

Appendix 3 Evaluation of Draft Conditions

Appendix 3 provides a table of the draft conditions provided by Meridian on 20 and 25 June 2008, and either comments or recommended conditions and advice notes are provided in the right hand column from the consortium members.

Meridian Suggested Conditions	Consortium comments or alternative suggested conditions
GENERAL	Comment: The following conditions need to be allocated against the activity and associated consent (number).
<p>Consent Lapse</p> <ol style="list-style-type: none"> 1. That the consent lapsing period for this consent shall be ten years from the commencement of the consent. 2. The consent holder shall notify the Consent Authority in writing of the intention to exercise these consents at least three months prior to the commencement of any activities under these consents. 	Comment: Application to construct/operate and maintain. Those aspects of construction to have a lifespan of 10yrs (5 yrs construct, 5yrs rehabilitation) while to operate and maintain to be 35 or perpetual. Could add in conditions about times, or leave it inferred. Latter may cause a problem in future if the staging area is not cleared.
<p>All Management Plans</p> <ol style="list-style-type: none"> 3. The consent holder may revise any management plan subject to obtaining prior agreement of the Consent Authority that any such revision gives effect to the purpose of the management plan. 	Comment: The Consent Authority will need to approve the revised management plan before it can be implemented.
<p>Review</p> <p><i>Note: these conditions apply where specific review conditions have not otherwise been imposed.</i></p> <ol style="list-style-type: none"> 4. The Consent Authority may during the month of June in the fifth year after the commencement of this consent, and every five years thereafter, serve notice on the consent holder pursuant to section 128(1) of the Resource Management Act 1991 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. 	<p>Comment: This condition requires changing to allow for an annual review of conditions rather than 5 yearly. This could either relate to the anniversary of the granting of consent, or to the annual review of management plans.</p> <p>Comment: The consent authorities also need to be able to review conditions/management plans should an environmental issue arise.</p> <p>Comment: Wording of condition needs to allow for a review response to unsuccessful adaptive management. Some potential outcomes have been anticipated, but may still require adjustment.</p>
<p>Fees</p> <ol style="list-style-type: none"> 5. The consent holder shall pay to the Consent Authority such administration, supervision and monitoring fees as are fixed from time to time by 	Comment: This condition should reflect that Councils work on a cost recovery basis rather than a 'fixed' monitoring budget.

<p>the Consent Authority in accordance with section 36 of the Resource Management Act 1991. The Consent Holder shall meet the reasonable costs of compliance with all requirements and conditions of these consents.</p>	
<p>PRE-CONSTRUCTION</p>	
<p>Construction Management Plan</p> <p>6(i). Prior to the commencement of construction of the scheme, a Construction Management Plan shall be submitted to the Consent Authority. The purpose of the Construction Management Plan shall be to:</p> <ul style="list-style-type: none"> (a) Describe the methods proposed for the construction of the scheme and the programme for construction of each element; (b) Describe what actions will be taken to manage the actual or potential effects of construction activities associated with the scheme and to satisfy consent conditions; (c) Provide a list of key personnel and points of contact during scheme construction; (d) Describe how stakeholders will be kept informed during construction and how complaints will be managed; and (e) Ensure compliance with the conditions of consent as they relate to construction work. <p>(ii) The Construction Management Plan shall</p> <ul style="list-style-type: none"> (a) A staging plan, identifying the works and proposed duration of each stage; (b) Description of all construction works (including (as required) access roads and tracks, staging areas, dam site, inundation area, reservoir-track, transmission line, substation and communication system), mitigation measures, rehabilitation monitoring and reporting to be undertaken; (c) Detailed design responsibilities and method of construction, including methods of conducting vegetation clearance and earthworks, disposal of excavation material, in river works management, surface water and erosion management. Methods for management of hazardous substances, dust management and noise management, and fire fighting; (d) Detailed plans, specifications, location, operation and maintenance of all waterway structures and activities including the dam, diversion channels, temporary coffer dams, tailrace, spillway, penstocks, bridges, 	<p>The construction effects on surface water quality and aquatic ecology need to include the following conditions :</p> <ul style="list-style-type: none"> (a) The sediment retention pond shall be designed and sized in accordance with ARC TP90 guidelines. (b) The permit holder shall measure black disc visibility once each week during normal working hours through the construction period. Monitoring shall be undertaken at an upstream reference site located in the river 200m upstream of the construction area and at a compliance site located in the river, near the true left bank, 300m downstream of the discharge from the stormwater retention pond. (c) In the event that dewatering discharges, in combination with other discharges from the site, cause or are likely to cause more than a 33% reduction in black disc visibility between sites located in the river 200m upstream of the construction area and 300m downstream of the point of discharge from the stormwater retention pond, the permit holder shall ensure that all dewatering discharges pass through the stormwater retention pond(s) prior to discharge to the river. (d) The permit holder shall collect water samples once each month through the construction period from the Mokihinui River at sites near the true left bank located 200m upstream of the construction area and at 300m and 500m downstream of the point of discharge from the stormwater retention pond. All samples shall be tested for pH, dissolved oxygen, temperature, black disc visibility, suspended solids, ammoniacal nitrogen, nitrate nitrogen, dissolved reactive phosphorus and <i>E. coli</i>. (e) Results of monitoring required by conditions of this consent shall be forwarded to West Coast Regional Council once every three months or on request. (f) The permit holder shall ensure that discharges from

<p>culverts, fords, pipelines, discharge channels, water level/flow recording devices and any erosion control or energy dissipation works. This shall include the procedures for the placement of structures with the aim of minimising sediment discharges;</p> <p>(e) The name and contact details of key positions and points of contact, including an appropriately qualified staff member to manage environmental issues and any community complaints on site, have responsibility for managing and responding to environmental issues, any community complaints and ensure management plans and consent conditions are adhered to throughout construction;</p> <p>(f) The name and contact details of the geotechnical engineer to be engaged by the consent holder throughout earthworks construction, and an outline of the role and responsibilities of the geotechnical engineer during construction;</p> <p>(g) An outline of the critical elements of the scheme where geotechnical involvement is required for the construction;</p> <p>(h) An outline of the critical elements of the scheme where groundwater engineering involvement is required for the construction; and</p> <p>(i) Details of the minimum requirements for investigations, inspections and monitoring throughout construction to ensure that construction is being undertaken in accordance with the requirements of this consent.</p>	<p>the site during construction do not give rise to any of the following effects beyond a mixing zone extending 300m downstream of the outfall from the stormwater retention pond:</p> <ul style="list-style-type: none"> (i) The production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials; (ii) Any conspicuous change in the colour or visual clarity; (iii) Any emission of objectionable odour; (iv) The rendering of fresh water unsuitable for consumption by farm animals; (v) A change in the temperature of the water by more than 3^o Celsius. (vi) The depletion of dissolved oxygen concentrations below 80% of saturation concentration; (vii) Any undesirable biological growths; (viii) Any significant adverse effects on aquatic life; or (ix) Any adverse effects on any take of water for human consumption. <p>N.B. Standards (i) and (ii) above do not apply to discharges associated with the river diversion and construction of the cofferdam, provided those effects do not occur for more than 48 hours and do not occur during the whitebaiting season.</p> <p>Comment: In terms of 6(ii)(c)(d) details needs to be provided identifying all watercourses potentially affected by the transmission line and access track works and provide a site specific stormwater management and sediment control plan for each those areas, subject to approval of the consent authority.</p> <p>Comment: 6(ii)(b) should include a site map showing the areas, including buffer zones, sound bunds, fencing, areas to be retained 'as is', and the temporary relocated walking track around the staging area.</p> <p>Comment: The construction plan should also provide details about the types of buildings to be used and the proposed insulation methods.</p> <p>Comment: 6(ii)(b) details about rehabilitation of the staging area should include timeframes, and whether any areas are to be retained for maintenance.</p> <p>Comment: The construction plan should also provide details about how the consent holder will operate the</p>
---	---

	<p>maintenance phase, i.e. re-open part of staging area or get new consents for this.</p> <p>Comment: The construction plan should also include a programme outlining the timing of the WCRC peer review and the subsequent and parallel process of lodgement of building consent and certification of the final detailed design, and link in with Condition 12.</p> <p>Comment: Consideration shall be had as to setbacks from existing infrastructure, such as powerlines and telephone cables.</p>
<p>Dust Management</p> <p>7. Prior to the commencement of construction the consent holder shall undertake background air quality monitoring of total suspended particulate for a period of 12 months. The consent holder shall submit this data to the Consent Authority prior to the commencement of construction of the scheme.</p>	
<p>8. As part of the Construction Management Plan described in condition 6, the consent holder shall include provisions which set out the methods for dust management and shall include the following details:</p> <p>(a) Dust management methods for processing of aggregate, manufacturing concrete, excavation and blasting;</p> <p>(b) Dust management methods for upgrading Mokihinui – Seddonville Road;</p> <p>(c) Dust management methods for the development of site borrow areas and construction areas including the staging area;</p> <p>(d) Dust management methods for vehicle movement on haul roads including speed limitations when the haul roads are close (approximately 100m) to residences; and ensuring a high level of maintenance on the haul roads;</p> <p>(e) Dust management methods for the construction of coffer dams.</p>	<p>Dust management to include for Roads, stockpiles, gravel extraction, crushing, concrete production, conveyor systems and blasting as well as measures for transportation.</p> <p>Comment: The dust management shall not only be submitted to but also approved by the Consent Authority.</p> <p>Comment: 8(a) to include dust management for stockpiles.</p> <p>Comment: 8(b) road dust management to include methods for widening/construction and also for ongoing dust control during the construction phase.</p> <p>Comment: Not clear what the applicant means by haul road in 8(d). This should include all roads from the SH intersection to the staging area, as well as all roads within the staging area.</p> <p>Comment: The dust management should include provisions for air emissions from the batching plants.</p> <p>Comment: The dust management plan should include provisions for monitoring and reporting back to the Community Liaison Group and should include the following matters:</p> <ul style="list-style-type: none"> • Location of fugitive dust and sensitive receiving environment • Frequency of dust discharges;

	<ul style="list-style-type: none"> • Intensity of dust discharges; • Duration of dust discharges; • Offensiveness of the odour; • Extent of dust discharges (suspended and deposited).
<p>Archaeological Protocols</p> <p>9. Prior to the commencement of construction, the consent holder shall undertake an archaeological survey of the historic pack track, Seatonville and Jones Creek Battery areas and the transmission line route in the immediate vicinity of Burma Road. The survey and reporting shall be carried out by an appropriately qualified archaeologist and submitted as part of the Construction Management Plan described in condition 6. The report shall include a map of the area potentially affected by the consents with all items of significance plotted.</p> <p>10. Prior to the commencement of construction, the consent holder shall collect loose items of historic significance located within the plotted area following location, recording and reporting as required by condition 9. The items shall be catalogued, relocated and presented in an appropriate manner under the guidance of a recognised archaeological expert and in consultation with the consent authority and the Historic Places Trust.</p> <p>11. Prior to the commencement of construction, the consent holder shall implement a training programme for construction staff by a recognised archaeological expert regarding methods of identifying, reporting and managing features of archaeological significance.</p>	<p>Comment: Survey and reporting identified in 9 to be extended to include Tylers, Andersons Flat and the hut site above the Rough and Tumble Bridge and also the transmission line route at Charming Creek and where the line crosses the Denniston Plateau.</p> <p>Comment: Further to Condition 9 which requires archaeological survey of the historic pack track, an assessment needs to be undertaken to assess the tracks significance and whether this should be lost. Mitigation may include possible lowering of the lake.</p> <p>Comment: Draft 10 only requires the applicant to collect loose items. Their application however says they will excavate material. This condition may need expanding.</p> <p>New Condition: Prior to the commencement of construction, the consent holder shall undertake an archaeological survey of the rail tunnel and line at Chasm Creek.</p> <p>Comment: The archaeological survey to be used to help design the road upgrades required in Conditions 16-20.</p> <p>New Condition: The consent holder to provide to consenting authorised a copy of the Archaeological Authority prior to starting works.</p> <p>Advice note: Prior to the commencement of construction, the consent holder shall prepare an archaeological management plan in consultation with the NZHPT to guide the short and long term management of the archaeological sites and artefacts affected by the project.</p> <p>New Condition: The archaeological management plan to be included in the construction management plan.</p>
<p>Scheme Design Standards</p> <p>12. Prior to the commencement of construction of any structures authorised by this consent, accurate site plans and detailed structural plans including the dimensions and elevations of all structures shall be submitted to the Consent Authority. The detailed design plans shall include, but not limited to:</p> <p>(a) Final dam and turbine configuration</p>	<p>Comment: The accurate site plans and detailed structural plans shall not only be submitted to but also approved by the Consent Authority.</p> <p>Comment: the structural plans should include details about sound insulation.</p> <p>Comment: The site plan should show the location of buildings (including orientation of doors), fences, bunds, buffers.</p>

<ul style="list-style-type: none"> (b) Powerstation (c) Tailrace (d) Access Roads (e) Transmission line and switchyard (f) Layout of the staging area (g) Visitor Facilities 	<p>Comment: 12(g) to include temporary walkway and car park, as well as the final car park location, boat ramp, jetty, interpretative display and picnic area.</p> <p>New Condition: 12(h) Telecommunication towers</p> <p>New Condition between condition 12 and 13: Prior to the commencement of any structures authorised by this consent, the consent holder shall obtain the appropriate Building Consents required under the Building Act 2004, copies of which shall be submitted to the Consent Authority.</p> <p>Comment: The transmission line shall be peer reviewed by terrestrial ecological experts to determine which poles are to be 45m to avoid vegetation clearance/collision and which poles are to be installed via helicopter vs new access roads. In addition, the transmission line is also to be peer reviewed by landscape experts to determine whether the poles and line will have a more than minor effect on the landscape, particularly from the Charming Creek walkway.</p>
--	---

<p>13. The dam structure shall be designed, constructed and maintained for the life of the scheme in accordance with NZSOLD Dam Safety Guidelines, November 2000 (and any subsequent amendments). The guidelines include, but are not limited to:</p> <ul style="list-style-type: none"> (a) Engaging suitable designers, peer reviewers and specialists; (b) Using appropriate quality measures to the design process; (c) Selecting suitable contractors and applying quality assurance procedures for construction of the works; (d) Assessing the flood hazard and providing adequate spillways and diversion facilities to manage this potential hazard; (e) Assessing the seismic hazard and providing adequate defence against earthquake effects; (f) Adequately investigate the foundations and construction materials; (g) Include appropriate foundation and abutment treatment and seepage control; (h) Establish an appropriate dam surveillance programme advance of dam filling, and subsequent visual observations and monitoring against defined performance criteria throughout the operational life of the structure; (i) Provision of an emergency action plan appropriate for High and Medium PIC dams; (j) Regular safety reviews of the dam and associated gates and water retaining structures. 	<p>Comment: Prior to designing the dam structure, investigation into probable maximum flood levels is to be undertaken.</p> <p>Comment: Prior to designing the dam structure, further investigation required to be undertaken to determine a low level outlet is required. This is to be peer reviewed.</p> <p>Comment: 13(h) the design plan to include piezometers at the base of the dam structure and survey points on dam crest.</p> <p>Reword condition 13 to state: The dam structure shall, as a minimum requirement, be designed, constructed and maintained for the life of the scheme in accordance with NZSOLD Dam Safety Guidelines, November 2000 (and any subsequent amendments) for high potential impact dams. The guidelines include, but are not limited to:</p> <p>Reword Condition 13(f) to state: Comprehensively investigate the foundations and construction materials</p> <p>Reword Condition 13(h) to state: Establish an appropriate dam and reservoir shoreline surveillance programme in advance of reservoir filling, and subsequent visual observations and monitoring against defined performance criteria throughout the operational life of the structure</p>
	<p>New condition: The dam and its appurtenant structures shall be implemented under the supervision of persons with the appropriate experience in the supervision of RCC dam development. With the approval of the regional authority (under the Building Act 2004) the consent holder shall appoint a single person (Chartered Professional Engineer) with suitable experience in RCC dam development as having overall responsibility for the development of the dam. This person shall have the title of "The Engineer". With the approval of the Regional Authority The Engineer may be changed from time to time.</p>
<p>14. Prior to the commencement of construction of the structures authorised by this consent, a</p>	<p>Comment: The geotechnical design statement shall not only be submitted to but also approved by the Consent</p>

geotechnical design statement shall be prepared by an appropriately qualified person and shall be submitted to the Consent Authority.

Authority.

Comment: Recommend that the geotechnical design of the dam and appurtenant structures should be peer reviewed, as below.

Reword Condition 14 to state:

The consent holder shall appoint an Independent Review Panel comprising persons of suitable qualifications, experience and expertise for the duration of the design, construction and commissioning of the dam and associated works.

- (a) The members of the Independent Review Panel shall have sufficient experience and expertise to cover all facets, in so far as they relate to dam safety, of the intended form of the dam and appurtenant structures..
- (b) All members of the Independent Review panel shall be independent of the consent holder's and The Engineer's organisations
- (c) The consent holder shall appoint a Chairperson for the Independent Review Panel.
- (d) each and every member of the Independent Review Panel shall be appointed with the approval of the Regional Authority
- (e) The Independent Review Panel shall review comment and provide recommendations on any aspect of the dam works that affect dam safety, which includes but is not limited to design criteria, foundation geotechnical model and strengths and deformation properties, design, design process, construction details, construction methodology and materials.
- (f) Prior to the progression of design or construction the Engineer shall respond to all recommendations to the satisfaction of the Independent Review Panel
- (g) The independent Review Panel shall from time to time be provided by the Engineer with all information that may be pertinent to dam safety. This includes but is not limited to:
 - (i) Stability criteria that will apply to maximum usual, unusual, extreme loads and post-earthquake condition of the dam.
 - (ii) Return period ranges that define usual, unusual and extreme loads,
 - (iii) Studies to determine the Probable Maximum Flood (PMF) and Controlling Maximum Earthquake (CME) to be used in the design process
 - (iv) Studies to determine the post-earthquake condition of the dam, and selection of appropriate lake levels and tailwater

	<p>conditions to determine the post-earthquake stability of the dam</p> <ul style="list-style-type: none"> (v) Geotechnical design statement and selection of appropriate strengths to be used in stability analysis to be applied to the foundation rock mass or along defects or seams within the foundation that may control sliding stability. (vi) Studies related to the hydraulics of the spillway and plunge pool energy dissipation <p>(h) The Independent Review Panel shall convene at the discretion of the Independent Review Panel, and in consultation with the Engineer, at intervals during the design and construction process that corresponds to critical points in the dam' development which shall include but not be limited to:</p> <ul style="list-style-type: none"> (i) The commencement of design (ii) At a time during the design process (iii) Near completion of the design but before submission of the design, plans and specification to the regional authority for a Building Consent (iv) At commencement of construction (v) On exposure of the dam foundation prior to concrete placing (vi) Near completion of the dam and prior to filling the reservoir (vii) At completion of lake filling and prior to the application for the Certificate of Practical Completion.
<p>15. Prior to the commencement of construction of the scheme the consent holder shall ensure that a recognised engineer as defined by section 149 of the Building Act 2004 is engaged to review the proposed scheme design. The peer reviewer shall be nominated and appointed by agreement between the consent holder and the Consent Authority. The sole function of the reviewer shall be to review the proposed scheme design and advise to the consent holder and Consent Authority whether it is in accordance with accepted industry standards.</p>	<p>Comment: The recognised engineer should be of international standing and be qualified to assess / enable safety assurance programmes.</p>
	<p>New Condition: The consent holder shall provide the Regional Authority processing the Building Consent and the WCRC with copies of reports from the Independent Review Panel.</p>
	<p>New Condition: The consent holder shall ensure that any variations to the approved Building Consent are approved by the issuing authority and advised to the WCRC, and that</p>

	documents relating to the dam investigation, design and construction and review processes and final "As Built" plans are prepared and retained by the consent holder.
	New Condition: Prior to lake filling the consent holder shall prepare a Commissioning Plan and Emergency Action Plan.
	New Condition: The consent holder shall prepare a dam safety assurance programme, with certification by a recognised engineer. Comment: The dam safety assurance programme to include provision for annual dam compliance monitoring with dam compliance certificates being submitted to the consent authority for approval in accordance with the dam safety provisions of the Building Act (2004).
	New Condition: Any development components involving transformers shall ensure that oil/water separators are provided.
	New Condition: Design and appearance of buildings and other structures which are to remain (other than the dam, substation and transmission structures) shall be subject to a design review by a landscape architect and an architect and the results provided to the Councils for comment, prior to their lodgement for building permits.
<p>Traffic Management</p> <p>16. The consent holder shall ensure that the upgrade necessary at the Mokihinui-Seddonville intersection to State Highway 67 is designed in accordance with Transit New Zealand's policy manual for Integrated Planning and Development of State Highways.</p> <p>17. The consent holder shall prepare detailed design plans for the localised widening and upgrading of the Mokihinui-Seddonville Road, west of Seddonville and the widening and upgrading along Mokihinui Road. The plans shall be submitted to the Consent Authority. The localised widening, bridge construction and roading upgrades shall be completed by the consent holder prior to the commencement of construction of the scheme.</p> <p>18. The consent holder shall prepare detailed design plans for the localised shape correction of the carriageway through Seddonville. The plans shall</p>	<p>Comment: An inspection of the road with the consent holder and the roading authorities is required prior to the design plans being prepared so as to assess the level of upgrade required.</p> <p>Comment: 17 The detailed design plans for the localised widening and upgrading shall not only be submitted to the but also approved prior to any construction/upgrading taking place.</p> <p>Comment: 17 The consent holder shall seal road widths through the Seddonville Village 50 km/h zone to a minimum width of 8 metres, plus 1 metre unsealed shoulders either side to ensure all road users levels of service are safe and efficient, along with eventual restoration back to 6.5 metres.</p> <p>Comment: 17 the detail plans of the upgrade through Seddonville shall show mitigation measures for Mulholland Farms.</p> <p>Comment: 17 should also include any requirements for</p>

<p>be submitted to the Consent Authority prior to the commencement of construction of the scheme.</p> <p>19. The consent holder shall ensure that any pot-holes or discontinuities along the carriageway of Mokihinui Road/Seddonville-Mokihinui Road near residences are repaired prior to the use of the road by construction traffic.</p> <p>20. Prior to the commencement of construction of the scheme, the consent holder shall prepare a Traffic Management Plan, as part of the Construction Management Plan in condition 6. The Plan shall be prepared in consultation with Transit New Zealand and submitted to the Consent Authority prior to the commencement of construction. The Plan shall detail the traffic management measures to be put in place during construction including details of the following:</p> <ul style="list-style-type: none"> (a) The temporary traffic management locations and methods to be put in place during the construction period; (b) The locations where works will occur within the road reserve and the general method of traffic management and control that will be utilised; (c) Routes for haulage of materials on the public road and State Highway and measures for ensuring the road network is maintained in a satisfactory condition; (d) All necessary temporary site access requirements, design and traffic management; and (e) Procedures for liaison between the community, the consent holder and the contractor with regard to traffic related matters. 	<p>upgrade along the Denniston, Burnetts Face and Mackley Roads to the substation at Cedar Creek.</p> <p>Comment: 17 The detailed design plans should include sealing of bridge approaches at Coal Creek and Burkes Creek.</p> <p>Comment 17: The detailed design plans for the upgrade at Chasm Creek is to be undertaken in consultation with an appropriately qualified archaeologist to ensure that there are no, or no more than minor, effects on the historic rail tunnel.</p> <p>Comment: 18 The detailed design plans for the localised widening and upgrading shall not only be submitted to the but also approved by the consent authority prior to any construction/upgrading taking place.</p> <p>Comment: 18 The detailed design plans should be undertaken in consultation with the Community Liaison Group, and in particular with Mulholland Farms, addressing mitigation measures for the farming operation.</p> <p>Comment: 20 The traffic management plan should include a restriction in heavy vehicle movement to the site. Heavy vehicles are to only access the site from 7am to 10pm. The exception of which is oversized heavy vehicles which may be transported slightly earlier between 6am and 7am to avoid other road users. The plan shall include methods to advise residents in advance of these movements.</p> <p>Comment: 20 The consent-holder shall require all contractors to, as far as practicable, ensure that traffic is concentrated between the hours of 8.30am and 3.30pm.</p> <p>Comment: 20 The traffic management plan should include provision for shared transport of workers, including appropriate bus services.</p> <p>Comment: 20 The traffic management plan should include provision that contractors ensure vehicles associated with the construction only travel at 50km/hr through Seddonville and past houses that are closer than 100m from the road.</p> <p>Comment: 20 The traffic management plan requires consultation with both roading authorities, not only TNZ.</p> <p>Comment: 20 The traffic management plan shall include provision for monitoring of the integrity of the rail tunnel as a result of oversized vehicles</p>
--	--

	<p>Comment: 20 The traffic management plan shall include dust mitigation measures.</p> <p>Comment: 20 The traffic management plan shall include measures for transporting hazardous substances.</p> <p>Comment: 20 The traffic management plan shall include provisions to minimise disruption and risk to road users within the settlement of Seddonville and along the State Highway 67.</p> <p>Comment: During the construction period maintenance of the Mokihinui – Seddonville Road from SH67 intersection through to the new dam site shall be the responsibility of the consent holder. Annual inspections will be undertaken by the roading authorities to ensure maintenance of the road.</p> <p>Comment: At the completion of the construction, a handover inspection shall take place with the roading authorities with resultant defects made good by the consent holder.</p> <p>Comment: To identify whether the activity has any effects from vibrations of vehicles, a suitably qualified inspector should undertake a structural assessment of every building within 100m of Mokihinui Rd, subject to the agreement of the land-owner. This assessment is to act as a baseline of data which will be able to be used should a claim be laid against the applicant.</p> <p>Advice note: Work associated with the upgraded road and intersection may require additional resource consents, and it is recommended that the final design plans have necessary consents required.</p>
<p>Stormwater and Wastewater Management</p> <p>21. Prior to undertaking any activities authorised by these consents, the consent holder shall prepare and provide to the Consent Authority a Stormwater and Wastewater Management Plan, as part of the Construction Management Plan detailed in condition 6. This Plan shall provide information on suitable water extraction, stormwater and drainage management and water discharge measures for all water activities authorised by these consents, to be adopted during construction and subsequent operation of the dam and associated facilities. The purpose of</p>	

<p>the Plan is to minimise waste of extracted water and minimise contamination of surface water by any operation which is the subject of these consents.</p> <p>22. The information required in the Stormwater and Wastewater Management Plan includes:</p> <ul style="list-style-type: none"> (a) Analysis of background levels of water quality and quantity of all discharges and water bodies receiving discharges; (b) Details about the proposed extraction and discharge systems and methods; (c) Details about the proposed stormwater drainage management including treatment if utilised; (d) Details about proposed settling ponds and other treatment systems for contaminated waters and waste streams prior to discharge; (e) All measures relating to the construction of the dam and associated facilities such that the water quality of the river below the dam satisfies the criteria and standards for Class AE Waters contained within the Third Schedule to the Act, beyond a zone of reasonable mixing of 300 metres below the location of the discharge into the main stem of the Mokihinui River, at all times except when in fresh or flood. (f) Discharges from the facilities shall comply with the criteria and standards for Class AE Waters contained within the Third Schedule to the Act, beyond a zone of reasonable mixing of 300 metres below the location of the discharge into the main stem of the Mokihinui River, at all times except when in fresh or flood. (g) Programmes of monitoring of water use and discharge; (h) Analysis of effectiveness of the Plan to achieve the requirements of the conditions of these consents, and any recommended changes in operation to improve water and discharge management. 	
<p>Solid Waste Management</p> <p>23. Prior to undertaking any activities authorised by this consent, the consent holder shall prepare and provide to the Consent Authority a Solid Waste</p>	<p>Comment: BDC is in the process of obtaining consent for a landfill site. Until such time as this is granted, waste is transferred to Nelson.</p> <p>Comment: It is uncertain whether green waste from the</p>

<p>Management Plan as part of the Construction Management Plan detailed in condition 6. The purpose of this Plan is to put in place operations to minimise the waste and litter generated from the project, to maximise recycling and reuse opportunities and to avoid or minimise any pollution risk associated with the waste generated at the site. The Solid Waste Management Plan shall, as a minimum:</p> <ul style="list-style-type: none"> (a) Identify the solid waste generated at the project site, workshops and administration offices and identify the solid waste that can be reused, recycled, disposed of on site and disposed of off site; (b) Describe the methods to minimise solid waste generation and to reuse or recycle materials where feasible; (c) Describe the storage and transport and disposal of solid waste off site; (d) Describe the storage and transport and disposal of reservoir clearance vegetation. 	<p>clearance of vegetation within the staging area and lake will be buried on site. How this material is to be dealt with should be considered at the hearing.</p>
<p>Landscaping and Rehabilitation</p> <p>24. Prior to the commencement of earthworks for construction, the consent holder shall prepare a Landscaping and Rehabilitation Plan. This Plan shall be submitted to the Consent Authority before any earthworks and construction activities commence. The Plan shall include methods to achieve the following objectives:</p> <ul style="list-style-type: none"> (a) All cuts, fills and embankments are graded and formed to the extent reasonably practicable so that they appear as natural extensions of the adjacent landforms and landscape patterns; (b) Disposal areas for surplus excavation material are identified in locations agreed in consultation with the Consent Authority; (c) The transmission poles, substation and the power house are to be designed and finished in colours that are muted and consistent with the colours of the surrounding landscape; (d) The penstocks and other built elements 	<p>Comment: 24(c) to include telecommunication towers.</p> <p>New Condition: The rehabilitation plan is to include methods on collection of seed source and cuttings from the riparian sequencing and mechanisms for the use of the seed in the establishment of riparian vegetation around the lake edge.</p> <p>Amendment to 24(e): The rehabilitation plan is to include methods on collection of seed source from the river terrace vegetation both at Andersons Flat and downstream of the dam site for propagation purposes and shall include details on planting around the staging area, including details of species location and selection, plant density and maintenance.</p> <p>New Condition: The rehabilitation shall include details of pest management.</p> <p>Comment: 24(a) to include details about landscaping and re-contouring of excavated material at the telecommunication towers and transmission pole sites.</p> <p>Comment: Road width reinstatement through Seddonville following construction is to narrow the carriageway and include appropriate planting.</p>

<p>are finished or painted and maintained in an appropriate colour that integrates with the landscape;</p> <p>(e) Rehabilitation, including planting around the staging area and proposed details of species location and selection, plant density, maintenance and pest control.</p>	
<p>Health and Safety</p> <p>25. Prior to the commencement of construction of the scheme activities the consent holder shall ensure that the contractor prepares a comprehensive Health and Safety Plan, as part of the Construction Management Plan detailed in condition 6. A copy of this Plan shall be submitted to the Consent Authority. The Health and Safety Plan shall stipulate codes of practice and relevant construction regulations that contactors will be required to follow. In addition, the Health and Safety Plan shall include information on hazard identification, management and mitigation, public consultation and information sharing requirements, emergency protocols and incident reporting.</p> <p>26. Prior to the commencement of construction the consent holder shall, in order to minimise the risk to persons undertaking recreational activities in the vicinity of the scheme:</p> <ul style="list-style-type: none"> • Erect signs at appropriate locations to be determined in consultation with the Consent Authority to warn users of dangers in that area during construction; • Provision of safe pedestrian access to the upper valley and around the construction site; • Include appropriate information in local newspapers prior to the undertaking of the construction works and monthly during the construction period; • Liaise with known user and interest groups to advise of programmed works; • Fence the construction area. 	<p>Comment: The Health and Safety Plan shall include details about how the consent holder will consult with the community about blast times, and where signs are to be located with details on blast timetables.</p> <p>Comment: The Health and Safety Plan shall include details about the on site nurse and the proposed communication with WCDHB in terms of start date.</p> <p>Comment: The Health and Safety Plan shall include a hazardous substances spill procedure.</p> <p>Comment: The Health and Safety Plan shall include the proposed education plan for emergency situations, such as dam breaks, and shall include warning procedures for dam failure.</p> <p>Comment: The Health and Safety Plan shall include warning procedures for upstream high inflow takes, which could result in flood. It shall also include a response plan for what will happen with upstream high inflow takes, such as quick draw down.</p> <p>Comment: 26(a) the location of the signs and the detail on the signs shall be approved by the consenting authority.</p> <p>Comment: 26(b) This condition should also require a timing provision, to ensure that the temporary walking track is in place prior to the staging area being enclosed.</p> <p>Comment: 26(b) this condition should be extended to ensure that there is adequate public car parking on the West side of Burkes Creek.</p> <p>Comment: 26(e) It is uncertain whether barbed wire is proposed to be used on the fence. If it is, then this should be at least 2m above the ground level.</p>
<p>Community Liaison Group and Complaints Procedure</p> <p>27. Prior to the commencement of construction of the scheme, the consent holder shall consult with local residents and interested people, including</p>	<p>Comment: To ensure an unbiased direction to the Community Liaison Group, this could include an independent facilitator to run the meetings, at least until protocol is set up.</p>

<p>representatives from the Consent Authority and the contractors for the scheme, and shall establish a Community Liaison Group.</p> <p>28. The objective of the Community Liaison Group shall be to:</p> <ul style="list-style-type: none"> (i) Maintain effective working relationships and mutual trust between the local community and the consent holder (including its contractors), especially during construction; (ii) Promote the free flow of information in all directions between the local community, the consent holder, the contractors and the Consent Authority, in order to try to anticipate and resolve any potential issues before they arise; (iii) Evaluate the results of monitoring activities on a periodic basis; (iv) Oversee a Community Complaints Procedure, ensuring appropriate responses from the consent holder are forthcoming; and (v) Respond to matters which may arise as a result of the monitoring. <p>29. Prior to the commencement of construction, and at all times during construction of the scheme, the consent holder shall establish and operate a Community Complaints Procedure as follows:</p> <ul style="list-style-type: none"> (a) The consent holder shall have a clearly nominated and publicly communicated contact person, domiciled for the duration of the construction in the Buller district, within its own organisation or within one of its local agents for complaints during construction; (b) The consent holder shall establish a 24 hour complaints freephone number for the local community to call if they have any concerns regarding construction. The freephone number shall be advertised in the local newspaper prior to the commencement of construction and at regular periods during construction; (c) The consent holder shall maintain a log of any complaint received including the following: the date, time, complainant name and contact details, nature of the complaint 	<p>Comment: The Community Liaison Group should be involved in the design and location of workers accommodation in their communities. As well, the Community Liaison Group should be involved in discussions and be in agreement as to possible handing over of the accommodation at the end of the construction period.</p> <p>New condition: 28(f) Consider and promote appropriate use of the lake for recreational purposes.</p> <p>New condition 28(g) Be included in the design for the roading upgrade through the township of Seddonville.</p> <p>Comment: 28(c) a more definitive time period should be in place, possibly yearly.</p> <p>Comment: 29(h) This should be amended and be an annual requirement that the complaints and response log be provided to Council, and not just be on request.</p> <p>Comment: It is uncertain whether there should be one complaints and response log or separate ones, for instance for noise or traffic.</p> <p>Comment: 29(d) This should be altered so that complaints are responded to within 48 hours. There should also be a timeframe in which action is to occur.</p>
--	--

<p>including the cause and effect if known;</p> <p>(d) Where practicable the consent holder shall respond to complaints within 48 hours and shall log the action that it intends to take in response to the complaint;</p> <p>(e) The consent holder shall communicate with the complainant about actions taken;</p> <p>(f) The consent holder shall document any other longer term actions to be taken;</p> <p>(g) The consent holder shall present an incident summary (i.e. (b) to (e) above) to the meetings of the Community Liaison Group for review; and</p> <p>(h) The consent holder shall make the complaints and response log available to the Consent Authority on request.</p>	
<p>Aquatic Ecology Management Plan</p> <p>30. Prior to the commencement of construction of the scheme an Aquatic Ecology Management Plan shall be prepared and submitted to the Consent Authority. The purpose of this management plan shall be to determine the approach to be adopted to adaptively manage construction activities and the subsequent operation of the scheme with respect to the management of effects on the aquatic ecology of the reservoir created by the scheme and the Mokihinui River. The Plan shall set out the approach to monitoring and mitigation that will be implemented by the consent holder to address the actual or potential effects on the aquatic ecology relating to the construction and operation of the scheme. The Plan shall include, but not be limited to the following details:</p> <p>(a) Appropriate methods (including the collection of data) for monitoring the effects of construction and operation of the scheme on the aquatic ecology of the Mokihinui River and affected tributaries including;</p> <p>(i) Water temperature, pH levels, dissolved oxygen content;</p> <p>(ii) Diversity and abundance and size of fish and macroinvertebrate communities directly above and below the dam structure, and monitoring of appropriate indicator species and habitat of native fish species, elvers and native eel species</p>	<p>New Condition: The Aquatic Ecology Management Plan shall include the following mitigation for water quality in the river downstream of the dam:</p> <p>(a) The permit holder shall prepare and implement a programme to monitor the seasonal changes in dissolved oxygen and temperature as depth profiles in the reservoir near the dam, and at two points in suitable cross sections, with one being located in the tailrace channel and one downstream in the river.</p> <p>(b) Results of monitoring required by conditions of this consent shall be forwarded to West Coast Regional Council one every three months or on request.</p> <p>(c) The permit holder shall implement measures to ensure that dissolved oxygen concentrations in the river below the dam exceed 80% of saturation concentration at all times. Such measure may include:</p> <p>(i) Increasing outflows very gradually until sufficient water is flowing over the spillway to dilute the outflow</p> <p>(ii) Discharging through the bypass valve until sufficient water is flowing over the spillway to dilute the outflow.</p> <p>(d) The permit holder shall ensure that operation of the hydro electric power scheme does not give rise to any of the following effects beyond a mixing zone extending 300m downstream of the tailrace discharge:</p> <p>(i) The production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials;</p>

<p>and trout;</p> <p>(iii) Angler satisfaction;</p> <p>(iv) Water quality including nutrients and indicator bacteria;</p> <p>(v) The timing and duration of monitoring; and</p> <p>(vi) Monitoring of trout will be undertaken for a period of three years prior to operation and seven years post initial commissioning of the scheme;</p> <p>(b) Appropriate methods for managing adverse effects on native fish and eel species; this includes but is not limited to the design, construction and operation of an appropriate system (including trap and transfer) to ensure the continued upstream and downstream migration of fish and eel species (including elvers);</p> <p>(c) Appropriate methods for managing adverse effects on trout abundance:</p> <p>(d) The procedures for reporting the monitoring results to the Consent Authority.</p> <p>31. The Aquatic Ecology Management Plan as required by condition 30 shall contain a suitable monitoring and review programme to establish whether the mitigation measures adopted above are successful in achieving the objectives of that Plan.</p>	<p>(ii) Any conspicuous change in the colour or visual clarity;</p> <p>(iii) Any emission of objectionable odour;</p> <p>(iv) The rendering of fresh water unsuitable for consumption by farm animals;</p> <p>(v) A change in the temperature of the water by more than 3^o Celsius.</p> <p>(vi) The depletion of dissolved oxygen concentrations below 80% of saturation concentration;</p> <p>(vii) Any undesirable biological growths;</p> <p>(viii) Any significant adverse effects on aquatic life; or</p> <p>(ix) Any adverse effects on any take of water for human consumption.</p> <p>New Condition: The Aquatic Ecology Management Plan shall include the following mitigation for benthic ecology in the river downstream of the dam (it may be appropriate to include these as requirements for the Aquatic Ecology Management Plan, and to require that monitoring and management programmes are subject the approval of WCRC):</p> <p>(a) The permit holder shall develop and undertake a programme to monitor periphyton standing crop in the lower river. It shall also include a mechanism for control of the invasive alga <i>Didymosphenia geminata</i>, and for the avoidance of other undesirable biological growths in the lower river, by the use of flushing flows and/or other means as appropriate:</p> <p>(i) The initial periphyton monitoring programme should be implemented in the lower river at three sites at 4-monthly intervals, to detect <i>D. geminata</i> if it appears. If <i>D. geminata</i> is detected the frequency should increase to monthly, and should include visual assessment of <i>D. geminata</i> standing crop. Continued monitoring will therefore track standing crop in relation to flows and enable determination of an appropriate flushing flow to reduce standing crop, should a persistent high biomass develop.</p> <p>(ii) The permit holder shall ensure that the operation of the MHP does not result in any of the following effects in the river downstream of the dam:</p> <ul style="list-style-type: none"> • filamentous algae greater than 2cm in length covering more 30% of riverbed surfaces, • maximum chlorophyll a concentrations
--	---

	<p style="text-align: center;">greater than 120 mg/m², or</p> <ul style="list-style-type: none"> • maximum AFDM concentration greater than 35 g/m³. <p>(b) The permit holding shall monitor macroinvertebrate communities in the main stem of the Mokihinui River immediately upstream of the proposed reservoir and in the main stem of the river at sites approximately 1km and 2km downstream of the dam site. This monitoring survey is to be undertaken once each year on at least 3 years before dam construction and 7 years after construction.</p> <p>(c) The permit holder shall ensure that the station discharge flow shall not be less than 16m³/s, except when inflows into the reservoir are less than 16m³/s. During these periods the station will be operated so that the discharge to the river below the dam matches inflows to the reservoir as closely as practicable until such time as a flow of 16m³/s or greater is reinstated.</p> <p>(d) The consent holder shall ensure that the generation discharge flow shall not be greater than 120m³/s, except when water is passing over the spillway crest, at which time the generation flow shall not exceed 139m³/s</p> <p>New Condition: The Aquatic Ecology Management Plan shall include the following mitigation for native fish:</p> <ul style="list-style-type: none"> • Detailed plans of any culverts, bridges, fords or other in-stream structures required during the construction phase. For each such structure the applicant shall specify site specific measures proposed to mitigate potential adverse effects on fish passage. All culverts shall be designed and constructed in accordance with the guidelines provided by Boubee et al 1999. • Design and implementation of a catch and transfer system to provide upstream passage past the dam for native fish including juvenile eels and koaro. • Monitoring of the catch and transfers of native fish to refine knowledge of fish migration patterns, and where appropriate, to refine the operation of the catch and transfer system for maximum effectiveness. • Design and implementation of systems to ensure safety of, and to provide downstream passage to sexually mature adult eels (including penstock intake screens with 30 mm bar spacing, from March to May) • Intake screen design shall ensure a low approach velocity (< 0.5 m/s) to significantly reduce the risk of eels being entrained or trapped. • Monitoring of native fish populations for at least three years before dam construction and seven years after, in the upper catchment, the reservoir and the lower
--	---

	<p>river below the dam.</p> <ul style="list-style-type: none"> Investigation and implementation of a programme for enhancing inanga spawning habitat either in the lower Mokihinui River and/or its tributaries, or in other catchments in the region. Procedures for reporting monitoring information and effectiveness to the Consent Authority. <p>New Condition: The Aquatic Ecology Management Plan shall include the following mitigation for trout:</p> <ul style="list-style-type: none"> Monitoring of the trout population for at least three years before dam construction and seven years after. Permanent screening (30 mm-bar screens) of penstock intakes to avoid turbine mortality of trout > 30 cm; In the event the trout population declines by more than 30%, over at least five years, the following methods be researched, consulted on with interested parties and, if appropriate, implemented: <ul style="list-style-type: none"> Trap and transfer of upstream migrant adult over the dam; Construction of a hatchery and stocking.
<p>Blue Ducks</p> <p>32. Prior to the commencement of construction the consent holder shall prepare and implement a Blue Duck Action Plan. The purposes of this Plan shall be to build on current knowledge of the ecology of Blue Ducks in the Mokihinui River environs to ensure that there is a sound data available to enable the implementation of mitigation to manage the actual or potential adverse effects arising from the construction and/or operation of the scheme. The Blue Duck Action Plan shall be submitted to the Consent Authority and shall incorporate, but not be limited to, the following provisions:</p> <p>(a) The objective of the Blue Duck Action Plan shall be to collect baseline data on Blue Duck abundance within the affected inundation area, dam and infrastructure construction area, and the area covered by the predator control programme;</p> <p>(b) Monitoring and investigations shall be carried out by an appropriate expert to determine breeding and population success of Blue Ducks rates within the areas identified above for a period of not less than two years prior to construction</p>	<p>Comment: 32 The Mokihinui River environs need to be identified. This should include not only the inundation area but also the South Branch.</p> <p>Comment: 33 This should also include an assessment of the current population of blue duck within the South Branch.</p> <p>Comment: 34(b) Translocation is not considered to be possible in this area due to proximity to the original habitat and the unknown population within the South Branch. Translocation is not known to be successful in wild adults.</p> <p>New Condition: 34(c) Habitat Enhancement Programme, see comment below.</p> <p>Comment: The applicant proposes financial support. However this hasn't become a condition. A new condition should be included requiring a sum of money to be set aside for blue duck research. Such research is required to help identify the factors critical to blue duck survival and reproduction and also to research into the effects of human disturbance. The fund to be administered by a specified agency.</p>

<p>of the scheme;</p> <p>(c) Monitoring sites shall ensure that monitoring is statistically valid and scientifically robust.</p> <p>33. The consent holder shall submit to the Consent Authority a report prepared by an appropriate expert detailing the results of the monitoring and investigation required by condition 32. The report shall detail the presence and abundance of Blue Ducks within the construction and inundation area.</p> <p>34. If the report prepared in accordance with condition 33 indicates ongoing breeding success then it shall include the methods to achieve the following mitigation:</p> <p>(a) Management of the timing of catchment clearance to the extent practicable in areas where Blue Duck are known to be present to avoid the breeding season;</p> <p>(b) Methods for guiding the translocation of Blue Ducks whose habitats and territories would be inundated if necessary to ensure that these birds would have a reasonable chance of survival.</p>	
<p><i>Powelliphanta</i> Snail Species</p> <p>35. Prior to the commencement of construction the consent holder shall prepare and implement a <i>Powelliphanta unicolorata</i> snail species Monitoring and Investigation Plan. The purposes of this Plan shall be to build on current knowledge of the ecology of the <i>Powelliphanta unicolorata</i> snail species within the dam and infrastructure construction area and known habitats along the transmission corridor to ensure there is sound data to enable mitigation to manage the actual or potential adverse effects arising from the construction and/or operation of the scheme. The <i>Powelliphanta unicolorata</i> snail species Monitoring and Investigation Plan shall be submitted to the Consent Authority and shall incorporate, but not be limited to, the following provisions:</p> <p>(a) The objective of the <i>Powelliphanta unicolorata</i> snail Monitoring and Investigation Plan shall be to collect pre-scheme data on <i>Powelliphanta unicolorata</i> Snail abundance within the affected</p>	<p>Comment: 35 to include South Branch within the Monitoring and Investigation Plan.</p> <p>New Conditions: Prior to the commencement of construction the consent holder shall prepare and implement a <i>Powelliphanta</i> snail species Monitoring and Investigation Plan for the transmission line and telecommunication towers.</p> <p>Comment: 36 This condition should not be limited to only <i>unicolorata</i> but rather for all <i>Powelliphanta</i>.</p> <p>Comment: 37 to include telecommunication towers.</p>

<p>construction area and known habitats along the transmission corridor;</p> <p>(b) Research and monitoring shall be carried out by an appropriate expert to determine population success of <i>Powelliphanta unicolorata</i> Snail for a period of not less than two years prior to construction of the scheme;</p> <p>(c) Monitoring sites selected shall include sites within the affected construction area, specifically within the inundation area, staging area and dam and infrastructure area and also within the transmission corridor where the line crosses known habitat of <i>Powelliphanta unicolorata</i> species to ensure that monitoring is statistically valid and scientifically robust;</p> <p>(d) Monitoring methods shall include if practicable; the monitoring of live snails within defined plots.</p> <p>36. The consent holder shall submit to the Consent Authority a report prepared by an appropriate expert detailing the results of the monitoring and investigation required under condition 35. The report shall detail the presence and abundance of <i>Powelliphanta unicolorata</i> snail species within the construction, inundation and transmission corridor and the methods of mitigation to avoid any actual or potential adverse effects on the <i>Powelliphanta unicolorata</i> snail.</p> <p>37. The report prepared in accordance with condition 36 shall include the methods to achieve the translocation of identified snail species from accessible areas of the dam and infrastructure area and transmission corridor if practicable.</p>	
<p>Predator Management and Habitat Enhancement</p> <p>38. Prior to the commencement of construction the consent holder shall prepare a Habitat Enhancement Programme. This Habitat Enhancement Programme shall be carried out in the area on the attached plan marked 'Plan A'. The purpose of the Programme shall be to enhance the productivity of threatened and other species by reducing the mortality caused by predators and to enhance habitat in the ecological area affected by the construction and operation of the scheme. The Habitat Enhancement</p>	<p>New condition: Prior to the commencement of construction the consent holder shall prepare a Predator and Weed Management Programme.</p> <p>Comment: The Predator and Weed Management Programme should include an assessment of predator/weed identity and abundance prior to establishing any control programme. This should be both land and water based.</p> <p>Comment: The Predator and Weed Management and Habitat Enhancement Programmes should be for an area</p>

<p>Programme shall be prepared in consultation with the Department of Conservation and submitted to the Consent Authority and shall incorporate, but not be limited to the following provisions:</p> <p>(a) The objective of the Habitat Enhancement Programme shall be to protect habitat for species including Blue Duck, <i>unicolorata</i> snails and key threatened forest birds such as kiwi and kereru by enhancing habitat in the Mokihinui South Branch.</p> <p>(b) Monitoring and investigation shall be undertaken to determine the following:</p> <p>(i) Assessment of the existing Blue Duck population within the Mokihinui South Branch and its productivity/breeding success;</p> <p>(ii) Assessment of habitat suitability for an increased Blue Duck population;</p> <p>(iii) Assessment of total lost productivity of Blue Duck in the Mokihinui Gorge, also using information gathered in condition 33;</p> <p>(iv) Assessment of the <i>unicolorata</i> population within the Mokihinui South Branch, by undertaking shell searches and nocturnal searches for live snails;</p> <p>(v) Assessment of predator identity and abundance prior to establishing any control programme;</p> <p>(vi) Assessment of the abundance of other key species of forest birds that are expected to benefit from the predator control programme and are likely to be living in the Mokihinui South Branch habitats.</p> <p>39. The consent holder shall submit to the Consent Authority a report prepared by an appropriate expert detailing the results of the monitoring and assessment required under condition 38.</p>	<p>larger than the area of inundation. The extent of the area should be determined based on studies of blue duck and <i>Powelliphanta</i> as well as other forest birds.</p> <p>Comment: Do not have 'Plan A' referenced in 38.</p> <p>Comment: 38 It is ultra vires to include a third party into the wording of conditions, therefore any requirements that the Habitat Enhancement Programme be prepared in consultation with the Department of Conservation can only be included with DoC's agreement.</p> <p>Comment: To avoid tracking of weeds along the transmission line route, all construction vehicles should be treated prior to use.</p> <p>Comment: 39 a timeframe is required for this report to be supplied to the consent authority and must be before construction.</p>
<p>Terrestrial Ecology Management</p> <p>40. Prior to the commencement of construction of the scheme the consent holder shall prepare a Terrestrial Ecology Management Plan which shall</p>	<p>Comment: Terrestrial Ecology Management Plan should include the landscape and rehabilitation plan, the Blue Duck Action Plan, the two <i>Powelliphanta</i> snail species Monitoring and Investigation Plans, and the Predator and Weed Management and Habitat Enhancement</p>

<p>be submitted to the Consent Authority. The purpose of this Plan shall be to determine the approach to be adopted to adaptively manage construction activities with respect to terrestrial ecology affected or potentially affected by construction. The Plan shall set out the approach to monitoring and mitigation that will be implemented by the consent holder related to the construction of the scheme to address the actual and potential effects of the construction activities on terrestrial vegetation and ecology. The Plan shall include the following details:</p> <p>(a) A description of the terrestrial ecological values requiring management; and</p> <p>(b) Identification of a range of contingency measures able to be implemented including:</p> <p>(i) Any areas of vegetation clearance required to be progressive and staged;</p> <p>(ii) Rehabilitation, re-vegetation and a weed control programme for the dam and infrastructure area and the transmission corridor to ensure the stabilisation of slopes, erosion control and prevention of weed incursion;</p> <p>(iii) Weed monitoring around the reservoir and a weed management programme to prevent the establishment of invasive exotic species by seeds;</p> <p>(iv) Weed management methods where practicable are to include:</p> <ul style="list-style-type: none"> • Methods to minimise the creation of open areas of bare soil; • Identification of bare soil areas that are likely to require mulch cover; • Suitable methods for control of weeds which is likely to include manuals, mechanical and chemical methods; • That any chemical weed control contactors are to be Growsafe® accredited; • That a marker dye is used during chemical spraying; • Provisions for maintaining a record of all weed control used on the site; • The procedures for the ongoing monitoring of success of the weed management programmes. 	<p>Programmes.</p> <p>Comment: 40(b)(ii) A contingency measure for the stabilisation of shore slopes and riparian sequencing may be to limit the variation to lake levels for a certain period to allow establishment of plants.</p> <p>Comment: 40(a) may include detail about areas for taller poles along the transmission route, and where helicopter installation is required.</p> <p>Comment: Terrestrial Ecology Management Plan to include areas within the staging area where vegetation is to be retained.</p> <p>Comment: Terrestrial Ecology Management Plan to require the retention of tree stumps and shrubs along the 10m lake buffer to aid in stability and riparian sequencing.</p>
<p>Kiwi</p> <p>41. Prior to the commencement of construction the</p>	<p>Comment: to be extended to require assessment within the South Branch to assess suitability for habitat enhancement and predator control.</p>

<p>consent holder shall engage an appropriately qualified ecologist to undertake a kiwi listening survey within the footprint of the inundation area. The purpose of this shall be to determine whether a breeding pair of kiwi exists and whether any mitigation shall be required to avoid any actual or potential adverse effects arising from the construction of the scheme.</p>	<p>Comment: to be extended to require assessment along the transmission line route to identify whether any kiwi present so as to identify timing of installation.</p>
<p>Transmission</p> <p>42. Prior to the commencement of construction the consent holder shall consult with an appropriately qualified ecologist to:</p> <ul style="list-style-type: none"> (a) Identify those areas of high ecological significance within the transmission line corridor; (b) Provide guidance as to the placement of poles and new access tracks within locations identified in (a); (c) Confirm the presence of snails within the transmission line corridor by undertaking snail searches where the transmission line crosses the known habitat of <i>Powelliphanta</i> species; (d) Relocating snails from proposed areas of disturbance within the transmission line corridor prior to commencement of construction; (e) Defining areas for pole platforms within the transmission line corridor occupied by great spotted kiwi and searching for nests along the route by a specially trained certified dog; (f) Guidance for the timing of construction of the transmission line corridor so to ensure that construction occurs outside the breeding season of great spotted kiwi or fernbirds where these birds are known to exist (via onsite observations) in the immediate area; or methods for moving great spotted kiwis to temporary captivity prior to construction commencing. 	<p>New Condition: Prior to the commencement of construction the consent holder shall engage an appropriately qualified ecologist to undertake a South Island Fernbird and kiwi survey within the footprint of the transmission line route to identify whether any Fernbird and/or kiwi present so as to identify timing of installation.</p> <p>Comment: The transmission line shall be peer reviewed by terrestrial ecological experts to determine which poles are to be 45m to avoid vegetation clearance/collision and which poles are to be installed via helicopter vs. new access roads. In addition, the transmission line is also to be peer reviewed by landscape experts to determine whether the poles and line will have a more than minor effect on the landscape, particularly from the Charming Creek walkway.</p> <p>Comment: Prior to the commencement of construction, the consent holder shall undertake an archaeological survey of the transmission line route in the immediate vicinity of Burma Road and Charming Creek. The survey and reporting shall be carried out by an appropriately qualified archaeologist and submitted as part of the Construction Management Plan described in condition 6. In addition, on site supervision of sites should be undertaken, and poles located at least 20m away from any archaeological site</p> <p>New condition: Excavated material is to be re-contoured into natural finish and re vegetated.</p>
<p>Erosion Monitoring</p> <p>43. Prior to the commencement of construction of the scheme the consent holder shall prepare an Erosion Monitoring and Management Plan which shall be submitted to the Consent Authority. The purpose of this management plan shall be to describe the methods to monitor the scheme's effects on the sediment supply to the Mokihinui River and the</p>	<p>Comment: The Erosion Monitoring and Management Plan which shall be submitted to and approved by the Consent Authority.</p> <p>New Condition: The consent holder shall undertake an initial natural hazard registrar and associated risk evaluation with response strategies of the following matters:</p>

<p>occurrence of coastal erosion at the mouth of the Mokihinui River. The Plan shall include as a minimum:</p> <ul style="list-style-type: none"> • Appropriate methods for monitoring the supply of river sediment; • Appropriate methods for monitoring the coastal erosion at the mouth of the Mokihinui River to determine whether the operation of the scheme is directly attributable to any acceleration of coastal erosion. <p>Prior monitoring methods and duration of monitoring to be undertaken by an appropriately qualified expert shall include:</p> <ol style="list-style-type: none"> The study and comparison of historical and present day aerial photography of the coast in the vicinity of the Mokihinui River mouth; Surveys of the shoreline position at the mouth of the Mokihinui River and beach profiles; Reservoir bed level and sediment surveys; Bed levels and substrate size grading surveys along the lower river, including the estuary; Bank stability along the tidal reach on the true left bank adjacent to the whitebait stands. <p>Identification of methods for mitigation including but not limited to:</p> <ol style="list-style-type: none"> Engineered structures, such as coastal revetments and groynes; A planned response that would relocate threatened coastal assets and infrastructure landward of a buffer zone as an alternative to hard structures; Locating other gravel sources to meet existing needs of consented gravel takes from the Mokihinui River downstream of the dam structure; Protecting eroding river banks on an as-needed basis. 	<ul style="list-style-type: none"> • effect of reservoir inundation on general shoreline slope stability • effect of reservoir inundation on County Hill Rockslide stability • rockfall-induced reservoir wave effects • effects of Landslides upstream of Reservoir <p>Comment: Once a baseline study has been undertaken of the existing natural hazards, the applicant will monitor natural hazards on an annual basis and after specific events (EQ, slips, high rainfall causing instability) and provide the result to the consenting authorities.</p> <p>Comment: Actual mitigation needs to be addressed by a condition, along with appropriate methods to ensure it takes place. Could be based on a financial contribution, or a requirement to undertake actual works, etc.</p>
	<p>New Conditions Proposed for Power Line and Substation</p> <ul style="list-style-type: none"> • The works shall be designed and constructed to limit the EMF exposure to the <i>International Committee on Non-Ionising Radiation Protection Guidelines for limiting exposure to time varying magnetic fields (up to 300GHZ) (Health Physics, 1998 74(4): 494-552)</i> ICNIRP Guidelines) public reference levels of 5kV/m for electric fields and 100µT for magnetic flux density at 1m above ground under maximum normal operating conditions (ie, when there are no faults in the transmission system). • In designing and constructing the line works the consent holder shall ensure compliance with regulations 58 to 60, 69 and 87 (as relevant) of the

	<p>Electricity Regulations 1997 as in force as at the date of consent.</p> <ul style="list-style-type: none">• All works shall be designed to comply with NZS 6869:2004 <i>Limits & Measurement Methods of Electromagnetic Noise from High Voltage a.c. Power Systems, 0.15 to 1000 MHz.</i>
--	--

CONSTRUCTION	
<p>Construction Management Plan</p> <p>44. The consent holder shall implement and adhere to the requirements of the Construction Management Plan required by condition 6 at all times during construction of the scheme.</p>	
<p>Hazardous Substances</p> <p>45. Refuelling, lubrication, mechanical repairs and storage of hazardous substances or dangerous goods shall be undertaken in such a manner so as to ensure that spillages of hazardous substances or dangerous goods on to the land surface or into a waterbody do not occur. Any accidental discharge of greater than 20 litres shall be reported immediately to the Consent Authority along with details of the steps taken to remedy and/or mitigate the adverse effects of the discharge.</p> <p>46. Bunds will be positioned around the perimeter of fuel stores to capture spills and clean-up equipment shall be maintained in a serviceable manner at each fuel store throughout the duration of the project.</p> <p>47. All contractors and/or operators transporting or storing more than 20 litres of fuel shall carry spill kits to enable immediate action to remedy and/or mitigate the effects of hazardous substances discharges on-site.</p>	<p>Comment: The following specific requirements should be included:</p> <ul style="list-style-type: none"> • Bunding to accommodate 110% volume of stored material • Impervious surfaces provided where fuel, tankers or pumps are located • Pozzalan to be transported in sealed containers • Buildings storing substances to be bunded • A spill response contingency plan is prepared.

<p>In-River Construction Works</p> <p>48. In carrying out any in-river construction works the consent holder shall:</p> <ul style="list-style-type: none"> (a) Keep the affected working area to a practicable minimum and ensure that all plant and machinery working in the river is cleaned so as to be free of weeds or pest plants or seeds prior to entering the water; (b) Ensure that any reinstatement of works after floods are, as far as practicable, on the recession of the flood, while the river flow is still naturally turbid; (c) Ensure that sediment losses to natural water are avoided where practicable and that silt control measures are in place; (d) Ensure that all disturbed vegetation, soil or other material is deposited, stockpiled or contained to prevent the movement of the material so that it does not result in: <ul style="list-style-type: none"> i. The diversion, damming or blockage of any river or stream; ii. The passage of fish being impeded; iii. The destruction of any significant habitat in a waterbody; iv. Flooding or erosion. (e) Ensure that the installation of culverts adheres to the Fish Passage Guidelines prepared by the Department of Conservation (1999). (f) Ensure that consented structures in the bed or banks of the river are stabilised and/or armoured to prevent scouring and erosion. (g) Ensure that the installation of in-river structures and associated river disturbances are implemented under the supervision of persons with appropriate experience in the supervision of in-river civil engineering construction works. 	<p>Comment: Need to align this condition with some suggested changes to pre-construction conditions.</p>
<p>Scheme Construction Earthworks</p> <p>49. In carrying out all earthworks the recommendations of Auckland Regional Council TP90 for control and treatment of stormwater runoff shall generally be adopted including the</p>	<p>Comment: The condition should include the following requirements (unless already specified in the construction management plan):</p> <ul style="list-style-type: none"> • Progressively rehabilitate the aggregate area • Bund around aggregate area, to be removed at

<p>following measures:</p> <ul style="list-style-type: none"> (a) Divert clean runoff around the construction area; (b) Contain runoff from a worked site in a pond to settle sediment before discharge to the receiving stream or water; (c) Temporary silt or settling ponds constructed shall be designed to withstand a two year return period storm event; (d) Provide protection against erosion and entrainment of further sediment at the discharge point; and (e) Reinstate and re-grass any worked areas as soon as practicable following completion of earthworks or where there will not be any works for more than six months, in order to minimise the potential entrainment of sediment. <p>50. In carrying out earthworks relating to the construction of the dam and ancillary infrastructure, the consent holder shall ensure that the recommendations of Auckland Regional Council TP90 for control and treatment of stormwater runoff shall generally be adopted including the following measures:</p> <ul style="list-style-type: none"> (a) Divert clean runoff around the construction area; (b) Capture storm runoff from worked areas and treat in ponds prior to discharge to receiving streams or to clean water drainage channels; (c) Temporary silt or settling ponds constructed shall be designed to withstand a two year return period storm event; (d) Provide protection against erosion and entrainment of further sediment at the discharge point; (e) Keep the worked area to a practicable minimum, and reinstate as soon as practical following the completion of any work; (f) If Blue Ducks, fernbirds or kiwis are present, avoid all vegetation clearance and earthworks within 50m of known habitats as far as practicable during the respective breeding seasons; (g) Keep the catchment area for any discharge point as small as practicable; (h) Keep machinery and haul roads out of 	<p>completion</p> <ul style="list-style-type: none"> • 20m buffer between all works and the river, except at the diversion channel and power station. • 5m setback of all activities from boundary fences • Re route public walking track around staging area, and include a view area(s) on diverted track • Retain vegetation on steep slopes within staging area • Retain large trees around the outside of the staging area • Weed control • Material for Chasm Creek upgrade to be taken to staging area for possible use as aggregate and for stockpiling • Chasm Creek upgrade to be undertaken in manner that the tunnel and railway line are not damaged • Works on replacement/new bridges to be undertaken to avoid material being deposited into creeks. • Dumped material to be re-contoured • Minimal earthwork disturbance for access to and installing poles • Design bridges to be 1:100yr flood • Monitor County Hill rockslide during and after inundation
--	--

<p>flowing water (except as indicated below in condition 52 relating to stream crossings).</p> <p>51. In carrying out earthworks relating to stream crossings (except for the river diversion and cofferdam construction in the Mokihinui River), the following standards shall be adopted:</p> <ol style="list-style-type: none"> (a) Keep work areas outside flowing water as far as practicable; (b) If there is continuous flowing water, install a temporary culvert or other practicable method to convey base flows in the event that a haul road needs to cross the stream; (c) Construct stream crossings in stages so that there is always a floodway available outside the work area or via completed permanent structures; (d) Reinststate worked areas as soon as practicable following completion of the work. <p>52. There shall be no discharge to the Mokihinui River during the construction of the scheme that may cause or result in any of the following after a zone of reasonable mixing, being 300m downstream of the discharge:</p> <ol style="list-style-type: none"> (a) Conspicuous oil or grease films, scums or foams, or floatable or suspended materials; (b) Conspicuous change in the colour or visual clarity (except for the river diversion and cofferdam construction); (c) Emission of objectionable odour; (d) Rendering of river water unsuitable for consumption by farm animals; or (e) Significant adverse effects on benthic macro invertebrates, trout, or native fish. 	
<p>Transmission</p> <p>53. Where practicable poles and/or pylons P45 to P73 and P120 to P150 (as shown on attached drawing marked 'Plan B') shall be installed by a helicopter.</p> <p>54. The consent holder shall ensure that the installation of transmission pylons occurs outside the breeding season of threatened species if they are known to be present in accordance with condition 42.</p>	<p>Comment: Transmission line construction needs to ensure that the following requirements are met:</p> <ul style="list-style-type: none"> • Need cut off drains around pole sites for surface water • Vegetation clearance to be kept to a minimum • Clean vehicles to avoid tracking of weeds • Minimum amount of disturbance for tracking • Archaeological inspection of pole sites and possible access roads prior to works beginning near Charming Creek and Burma Road • 20m setback from any identified archaeological sites • Vegetation to be cut at ground level and decomposed on site • Material to be re-contoured

	<ul style="list-style-type: none"> • 5 depots only • Construction to occur during day • Care needed to be taken with vegetation clearance along Mokihinui Road where it approaches the 10m wide riparian zone • Compliance with transport management plan, including liaison with other road users – i.e. Casade Coal and SE • Avoid kiwi and fern bird seasons • Check each pole site for snails prior to work and direct transfer snails
<p>Dust Management</p> <p>55. The consent holder shall undertake appropriate dust mitigation measures for worked areas to ensure that dust nuisance is minimised.</p> <p>56. The consent holder shall use all practicable means to ensure that the concentrations of nuisance dust attributable to construction activities do not exceed the Ministry for the Environment's dust nuisance criteria of 120 µg/m³ as a 24 hour average for total suspended particulate, and 4 g/m²/30 days above ambient for deposited particulate, at the notional boundary of any residential dwelling occupied by non project personnel on another site.</p> <p>57. The consent holder shall ensure that dust arising from crushing, screening and transfer operations and from the use of haul roads is to be suppressed by the use of water sprays or other methods outlined in the Construction Management Plan.</p>	<p>Comment: Dust management to include:</p> <ul style="list-style-type: none"> • Seal within 100m of houses • Seal bridge approaches • Seal car park area at boat ramp • Seal heli pad <p>Dust management to apply to the following activities:</p> <ul style="list-style-type: none"> • Road construction and use • Stockpiles • Gravel • Crushing • Concrete production • Blasting • Conveyor systems • All earthworks • Movement of heavy vehicles on roads (covering of loads)
<p>Noise Management</p> <p>58. The noise from construction works shall be measured and assessed in accordance with the requirements of NZS6803:1999 Acoustics – Construction Noise. The consent holder shall ensure that construction noise from the scheme shall comply at all times with the requirements of NZS6803:1999 Acoustics – Construction Noise.</p> <p>59. The noise associated with helicopter landing areas shall be measured and assessed in accordance with the provisions of New Zealand Standard 6807:1994 "Noise Management and Land Use Planning for Helicopter Landing Areas". The consent holder shall ensure that all noise</p>	<p>Comment: Noise management during construction should ensure:</p> <ul style="list-style-type: none"> • Blasting occurs with multiple charge in delayed sequence and use a warning siren before blasting (the applicant has indicated it would prefer towards the end of the day to allow work to be undertaken during the day and for charges to be laid). • Reverse alarms be replaced with lights at night. • Silencers and attenuators are installed on equipment • No gravel extraction or aggregate crushed at night, • Sound barriers such as bunds should be erected around the aggregate plant to reduce noise levels, and other noisy areas. • The workshops should be positioned so that the doors

<p>emanating from helicopter landings will comply at all times with the requirements of NZS6807:1994. The consent holder shall also ensure that all helicopter operations are conducted so that the limits in Table 1 of the NZS6807:1994 are not exceeded.</p> <p>60. All blasting shall be restricted to between the hours of 9.00am and 5.00pm Monday to Sunday, and will occur at a set intervals during the day determined in consultation with the consent holder and community liaison group established by condition 27.</p> <p>61. The consent holder shall ensure that a programme of blasting times agreed in condition 60 shall be notified publicly by way of a temporary notice erected at the road entrance to the construction area and by a circular or public advertisement prior to any blasting taking place.</p>	<p>do not face towards Seddonville or Mokihinui Preserve, and the workshop buildings should be sound insulated.</p> <ul style="list-style-type: none"> • Insulate turbines and powerhouse • Heli pad located away from residences • HCV not permitted to travel between 10pm and 7am (except for defined large loads).
<p>Light Spill</p> <p>62. The consent holder shall ensure that any light spill during construction does not exceed 10 lux at the boundary of the nearest residential property occupied by non project personnel and comply with the standard AS4282, Control of the Obtrusive Effects of Outdoor Lighting.</p>	<p>Comment: Management should ensure that:</p> <ul style="list-style-type: none"> • Lights to be hooded • Downward reflectors
<p>Neighbouring Properties</p> <p>63. Conditions 55 to 62 shall not apply to the properties legally described as Sections 13 and 14 Block XVI Mokihinui Survey District being all the land described in CFR 9A/268 Nelson Survey District and Lot 1 Deposited Plan 352012 contained in CFR 213334 Nelson Survey District.</p>	<p>Comment: This condition excludes mitigation relating to S94 approved properties.</p>
<p>Contaminated Sites</p> <p>64. Should the consent holder uncover a contaminated site, the Consent Authority will be notified and the consent holder will propose to the Consent Authority a method for remediation of the site. The consent holder shall implement the necessary remediation action to the satisfaction of the Consent Authority.</p>	<p>Comment: Remediation plans should be approved by the Councils before implementation.</p>

<p>Cultural and Archaeological Protocols</p> <p>65. The consent holder shall retrieve part of the historic steel trusses from the Iron Bridge located approximately at the confluence of the Rough and Tumble Creek and the Mokihinui River. A qualified archaeologist shall recommend an appropriate design feature to be created from the steel trusses and positioned in a location approved by the Consent Authority.</p> <p>66. The consent holder shall arrange for the relocation of the memorial Russell Crosses to an area along the Mokihinui-Seddonville access track as close as possible to their original location as approved by the Consent Authority and for a display to be erected noting their significance.</p> <p>67. The consent holder shall ensure that any upgrade of the access track from Seddonville to Mokihinui Forks includes the provision of interpretive material to describe the historic track, the bridge and historic access up to Rough and Tumble Creek to Karamea, and interpretation of the significance at Seatonville.</p> <p>68. The consent holder shall ensure that the redeveloped access track from Seddonville to Mokihinui Forks includes appropriate interpretive material indicating that the track is a new track and is not the original historic track up the valley.</p> <p>69. The consent holder shall ensure that any pounamu accidentally discovered shall be:</p> <p>(a) Reported to Ngati Waewae's Land and Environmental Portfolio Team Leader as soon as is practicable.</p> <p>(b) Any artefact made of pounamu discovered or found within the project area on land administered by the Department of Conservation should be left untouched and notified immediately both the local Department of Conservation Officer and Ngati Waewae's Land and Environmental Portfolio Team Leader. If the artefact happens to be collected it should be handed directly to the local Department of Conservation Officer along with all information about the find and Ngati Waewae's Land and Environmental Portfolio Team Leader is to be notified.</p> <p>(c) Any artefact made of pounamu discovered</p>	<p>Comment: Conditions should ensure:</p> <ul style="list-style-type: none"> • Setback of 20m from any identified sites on transmission line and near telecommunication towers. • Archaeologist on site during construction of poles and telecommunication towers. • Archaeologist to be on site during construction of Chasm Creek widening and bridge to ensure no effects on tunnel or line. • Monitor effects of oversized vehicles on widened portion of Chasm Creek on the integrity of the rail tunnel.
--	--

or found on all other land within the project area should be left untouched and notified immediately to the local regional museum and Ngati Waewae's Land and Environmental Portfolio Leader. If the artefact happened to be collected it should be handed directly to the local regional museum along with all information about the find and Ngati Waewae's Land and Environmental Portfolio Team Leader is to be notified.

- (d) All pounamu discovered, other than through authorised collection, cannot be removed without consultation with Te Runanga o Ngai Tahu and authorisation from Ngati Waewae.

70. The consent holder shall ensure that if any artefacts or historical, cultural or archaeological material (including any artefact), is found or uncovered whilst undertaking work authorised by this consent, the following shall be complied with by the consent holder:

- (a) Work shall cease immediately within a 50m radius of the artefact or cultural, historical or archaeological material;
- (b) Advice of the discovery shall be given, as soon as possible, to Ngati Waewae; and
- (c) No work shall recommence until 72 hours after advice has been given to iwi or agreement reached between the parties regarding appropriate protection measures, whichever is the sooner.

Advice Note:

If any activity associated with the above proposal (such as earthworks and planting) is likely to modify damage or destroy an archaeological site, an authority from the New Zealand Historic Places Trust must be obtained for the work to proceed lawfully. In the event that an archaeological site is encountered during work, all works must cease on the site and the New Zealand Historic Places Trust must be contacted as soon as possible. The consent holder is advised to consult with officers of the New Zealand Historic Places Trust regarding the need for any archaeological assessment of the site or archaeological authority prior to any earthworks or

<p><i>construction taking place.</i></p>	
<p>Traffic Management</p> <p>71. All traffic management measures associated with scheme construction shall be implemented in accordance with the Traffic Management Plan required by condition 20 and with the Transit New Zealand Code of Practice for Temporary Traffic Management including:</p> <p>(a) If road closures or deviations are adopted then the effects on local traffic should be monitored in accordance with the Transit New Zealand Code of Practice for Temporary Traffic Management to ensure no traffic hazards or excessive disruption are created;</p> <p>(b) The monitoring of the effect of dust on visibility at the haul road crossings; and</p> <p>(c) If traffic signals are installed at construction road / public road intersections, road safety audits and on-going monitoring will be required to ensure road safety is maintained and that excessive delays do not result in disruption to the public road traffic.</p>	<p>Comment: In addition to conditions noted earlier, traffic management provisions should include:</p> <ul style="list-style-type: none"> • Construction of road improvements during the day only • Seal in front of houses that are within 100m of road • The consent holder to provide commuter bus for workers, including pickups and drop offs through Seddonville and Mokihinui. • The consent holder to have in place a formal complaints procedure for traffic issues.
<p>Landscape and Rehabilitation</p> <p>72. The consent holder shall implement the requirements and methods set out in the Landscaping and Rehabilitation Plan required by condition 24 during and where necessary post construction of the scheme. All planting obligations shall be completed within 12 months following the completion of work on the stage for which planting is intended.</p>	<p>Comment: Rehabilitation should include:</p> <ul style="list-style-type: none"> • Progressive rehabilitation of aggregate area • Benched or natural contours • Plant rata and pohutakawa at staging area • Collect seed and cuttings and propagate from staging area and Andersons Flat for replanting in staging area • Staging area buildings to be removed upon commissioning of dam • Concrete pads to be buried or removed • Debris from the site to be removed
<p>Health and Safety</p> <p>73. Prior to the commencement of operation of the scheme, the consent holder shall ensure that warning signs are placed at the intake, dam structure and power house facility to ensure the public is aware of the inherent dangers, and to keep out.</p> <p>Recreation</p> <p>74. Prior to the commencement of operation of the</p>	<p>Comment: Specific provisions during construction should include:</p> <ul style="list-style-type: none"> • Security fence around the staging area and upstream of the dam to prevent public accessing work site • Advanced public warning of access closure when clearing vegetation around buffer of lake edge • Nurse on site • Signs advising of activities • Sign about blasting

<p>scheme, the consent holder shall ensure that:</p> <p>(a) The establishment of a boat launching ramp and jetty facility and associated infrastructure adjacent to the reservoir;</p> <p>(b) Provision of car parking areas for recreational users accessing the upper valley.</p>	<p>Comment: The following may also be required:</p> <ul style="list-style-type: none"> • Interpretation panels at viewing platform • Sign to be erected advising public that no public access beyond Burkes Creek Bridge. Public car park to be provided on the east side of road with link to walking track. • 10 car parks and manoeuvring space to be sealed at boat ramp.
<p>Dam Safety and Surveillance Management Plan During Construction</p> <p>75. The dam structure shall be designed, constructed and maintained in accordance with NZSOLD Dam Safety Guidelines, November 2000 (and any subsequent amendments). The guidelines include, but are not limited to:</p> <p>(a) Engaging suitable designers, peer reviewers and specialists;</p> <p>(b) Using appropriate quality measures to the design process;</p> <p>(c) Selecting suitable contractors and applying quality assurance procedures for construction of the works;</p> <p>(d) Assessing the flood hazard and providing adequate spillways and diversion facilities to manage this potential hazard;</p> <p>(e) Assessing the seismic hazard and providing adequate defence against earthquake effects;</p> <p>(f) Adequately investigate the foundations and construction materials;</p> <p>(g) Include appropriate foundation and abutment treatment and seepage control;</p> <p>(h) Establish an appropriate dam surveillance programme advance of dam filling, and subsequent visual observations and monitoring against defined performance criteria throughout the operational life of the structure;</p> <p>(i) Provision of an emergency action plan appropriate for High and Medium PIC dams;</p> <p>(j) Regular safety reviews of the dam and associated gates and water retaining structures.</p> <p>76. Prior to the commencement of operation of the scheme, commissioning procedures, operation and maintenance manuals and safety</p>	<p>Comment: The following specific provisions should be added:</p> <ul style="list-style-type: none"> • Piezometers in structure to measure pressure • Monitor County Hill rockslide during and after inundation

<p>management plans which meet the recommendations of the NZSOLD Guidelines shall be prepared by the consent holder and submitted to the Consent Authority.</p>	
<p>Community Liaison Group and Complaints Procedure</p> <p>77. At all times during construction of the scheme, the consent holder shall establish and operate a Community Complaints Procedure as follows:</p> <ul style="list-style-type: none"> (a) The consent holder shall have a clearly nominated and publicly communicated contact person within its own organisation or within one of its local agents for complaints during construction; (b) The consent holder shall establish a 24 hour complaints freephone number for the local community to call if they have any concerns regarding construction. The freephone number shall be advertised in the local newspaper prior to the commencement of construction and at regular periods during construction; (c) The consent holder shall maintain a log of any complaint received including the following: the date, time, complainant name and contact details, nature of the complaint including the cause and effect if known; (d) Where practicable the consent holder shall respond to complaints within 48 hours and shall log the action that it intends to take in response to the complaint; (e) The consent holder shall communicate with the complainant about all actions taken; (f) The consent holder shall document any other longer term actions to be taken; (g) The consent holder shall present an incident summary (i.e. (b) to (e) above) to the meetings of the Community Liaison Group for review; and (h) The consent holder shall make the complaints and response log available to the Consent Authority on request. <p>78. The Community Liaison Group required by condition 27 shall meet at least once every two months during construction to address any feedback or complaints from the local community.</p>	

<p>Predator Management and Habitat Enhancement</p> <p>79. Prior to commencement of operation of the scheme the consent holder shall be required to prepare and implement a Predator Control Plan as part of the Habitat Enhancement Programme. The purpose of this Plan shall be to achieve the goals outlined in the report prepared in conditions 38 and 39. The Predator Control Plan shall be submitted to the Consent Authority, prior to the commencement of operation of the scheme. The Predator Control Plan shall include, but not be limited to, the following measures:</p> <ul style="list-style-type: none"> (a) Details of pest species to be targeted by the plan (this shall include rodents, mustelids, hedgehogs and feral cats) and the methodology to be adopted for each pest species; (b) Details about the duration, location, type and frequency of trapping, and other forms of control including the management regime proposed for periodic checking of traps and baits; and (c) Details about the resources to be employed by the consent holder to successfully implement the predator management plan. <p>80. The Predator Control Plan shall include a suitable monitoring programme to establish whether the Habitat Enhancement Programme is successful in improving Blue Duck productivity and the <i>unicolorata</i> snail population over time. This shall include but is not limited to the following methods:</p> <ul style="list-style-type: none"> (a) Monitoring of live snail numbers within defined plots; (b) Monitoring of predator abundance to ascertain whether the programme is successfully controlling predators; (c) Inclusion of monitoring of other threatened species that are expected to benefit from predator control. 	<p>Comment: Include opossums as pest species.</p>
--	---

<p>Blue Ducks</p> <p>81. In the event that monitoring and the reporting required by conditions 32 and 33 confirm the presence of Blue Ducks within the construction and inundation area then the consent holder shall implement mitigation measures outlined in condition 34, including translocation of Blue Duck species if practicable.</p>	<p>Comment: The practicality of translocation is questioned.</p>
<p>Powelliphanta Snail Species</p> <p>82. In the event that monitoring and the reporting required by conditions 35 and 36 confirm the presence of <i>Powelliphanta</i> snail species within the construction area and transmission corridor then the consent holder shall translocate snails from accessible areas in accordance with the report prepared under condition 37.</p>	
<p>Aquatic Ecology</p> <p>83. The consent holder shall ensure that the mitigation outlined in condition 30 as part of the Aquatic Ecology Management Plan is implemented and adhered to during the construction phase of the scheme.</p>	<p>Comment: Ensure didymo monitoring and management.</p>
<p>Terrestrial Ecology</p> <p>84. The consent holder shall ensure that the mitigation outlined in condition 40 as part of the Terrestrial Ecology Management Plan is implemented and adhered to during the construction phase of the scheme.</p>	<p>Comment: Plan should ensure the following are achieved:</p> <ul style="list-style-type: none"> • Retain tree stumps and shrubs in 10m buffer zone around lake • Sow collected river riparian seed along the upper portion of the lake buffer.
<p>Monitoring Requirements</p> <p>85. The collection, analysis and preservation of all water samples collected shall be undertaken using Standard Methods for the Examination of Water and Wastewater (18th Edition 1992), APHA, AWWA and WEF, or equivalent or superseding methods.</p> <p>86. All sampling shall be carried out by suitably qualified personnel. Analyses undertaken in respect of any water and biological monitoring under these consents shall be performed at an International Accreditation New Zealand (IANZ) registered laboratory or in accordance with ISO</p>	

9001 accredited procedures or otherwise.	
<p>Environmental Monitoring Report</p> <p>87. The consent holder shall prepare and submit an Annual Environmental Monitoring Report to the Consent Authority within 30 days of on the anniversary of the commencement of these consents. The purpose of this Plan shall be to provide an overview of the monitoring and reporting work undertaken and any issues that have arisen arising with the construction of the scheme. The monitoring period in each report shall be for the preceding 12 month period ending two months prior to the anniversary of the commencement of these consents. As a minimum the annual Environmental Monitoring Report shall:</p> <ul style="list-style-type: none"> (a) Summarise all the data collected as required under the conditions of these consents; (b) Summarise any construction difficulties, changes or improvements undertaken; (c) Summarise any difficulties in compliance with, and breaches of, the conditions of the consent and the measures adopted to remedy or mitigate adverse effects and avoid reoccurrence; (d) Summarise any complaints received and any action taken by the Consent Holder to address the complaint. 	
<p>Telecommunication towers</p>	<p>Comment: Specific conditions should require:</p> <ul style="list-style-type: none"> • Install by helicopter • Check for snails • Check for archaeological sites
<p>Wastewater discharge</p>	<p>Comment: A specific condition should specify the reduction in discharge volumes at completion of construction stage.</p>

<p>OPERATIONAL</p>	
<p>Dam Safety and Surveillance Management Plan During Operation</p> <p>88. The consent holder shall ensure that inspections and safety reviews of structures shall be carried out at intervals in accordance with the recommendations of the NZSOLD Guidelines. This includes, but is not limited to:</p> <p>(a) Visual observations and monitoring; (b) Regular safety reviews.</p>	<p>Comment: Conditions should provide for necessary maintenance.</p> <p>Comment: Specific requirements should include:</p> <ul style="list-style-type: none"> • River level monitoring above the dam, to be used in flood warning and whitebait season • Survey points on dam crest
<p>Community Liaison Group and Complaints Procedure (CL)</p> <p>89. The Community Liaison Group created by condition 27 shall meet at least once annually post completion of the scheme construction to address any feedback or complaints from the local community.</p> <p>90. The consent holder shall provide the Community Liaison Group with a copy the annual environmental monitoring report in accordance with conditions 87 and 116. The reports shall be submitted to the Community Liaison Group at the same time as they are submitted to the Consent Authority.</p>	<p>Comment: The CLG could also have the following roles:</p> <ul style="list-style-type: none"> • To assess what use the lake is getting and how it is affecting the community prior to making decision as to how to manage powered craft, also to consider whether area should have a dog ban for protection of bird life. • Annual update on coastal erosion • Involvement in recreational management plan
<p>Flow Conditions and Ramping Rates</p> <p>91. The consent holder shall ensure that the station discharge flow shall not be less than 16m³/s. Except when inflows into the reservoir are less than 16m³/s. During these periods the station will be operated so that the discharge to the river below the dam matches inflows to the reservoir as closely as practicable until such a time as a flow of 16m³/s or greater is reinstated.</p> <p>92. The consent holder shall ensure that the generation discharge flow shall not be greater than 120m³/s, except when water is or would otherwise be passing over the spillway crest, at which time the generation discharge flow shall not exceed 139m³/s.</p>	<p>Comment: Specific requirements may include:</p> <ul style="list-style-type: none"> • Sign at swimming holes, advising of ramping rates • Monitoring of river upstream of dam to identify natural flow rate for whitebait season • Monitor ground water levels downstream of dam

<p>93. The consent holder shall ensure that between the 1st September and 14th November (Whitebait Season) station discharge to the river downstream of the dam shall match reservoir inflows as close as practicable.</p>	
<p>94. Notwithstanding condition 93 during an emergency condition the consent holder may alter the outflow from the scheme during the Whitebait Season 1st September and 14th November. An emergency condition is defined to occur when an unplanned electricity grid event occurs (such as a generator or unit or Cook Strait Cable trip), equipment failure, or other unplanned event, (in accordance with the System Operator Guidelines for responses to changes in system frequency outside the band of 48Hz to 51.25Hz)¹</p> <p>95. The consent holder shall ensure that generation discharge flow is operated to ensure that it does not exceed a maximum ramping rate of 110m³/s per hour.</p> <p>96. For the purposes of determining compliance with conditions 91 to 95:</p> <ul style="list-style-type: none"> (a) The flow rate in the Mokihinui River immediately downstream of the dam structure shall be the sum of the recorded flows of the Mokihinui powerstation turbines by-pass hydraulic structures including spillway and any ancillary flows; (b) The instantaneous flow rate (in m³/s) shall be recorded at least every five minutes; (c) The average flow rate (in m³/s) over the previous one hour shall be recorded at least once every 60 minutes; (d) In the event that any instantaneous recorded flow rate under (b) above is less than the minimum flow rates in condition 92, then the consent holder shall ensure that the subsequent one hour average flow rate starting with that five minute period complies with the minimum flow rate in condition 92. This 	

¹ Electricity Governance Rules, Part C, Section II, Paragraph 2.2.3

² Electricity Governance Rules, Part C, Section II, Paragraph 2.2.3

<p style="text-align: center;">shall be deemed to constitute compliance with condition 92.</p> <p>97. Notwithstanding condition 96(d), any instantaneous recorded flow rate under condition 96(d) shall not be more than 20% less than the minimum flow rate specified in condition 91.</p> <p>98. Condition 97 shall not apply during an Emergency Condition. An emergency condition is defined to occur when an unplanned electricity grid event occurs (such as a generator or unit or Cook Strait Cable trip), equipment failure, or other unplanned event, (in accordance with the System Operator Guidelines for responses to changes in system frequency outside the band of 48Hz to 51.25Hz)² If the System Operator Guidelines change or are updated, the consent holder may apply to change this condition pursuant to section 127 of the Resource Management Act 1991.</p> <p>99. In the event where the powerstation may trip (shut down due to an electrical emergency) or the powerstation is required to shut down for programmed maintenance and servicing and the reservoir water is not discharging via the spillway, the consent holder shall ensure that downstream river flows will be maintained by discharge via the turbine bypasses.</p>	
<p>Reservoir</p> <p>100. The reservoir shall have a minimum operating level of RL 97.0 m.</p> <p>101. The consent holder shall prepare and implement a programme for the first five years of operation of the scheme to monitor the seasonal changes in oxygen and temperature at various depths in the reservoir - one close to the dam, and at two points in suitable cross sections with one being located in the tailrace channel and one downstream in the river.</p> <p>102. For the first five years of operation of the scheme the consent holder shall implement measures to ensure the water quality of the Mokihinui River achieves compliance with</p>	<p>Comment: Conditions 101 and 102 should be ongoing requirements, along with the following:</p> <ul style="list-style-type: none"> • Regular lake side monitoring of erosion and weed invasion and response • Annual shore line stability assessment including annual photo survey • Weed eradication programme • Regular sowing of riparian seed to encourage riparian plants, particularly after floods • Lake bed monitoring every 5 years • Monitor County Hill rockslide, and any other similar features (if identified)

<p>Class AE Waters contained within the Third Schedule to the Act, beyond a zone of reasonable mixing of 300 metres below the entry point of the tailrace discharge into the main stem of the Mokihinui River, at all times except when in fresh or flood. Methods to achieve this include:</p> <ul style="list-style-type: none"> (a) Modifying the operating strategy, by increasing outflows very gradually; or (b) By discharging through the bypass valve until sufficient water is flowing over the spillway to dilute the outflow. <p><i>Advice Note:</i> Prior to the operation of the scheme the consent holder shall identify the necessary monitoring locations and requirements in order to demonstrate compliance with these conditions. The monitoring locations shall be approved by the Consent Authority.</p>	
<p>Wastewater</p> <p>103. The consent holder shall ensure that any discharges containing treated waste water into land from facilities located at the staging area and powerstation are managed to ensure that:</p> <ul style="list-style-type: none"> (a) It is not within 50m of any waterbody or 100m of any well used for potable water supply; (b) The waste water system is designed with a minimum of 24 hours effluent retention time; (c) There is no ponding, flooding, runoff or surface breakout; (d) No stormwater enters the system. <p>104. The treatment system shall be designed to provide for even distribution of effluent to the entire filtration surface of the disposal field.</p> <p>105. A lid must be provided on all treatment units to allow access for maintenance purposes.</p> <ul style="list-style-type: none"> (a) The treatment system shall produce a secondary treated effluent quality equal to or better than the following standards prior to the effluent being discharged to land: (b) 20g/m³BOD₅; (c) 30g/m³Total Suspended Solids. 	<p>Comment: Should apply anywhere there are wastewater discharges (e.g., substations, any recreational facilities).</p> <p>Comment: May need treatment at a specific decontamination area for didymo (soaps, disinfectants, etc).</p>

<p>106. The waste water system shall be installed, operated and maintained to the manufacturer's recommendation. Copies of any maintenance reports required to be completed shall be forwarded to the Consent Authority on an annual basis.</p>	
<p>Erosion Monitoring</p> <p>107. During the operation of the scheme the</p> <p>108. At 5 yearly intervals following the</p> <p>(a) A comparison with the measurements made before the scheme activities commenced; and</p> <p>(b) A detailed investigation into the naturally occurring events that might also be contributing to the river bank and costal erosion.</p> <p>109. Coastal erosion still under discussion with Mokihinui Ratepayers Association.</p>	<p>Comment: At a minimum, the following monitoring is needed:</p> <ul style="list-style-type: none"> • Shoreline position and beach profiles monitored 3 monthly and after significant storm events • Regular monitoring of river bed and banks at Mokihinui, • Monitor bed level and substrate size downstream of dam • Annual aerial photo of beach <p>Comment: Conditions are needed for responses to monitoring findings. Could include:</p> <ul style="list-style-type: none"> • Liaison with Mokihinui residents, CLG, WCRC • Action plans • Financial contributions to offset loss of sediment, plus method for using funds • Direct works
<p>Health and Safety</p> <p>110. The consent holder shall ensure that signage is erected in locations approved by the Consent Authority indicating the potential for sudden river rises downstream of the dam structure.</p>	<p>Comment: In addition, the following may be needed:</p> <ul style="list-style-type: none"> • Flood warning system • Dam breach warning system • Regular training if dam breaks • Security fencing around substation and powerhouse
<p>Recreation</p> <p>111. The consent holder shall ensure that the existing Mokihinui River Track is upgraded to a standard acceptable for pedestrian and mountain biking</p>	<p>Comment: Additional conditions should address:</p> <ul style="list-style-type: none"> • Maintenance of boat ramp by consent holder • Provision of didymo de-contamination at boat ramp • On going monitoring of didymo levels within the lake • Seal car park at boat ramp • Interpretation panels of history along track • Picnic/toilets at boat ramp • Provide a car park at boat ramp • Maintenance of the walking track while the consent is operational • Relocation and maintenance of artefacts relocated along the walkway • Some form of transportation to transport white water users from the Forks to the car park • A guarantee of public access to the ramp and jetty • Management of, or exclusion of powered vehicles from lake surface

<p>Aquatic Ecology</p> <p>112. The consent holder shall be responsible for the implementation of the Aquatic Ecology Management Plan as outlined in condition 30 for the duration of these consents.</p> <p>113. The consent holder shall be required to review the success of the Aquatic Ecology Management Plan in achieving its purpose on an annual basis for the first five years and five yearly thereafter. Monitoring shall be undertaken via the methods outlined in conditions 30 and 31 and the need for modification of the Plan and the mitigation shall be reviewed and reported to the Consent Authority.</p>	<p>Comment: The following should be required:</p> <ul style="list-style-type: none"> • Monitor trout in lake (abundance and size) • Intercept eels trying to go downstream • Operate trap and transfer • Ongoing monitoring of didymo in the lake
<p>Predator Management and Habitat Enhancement</p> <p>114. The consent holder shall implement predator control as part of the Habitat Enhancement Programme in accordance with conditions 38 and 79. These obligations shall be reviewed at five yearly intervals. At the completion of this period a review of the success of predator control in achieving its purpose of Habitat Enhancement shall be undertaken via the monitoring methods outlined in condition 80 and the need for modification of predator control shall be considered.</p>	
<p>Terrestrial Ecology Management Plan</p> <p>115. The consent holder shall implement the requirements of the Terrestrial Ecology Management Plan as outlined in condition 40 for the duration of these consents including any ongoing monitoring required to give effect to this management plan.</p>	<p>Comment: Maintenance of line to be undertaken outside of kiwi and fernbird breeding season</p>
<p>Environmental Monitoring Report</p> <p>116. The consent holder shall prepare and submit an Annual Environmental Monitoring Report to the Consent Authority within 30 days of the anniversary of the commencement of these consents. The purpose of this report is to provide an overview of all monitoring and reporting completed and any problems with respect to the operation of the scheme. The monitoring period shall be included in each report shall be for the preceding 12 month</p>	

<p>period ending two months prior to the anniversary of the commencement of these consents. As a minimum the annual Environmental Monitoring Report shall:</p> <ol style="list-style-type: none"> (a) Summarise all the data collected as required under the conditions of these consents; (b) Summarise any operational difficulties, changes or improvements undertaken; (c) Summarise any difficulties in compliance with, and breaches of, the conditions of the consent and the measures adopted to remedy or mitigate adverse effects and avoid reoccurrence; (d) Summarise any complaints received and any action taken by the Consent Holder to address the complaint. 	
<p>Operational Noise</p> <p>117. The consent holder shall ensure that all cumulative noise from the operation of the scheme does not exceed the following standards, measured at the nearest residential activity.</p> <ul style="list-style-type: none"> • Monday to Friday 8.00am to 11.00pm 55dBA, L10 • Saturday – 8.00am to 6.00pm 55dBA, L10 • All other times including any public holiday 45dBA, L10 max 75dBA. 	<p>Comment: Need to specify standards (normal BDC stds 55dBA day and 45dBA at night).</p>
<p>Monitoring Requirements</p> <p>118. The collection, analysis and preservation of all water samples collected shall be undertaken using Standard Methods for the Examination of Water and Wastewater (18th Edition 1992), APHA, AWWA and WEF, or equivalent or superseding methods.</p> <p>119. All sampling shall be carried out by suitably qualified personnel. Analyses undertaken in respect of any water and biological monitoring under these consents shall be performed at an International Accreditation New Zealand (IANZ) registered laboratory or in accordance with ISO 9001 accredited procedures or otherwise.</p>	

<p>Archaeological</p>	<p>New Condition: If, as a result of monitoring erosion of the coastline and river bed, any archaeological sites are uncovered, the Consent Holder shall record and investigate the sites.</p> <p>New Condition: Relocated artefacts should be maintained at the cost of the consent holder for the duration of the consents.</p>
<p>Bond</p>	<p>Comment: A draft of a possible condition is outlined below. This would require considerable further work and should be regarded as a starting-point only.</p> <ol style="list-style-type: none"> 1. At all times the Consent Holder shall provide and maintain in favour of the Consent Authorities (jointly for their respective interests) a bond or bonds to: <ol style="list-style-type: none"> (a) secure the compliance by the Consent Holder with the conditions of these consents; (b) enable the Consent Authorities to monitor any adverse effect on the environment that may arise from the exercise of the consent including monitoring anything which is to be done to avoid, remedy, or mitigate an adverse effect. (c) enable to Consent Authorities to remediate any area associated with the works if the site is abandoned. 2. The amount (quantum) of the bond may vary from time to time but at any given time shall be sufficient to cover the estimated cost at that time (including any contingency) of compliance with all conditions, including (but not limited to): <ol style="list-style-type: none"> (a) rehabilitation by re-contouring, spreading sub-soils and topsoil, re-vegetation and weed control; (b) stabilisation of earthworks and landforms; (c) construction and erosion protection; (d) maintenance of roads and recreational facilities; (e) environmental and geotechnical monitoring; (f) staff costs; (g) administration and operating costs. 3. The bond quantum shall be determined using a methodology [described in the report]. 4. The Consent Holder shall not exercise or shall cease to exercise these consents until the bond or bonds referred to in Condition 1 is executed by the Consent Holder and guarantor and deposited with the Consent Authorities. 5. The Consent Holder shall provide a bond or bonds for the quantum for a minimum term of a three years, such term to be renewed for a minimum of a further three years (or such other term as the parties may agree) on each annual anniversary of the date of

	<p>commencement of these consents (the “date of renewal”). The term of the bond shall be renewed until the scheme is dismantled, or at each consent renewal for the dam.</p> <p>6. Unless the bond is a cash bond, the performance of the conditions of the bond shall be guaranteed by a guarantor acceptable to the Consent Authorities. The guarantor shall bind itself to pay for the carrying out and completion of any condition in the event of any default of the Consent Holder.</p> <p>7. If the Consent Holder is unable at any time to arrange a guarantor for the quantum required, the Consent Holder will provide a cash bond or bonds for the quantum within 60 days of the date of the renewal.</p> <p>8. The bond shall be in a form acceptable to the Consent Authorities.</p> <p>9. The bond shall provide that the Consent Holder remains liable under the Resource Management Act 1991 for any breach of these consents which occurs before expiry of these consents and which become apparent during or after the expiry of the relevant consent.</p> <p>10. The Consent Holder shall provide the Councils with a report which recommends the amount of the initial bond within 30 days from the date of issue of these consents.</p> <p>11. The amount of the bond shall be reviewed and fixed by the Consent Authorities, within 30 days of receipt of the report required by condition 10, and within 30 days of each annual anniversary of the commencement of these consents. Notification of the amount of the bond under this condition shall be advised by written notice (the “review date”) by the Consent Authorities to the Consent Holder. In reviewing and fixing the bond the Consent Authorities shall take into account any calculations and other matters which are relevant to the determination of the bond amount. Any calculation or estimates of the costs of the bond or bonds required by Condition 1 shall be prepared by an independent advisor, with expertise in mining bond calculation, mutually acceptable to the Consent Holder and the Consent Authorities and shall be supplied to the Consent Authority at least by the annual anniversary of the commencement of these consents.</p> <p>12. Should the Consent Holder not agree with the amount of the bond fixed by the Consent Authorities under condition 11 then the matter shall be referred to arbitration in accordance with the provisions of the Arbitration Act 1996. Arbitration shall be commenced by written notice (“notice of arbitration”) by the</p>
--	---

	<p>Consent Holder to the Consent Authorities advising that the amount of the bond is disputed, such notice to be given within 14 days of the review date under condition 11. If the parties cannot agree upon an arbitrator within 7 days of the notice of arbitration, then an arbitrator shall be appointed by the President of the Institution of Professional Engineers of New Zealand. Such arbitrator shall give an award in writing to the parties within 30 days after his or her appointment (the "date of arbitration decision"), unless the parties agree that the date of arbitration decision shall be extended. The Consent Holder shall bear the full and reasonable costs of the parties in connection with this arbitration. In all other respects, the provisions of the Arbitration Act 1996 shall apply. Pending the outcome of that arbitration, and subject to condition 13, the existing bond shall continue in force. That sum shall be adjusted in accordance with the arbitration decision.</p> <p>13. If the decision of the arbitrator is not made available by the date of arbitration decision referred to in condition 12, then the amount of the bond shall be the sum fixed by the Consent Authorities under condition 11, until such time as the arbitrator does give an award in writing to the parties. At that time, the amount of the bond shall be adjusted in accordance with the arbitration decision.</p> <p>14. The bond may be varied, cancelled, or renewed at any time by agreement between the Consent Holder and the Consent Authorities provided that cancellation will not be agreed to unless a further or new bond acceptable to the Consent Authorities is available to replace immediately that which is to be cancelled.</p>
	<p>NB. No conditions in relation to water allocation have been prepared. This matter is addressed in the Section 42 Officers' report section 4.17.4. The hearing panel may wish to consider such conditions.</p>