

Schedule One

Meridian Energy Limited

Conditions of Consent for Central Otago District
Council

General

1. The development shall be undertaken in general accordance with the information provided in the resource consent application dated 12 July 2006, and further information which accompanied correspondence from the Consent Holder dated 15 August 2006 and 19 September 2006, subject to compliance with the following conditions.
2. In accordance with section 125(1) of the Resource Management Act 1991, this consent shall lapse if not given effect to within ten years of it being granted.

Landscape

3. No more than one hundred and seventy six (176) wind turbine generators (turbines) shall be permitted to be installed by way of this consent, subject to the following:
 - Each turbine shall be located within 150m of its depicted location on the plan marked "*Drawing No 1 – Overall Site Development – Site Layout*" submitted with the application.
 - Turbine height (to vertically extended blade tip) shall be limited to not more than 160m.
 - Lattice pylon structures shall not be used for the wind turbine structures.
4. The turbines and turbine blades shall be painted a light grey colour, referenced RAL 7035 or similar and, in order to minimise the reflectivity of the structure and especially blade glint, the paint to be used shall not have a gloss level that exceeds 30%.
5. Substations and operations and ancillary facilities shall be located, designed and finished so as to minimise their visibility from publicly accessible locations to the greatest extent practicable, subject to the following:
 - Substation and switchyard buildings shall have roofs finished in Resene '*Sandstone*' 4B030 or similar and any walls clad in metal or timber shall be finished in Resene '*Schooner*' 5B030 or similar. Concrete walls and structures shall be left unpainted to weather naturally.
 - Smaller buildings shall be finished in Resene '*Schooner*' 5B030 or similar.
 - The maximum height of any buildings shall be 15 metres.

6. The Consent Holder shall ensure that the crane selected to assemble the wind turbines shall have a wheel base that is as narrow as is practicable, to minimise the width of access roading.

Radio Interference

7. Cables linking the turbines and any substations shall be installed in accordance with industry standard practices and protocols, in order to avoid Earth Potential Rise (EPR) interference with existing communication facilities.
8. The Consent Holder is to ensure that the exercise of this consent does not cause any nuisance effects as a result of electrical interference with radio, television, telecommunications signals, or any other electrical equipment.
9. The Consent Holder shall, at its cost, rectify any electrical interference directly attributable to the development and/or operation of the wind farm operation, if requested to do so by any affected person.

Noise

Construction Noise

10. All earthworks, site remediation and other construction activities shall be designed and carried out to ensure that the noise from the works complies with the New Zealand Standard NZS 6803:1999 "*Acoustics – Construction Noise*" at all times at 1 metre from any dwelling or school building.
11. A Construction Noise Management Plan shall be prepared and implemented prior to commencement of construction. This shall be generally in accordance with Section 8 and the relevant annexes of New Zealand Standard NZS6803:1999 *Acoustics – Construction Noise* which detail the types of construction and procedures that will be carried out to ensure compliance with the Standard. The noise management plan shall be prepared by appropriately qualified and experienced persons, prior to relevant construction stages commencing, and shall be approved by the Consent Authority, prior to construction commencing.

Operational Noise

12. The operation of the wind farm shall comply at all times with the New Zealand Standard NZS 6808:1998 "*Acoustics – The Assessment and Measurement of Sound from Wind Turbine Generators*" at any point within the 20 metre notional boundary of

any rural dwelling existing on any site (other than the wind farm site) at the date of granting of this consent, and shall comply with the New Zealand Standard NZS2107:2000 “*Acoustics – Recommended design sound levels*” and reverberation times for building interiors within any school teaching room, existing on any site (other than the wind farm site) at the date of this consent.

13. Within three months of all wind turbines that are to be constructed within 3 kilometres of the Upper Taieri-Paerau Road becoming operational, a follow up noise assessment shall be carried out in accordance with New Zealand Standard NZS6808:1998 “*Acoustics – The Assessment and Measurement of Sound from Wind Turbine Generators*” and the results submitted to the Consent Authority within one month of the completion of the field measurements.

The Consent Holder shall select suitable noise monitoring locations from those residences located closest to the wind farm. Locations selected shall exclude residences on the Upper Taieri-Paerau Road that are located on land owned by the owners of the properties on which the wind farm is located but shall include the Paerau School House.

Operational (Turbine) Noise Management Plan

14. Prior to the commencement of operation of the wind farm, or any part of it, the Consent Holder shall prepare and implement a Noise Management Plan to manage the potential effects of noise. The Noise Management Plan shall be prepared by a person suitably qualified and experienced in noise assessment and control.
15. The Noise Management Plan shall include, but not be limited to, the following:
 - a. Assessment of periods of low background sound conditions with respect to Condition 12.
 - b. An assessment of the contribution to the overall sound levels from individual wind turbine generators.
 - c. An assessment of how individual wind turbine generators can be de-rated to comply with Condition 12.
 - d. The implementation of an automatic control mechanism to de-rate to ensure compliance with Condition 12.
 - e. Continued assessment of the control measures to judge the success and to update where more information provides for improvements.

Review of Noise Conditions

16. The Consent Authority may review the noise conditions set out above, by giving notice of its intention to do so under section 128 of the Resource Management Act 1991, one, three and five years after the wind farm completion or, if the wind turbine generators are installed in stages, then one year after the completion of each stage and then three and five years after the final completion, for the following purposes:
- a. To deal with any adverse effects on the environment resulting from wind farm sound, including sound with any special audible characteristics, which may arise from the operation of the wind turbines; and
 - b. To review the adequacy of any recommendations of the Noise Management Plan.
 - c. Permanent monitoring requirements.
 - d. To address any issues arising out of complaints

Such reviews may take place within six months of the specified dates.

Earthworks/Construction/Restoration

General Requirements

17. The location, design, implementation and operation of all earthworks and associated discharges of sediment-laden stormwater to land and water shall be undertaken in general accordance with the following documents, unless any modifications are required to comply with any of the conditions of this consent:
- a) The consent application lodged with the Central Otago District Council dated 15 August 2006;
 - b) The *Erosion and Sediment Control Guidelines for the Wellington Region* dated September 2002; and
 - c) any additional plans or information to be prepared and submitted to the Central Otago District Council for approval in accordance with various conditions of this consent.
18. The Consent Authority may review any or all conditions of this consent relating to earthworks, construction and restoration by giving notice of its intention to do so pursuant to Section 128 of the Resource Management Act 1991, at any time within six

months of the first, third and fifth anniversaries of the date of commencement of earthworks on the Project site for any of the following purposes:

- a) To deal with any adverse effects on the environment, which may arise from earthworks, construction and restoration relating to the exercise of this consent, and which it is appropriate to deal with at a later stage; and
- b) To review the adequacy of any monitoring plans proposed and/or monitoring requirements so as to incorporate into the consent any monitoring or other requirements which may become necessary to deal with any adverse effects on the environment arising from the exercise of this consent.

Pre-construction administration requirements

19. The Consent Holder shall provide written notification of the works commencing in each of the eleven indicative areas shown on the plan entitled “*Proposed Location of SEMP Zones 1 to 11*” dated June 2006 (T&T ref 83208.005) of this consent, at least five working days prior to works commencing in each area.
20. The Consent Holder shall ensure that compliance with the conditions of this consent is a contractual obligation in every contract with any operator or contractor undertaking works authorised by this consent, prior to the works commencing.
21. The Consent Holder shall commence trials to assess the suitability of revegetation techniques and treatments of exposed rock cuttings no later than within three months of the commencement of earthworks. A report of the results to date, identifying suitable revegetation techniques and rock treatments shall be included in the environmental management plan required under condition 22. This report shall identify which techniques and treatments are generally suitable for different areas and works within the project site.

Construction Environmental Management Plan

22. The Consent Holder shall submit and implement a Construction Environmental Management Plan (CEMP) for all construction works authorised by this consent, to the Consent Authority for approval at least one month prior to any works commencing. The CEMP shall be in general accordance with the Project Hayes Resource Consent Application, in particular, Appendix D “*Construction Environment Management Plan*” to Appendix B “*Construction Effects Report*”.

The CEMP shall detail the measures to minimise site disturbance and to avoid, remedy or mitigate adverse environmental effects.

The CEMP shall include, but not be limited to, the following:

- Roles and responsibilities, including the appointment of a representative of the Consent Holder as the primary contact person in regard to the matters relating to this consent;
- Arrangement and conduct of a pre-construction site meeting between all relevant parties and relevant local authorities, prior to any works commencing on the site to discuss implementation of erosion and sediment control measures;
- Sequencing of works over the whole site;
- The potential adverse effects of the works;
- Procedures for earthworks, selection of fill disposal areas, erosion and sediment control, site re-vegetation and stabilisation, fire prevention, managing hazardous substances and spill contingencies, and accidental discovery protocols.
- Procedures for identification of areas on the site of historical, cultural and/or ecological significance;
- In respect of erosion and sediment control the CEMP shall be prepared in general accordance with *Erosion and Sediment Control Guidelines for the Wellington Region* dated September 2002;
- Principles and procedures for rehabilitation of exposed areas including rehabilitation methods and vegetation mixes, including any techniques to be used to revegetate rock cuts if practicable;
- Procedures for the avoidance of new infestations of woody weeds (e.g. gorse and broom);
- The method for preparation and submission of Supplementary Environmental Management Plans (SEMP);
- Monitoring, reporting record-keeping and maintenance requirements including post construction Civil Surveillance Monitoring; and
- Contingency measures

Advice Note: The CEMP provides an umbrella document that identifies the management processes and techniques to ensure appropriate environmental management of the site. Post-construction matters (the continued use and maintenance of structures and related activities) addressed by the CEMP shall not be limited in duration. The Consent Holder shall pass a copy of this consent, including any relevant

site plans and attachments, to the contractor undertaking the works authorised by this consent, prior to the works commencing. The Consent Holder shall ensure that compliance with the conditions of this consent is a contractual obligation in every contract with any operator or contractor undertaking works authorised by this consent, prior to the works commencing.

Supplementary Environmental Management Plans

23. The Consent Holder shall submit and implement a Supplementary Environmental Management Plan (SEMP) for the each of the eleven indicative areas shown on the plan entitled “Proposed Location of SEMP Zones 1 to 11” dated June 2006 (T&T ref 83208.005), and for the following specific activities:

- Old Dunstan Road upgrading;
- Concrete Batching Plant;
- Construction of the substations;
- The 220kV transmission line; and
- Project Hayes internal site trenched cable reticulation.

(a) Each SEMP shall be submitted to the Consent Authority for approval at least one month prior to the works commencing. The SEMP shall be in general accordance with the CEMP and with the Project Hayes Resource Consent Application, in particular, Appendix D “Construction Environment Management Plan” to Appendix B “Construction Effects Report”. The SEMP shall detail measures to minimise site disturbance and to avoid, remedy or mitigate adverse environmental effects.

(b) The SEMP shall include, but not be limited to, the following as appropriate to the individual SEMP:

- A location plan;
- Details of who is undertaking the work and contact details;
- A method statement covering construction method, monitoring and contingencies;
- Design for the works covered by the SEMP;
- A description of the work to be undertaken;
- A work program;
- A plan or a series of plans showing:

- Areas to be disturbed;
- Fill disposal areas;
- Soil stock pile areas;
- Culverts;
- Erosion and sediment control measures including but not limited to: cut off drains, surface water control works, silt ponds, and any other sediment control measures;
- Dust control;
- Erosion and sediment control
- Revegetation and rehabilitation (Identification of re-vegetation to be undertaken and re-vegetation methods and any maintenance);
- Inspection and reporting schedule in particular in response to adverse weather conditions;
- Maintenance activities;
- Storage and handling of fuels and hazardous material and contingency measures for containment of spills; and
- Accidental Discovery Protocols. (see also condition 74)

(c) In respect of **erosion and sediment control** the SEMP shall be prepared in general accordance with the Erosion and Sediment Control Guidelines for the Wellington Region dated September 2002 and shall include but not be limited to:

- Detailed design and specification of erosion and sediment control measures to be implemented;
- Expected commencement dates for the implementation of erosion and sediment control devices in each area;
- Monitoring and maintenance for all erosion control measures on a regular frequency or within 24 hours of a rainstorm event that could impair the function or performance of the control measures;
- Expected removal or decommissioning of sediment control measures in accordance with condition 27 of this consent;

(d) In respect of **revegetation and rehabilitation activities**, the SEMP shall be prepared after taking advice from a competent independent botanist with expertise in taxonomy and familiarity with flowering plants, and a competent independent hydrologist with knowledge of upland wetlands, and shall include, but not be limited to:

- identification of soil resource to be used for rehabilitation;
- identification of the vegetation types to be used on a plan or schedule;
- a programme for revegetation and maintenance activities for a period up to the expiry date of this consent (maintenance activities may include the exclusion of pest browsers and stock and the removal of weeds, and additional fencing may be required for the exclusion of stock);
- the desired percentage of surface cover to be achieved to reduce the adverse effects from sediment-laden stormwater run-off;
- identification of weed management activities to be undertaken; and
- identification of treatments of exposed rock cuttings that are to be used.

NB see conditions 25-27 for further requirements pertaining to revegetation and rehabilitation

Spills and contingencies

24. The Consent Holder shall prepare, submit to the Consent Authority, for approval at least 20 working days prior to works commencing, and implement a site-wide **Contingency Plan** for containment of spills. The contingency plan shall:

- identify designated contaminant storage facilities and re-fuelling locations;
- require that these locations are bunded, and that machinery is parked long-term only in these designated areas;
- require that all mobile fuel tankers carry spill kits and that spill kits are stored at bulk storage tank locations at all times;
- detail the contents of the spill kits, including absorbent pads, booms, pillow and socks and appropriate pegs/rope to hold the absorbent material in place;
- record the names of operators trained in spill response and remediation;
- detail an internal and external notification procedure in the event of a spill;
- and
- identify measures to be undertaken to remediate a contaminant spill.

Revegetation/rehabilitation

25. All areas of earthworks, other than those associated with the operational roads and access tracks, shall be progressively revegetated, in accordance with the SEMP referred to in condition 23(d)).

26. The Consent Holder shall appoint and meet the cost of a suitably qualified and independent person to monitor the implementation of the revegetation plan within the SEMP to ensure that plants are established, and that replanting occurs where the strike is not successful or erosion is occurring.
27. Upon completion of the site remediation works by the Consent Holder, the Consent Authority and the Otago Regional Council shall be invited to inspect the works to confirm that the earthworks and site remediation works have been carried out in accordance with the conditions of the resource consent and relevant plans.

General Construction Conditions

28. The Consent Holder shall select fill disposal sites for placement of excess excavated material in general accordance with the criteria set out in section 2.4 of the *Construction Effects Report* (Appendix B of the Project Hayes Resource Consent Application), the Golder Kingett Mitchell report dated April 2007 and entitled "*Wetland Vegetation Survey Project Hayes Wind Farm*" and condition 46 (Spring Annuals) and condition 47 (Threatened Plants).
29. The Consent Holder shall undertake detailed geotechnical investigation and final design to ensure that cut and fill batters are appropriately designed for long term stability.
30. The Consent Holder shall ensure that all sediment-laden discharges from the site are treated by the erosion and sediment control measures approved and implemented in general accordance with the relevant SEMP under condition 23 of this consent.
31. The Consent Holder shall ensure that:
 - a) all fill slopes are keyed into the surrounding land, as far as practicable;
 - b) all fill material is placed and compacted so as to minimise any erosion and/or instability of the fill material;
 - c) final disposal site slope profiles are contoured to merge in with the existing slope, as far as practicable, to minimise erosion and hydrological changes;
 - d) Long-term stockpiles of topsoil and excavated material are suitably stabilised to minimise erosion potential; and

- e) any erosion of fill material is immediately remedied or mitigated to the satisfaction of the Consent Authority.
32. The Consent Holder shall provide the Consent Authority, with an updated schedule of construction activities at monthly intervals during the works.
33. The Consent Holder shall, at all times, take all practicable steps to minimise erosion and/or minimise the suspended solids content of any discharge that may enter any ephemeral or permanent watercourse, which may result in any of the following effects after reasonable mixing:
- the production of any conspicuous oil or grease films, scums or foams or floatable or suspended material;
 - any conspicuous change in colour or visual clarity;
 - any emission of objectionable odour;
 - the rendering of freshwater unsuitable for consumption by humans and farm animals;
 - any significant adverse effect on aquatic life.

Advice Note:

For the purposes of this condition, the zone of 'reasonable mixing' is defined as the length of stream that is ten times the average width of the stream, or 20 metres, whichever is greater.

34. The Consent Holder shall ensure that:
- a) all contaminant storage or re-fuelling areas are bunded or contained in such a manner so as to prevent the discharge of contaminants;
 - b) all machinery is thoroughly cleaned of unwanted vegetation (e.g. weeds), seeds or contaminants prior to entering the site;
 - c) all machinery is regularly maintained in such a manner so as to minimise the potential for leakage of contaminants;

- d) no machinery is cleaned, stored or refuelled within 50 metres of any ephemeral or permanent watercourse, and
- e) all contaminants (e.g. fuel, hydraulic oils, lubricants etc) are removed at the end of the construction period except for those required for ongoing maintenance of the wind farm and operational activities.

No sediment retention ponds or perimeter controls are to be removed or decommissioned before approval is applied for in writing, and received, from the Consent Authority, and the entire area is stabilised, unless such removal and decommissioning is in accordance with the requirements of the SEMP. For the purposes of this condition 'stabilised' means inherently resistant to erosion or rendered resistant, such as by using indurated rock or by the application of basecourse, colluvium, grassing, mulch, or another method to the reasonable satisfaction of the Consent Authority, and as specified in Erosion and Sediment Control Guidelines in the Wellington Region. Where seeding or grassing is used on a surface that is not otherwise resistant to erosion, the surface is considered stabilised once, on reasonable visual inspection by the Consent Authority, 80% vegetative ground cover has been established.

- 35. The Consent Holder shall ensure that all areas exposed by earthworks are re-grassed or revegetated within 10 days or as soon as practicable upon completion of the earthworks in each SEMP area.
- 36. The revegetation and rehabilitation of exposed areas shall be in accordance with the requirements of the relevant SEMP developed in accordance with condition 23(d) of this consent.

Fire Management

- 37. The Consent Holder shall prepare a **Fire Management Plan** (FMP) that establishes procedures for the management of the risk of fire and for fire suppression. The FMP shall be part of the Construction Environmental Management Plan (CEMP). The FMP shall be in general accordance with the Forest and Rural Fire Act 1977 and any regulations thereunder.
- 38. A copy of the FMP is to be submitted to the Consent Authority at least one month prior to the commencement of construction of Project Hayes. The Consent Holder shall

ensure that the FMP, including any amendments, are available for viewing by the Consent Authority on request in writing, or at such other time as is agreeable to all parties.

39. The Department of Conservation, the Principal Rural Fire Officer of the Central Otago District Council and the Manager of Civil Defence and Rural Fire of the Dunedin City Council, and the Principal Rural Fire Officer of the Clutha District Council, or such authority as may replace any one or more of these authorities as parties responsible for the management of rural fires within and on land adjoining the footprint, shall be consulted during the development of the FMP.

Pre-conditions to any works commencing

40. Works shall not commence in any area until the following documents have been approved by the Consent Authority:
- a) a site-wide construction environmental management plan (in accordance with condition 22 of this consent);
 - b) a supplementary environmental management plan (in accordance with condition 23 of this consent) for the eleven areas covered by the works;
 - c) a site-wide contingency plan for contaminant spills (in accordance with condition 24 of this consent);
 - d) a Fire Management Plan (in accordance with condition 37);
 - e) a monitoring plan (in accordance with condition 42 of this consent); and
 - f) a site-wide accidental discovery protocol (in accordance with condition 74 of this consent).
41. The Consent Holder may request amendments to the CEMP or any SEMP by submitting the amendments in writing to the Consent Authority for approval prior to any change taking effect.

Monitoring

42. The Consent Holder shall prepare, submit and implement a **Monitoring Plan** (to assess compliance with conditions of this consent, and the various plans identified in conditions 22 and 23 to be prepared by the applicant) to the Consent Authority for approval at least 60 working days prior to works commencing. The monitoring plan for ongoing monitoring (during construction) shall include, but not be limited to:
- a process for determining, in consultation with the Consent Authority, ongoing monitoring locations, procedures, methods, timing, frequency and duration from the baseline monitoring;
 - identification of trigger levels for specific parameters that, if breached, require additional monitoring or the implementation of contingency measures; and
 - identification of specific measures to be implemented when trigger levels are breached.
43. The monitoring shall be undertaken by a suitably qualified person. All monitoring results obtained in accordance with the conditions of this consent shall be recorded in a log on-site, shall be available for inspection during normal office hours and shall be submitted to the Consent Authority, at quarterly intervals. Records shall also be kept to show where monitoring is not possible due to dry conditions or where no sediment retention pond inflow or outflow exists.

Miscellaneous

44. The Consent Holder shall meet the costs of any repairs or remedial works necessary to ensure that the operations of the Maniototo Irrigation Company Limited are not adversely affected by the development.
45. If construction results in the water quality at the Paerau School breaching the Drinking Water Standards for New Zealand 2005, construction activities shall cease until the breach is remedied or the Consent Holder shall at its own expense provide an alternative water supply by tanker, with provision for additional storage tanks if required.

Spring Annuals and Threatened Plants

46. Spring Annuals
- a) Prior to commencement of construction the Consent Holder shall appoint a suitably qualified and independent botanist to undertake a survey during the months of October and November of representative potential fill disposal sites

(focusing on shallow, summer-dry depressions) within the construction footprint to determine the extent of the following species of spring annuals:

- *Myosurus minimus subsp. novaezelandiae* Nationally Endangered (Acutely Threatened);
- *Myosotis pygmaea var. minutiflora* Nationally Vulnerable (Acutely Threatened); and
- *Ceratocephala pungens* Nationally Critical (Acutely Threatened)

- b) A report detailing the results of the survey shall be prepared and provided to the Consent Authority and the Department of Conservation. The survey data shall be utilised as part of the selection criteria for fill disposal sites as set out in the Project Hayes Resource Consent Application (Appendix B *Construction Effects Report* section 2.4). In the event the survey finds the presence of the above specified spring annual species, the independent botanist shall provide an assessment of the extent and significance of the extent of the species found and the need for additional survey of designated fill disposal sites. Where based on this assessment, the independent botanist considers it appropriate for effects on the specified spring annual species to be avoided where reasonably practicable or otherwise mitigated, the Consent Holder shall prepare a statement of mitigation measures proposed and implement.

47. Threatened Plants

- a) Prior to commencement of construction the Consent Holder shall appoint a suitably qualified and independent botanist to undertake a survey of wetlands proposed as fill disposal sites that are categorised by the criteria set out on pages 8-9 of the Golder Kingett Mitchell report dated April 07 and entitled "*Wetland Vegetation Survey Project Hayes Wind Farm*" as being wetlands 'dry to damp' and 'damp to moist'.
- b) The survey will be carried out by the said botanist, who shall be familiar with the identification and habitat requirements of the threatened plants listed below (previously identified in the Project Hayes wind farm footprint). The survey will be carried out in the manner of a walk-through survey, targeting likely threatened plant habitat, rather than a detailed plot-based survey.
- c) A report detailing the results of the survey shall be prepared and provided to the Consent Authority and for their records, the Department of Conservation, Otago

Conservancy. In the event that the survey finds the presence of the following specified threatened species, including but not limited to those listed below, and that where areas containing these can not be reasonably avoided, appropriate mitigation measures are to be developed and provided to the Consent Authority for approval. Potential mitigation measures are identified in the *Construction Environmental Management Plan*, which forms Appendix D of Appendix B of Volume 2 of the Project Hayes Resource Consent Application document (Appendix B being entitled *Construction Effects and Management Report*) and on page 14 of the said Golder Kingett Mitchell report.

Threatened Plants previously identified in the Project Hayes footprint (ref to species list in the aforementioned mentioned Wetland Vegetation Survey)

- *Oreomyrrhis colensoi* var. *delicatula* Nationally Endangered' (Acutely threatened);
- *Gratiola nana* 'Gradual Decline' (chronically threatened);
- *Deschampsia cespitosa* 'Gradual Decline' (chronically threatened);
- *Carex lachenalli* (only subsp. *parkeri* is present in NZ) 'Sparse' (at risk); and
- *Ranunculus maculatus* 'Sparse' (at risk)

Weeds

48. a) The Consent Holder shall develop a management and monitoring programme that shall be implemented during the construction and reinstatement of the Project Hayes site (hereby termed disturbed construction footprint) and for four years following completion of each stage of construction. The purpose of the programme is to ensure that the following invasive woody weeds:

- I. All conifers with wilding potential;
- II. Spanish heath
- III. Broom;
- IV. Gorse, and
- V. Thistle

are identified and controlled within the disturbed construction footprint (in excess of the status quo pre-construction).

- b) In order to achieve this purpose the Consent Holder shall:
 - i. identify the extent of the above specified weeds within the disturbed construction footprint at the commencement of construction (to establish the pre-construction status quo situation) to effectively and reasonably control any weeds; and
 - ii. post-commencement of construction, in each spring during construction and reinstatement, and for four years after completion of construction, the Consent Holder shall survey the disturbed construction footprint to establish the extent of any weeds (with the focus being on the most disturbed sites) and shall undertake effective and reasonable measures to control weeds in excess of the status quo preconstruction situation.

Bird Monitoring – Falcon and Bird Strike Monitoring

49. a) The Consent Holder shall retrieve and record any bird carcasses and/or injured birds of species listed in Appendix 1 from the Project Hayes wind farm. For the first two years of operation of each commissioned section of the wind farm, retrieval of carcasses shall be on a fortnightly basis during the bird breeding season (October through to December inclusive) and on a monthly basis from February through to May inclusive.

Advice Note:

Appendix 1 attached to this consent contains a non exhaustive list of bird species that are likely to utilise the Project Hayes wind farm footprint.

- b) The Consent Holder shall record the location from which a dead or injured bird has been retrieved/recovered on a New Zealand map grid coordinate.
- c) All retrieved, injured threatened birds (as identified as such in Appendix 1 to this schedule) shall be assessed by a suitably qualified independent veterinarian. Any retrieved injured threatened birds that can not be released to the wild, once assessed, will be humanely put down.
- d) All retrieved injured and dead native birds (as identified as such in Appendix 1 to this schedule) shall be provided to a suitably qualified avifauna expert, who shall assess and record each specimen's species, age class (.i.e. juvenile or adult) and

where possible probable cause of injury or death and any antecedent weather conditions.

Advice Note

Department of Conservation, Otago Conservancy will assist the Consent Holder to the best of its abilities in identifying a suitably qualified independent veterinarian and a suitably qualified avifauna expert.

- e) All dead native birds shall be supplied to the Department of Conservation, Otago Conservancy.
 - f) The Consent Holder shall within two months of the end of the first and second full years of operation of each commissioned section of the wind farm, submit a report to the Consent Authority detailing all recorded bird carcasses and/or injured birds recovered/retrieved, the locations and date of retrieval, species and age class of these species and known or likely cause of injury or death and any antecedent weather conditions at time of likely death. A copy of the report shall also be supplied to the Department of Conservation, Otago Conservancy.
 - g) If in the opinion of a suitably qualified independent avifauna expert the monitoring described in (b)-(d) and the report required in (f) identifies an adverse effect from the operation of Project Hayes wind farm on any species of avifauna listed in Appendix 1 that is acutely threatened, chronically threatened or at risk, the Consent Holder shall discuss the findings with the independent suitably qualified avifauna expert, the Consent Authority and the Department of Conservation and if necessary agree on a reasonable course of action.
 - h) If following two years of monitoring of bird strike in accordance with condition (a) – (d) above the report and findings show that operation of the wind farm, in the opinion of the independent avifauna expert, is having no or a minimal effect on bird strike, monitoring shall be reduced in frequency or discontinued following discussion and agreement with the Consent Authority and the Department of Conservation. Reduction in frequency shall result in retrieval and reporting of retrieval being associated with routine maintenance at each turbine in the commissioned sections of the wind farm.
50. The Consent Holder shall appoint a suitably qualified avifauna expert to undertake a falcon monitoring programme during the construction period. The purpose of the

programme shall be to determine where nesting and breeding falcon birds are located, and to monitor falcon breeding success during construction and for up to two years of wind farm operation. Breeding success shall be determined as fledging success of chicks.

51. In the event that the avifauna expert determines that the results of the post construction monitoring undertaken in accordance with condition 50 of this consent, show that the wind turbines are responsible for breeding failure, then the Consent Holder shall retain the services of that avifauna expert to investigate and report on all falcon fatalities for a further period of two years during the wind farm operation. On completion of the first and second year of monitoring during operation of the wind farm the summary results of the falcon collision monitoring shall be forwarded to the Consent Authority, the Department of Conservation and Fish and Game. In consultation with these parties the appropriately qualified avifauna expert will determine whether further monitoring or mitigation is necessary.

Lizards

52. Prior to any potential disturbance of a lizard habitat resulting from the construction of the wind farm, the Consent Holder shall consult with the Department of Conservation and if necessary apply to the Department of Conservation for permission to:
- Survey potentially significant lizard habitat where necessary,
 - Destroy habitat and protected lizards,
 - Undertake a rescue and relocation programme when and where required.
53. The Consent Holder shall avoid where practicable construction activities within a 20m protection buffer around any rock complexes to avoid adverse effects on rock formations and the associated lizard fauna.

Traffic Management and Rooding

54. A Construction Traffic Management Plan (CTMP) shall be prepared by the Consent Holder and approved by the Consent Authority in consultation with the Dunedin City Council and the Regional Manager of Transit New Zealand, before the upgrades to the public road and transportation to the site begin.

The purpose of the CTMP will be to set out in detail matters relating to the extent and timing of construction traffic activity, the traffic management provisions to be put in

place during this time to achieve a safe and efficient road network (including the safety of pedestrians), and road upgrading, maintenance and repair obligations necessary to mitigate effects on the road network created by construction activities. The CTMP shall take into account the safety of other users of the Old Dunstan Road.

This condition does not preclude advance agreement being reached between the Consent Authority, the Dunedin City Council, the Regional Manger of Transit New Zealand and the Consent Holder for the agreed road improvements to start in advance of all details of the CTMP being finalised, nor preclude flexibility in regard to other matters if such advance agreements would allow the project to proceed more efficiently and economically, and are in the public interest.

The CTMP shall specifically include but not be limited to the following:

- Detail the intended traffic arrangements and provisions for management of over-weight and over-dimensioned vehicle movements; and the management of other heavy vehicle movements (for example vehicles designed to haul aggregate), including any time or route restrictions.
- Detail the management of general construction traffic (other than traffic detailed above) including light trucks, vans and cars used for general construction purposes such as worker transportation.
- Detailed plan of traffic signs, including types and locations.
- Identify all roads within the Central Otago District that are to be used by over-weight and over-dimension vehicles and heavy vehicles.
- Identify all roads on the routes within the Central Otago District where the sealing threshold identified in the Consent Authority's Roading Hierarchy Policy will be exceeded by traffic volumes.
- Identify the necessary road upgrading works required to facilitate the movement of the over-dimensioned and/or over-weight loads and/or heavy vehicles efficiently and safely having regard also to the safety of pedestrians and cyclists.
- Detail intended arrangements for regular inspections of the roads used by over-dimensioned and/or over-weight loads and/or heavy vehicles and intended arrangements during the construction period for maintenance, repair, and dust suppression and cleaning/sweeping of loose debris as necessary.
- Maintenance of roads and/or routes used by over-weight and/or over-dimension and/or heavy vehicles in Central Otago District throughout the period of use for

construction activities shall be to the condition not less than at the commencement of use of the road or route.

- Provision for the preparation and review of pre-construction assessment (Base Condition Reports) and Post Construction Reports for each of the routes within Central Otago District proposed for use by over weight and/or over dimension and/or heavy vehicles.
- Detail any other temporary traffic controls that are to be implemented, including any arrangements for inclement weather specifically heavy frosts or snow.
- Liaison with farmers located along the Old Dunstan Road from Clarks Junction to the Upper Paerau Pataeroa Road where there are stock movements on roads used by over dimensioned and/or over-weight loads and/or heavy vehicles.
- Scheduling movements of heavy vehicles using roads within the confines of the Maniototo Valley excluding State highways 85 and 87 within as far as practicable around regular (daily) stock movements.
- Provision for the issue of notice informing road users of the re-mobilisation of the site following any extended shut down period and prior to any construction traffic returning, to ensure that no road safety concerns are introduced.
- Provision for the notification of the principals of school along routes to be used by construction traffic and the Paerau School of the commencement and cessation of seasonal construction periods.

55. Prior to the commencement of construction, the Consent Holder shall undertake the necessary road upgrading works to facilitate the movement of the over dimensioned and/or the over weight loads as identified in the CTMP approved by the Consent Authority. These works shall be undertaken at the Consent Holder's expense and to a standard approved by the relevant road controlling authority.
56. Prior to delivery of components to the Project site, the Consent Holder shall liaise with Transit New Zealand and use its best endeavours to ensure that suitably spaced and sealed passing spaces are provided on State Highway 87 between Outram and Clarks Junction and the Project Hayes site, both for use by over-dimension and over-weight loads, and by heavy vehicles.
57. The Consent Holder shall comply with the approved CTMP required by condition 54 of this consent at all times, when carrying out the construction works.

58. The Consent Holder shall, in consultation with the relevant roading authorities, prepare a pre construction (Base Condition Report) condition report for each of the routes proposed for over-weight and heavy loads before the routes are utilised by those vehicles. The Consent Holder shall identify the existing condition of the roads, which roads require upgrading and potential remedial works during and at the end of the construction period. The Base Condition Report shall contain information including classifier traffic counts, High Speed data capture, system recording – profile, texture and roughness and falling weight deflectometer. The Base Condition Report shall be submitted a minimum of 24 weeks prior to the commencement of construction activities that require the use of a route for the first occasion. Construction activities requiring the use of roads and routes identified in the Base Condition Report as requiring upgrading, shall not commence until the upgrading is completed.
59. A review of the Base Condition Report shall be undertaken by the Consent Authority for the purpose of reviewing the adequacy of the Base Condition Report prior to it being formally accepted by the Consent Authority, and construction works commencing at the project site that require the utilisation of the particular route. Should the Consent Authority so decide, a suitably qualified Independent Technical Peer Reviewer shall be appointed by the Consent Authority. The cost of retaining the services of an Independent Technical Peer Reviewer shall be met by the Consent Holder.
60. Where damage or deterioration arising from the Consent Holder’s construction traffic activities occurs, the Consent Holder shall undertake the appropriate maintenance and remediation to the condition not less than that at the commencement of the use of the road or route as determined by the pre assessment report (Base Condition Report).
61. The Consent Holder shall be responsible for meeting the cost of the maintenance of all roads to be used by construction traffic in the Central Otago District for the duration of the construction period; and the Consent Authority may require the Consent Holder to produce an Additional Base Condition Report during the construction period, where the road condition is worse than determined in the Base Condition Report. The Additional Base Condition Report may be subject to review by an Independent Technical Peer Reviewer, with the cost met by the Consent Holder.
62. The Consent Holder shall be responsible for preparing a Post Construction Condition Report at the conclusion of construction works in each stage undertaken by the Consent Holder with respect to all roads subject to the Base Condition Report. The Draft Post

Construction Condition Report shall be lodged with the Consent Authority and shall provide data with respect to road condition that is consistent with that contained in the Base Condition Report. The Post Construction Condition Report may be reviewed by a technical Peer Reviewer at the cost of the consent holder prior to the Post Construction Condition Report being formally accepted by the Consent Authority.

63. The Consent Holder shall ensure that all roads used by construction traffic in the Central Otago District are restored forthwith to a standard that is consistent with or exceeds the condition recorded in the Base Condition Report.
64. The Consent Holder shall engage a landscape architect to design the form of all fill disposal sites in locations nominated by the Consent Holder. There shall be no casting of cut material over existing batters.
65. The Consent Holder shall ensure that the proposed seal on hill sections of Old Dunstan Road shall be designed and retained as a permanent seal. The design details for this permanent seal shall be provided in the Base Condition Report.
66. The Consent Holder shall take the best practicable option to avoid the deposit of debris onto public roads during the construction period.
67. A Transport Safety Co-ordinator shall be appointed by the Consent Holder for the construction phase. The contact details for that person shall be included in the CTMP.
68. The Consent Holder shall liaise with Ontrack to ensure that the movement of the over-dimensioned and/or over-weight vehicles across the Riccarton Road railway crossing does not occur when trains are due.
69. Subject to any direction to the contrary by the relevant roading authority, the consent holder shall as far practicable :
 - (a) ensure that heavy vehicles avoid travelling on State highway 87 through the centre of Mosgiel during week days between 8am and 9am and between 3pm to 6pm.
 - (b) The Consent Holder shall as far as practical ensure that over-weight and over-dimensioned vehicles do not use the roading network within the urban limits of Dunedin and on the Southern Motorway during the weekday mornings (6.30am – 9.00am) and weekday evening peak periods (4.00pm – 6.00pm).

70. The Consent Holder shall ensure that the transportation of over-weight and/or over-dimension turbine components is undertaken in accordance with the appropriate operational approvals.

Recreation

71. The Consent Holder shall be responsible for notifying all relevant tourism operators and those recommending use of the Old Dunstan Road for recreational purposes (including the Managers of all Visitor Information Centres in Dunedin City and the Central Otago District) approximately three months prior to commencement of construction of the wind farm. These groups will be informed about the construction process, and the relevant changes to the characteristics of Old Dunstan Road. Those who need to be notified shall be determined in consultation with the Consent Authority.
72. The Consent Holder shall be responsible for erecting advice signs notifying all potential users of Old Dunstan Road and the site that construction and heavy vehicle use is taking place approximately two weeks prior to commencement of any construction activity.
73. The Consent Holder shall consult with local tourist operators and representative organisations to determine if there is likely to be demand for a visitor information area or access to enable the wind farm to be observed. If it is agreed that there will be sufficient demand the Consent Holder shall provide and develop a suitable visitor information area or access with appropriate provision for parking and public information.

Cultural Heritage and Archaeology

74. The Consent Holder shall prepare an Accidental Discovery Protocol (ADP) as part of the Construction Environmental Management Plan prior to construction of the wind farm. The Protocol shall be prepared in consultation with Kai Tahu ki Otago and the New Zealand Historic Places Trust. The Protocol shall be put in place for any earthmoving or ground modification that occurs during the construction and operation of the wind farm. The Protocol shall set out the steps to take should any prehistoric (Maori) or historic archaeological site be found as a result of any earthmoving or ground modification that occurs during the construction and operation of the wind farm at any time.
75. The site location data contained in the *Archaeological Report* (Appendix G to the Project Hayes Resource Consent Application), shall be entered onto a suitable recording

system developed and held by the Consent Holder, so that all archaeological site locations are known during all construction planning and activity. This database shall be updated if and when any further sites are located during construction activity.

76. At all times all practicable measures shall be taken to avoid damage of any sort to any identified archaeological/historic site, including any unrecorded sites found during or after construction.
77. The Consent Holder shall ensure that identified archaeological sites are clearly marked during the construction period, in particular the huts sites, sod stockyards and Pettigrew's hut.
78. The Consent Holder shall ensure that in areas where historic water races must be crossed (primarily in the south western area of the site near Slucings site), that as far as practicable, crossings are minimised and that all vehicles use these crossing points.
79. In the case of accidental discovery of an archaeological site a programme of archaeological site investigation shall be carried out by the Consent Holder. Any such site shall be properly excavated, recorded, analysed and reported upon under the supervision of an appropriately qualified archaeologist. All archaeological work shall be carried out to the best professional standards. In the event that koiwi tangata (human skeletal remains), taonga or artefact material are discovered during site construction, the Consent Holder shall, without delay:
 - i) Cease all work within the immediate vicinity of the discovery.
 - ii) Notify their nominated Archaeologist, the Consent Authority, the appropriate runanga, the New Zealand Historic Places Trust, and in the case of koiwi tangata (skeletal remains), the New Zealand Police.
 - iii) Enable a site inspection by the New Zealand Historic Places Trust and the appropriate runanga, and their advisors, who shall determine the nature of the discovery and the further action required, including whether an Archaeological Authority is required under the Historic Places Act 1993.
 - iv) Any koiwi tangata or taonga shall be handled and removed by iwi responsible for the tikanga (custom) appropriate to its removal and preservation.
 - v) Ensure that the further action identified in accordance in part (iii) of this condition is undertaken.

Upon completion of tasks (i) to (v) above, and provided all statutory permissions have been obtained, the Consent Holder may recommence site construction following consultation with the Consent Authority, appropriate runanga, the New Zealand Historic Places Trust, and, in the case of koiwi tangata (skeletal remains), the New Zealand Police.

Advice Note

An archaeological authority may be required from the NZ Historic Places Trust prior to any disturbance occurring in any area that might affect any archaeological or historic sites, as required in terms of section 21 of the Historic Places Act 1993.

Aviation

80. The Consent Holder shall install obstacle lighting on a minimum of 36 of the wind turbines, including the meteorological monitoring masts, or as determined in consultation with the Civil Aviation Authority and such obstacle lighting shall be shielded to screen downward lightspill.

Waste/Refuse

81. There shall be no disposal of waste construction materials or waste refuse on the site.

Removal

82. If the wind farm is decommissioned in part or in its entirety all turbines and other above ground structures that are decommissioned shall be removed and turbine footings covered and re-vegetated.

Development Impact Levy

83. The Consent Holder shall pay to a fund administered by the Consent Authority a construction impact sum calculated to comprise 0.375% of the total capital value of the consented wind farm development. Payment of this contribution shall fall due at the commencement of construction activities for the wind farm and the capital value of the consented development shall be calculated as at that date. This contribution shall meet any obligation held by the Consent Holder to pay any financial contribution in terms of section 108(2)(a) of the Resource Management Act and Rule 15.6.4 of the Proposed Central Otago District Plan.

Provision shall be made for the Consent Holder to proceed with construction of the wind farm in stages or to build the wind farm in part. If a staged or partial approach is

adopted to construction then the amount payable by the Consent Holder shall be adapted proportional to the extent of work proposed to be completed as part of that particular stage or part.

Advice Notes

(a)Capital value shall be based on an internationally accepted Wind Industry index of Capital cost \$ per MW installed plant. The value calculated will be confirmed by a suitably qualified appropriate independent person. For the avoidance of doubt, the total capital value will not include the value of any off-site works undertaken by the Consent Holder.

(b)The Development Impact Levy is separate from any community fund that may be established by the Consent Holder.

As-Built Plans

84. The Consent Holder shall provide the Consent Authority with as-built plans showing the location of all constructed turbines, access roads, substations, transmission lines and any other works, following the completion of each stage of works undertaken by the Consent Holder.

Community Consultation

85. The Consent Holder shall facilitate the establishment of a Community Liaison Group for the duration of construction activities. Membership of the group shall be determined by the Consent Holder in consultation with the Consent Authority. It shall be representative of those having a direct interest in the construction activities. The Community Liaison Group shall be administered by the Consent Holder to operate in such a way as to facilitate information flow and discussion of issues. The group shall operate in good faith and seek to resolve any issues of concern wherever this can be achieved. The Community Liaison Group shall meet on a regular basis as determined by its membership.

Complaints Register

86. i. The Consent Holder shall maintain and keep a complaints register for any complaints about the construction activities and operation of the wind farm received by the Consent Holder in relation to traffic, noise, dust, or other environmental effects of the activity. The register shall record, where this information is available:

- The date, time and duration of the incident that has resulted in a complaint;
 - The location of the complainant when the incident was detected;
 - The possible cause of the incident; and
 - Any corrective action taken by the Consent Holder in response to the complaint, including timing of that corrective action.
- ii. The register shall be available to the Consent Authority and the Community Liaison Group at all reasonable times upon request. Complaints received by the Consent Holder that may infer non-compliance with the conditions of this resource consent shall be forwarded to the Consent Authority within 48 hours of the complaint being received.

Review

87. In accordance with section 128 of the Resource Management Act 1991, the Central Otago District Council may one year after the commencement of this consent and at one yearly intervals thereafter, serve notice on the Consent Holder of its intention to review any of the conditions of this consent for any of the following purposes:
- a) To deal with any adverse effects on the environment that may arise from the exercise of this consent which it is appropriate to deal with at a later stage;
 - b) To require the Consent Holder to adopt the best practicable option to mitigate any adverse effects; or
 - c) For the purpose of avoiding, remedying or mitigating any adverse effect on the environment that may arise from the exercise of this resource consent and that was not anticipated at the time of commencement of this consent
88. Unless it is otherwise specified in the conditions of this consent, compliance with any monitoring requirement imposed by this consent shall be at the Consent Holder's expense.
89. The Consent Holder shall pay to the Consent Authority all required administration charges fixed by the Consent Authority pursuant to section 36 of the Act in relation to:
- a) Administration, monitoring and inspection relating to this consent; and
 - b) Charges authorised by regulations.

90. Upon completion of the wind farm, the Consent Holder shall advise the Consent Authority in writing (quoting RC 060222) that all conditions of this consent have been adhered to.

APPENDIX 1

Table of bird species attached to Condition 29 Project Hayes Bird Strike monitoring programme

Species Name	Common Name	Status	Threat Classification	Applicable condition
<i>Aluda arvensis</i>	Skylark	Introduced	Not threatened	28a
<i>Anas platyrhynchos</i>	Mallard	Introduced	Not threatened	28a
<i>Anthus novaeseelandiae novaeseelandiae</i>	NZ pipit	Native	Not threatened	28a, d and e
<i>Branta canadensis maximus</i>	Canada goose	Introduced	Not threatened	28a
<i>Carduelis flammea</i>	Redpoll	Introduced	Not threatened	28a
<i>Charadrius bicinctus</i>	Banded dotterel	Native	Gradual decline (Chronically threatened)	28a, c, d and e
<i>Sterna albostratus</i>	Black-fronted tern	Endemic	Serious decline (Chronically threatened)	28a, c, d and e
<i>Circus approximans</i>	Harrier	Native	Not threatened	28a, d and e
<i>Cygnus atratus</i>	Black swan	Introduced	Not threatened	28a
<i>Emberiza citrinella</i>	Yellowhammer	Introduced	Not threatened	29a
<i>Falco novaeseelandiae</i>	Eastern falcon	Endemic	Gradual decline (Chronically threatened)	28a, c, d and e
<i>Fringilla coelebs</i>	Chaffinch	Introduced	Not threatened	28a
<i>Gergone igata</i>	Grey warbler	Endemic	Not threatened	28a, d and e
<i>Gymnorhina hypoleuca</i>	White-backed magpie	Introduced	Not threatened	28a
<i>Haematopus finschi</i>	SI pied Oystercatcher	Native	Not threatened	28a, d and e
<i>Larus dominicanus dominicanus</i>	Southern black-backed gull	Native	Not threatened	28a, d and e
<i>Sturnus vulgaris</i>	Starling	Introduced	Not threatened	28a
<i>Tadorna variegata</i>	Paradise shelduck	Endemic	Not threatened	28a, d and e