with a minimum diameter of 40 mm as a base for the track and/or fence in accordance with the recommendations of the 'Potential Effects on Fish in the Pocket Wetland During Western Margin Fence Construction' Report dated June 2025 and Site Management Plan dated 8 August 2025.*
- *Where the fence or track installation will involve the damage, trimming or removal of any mature tree or other potential bat roost within the area of works, the Consent Holder must comply with the Department of Conservation's "Protocols for minimising the risk of felling occupied bat roosts" (or any subsequently published version) (the "DOC Protocols").*

Advice Note: Wildlife Act 1953: The consent holder is required to ensure they comply with their responsibilities under the Wildlife Act 1953 to not disturb, harm, kill etc any protected wildlife.

Pest Management

x. *The consent holder shall install the fence identified in [insert plan reference] within one year of commencing works. The fence shall be constructed as per information submitted with APP_20233491.*

Advice note: Commencement of works shall occur when the consent holder installs any part of the fence or access track authorised by this resource consent.

x. *At least 10 working days prior to exercising this resource consent, the consent holder shall submit a Pest Management Plan (PMP) to [insert ES contact] for certification by XXX.*

x. *The PMP shall include, but not be limited to:*

- a. *Measures for the eradication of deer, rats, hedgehogs, possums, mustelids, feral cats, feral pigs and goats within the predator free area;*
- b. *The Planting Plan submitted with APP-20233491;*
- c. *Ongoing monitoring of animal pest species inside the predator free area;*
- d. *Reporting requirements; and*
- e. *Names and contact details of staff responsible for implementing the PMP.*

- x. The consent holder shall report annually to [insert ES contact] for a period of three years on the implementation of the PMP. As a minimum the consent holder shall confirm what pest species have been eradicated inside the predator free area, any cases of pest species gaining access to the predator free area and continued efforts to eradicate any remaining pest species.*
- x. Works authorised by this consent shall not commence until the consent holder has received written certification of the PMP from the consent authority.*
- x. Notwithstanding Condition X, if the PMP has not been certified within ten working days of the consent authority receiving the CMP, works may commence.*

Fence Monitoring

The consent holder will conduct a full visual inspection of the exclusion fencing at intervals no greater than 3 months. The consent holder will keep a record of these inspections, and provide these to Council or the Department of Conservation upon request.

If the inspection carried out as per Condition [xx] identifies a breach in the fence that would enable any mammal to enter the wetland, the Consent Holder will immediately repair the fence and conduct a pest-control programme to capture and remove any pest species from the wetland.

Ngā mihi nui,



Will Nicolson

Senior Environmental Consultant

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