Fast-track

Te Kāwanatanga o Aotearoa
New Zealand Government

Your Comment on the Mahinerangi Wind Farm project application

Please include all the contact details listed below with your comments and indicate whether you can receive further communications from us by email at substantive@fastrack.govt.nz

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
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2. We will email you draft conditions of consent for your comment			
X	I can receive emails and my email address is correct	☐	I cannot receive emails and my postal address is correct

3. Please provide your comments on this application
Please find comments attached

Note: All comments will be made available to the public and the applicant when the Ministry for the Environment proactively releases advice provided to the Minister for the Environment.

Celia Haden
Acting Fast-Track Applications Manager

Acting pursuant to delegated authority on behalf of the Director-General of Conservation.

Date: 30/3/2026

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011

Comments on a fast-track consenting application

Fast-track Approvals Act 2024 section 53

To: The Expert Panel

From: Department of Conservation

Regarding fast-track project: Mahinerangi Wind Farm

Fast track Reference: FTAA-2510-1125

1 Background

1.1 Tararua Wind Power Limited (the applicant) seeks to construct and operate Stage 2 of the Mahinerangi Wind Farm. The wind farm site is located north of Lake Mahinerangi on the eastern foothills of the Lammermoor Ranges and is within the jurisdiction of the Otago Regional Council (ORC) and the Clutha District Council (CDC).

1.2 The applicant holds an existing land use consent for the wind farm from CDC, granted in 2007 and confirmed by the Environment Court in 2009. The conditions of the existing consent provide for up to 100 wind turbines with a maximum tip height of 145 metres, and an overall maximum installed generation capacity of 200 MW. The consent was given effect to by the construction of Stage 1 of the wind farm in 2011. Stage 1 consists of twelve 3 MW wind turbines.

1.3 Proposed Stage 2 of the Mahinerangi Wind Farm is also known as Puke Kapo Hau. This Stage 2 application seeks a combination of changes to the existing land use consent and new land use and regional council consents as outlined below.

1.4 The applicant now seeks to vary the conditions of the existing consent to enable the second stage of the project to be completed. Key changes sought to the existing consent include:

- A reduction in wind turbine numbers – the existing consent would allow for 88 additional turbines to be established; under the variation this would be reduced to 44 turbines, across 54 potential locations.
- An increase in the maximum wind turbine blade tip height, from 145 m to 165 m; and
- Removal of the condition limiting the installed electricity generation capacity of the wind farm to 200 MW.

1.5 In addition to the variation to the existing land use consent, the applicant is also seeking a new land use consent from CDC for the construction and use of: a new 110 kV transmission line to connect to the National Grid; a Battery Energy Storage System (BESS); and a new

operations and maintenance facility for the wind farm. Twenty-five pole structures of up to 45 m in height above ground level are required to support the transmission line and its connection points.

1.6 Existing ORC consents have expired. Therefore, the applicant is also seeking new regional resource consents, including land use consents, water permits and discharge permits, for the construction, operation and maintenance of Stage 2 of the wind farm, including the transmission line and BESS.

1.7 The wind farm site is located on private farmland, and land owned by Landcorp Farming Limited (Pamu Farms). It is not located on public conservation land, but is adjacent to the Black Rock Scientific Reserve, which preserves an area of low altitude snow tussock grassland. Te Papanui Conservation Park, which is dominated by snow tussock grassland and contains bogs and tarns, is located approximately 4 km west of the site.

1.8 Vegetation cover in the wind farm site is mostly dominated by exotic pastoral land and grazed by sheep and cattle on the ridges and spurs of the site. There are remnant areas of snow-tussock grassland within the gullies and around rocky outcrops as well as areas of wetland in the gully floors. The only trees in the area are a lineal pine shelterbelt and a woodlot near the northern end of the site.

1.9 Approvals are sought in relation to the Resource Management Act 1991 (RMA) and the Wildlife Act 1953.

1.10 In accordance with sections 53(2)(k), 53(2)(m)(i), and 53(2)(m)(iv) of the Fast-track Approvals Act (FTAA / the Act), the Director-General of Conservation (D-G) has been invited to comment on the substantive application. Statutory delegations are in place for officers of the Department of Conservation (DOC / the Department) to provide commentary on behalf of the D-G.

1.11 It is noted that the proposal includes the installation of a new culvert in the Lee Stream tributary, which represents a “standard freshwater fisheries activity”, as defined in the FTAA. Under Schedule 5 clause 19 of the FTAA, this type of activity may be approved, and relevant conditions applied, as part of the resource consent element of a fast-track approval. The FTAA sets out certain information that must be included in an application, where standard freshwater fisheries activity is proposed. This information is provided in the Ecological Assessment – Aquatic Ecology by SLR.

2 Department of Conservation advice

2.1 The following advice is based on the application documents provided to the EPA on 6 November 2025 and the further information provided to the EPA on 16 March 2026.

2.2 The assessment in this report is informed by expert advice from DOC technical advisors. The Department has relied on the advice of the technical expertise of Daniel Jack (Freshwater Advisor), Rebecca Teele (Terrestrial Ecology), Jacqui Wairepo (Herpetology) and Matt

Schmidt (Heritage). The more detailed advice and credentials of Ms Wairepo and Ms Teele is provided in full in **Appendix A**. The advice of Mr Jack and Mr Schmidt is incorporated into this report and their credentials are included in **Appendix B**.

2.3 Overall, the Department is satisfied that effects on archaeology and aquatic ecology will be appropriately managed, but has concerns in relation to effects on avifauna, terrestrial vegetation and wetlands. We also have some suggestions to improve outcomes for aquatic ecology. Concerns relating to lizards have been addressed in the section 51 report and are cross-referenced rather than repeated here.

2.4 A summary of the Department's advice to the Panel is as follows.

Summary of effects on aquatic ecology

2.5 The Department is generally comfortable with the approach proposed in the application, subject to amendment to a condition to confirm that the proposed new culvert will meet the requirements of NIWA's NZ Fish Passage Guidelines 2024.

2.6 The Department has also identified additional actions that could further improve the approach of the applicant. To be clear, it is not our position that these actions are necessary to manage adverse effects, but they would result in enhancement of aquatic ecological values:

2.6.1 Disestablishment of the farm pond and perched culvert shown at Photo 7 (page 37) in SLR's assessment, to improve fish passage for non-migratory galaxias.

2.6.2 Restoration of small first and second order tributary streams, whose condition has been affected by sedimentation and loss of cover associated with farming activities, which would benefit non-migratory galaxias and kōura living downstream.

Summary of effects on avifauna

2.7 The Department recommends:

2.7.1 Continuing bird strike monitoring, as set out in Condition 26 of the original CDC consent, for an additional two years after the commissioning of Stage 2.

2.7.2 Monitoring of falcon nesting sites should be undertaken within 5 km of the wind farm site, rather than within 3 km as is proposed by the applicant, unless further explanation is provided by the applicant to support the 3 km proposal.

2.7.3 Improvements to mammalian pest control, including: monitoring of rodents and contingency for rodent control; control of possums; improvements to trap and bait station coverage and layout; and additional response measures (toxic control and increased trap numbers) if trapping indicates high numbers of mammalian pests.

Effects on terrestrial vegetation and wetlands

2.8 The Department recommends:

2.8.1 To ensure that affected terrestrial vegetation values have been accurately identified and assessed, the following actions should be taken:

- Clarification of the methodology followed in surveying terrestrial vegetation, to provide greater confidence in the survey results presented in SLR's assessment.
- Clarification of the number and locations of affected rock outcrops.
- Use of up-to-date regional threat classifications for affected plant species.
- Clear identification and assessment of all areas of indigenous vegetation that are affected by the proposal, and that are not covered by the existing consent.
- Review of the assessment of significance of affected areas of indigenous vegetation, so that each vegetation community is individually assessed against relevant criteria.

2.8.2 To ensure that affected wetlands have been accurately identified and assessed, the following actions should be taken:

- Review of the delineation of wetlands provided, to address concerns raised regarding the absence of soil testing in some areas. This is necessary to ensure that the extent of affected wetlands has been accurately identified.
- Provision of hydrological maps to assess and show the effects of proposed earthworks on the hydrological function of wetlands.

2.8.3 A range of amendments are also recommended to the proposed Wetland and Aquatic Compensation Plan, Woody Weed Management Plan, *Carex tenuiculmis and Epilobium chionanthum* Management Plan, Rehabilitation Management Plan and Wetland Monitoring and Management Plan, as set out below.

2.9 If the concerns relating to avifauna, terrestrial vegetation and wetlands are addressed, the Department considers the effects of the proposed activity can be appropriately managed.

3 Assessment

3.1 This assessment focuses on the actual and potential ecological and archaeological effects of the Application. The Department has generally not commented on its consistency with the wider statutory framework.

3.2 Comments on draft conditions are provided as part of this assessment.

Archaeology

3.3 The Department has reviewed the application with respect to effects on archaeology; no issues have been identified. The Department is satisfied that an Accidental Discovery Protocol (ADP), as set out in the conditions of consent, is appropriate to manage the potential archaeological effects of the project.

Aquatic ecology

3.4 The Department has reviewed effects of the application on aquatic ecology and is satisfied that there will be limited negative effects to native and endemic freshwater fish and invertebrates, and that appropriate mitigation measures have been proposed to address the potential issues.

3.5 Most of the project site is within the headwaters of the Lee Stream catchment, which includes Broad Stream and Black Rock Stream. West of the main access road, the gullies are part of the Deep Stream catchment. Both Lee Stream and Deep Stream are tributaries of the Taieri River.

3.6 The Department notes that the following threatened and at-risk species are present in these water bodies:

- Eldon's galaxias (Threatened – nationally vulnerable) a non-migratory galaxias is present in the upper reaches of Lee Stream and Broad Stream, upstream of barriers that prevent predators, particularly brown trout, from entering.
- Tuna kuwharuwharu / longfin eel (At risk – declining) is present throughout Lee Stream.
- Kōura / freshwater crayfish (At risk – declining) is present in parts of Lee Stream and its upper tributaries.
- Caddisfly (Threatened – nationally critical) has been documented in Lee Stream but little is known about its distribution.

3.7 The Department agrees with the assessment of the potential effects on aquatic ecology provided in SLR's Ecological Assessment – Aquatic Ecology, and with the measures proposed to address adverse effects. To avoid the introduction of predators, it is critical that any water taken below natural waterfalls is not discharged into waterways inhabited by non-migratory galaxias and kōura; the Department is satisfied that discharge of this kind is not included in the proposal.

3.8 In addition, it is noted there are further opportunities for enhancement of aquatic ecological values, which are not currently included within the application, as follows:

3.8.1 Disestablishment of the farm pond and perched culvert shown at Photo 7 (page 37) in SLR's assessment would improve fish passage for non-migratory galaxias, which would help maintain gene flow between population fragments.

3.8.2 Many small first and second order tributary streams are in a poor state due to sedimentation and loss of cover associated with farming activities. There is potential to restore these streams, which would benefit galaxias and kōura living downstream.

3.9 The Department has reviewed and is satisfied with the management plans proposed to address effects on aquatic ecology, including the Native Fish Recovery Plan, the Rehabilitation Management Plan and the Water Quality Monitoring Plan.

3.10 It is noted that the Native Fish Recovery Plan appropriately addresses mitigation of stream disturbance, as well as fish recovery, relocation and biosecurity. The proposed new culvert is expected to meet the requirements of NIWA's NZ Fish Passage Guidelines 2024, although it is noted that this point still needs to be confirmed in conditions, as requested in Section 4 below. Any stream works are proposed to take place at the lowest period of annual surface flow, which will reduce the impact of sedimentation.

3.11 In the Water Quality Monitoring Plan, the macroinvertebrates surveys provide a good baseline for monitoring of waterways in the area of activity.

Avifauna

3.12 The avifauna assessment provided with the application, undertaken by Boffa Miskell, states that five threatened or at-risk avifauna species have been recorded within the wind farm site. These are:

- New Zealand falcon (Eastern) / kārearea, Threatened - nationally vulnerable
- South Island pied oystercatcher / tōrea, At risk - declining
- Black-billed gull / tarāpuka, At risk - declining
- New Zealand pipit / pīhoihoi, At risk - declining
- Little shag / kawaupaka, At risk - relict

3.13 In addition, the silvereye / tauhou was recorded on the site. Although not threatened nationally, this species has a classification of "regionally declining" in Otago".

3.14 Of these species, the assessment identifies that the wind farm could have adverse effects on falcon and pied oystercatcher. The applicant proposes to manage these effects as follows:

<u>Falcon</u>

3.14.1 Monitoring during construction: Construction activity close to nest sites could disturb nesting adults and potentially cause loss of chicks. There are no known nest sites near proposed turbine locations, but monitoring of nest sites within the development area during construction is required.

3.14.2 Monitoring during operation: Collision mortality is not considered likely and there is no evidence of collision mortality of falcon at New Zealand wind farm sites. Compared to the existing Stage 1 turbines, the proposed increase in the height of the rotor swept area and reduction in the number of turbines will increase separation between turbines and falcon activity. However, monitoring is proposed, as provided for under condition 27 of the existing consent.

3.14.3 Transmission line design: There is a potential risk of electrocution of falcon from transmission lines. The new line proposed as part of the project will be designed to avoid this risk. This is confirmed in proposed condition 56 of the CDC land use consent for the new transmission line.

Pied oystercatcher

3.14.4 Management during construction: Pied oystercatcher nest within the wind farm site. Management of construction activity is proposed during the breeding period, to protect nest sites.

3.15 The applicant's avifauna assessment also discusses potential effects from habitat disturbance or loss (other than breeding disturbance) to falcon and pied oystercatcher during construction and operation, and from collision or electrocution risk to pied oystercatcher during operation; it concludes that effects of these types will not occur.

3.16 The Department has reviewed the application with respect to effects on avifauna, including the avifauna assessment and relevant management plans, and has identified several issues to be addressed. These issues broadly relate to:

- Bird survey methods;
- Availability of earlier technical reports that some assessments are based on;
- Gaps in, and clarifications needed to, effects assessments;
- Monitoring requirements, including monitoring of bird strike;
- Proposals for mammalian pest control.

3.17 The Department has noted there are conflicting accounts of survey methods within the avifauna assessment as to the length and timing of the bioacoustic surveys undertaken. The first paragraph of section 3.4 states that four weeks of surveys were undertaken from 7 January 2025, but later in this section, under the "Bioacoustic Recorders" header, it is stated that surveys were undertaken from 3 January to 15 February. Section 6.2.3 then states that surveys took place for 32 nights from 7 January to 7 February. Also, the assessment does not report the number of point counts (i.e. 20-minute surveys) and 5-minute bird counts (5MBCs) that were completed at each vantage point. These two matters should be clarified.

3.18 In addition, the field and acoustic recording device survey only provides limited current data, as it was collected at only one time of year. This means that data on flight heights, necessary to assess collision risk, was only collected during a limited timeframe and for one season (during January/February). It is noted that pied oystercatchers arrive at the wind farm site in late winter or early spring and begin returning north from late December onwards.

3.19 The Department's view is that, while avifauna species and activity have been well characterised overall, there is limited seasonal and site-specified flight data. These limitations in available data, together with the clarifications required regarding the bioacoustics surveys and numbers of point counts and 5MBCs, reduce confidence in the assessment of the risk to avifauna values during construction and operation of Stage 2 of the wind farm.

3.20 In addition, with regard to availability of reports, the Department notes that several reports from Golder Associates (dated 2009, 2011, 2012, and two reports from 2013 - see references in section 11 of the avifauna assessment) are relied upon in the assessment, including in

relation to the applicant's proposal to vary the conditions of consent so bird strike monitoring does not continue, except for falcon. These reports were not initially made available to the Department, despite being requested prior to lodgement of the application. They have now been supplied (received 18 March 2026), but there has been insufficient time to review them, at this stage.

3.21 In relation to the impact assessment, the following gaps and required clarifications have been identified. Several of these gaps support the Department's recommendations for additional monitoring requirements, set out below.

3.21.1 Assessments of construction disturbance to falcon and pied oystercatcher, at sections 9.1.1 and 9.2.1 of the avifauna assessment, do not provide the high-level requirements and targets of the Avifauna Management Plan; including these would allow a full understanding of the impact assessment.

3.21.2 Information is needed on potential impacts from construction activities on breeding New Zealand pipit (at risk - declining); the tussock grassland in the wind farm site provides suitable breeding habitat for this species.

3.21.3 During bird strike monitoring for Stage 1, one death was recorded for silvereye. Bird strike monitoring for Stage 2 would help increase confidence that the higher turbines, installed over a larger area, will not present a risk to this regionally at-risk species.

3.21.4 It appears that the SIPO/pied oystercatcher nest sites depicted on Map 7 of the avifauna assessment (p42) are actually falcon nest sites; this should be clarified.

3.21.5 Section 6.4 of the assessment indicates that the bird strike risk for pied oystercatcher is considered to be low; however, only one pied oystercatcher was seen in flight during the survey, meaning that there is insufficient flight height data available for this species, and a collision risk model was unable to be run.

3.21.6 Insufficient flight height data has been provided to fully understand falcon flight heights within the wind farm site. At a minimum, enough data from the site to run the collision risk model for falcon would be expected.

3.21.7 Clarification is required as to how the 46% reduction in collision risk to falcon (from proposed Stage 2, as compared to the consented activity) has been calculated.

3.21.8 Table 20 in section 8 of the assessment sets out bird mortalities recorded during post-construction collision monitoring at five wind farms in New Zealand. To assist comparison between these other wind farms and proposed Stage 2, it would be helpful if the number of turbines and the land area of each wind farm were provided.

3.22 Section 4 of the assessment notes that two years of bird strike monitoring were undertaken at Stage 1 of the wind farm, from 1 May 2011 to 30 April 2013. A total of 16 fatalities from bird strike were reported; all birds affected were either introduced (twelve individuals) or native and not threatened (four individuals). While these results are encouraging, further bird strike monitoring is needed for Stage 2. There are significant differences between the two stages,

in terms of: number of turbines; design of turbines including differences in the rotor swept area; and area of land affected. In addition, as noted above, flight height data for falcon and pied oystercatcher at the site is insufficient. It is noted that there is evidence from elsewhere in New Zealand that flight heights of migrating and overwintering pied oystercatcher occur within the proposed rotor swept area.[1]

3.23 In addition, the Department recommends that monitoring of falcon nesting sites should be undertaken within 5 km of the wind farm site, rather than within 3 km as is proposed (condition 27.ii.a), unless the applicant can provide evidence for this change. The application cites the Stage 1 post-construction bird strike monitoring undertaken by Golder Associates (2013) as providing justification for the change, but a copy of this study was not initially available. As mentioned above, this information has now been provided to DOC (18 March 2026) but there has been insufficient time to review and consider the information provided. Clarification from the applicant is required as to how the 2013 report justifies their request for 3 km monitoring.

3.24 Finally, the following amendments and clarifications are requested in relation to proposed mammalian pest control:

3.24.1 It is noted that rodent control is not proposed. The Department recommends that rodent numbers are monitored. If monitoring shows rodent tracking to be higher than 10% in any monitoring round (November, February, May) then contingency for rodent control should be included in the Mammalian Pest Control Plan (MPCP).

3.24.2 Similarly, possum control is not proposed. Possums should also be included in Stage 2 pest control given they can predate native bird nests, and it is noted that possum control methods are used in the Stage 1 predator control.

3.24.3 The proposed trap and bait station locations for mammalian predators proposed to be controlled are not spatially laid out based on best practice control. Instead, proposed locations are based on easiest access and the turbine layout. For better ecological outcomes, the Department requests that stations be located across the whole site, in a grid layout.

3.24.4 Section 4.1 of the MPCP states: “If C100TN exceeds 10 captures per 100 trap nights for two consecutive service-periods, toxic control will be initiated to reduce predator abundance (Section 3.3).” The Department recommends an additional requirement that more traps are deployed across a larger area if the C100TN is still exceeded after toxic control. DOC recommends 50 traps every three months. This should continue until C100TN is no longer exceeded. Further, protocols are needed if the C100TN is exceeded more than three times non-consecutively within a year.

3.24.5 Clarification is sought that observations of hare and rabbit numbers will occur on different occasions to night shooting, to avoid biasing the results.

[1] DOC, 2024. Director-General, Department of Conservation, comments on the Waiuku Wind Farm resource consent application. 57. 2Jul24 DOC Comments received

3.24.6 It is noted that hedgehogs need to be included in Section 11 of the Ecological Monitoring and Management Plan, which sets out mammalian pest control measures, to align with the MPCP.

Terrestrial vegetation and wetlands

3.25 The wind farm site is a "network of waterways/gullies separate by low ridges" (Vegetation, Wetland and Terrestrial Invertebrate Assessment, SLR), which contains indigenous vegetation communities including modified remnants of snow tussock grasslands, native shrublands, and wetlands. SLR's assessment anticipates that proposed Stage 2 will result in a lesser impact on indigenous vegetation communities and wetlands than the consented activity, due to changes to the layout and a decrease in the number of turbines and roads.

3.26 Terrestrial flora and wetland values that are affected or potentially affected include:

- Loss of 476m^2 of wetlands due to road construction and culvert installation.
- Works for turbines and associated roads within 10 m of six wetlands and works for the transmission corridor within 10 m of three to five additional wetlands.
- Works within 100 m of an unidentified number of additional wetlands with a total area of 32.91 hectares.
- Clearance of at least 11.9 hectares of snow tussock grassland.
- Clearance of 614m^2 of rough pasture containing scattered snow tussocks, for construction of access tracks and transmission pole structures.
- Potential effects on red leaved swamp sedge, or *Carex tenuiculmis*, and marsh willowherb, or *Epilobium chionanthum* (both At risk - declining). These species were recorded in wetlands that are to be avoided by proposed works; they may also be present in other wetlands that will be affected.

3.27 The Department has reviewed the application with respect to effects on terrestrial flora and wetland values, including the Vegetation, Wetland and Terrestrial Invertebrate Assessment and relevant management plans, and has identified a range of issues to be addressed. These issues broadly relate to:

3.27.1 Gaps in, and clarifications needed to, the survey methodology for terrestrial vegetation and effects assessments for both terrestrial vegetation and wetlands.

3.27.2 Clarifications and amendments sought to the proposed Wetland and Aquatic Compensation Plan, Woody Weed Management Plan, *Carex tenuiculmis* and *Epilobium chionanthum* Management Plan, Rehabilitation Management Plan and Wetland Monitoring and Management Plan.

3.28 The methodology description provided in the SLR assessment does not provide enough detail on the survey methods undertaken. As a result, it is difficult to assess whether these methods are appropriate. Clarification is required on the following matters:

3.28.1 Clarification of the methodology of the botanical survey, including the sampling methodology. For example, were sub-samples within each community used? What was the number of quadrats within each community? Where were quadrats located? The Department notes that, while a section on the methodology used for natural wetland assessment is provided in Section 2 of SLR's assessment, there is no equivalent section for terrestrial vegetation, setting out the survey methods used in relation to terrestrial vegetation not covered by the existing consent.

3.28.2 Under the Mapping header in section 2.1, it is stated that "*Mapping of vegetation and habitats was undertaken during field surveys onto hard copy aerial imagery and later mapped in a GIS. Hard copy maps were supplemented by photography taken during surveys and aerial imagery, with ground-truthing of the latter undertaken on subsequent trips. The mapping was also compared with the mapping undertaken for Stage 1 (which covered the entire Windfarm Site), with attention paid to areas that appeared to differ in extent or assessments of quality*." Clarification is requested regarding the accuracy that the ground-truthing provided. What percentage of areas were correctly mapped via imagery (acknowledging that it is not expected to be 100% accurate)?

3.29 The Department also has concerns with the methods that have been used to delineate natural wetlands. It is possible that, due to flaws in the assessment of wetlands, areas that should have been identified as natural wetlands have not been, and therefore the full impacts of the activity have not been identified.

3.30 Table 6, in section 8.2 of the assessment, provides a summary of wetland delineation assessments. This table indicates that, for several areas that were found not to be natural wetlands (Sites 2, 68B, and 68C), an assessment of the hydrophytic vegetation present has provided an "uncertain" result as to whether the areas qualify as wetlands or not. In earlier comments, the Department requested that soils be assessed at these sites, to help delineate wetlands. The applicant's response was that these sites met the pasture exclusion test (i.e. were considered to be within an area of pasture used for grazing and thus did not meet the NPSFM definition of natural inland wetlands); therefore, no further assessment was required. The Department requests further explanation as to how this test has been met. To meet the test, it needs to be confirmed that: grazing is continuing across all these areas; no land use change is occurring; and the areas do not provide habitat for threatened species. It is noted that other sites that meet the pasture exclusion test are nevertheless judged to be natural wetlands in Table 6 (Sites L, 10, 47b and 129).

3.31 In addition, the table indicates that at several other sites that are judged not to be natural wetlands (Sites B, B2, E2B, 71), hydrological indicators were found to be present, but these sites were deemed to be pasture and it was also found that hydrophytic vegetation was not present. Again, in earlier comments, the Department has requested that the soils of these

sites be assessed. The response provided by the applicant did not explain why this had not occurred.

3.32 The Department is also concerned that there are several significant gaps in the assessment of effects on both indigenous vegetation and wetlands, as set out in the following paragraphs.

3.33 Section 4.1 of the assessment states that “Rock outcrops are generally small and uncommon but contain a few plant species not found elsewhere within the site”, but no further information is provided on the number or location of the outcrops; they are not shown on Figures D to F in Section 4, which are intended to show the vegetation and habitat types present at the site. Clarification is requested as to where these outcrops are located.

3.34 Section 6.0 of the assessment considers the national and regional threat classifications of plant species in and near the site. However, the regional threat classifications are based on “Otago Threat Classification Series 3” (Jarvie et all, 2024), which is an out-of-date source. There have been updated versions of this document in 2025 and 2026. This information should be updated, and the assessment of effects amended accordingly.

3.35 The Department is particularly concerned that the assessment does not clearly identify the new locations in which vegetation clearance is proposed as part of Stage 2, and how these differ from the locations of indigenous vegetation clearance that were originally consented. While it is understood that the variation sought for Stage 2 would involve an overall decrease in the clearance of snow tussock grassland, in comparison with the area currently consented, clear information is still needed on: the exact locations of clearance for which consent is now sought; the area of each vegetation community that will be affected at these new locations; and an assessment of effects for any new areas of clearance. Areas of clearance that appear to be in new locations - i.e. areas in which clearance is not consented, and for which an assessment is required, are:

3.35.1 The locations of the transmission line corridor, substation, and BESS, which are not included in the existing consent.

3.35.2 The extension of contingency zones (i.e. areas in which turbines may be located) into areas that are “Windfarm Buffer Areas” (i.e. not proposed for clearance) in the existing consent (see section 7.4.1).

3.35.3 Areas newly affected due to the re-routing of internal roads (see section 7.4.3).

3.35.4 Potentially, the surplus fill disposal (SFD) areas (see section 7.4.2). It is unclear from the information provided in this section whether or not the SFD areas are limited to consented vegetation clearance areas.

3.36 In addition, in assessing the impacts of the activity on indigenous vegetation, it is important that each vegetation community is individually assessed against the appropriate significance criteria. Instead, the assessment provides a single combined assessment against these criteria for all vegetation communities present on the site (Table 9, section 13.0), including wetlands, shrublands, snow tussock grasslands. Streams are also assessed in this table,

despite the fact that the significance criteria referred to (those in the proposed Otago RPS 2021) are not relevant to aquatic ecology. The Department recommends that significance criteria are applied against each vegetation community individually, with the location and area of each community clearly identified. The assessment should either use both the significance criteria and definitions in the proposed Otago RPS and those in the Clutha District Plan (Policy HER.2B a-c), given that both apply to the site, or include an explanation as to why the CDC criteria have not been used.

3.37 In relation to the assessment of effects on wetlands, the Department notes that no hydrological figures or maps are provided to show flow paths or catchment boundaries. This information is necessary to assess the direct and indirect impacts of proposed works on wetlands. Mapping of this kind would indicate whether or not the hydrological function of wetlands will be maintained, where earthworks are proposed within or near them. This issue has been previously raised with the applicant, but no satisfactory response has been received. The applicant has stated that proposed culvert mapping is in the Riley Civil Assessment; however, proposed culvert mapping does not provide the information required in relation to hydrological flow paths and catchment boundaries. The Department considers that this information is necessary to determine the magnitude of ecological impacts on wetlands.

3.38 Finally, the Department considers that a number of clarifications and amendments are needed to the proposed management plans, including the Wetland and Aquatic Compensation Plan, Woody Weed Management Plan, *Carex tenuiculmis* and *Epilobium chionanthum* Management Plan, Rehabilitation Management Plan and the Wetland Monitoring and Management Plan, in order to support the conclusion of SLR's assessment, that ecological effects on vegetation and wetlands will be "minimal" (Section 15.0).

<u>Wetland and Aquatic Compensation Plan</u>

3.39 Wetland compensation proposes protection of another wetland (1.4 ha), as compensation for the loss of 476 m2 of wetland that will result from Stage 2. Clarification is requested regarding the type of legal protection that the compensation wetland will have - section 11 of the Wetland and Aquatic Compensation Plan (WACP) states only that "the compensation site will be protected by a covenant". The further information dated 16 March 2026, which was provided by the applicant in response to the EPA's question regarding the anticipated means of legal protection for compensation sites, does not give any more details on the nature of the covenant. The proposed condition wording (at new condition 14A in the original CDC consent) is "the consent holder shall provide legal protection from stock grazing for the period of the operation of the Wind Farm via a covenant or similar legally binding mechanism."

3.40 In addition, section 11.0 of SLR's assessment indicates that "Growth of exotic grassland (including in the inter-tussock sward) on gully walls which will form a dense thatch to intercept overland water flow, trap sediments, and remove nutrients, buffering the wetland and aquatic habitats from surrounding land uses" (p45). The Department is concerned that this exotic

grassland is likely to outcompete any potential natural regeneration; native planting would be more beneficial.

3.41 The Wetland and Aquatic Compensation Plan (WACP) proposes woody weed control as an important action to protect and enhance wetland and aquatic values (Section 8.0). This action is to be managed via the Woody Weed Management Plan. However, the plan is not proposed in perpetuity; therefore "net positive gain" will not be realised beyond the lifetime of the consent.

3.42 Additional information is required on the existing wetland values at the compensation site - no full description of these values is provided in the application, and only one photograph of one section is provided (Section 4.0, Figure B). Additional understanding of the compensation site will assist in establishing the benefits that will arise from proposed compensation actions.

3.43 The Department recommends that woven/mesh netting with a square grid pattern is used to fence the compensation site (Section 7.0), instead of the wire strand fence proposed. This will exclude sheep and lambs more effectively.

3.44 With regard to proposed native plantings set out in Section 10 of SLR's assessment:

3.44.1 Five hundred and fifty-five native plants are proposed to be planted in a 1.4 hectare area, equating to one plant per 25 m^2. Without context of the existing native cover present, this appears low (planting densities are generally at 1m^2 to 2m^2 spacings in areas to be restored.

3.44.2 Inclusion of a map showing the area of *Carex tenuiculmis* would help ensure management activities do not disturb or damage the population in the Compensation area.

3.44.3 Plantings need to have shelters to allow for successful weed control and survival monitoring (so they can be re-found). This may need to be plastic rather than cardboard to prevent deterioration. After five years, or earlier if plant growth allows, the shelters should be removed.

3.44.4 Maintenance of planting is recommended to take place for five, not two, years to ensure establishment of plants. Further, weeding should be undertaken within and around shelters by hand, where spray is not appropriate. In addition, plants that die should be replaced for up to five years (not only in the first year as proposed) to retain a 90% survival at Year 5.

3.45 With regard to requirements for monitoring set out in Section 12.0, the following amendments are sought:

3.45.1 Every plant that is planted should be counted, to determine survival rates, instead of undertaking only a 'walk-through assessment' to estimate plant survival "over the entire site".

3.45.2 Fences should be monitored for breaches every quarter, not every year as proposed, to determine need for maintenance.

3.45.3 The Plan states: "*To illustrate the works undertaken and inform review and reporting purposes, photographs will be taken at the compensation sites prior to works and then, at a minimum, following fence construction, and at 1- and 2-years following snow tussock transfer/planting*." These photographs should be taken every year for five years and should include native plantings to visually show growth and survival.

3.46 In Section 13.0, which covers closure criteria, the final sentence should be amended as follows, for certainty: "If the criteria are not met, then further compensation (additional planting, maintenance of plantings, and monitoring) will be undertaken until they are met."

3.47 Section 15.0 covers requirements for the review of compensation sites to determine whether all wetland compensation works have been undertaken in accordance with the WACP. The Department considers that this review should be submitted to both DOC and CDC, as well as ORC.

Woody Weed Management Plan

3.48 The Department requests the following clarifications and amendments:

3.48.1 For woody weed management, Condition 29 of the existing CDC consent refers to a 4-year timeframe, or a cease in colonisation. However, statements further on in the Management Plan indicate that the timeframe is the "operation" of the Wind Farm (Section 4), and the Compensation area should be in perpetuity. Clarity is sought, and the latter is recommended.

3.48.2 In Section 1.0, condition 29A, the 'i.e.' should be 'e.g.' so as not to suggest only those weed species will be controlled. Further the removal of the statements "in excess of the status quo" is needed to reflect appropriate weed control.

3.48.3 The Management Plan does not state the methods of control, e.g. chemical names, method detail (e.g. cut and paste with Vigilant; ensure wilding pines are cut below any green vegetation). It is noted that flexibility is needed, however, best practise for these weeds in this environment is known and should be stated for clarity and confidence in meeting the Plan's criteria and objectives.

3.48.4 In Section 2.0, it is recommended that the Objective is reworded (underlined words) to: "The Plan's objective is to set out the procedures and methods to control and prevent establishment and spread of all woody weeds within Stage 2 of Puke Kapo Hau and describe the monitoring methods and targets to demonstrate how the conditions of consent will be met…..".

3.48.5 Clarity is sought if only the woody weed species on the Otago Pest Management Plan are to be controlled or all woody weeds on site. The latter is recommended.

3.48.6 Figure 1 needs to show the area within which woody weeds will be controlled, as well as the woody weeds within the Compensation site.

3.48.7 Section 5.2.2 is the first specific mention that this Plan includes the Transmission Corridor. It would be helpful if the areas covered by the Plan could be clarified at an earlier point.

3.48.8 In Section 5.2.2, the meaning of 'Register' in the second bullet point need to be clarified. Is there a specific register/database that is to be maintained?

3.48.9 In Section 5.3, references to "control" should be adjusted to "eradication", given this is the Compensation Area.

3.48.10 In Section 6.0, the control criteria are stated to maintain all woody weed species to zero density – this is not consistent through the Plan in terms of all woody weeds will be managed to zero density (versus control, and in excess of status quo). Throughout the document, the fact that all woody weeds are to be eradicated to zero density needs to be clearer, along with the area(s) defined on Figure 1 to which this applies.

3.48.11 In Section 7.0, the reporting needs to include the monitoring results and the report provided to the Department.

Carex tenuiculmis and Epilobium chionanthum Management Plan

3.49 The following changes and clarifications are recommended to this Plan:

3.49.1 Condition 30A needs to include DOC as one of the recipients of the reports, and that these reports will include the survival rates at Year 5.

3.49.2 In Section 6.1, an updated Figure 1 is requested, to fully understand the proposed monitoring for the wetland alongside the Transmission corridor. It may be that one long and narrow strip would better monitor works relative to the wetland; this is currently hard to determine.

3.49.3 In Section 6.1, the post-works survey must occur for several times over 12 months (once 6 months past construction) to ensure any potential effects have been observed (allowing time for hydrological effects over all seasons to be observed).

3.49.4 In Section 6.2, the translocation sites should already be determined. It is unclear what contingency is in place if no suitable sites can be found.

3.49.5 In Section 8.0, the closure criteria being set at two years is a minimum; normally closer to five would be expected.

3.49.6 In Section 8.0, for the second bullet point, monitoring of plants must occur for several times over 12 months (once 6 months past construction) to ensure any potential effects have been observed (allowing time for hydrological effects over all seasons).

3.49.7 In Section 9.0, DOC needs to be added as a recipient of the report, and photos need to be included as part of the monitoring and thus reports.

Rehabilitation Management Plan

3.50 The following changes and clarifications are recommended to this Plan:

3.50.1 In Section 3.0, the rehabilitation work needs to be carried out by personnel/contractors who are experienced in native planting. Further, the level of involvement the Project Ecologist will have requires greater detail to increase confidence in successful rehabilitation.

3.50.2 Please clarify what "rehabilitated as appropriate" means in relation to decommissioning of the sediment control measure areas (Section 4.1).

3.50.3 In Section 4.2, have the areas for stockpiling of topsoil already been identified by an Ecologist to ensure native values are protected? If so, where are these areas located?

3.50.4 The area of snow tussock rehabilitation is small at 1.5 hectares relative to the area to be cleared (potentially >11 hectares). The Department considers that this should be reviewed, once the issues set out at paragraph 3.35 above (concerning the inadequacy of assessment of new locations of vegetation clearance) are addressed.

3.50.5 Section 5.3.5 should be amended to state that tussock must not be stored on top of each other, and if any tussock die they must each be replaced by eco-sourced tussock from a native nursery.

3.50.6 Section 5.3.6 should be amended to state that planting of the tussock must be done using hands (not feet) to firm them into place.

3.50.7 Clarification is sought on whether any planting is proposed in the Section 6.0 Stream/Wetland Rehabilitation section, and also on what monitoring is proposed for the two wetlands that have works occurring within them, to ensure the wetland loss does not expand further than the current expected sections of these wetlands. There is concern that hydrological function may not be retained, based on the current measures stated.

3.50.8 In Section 7.1.1, the reference to monitoring of "survival of tussocks in 25 m^2 quadrats" appears to contradict the reference to "measuring the survival of all transplanted tussocks". Clarification is sought and the latter approach is recommended.

3.50.9 In Section 8.2, concerning completion criteria for snow tussock grassland rehabilitation, >85 % native vegetation cover should be required, as well as the 90% survival rate of transferred tussocks 2 years after planting.

Wetland Monitoring and Management Plan

3.51 The following changes and clarifications are recommended to this Plan:

3.51.1 In Section 1.0, clarification is requested on whether the reference to "*34.1 ha of natural wetlands … located within 100 m of proposed Stage 2 earthworks sites*" also includes wetlands within 10 m of these sites. This is assumed to be the case, but confirmation is requested, because wetlands within 10 m and wetlands within 100 m are often referred to separately.

3.51.2 It is recommended that the monitoring should include a full inspection by foot of each wetland within 100 m of proposed Stage 2 earthworks sites, and associated notes and photos recorded, as well as the proposed photo monitoring work.

3.51.3 In Section 3.2, following completion of construction, photographs should be taken every 3-4 months, for a year, to cover all seasons.

3.51.4 Photograph monitoring points are normally staked (existing or new fence post/waratah) to ensure a similar shot is taken each time. It is recommended that this is considered early on if there are issues in matching photos from different monitoring rounds.

3.51.5 In Section 3.4 and 4.0, the Department should be added as a recipient of the report.

3.51.6 In Section 3.4, it is recommended that the reporting also includes photograph series for each monitoring point, to be able to easily see any changes (or lack thereof) over time.

Lizards

3.52 An authority for the capture and relocation of native lizards has been applied for, under the Wildlife Act 1953 and the relevant provisions of the FTAA. Overall, the Application is considered to follow the Department's guidelines for lizard salvage, however, a range of recommendations are made to improve the proposed management approach, as discussed in the Section 51 report submitted by the Department.

3.53 The recommendations made in the Section 51 report will also assist in managing effects on indigenous biodiversity in accordance with the RMA and Schedule 5 clause 17 of the FTAA.

3.54 It has been noted, since DOC provided a copy of the Section 51 report to the Panel on the 16 March 2026, that the report included changes to the Applicant's proposed Wildlife Approval conditions, that were not sufficiently explained.

3.55 The draft Wildlife Approval within the Section 51 report, included a Schedule 4, as illustrated below. DOC recommended to the Panel that several species be struck off this proposed Schedule 4 but did not provide context of why to the Panel. These section 53 comments provide an opportunity to better explain this.

SCHEDULE 4

Common Name	Scientific Name	NZ Threat Classification
McCann's skink	Oligosoma maccanni	Not Threatened
Tussock skink	Oligosoma chionochloescens	At Risk - Declining*
Kōrero gecko	Woodworthia "Otago/Southland large"	At Risk - Declining
Jewelled gecko	Naultinus gemmeus	At Risk - Declining
~~Burgan skink~~	~~Oligosoma burganae~~	~~Threatened – Nationally Endangered~~
Herbfield skink	Oligosoma murihiku	At Risk - Declining
~~Otago green skink~~	~~Oligosoma aff. chloronoton "eastern Otago"~~	~~Threatened – Nationally Critical[27]~~
~~Grand skink~~	~~Oligosoma grande~~	~~Threatened – Nationally Endangered~~

- * Southern grass skink as per NZTCS (2025).

3.56 In considering the scope of a Wildlife Act approval for lizard salvage, relocation and any associated incidental mortality, the Department's position is that the approval be confined to those lizard species, for which there is a credible likelihood of presence within the project footprint and/or the proposed release site, as supported by the Applicant's survey outcomes and habitat assessment.

3.57 It was not considered appropriate to authorise activities for additional lizard species where the likelihood of occurrence is assessed as low or very low, as this would extend the approval beyond what is supported by the available evidence.

3.58 If lizards are encountered that are not covered by the proposed Wildlife approval, all relevant works in the immediate area must cease and the relevant DOC Operations Manager must be contacted as soon as reasonably practicable for further advice and direction; a variation to the approval or a separate application would then be required before any capture, salvage, relocation or incidental killing of those non-authorised species may occur. This contingency approach is reflected in the proposed special conditions (Schedule 3) as included in the section 51 report.

3.59 The Panel may find this additional explanation useful.

4 Conditions

4.1 The following amendments to proposed conditions relating to effects on aquatic ecology, avifauna, and terrestrial vegetation and wetlands are requested, to address many of issues set out above. However, other issues raised in this report, should be addressed by the provision of further information or clarification.

4.2 The Department's suggested changes to the proposed conditions are marked in ***underlined bold italicised*** text.

Aquatic ecology

4.3 In light of the comments on aquatic ecology in section 3 of this report, the following change to conditions relating to aquatic ecology are requested.

4.3.1 Condition 3 Otago Regional Council land use consent "To install a culvert within the bed of a waterbody and the associated disturbance of the bed of the waterbody':

- Amend proposed condition 3 as follows:

When undertaking works within a waterbody for the purpose of installing a culvert the Consent Holder must:

…

*f) Ensure that the installation of culverts does not impede fish passage**, and that culverts are designed in accordance with the New Zealand Fish Passage Guidelines (NIWA, 2024)**.*

Avifauna

4.4 In light of the comments on avifauna in section 3 of this report, the following changes to conditions relating to avifauna are requested:

4.4.1 Condition 26 Clutha District Council consent - Bird strike monitoring

- Reinstate Condition 26 of the existing CDC consent in relation to bird strike monitoring, with amendments (struck through/underlined and in bold) as follows:

*The consent holder shall monitor the instances of bird strike at **Stage 2 of** the wind farm as follows:*

*i) The consent holder shall retrieve any bird carcasses located at the site. For the first two years of operation **of Stage 2**, retrieval of any carcasses will be on a weekly basis during the breeding season (spring and early summer) and on a monthly basis during the remainder of the year. Thereafter, carcass retrieval will be associated with the routine maintenance at each turbine with increased surveillance for bird carcasses during the breeding season (spring and early summer) if considered necessary as a result of the first two years of monitoring.*

*a) During the first two years of the operation of **Stage 2 of** the Mahinerangi Wind Farm, all retrieved bird carcasses will be assessed by identifying the species, gender, age class (i.e. juvenile or adult) and where possible, the cause of death, location of carcass in relation to turbines, whether there are any particular factors associated with the Mahinerangi wind farm, and/or any particular turbine influencing the bird deaths, and antecedent weather conditions. This assessment is to be undertaken by an independent and qualified avifauna expert.*

b) Following the first two years of operation, the consent holder shall, annually, submit a report to the Planning and Environment Manager, Clutha District Council, detailing all bird fatalities, known or likely cause of death, species and seasonal or spatial patterns, particularly in relation to the operation of any individual turbine or the prevalence of avifauna species listed as ~~***nationally endangered (Hitchmough et al, 2007), nationally critical, or in serious or gradual decline***~~ ***Threatened or At-Risk in the New Zealand Threat Classification System, or Regionally Threatened or Regionally At-Risk (Jarvie et al, 2025)****.[2] A copy of this report shall also be supplied to the Department of Conservation.*

c) If the monitoring undertaken in accordance with Conditions (i)(a) and (i)(b) above, identifies a significant adverse effect as a result of the operation of Stage 2 of the Mahinerangi Wind Farm, then the consent holder shall develop a mitigation programme and continue monitoring for a further period, as determined appropriate following consultation with both the consent authority and the Department of Conservation.

d) A significant adverse effect is defined as being a strike rate of more than 0.5 individuals per turbine per year on ~~***all***~~ *species* ***that are Threatened or At-Risk in the New Zealand Threat Classification System, or Regionally Threatened or Regionally At-Risk (Jarvie et al, 2025)****,[3] as a result of the operation of the Mahinerangi Wind Farm.*

ii) The bird strike carcasses shall be disposed of off-site and at an appropriate facility.

iii) The consent holder shall undertake, in order to minimise the visibility of any carcasses in the vicinity of the turbines that may attract raptor species, reasonable endeavours to ensure enhanced vegetation growth and density in the vicinity of the wind turbines.

iv) In the event that there are significant adverse effects (as defined in (i)(d) above) the consent authority may review this resource consent pursuant to section 128 of the Resource Management Act 1991 to consider:

a) the species of birds involved and in particular, the level of protection afforded to that species under the Wildlife Act 1953.
b) the overall performance of the wind farm in respect of bird strike rate;
c) the performance of individual turbines within the wind farm;
d) whether there are any particular factors influencing the bird death rate at individual turbines; and
e) whether additional mitigation is required as a result of the significant adverse effect.

[2] Change to reflect up-to-date terminology.
[3] Change to better define "significant adverse effect".

4.4.2 Condition 27 of the Clutha District Council consent – Falcon Monitoring

- Amend, in relation to falcon monitoring, as follows. Please note that amendments proposed by the applicant are shown as struck through/underlined and in red and *italised*; amendments proposed by DOC are shown as struck through/underlined and in ***bold and italicised***):

The consent holder shall undertake monitoring of the New Zealand Falcon for Stage 1 and 2 as follows:

i) The consent holder shall initiate a programme to monitor New Zealand Falcon, in the vicinity of the Mahinerangi Wind Farm. The monitoring programme shall commence at least two summers prior to the first turbines associated with Stage 1 of the wind farm becoming operational, and, for Stage 2 the summer prior to construction commencing, and continue for two years after ~~it~~ each stage becomes operational. Any subsequent monitoring will be determined after the results of the first two years of operational monitoring are evaluated in accordance with Condition 27(iv).

Advice Note:
Some monitoring in accordance with this condition has been undertaken prior to the implementation of this resource consent.

ii) The monitoring programme for each stage shall include, but not be limited to, the following:

a) Identification of any New Zealand Falcon nesting sites inside and within 5 km[4] outside the boundaries of the Mahinerangi Wind Farm.

b) Monitoring, during the breeding season (i.e., spring and early summer), any visits by New Zealand Falcon to the Mahinerangi Wind Farm site and the occupancy of the identified nesting sites. As a minimum, monitoring shall be undertaken during three consecutive days of fine conditions, at least three times throughout the breeding season.

*c) A record of New Zealand Falcon bird strike as monitored in accordance with Condition **~~27~~** **26 of~~, attached to~~**[5] this resource consent.*

d) A record of all incidental observations of New Zealand Falcon within the Mahinerangi Wind Farm site.

…

[4] As discussed above, the Department's recommendation is that the reference to 5 km should be retained here, i.e. not changed to 3 km as proposed in application, unless the Golder Associates 2013 study cited in the assessment recommends this change. This study was made available on 18 March 2026 and there has been insufficient time to review it, as discussed at paragraph 3.23.

[5] The reference here should be to condition 26 (i.e. the existing condition on Bird strike monitoring, which is proposed to be deleted but which the Department recommends should be retained). Note that the current reference to "condition 27" does not make sense, because the reference is itself located in condition 27.

4.4.3 Condition 28A of the existing Clutha District Council consent – Mammal Pest Control

- Amend Condition 28A as follows:

*The purpose of the programme will be to ensure that the densities of predators, such as feral cats, stoats, weasels, ferrets, hedgehogs**, rodents and possums** and prey species such as rabbits and hares are at low densities in the area. To achieve this, the consent holder shall comply with the following:*

i) *Undertake predator control measures to a level no greater than 10% residual trap interference.*

ii) *Control measures may include, but will not be limited to, trapping and baiting.*

iii) *The consent holder shall ensure that all predator carcasses are disposed off-site and at an appropriate facility.*

Terrestrial vegetation and wetlands

4.5 In light of the comments in section 3.6 of this report the following changes to conditions relating to terrestrial vegetation and wetlands are requested (note that amendments proposed by the applicant are shown as struck through/underlined and in ***red italics*****;** amendments proposed by DOC are shown as struck through/underlined and in ***black bold italics*****):**

4.5.1 Condition 14A of the Clutha District Council consent

- Amend to state the type of legal protection that the compensation wetland will have - i.e. clarify the reference to "*a covenant or similar legally binding mechanism*":

4.5.2 Condition 29 of the Clutha District Council consent

- Amend as follows:

*The consent holder shall ensure the construction and rehabilitation of Puke Kapo Hau Mahinerangi Wind Farm Stage 2 is undertaken in accordance with the requirements of the Woody Weed Management Plan prepared by SLR Consulting New Zealand that forms Part C of the Puke Kapo Hau - Mahinerangi Wind Farm Stage 2 – Fast-Track Approvals Act Application dated DD MM 2025. ~~develop and implement a~~ This includes a mitigation and monitoring ~~and management~~ programme for the control of invasive woody weeds that shall apply during the construction and rehabilitation of the Mahinerangi Wind Farm and for **~~four years after construction and rehabilitation has been completed, or for such a period until these species cease colonising the areas disturbed by the construction activity~~ for the operation of the windfarm**.*

4.5.3 Condition 29A of the Clutha District Council consent

- Amend as follows:

*The purpose of the programme will be to ensure that invasive woody weeds (~~**i.e.**~~**e.g.**, wilding pines, gorse, Spanish heath and broom) within the Mahinerangi Wind Farm site ~~**(in excess of the status quo)**~~ are targeted for control. To achieve this, the consent holder shall identify and document the extent of invasive woody weeds within the site at the commencement of the project and target the invasive weeds ~~**(in excess of the status quo)**~~ for control using manual and/or herbicide treatment. Thereafter, each spring, during the term specified within this condition, the consent holder shall survey the extent of invasive weed species, with a particular focus on areas most susceptible to invasive weeds (i.e., disturbed areas), and undertake control measures as appropriate.*

4.5.4 Condition 30A of the Clutha District Council consent

- Amend as follows:

  30A All management actions shall be recorded and reports submitted to the Clutha District Council ***and the Department of Conservation*** *following the Pre-Construction Survey*

5 Conclusion

5.1 Overall, the Department considers effects of the Application could be appropriately managed subject to:

- the Applicant addressing the concerns relating to management of effects on avifauna, terrestrial vegetation and wetlands;
- appropriate consent conditions being imposed; and
- appropriate amendments being made to draft management plans.

5.2 Thank you for the opportunity to comment.

Appendix B: Technical expert credentials

Daniel Jack, Technical Advisor Freshwater

My full name is Daniel Chisholm Jack. I am employed by the Department of Conservation Te Papa Atawhai (the Department) as a Technical Advisor Freshwater/Kaitiaki, Kanorau Koiora based in Dunedin/Ōtepoti and have been in this role since March 2020. A component of my role is to provide technical input into the development of Species Management Units (SMU) for Threatened and At Risk galaxias species as part of the Natural Heritage Management System.

My previous employment for the Department has been as a Freshwater Biodiversity Ranger in the Coastal Otago District operations team from 2005 – 2020 delivering conservation projects for Threatened and At Risk non-migratory galaxiid fishes. This work involved conducting freshwater fish distribution surveys in rivers and wetlands throughout Otago, Canterbury and Southland, researching critical habitats, life histories, and population monitoring of galaxias species endemic to these regions. A significant component of my work was focused on the Kye Burn catchment and conservation actions associated with the Central Otago roundhead galaxias that occurs there. This work included: Tenure Review freshwater fauna surveys of Shortlands Station (DOC 2007) and Longlands Station (LINZ 2010); long-term population monitoring in two tributaries of the Kye Burn, installation of trout barrier structures into two tributaries of the Swin Burn; and a distributional survey of freshwater fishes in the Kye Burn (DOC 2012).

I gave evidence for the Director-General in both the Council hearing and in the Environment Court hearing for Plan Change 5A (Lindis: Integrated water management) relating to native freshwater fish species found in the Lindis catchment.

I also presented evidence on behalf of the Director-General during the Kye Burn resource consent hearing and contributed technical information for the establishment of the Memorandum of Understanding (MOU) between the Kyeburn Catchment Ltd (KCL) and the Department.
Prior to these roles, I was a Biodiversity Ranger with the Department throughout the Nelson-Marlborough region from 1998 – 2003. My primary tasks during that period included freshwater fish surveys; monitor and survey a variety of threatened cryptic terrestrial species; and involvement in habitat restoration and protective works of freshwater and terrestrial ecosystems. I hold a Post-Graduate Diploma in Wildlife Management from the University of Otago. During my studies, I assisted with research using mitochondrial DNA analysis of endemic fish taxa to investigate relationships between biological evolution and geomorphological processes (Craw et al. 2007, Burridge et al. 2007, Burridge et al. 2008a). I am a contributing author to the scientific paper that was produced from this research (Burridge et al. 2008b).

I am a contributing member of the New Zealand Threat Classification panel for New Zealand freshwater fishes (Dunn et al. 2017) providing expert opinion on the status and distribution of New Zealand freshwater fishes. To support this process, I am a significant contributor of contemporary and historic freshwater fisheries spatial data to New Zealand Freshwater Fish Database (NZFFD), a publicly accessible national database, managed by the National Institute of Atmospheric Research (NIWA).

Matthew Schmidt, Senior Heritage Advisor

My full name is Dr Matthew Schmidt. I am employed by the Department of Conservation – Te Papa Atawhai ('DOC') as the Senior Heritage Advisor Kaitohu Matua Taonga Tuku Iho for the Southern South Island Region, based in the Dunedin office. I have worked for DOC since February 2020 providing heritage advice on all matters relating to the conservation and protection of heritage. This role requires me to provide advice on the management of heritage sites from all cultures (predominately Māori, Pakeha & Chinese sites). In addition, I provide advice and guidance on: heritage conservation projects; management of heritage in World Heritage sites in the Southern South Island Region; archaeological authority applications to Heritage New Zealand; resource consent applications; CPLA applications; concessions and permissions applications where heritage is concerned; the development of visitor experiences where heritage maybe affected; and the management of heritage fabric. I work closely with Iwi, heritage/community groups and sponsors of heritage related projects. I have previously worked as an archaeological consultant both in the North and South Islands, beginning in 1994. I was the archaeologist and then Senior Archaeologist at Heritage New Zealand Pouhere Taonga from 2006 to 2020. I hold a PhD from the University of Waikato (1998) specialising in the radiocarbon dating of New Zealand archaeological sites, a Master of Arts (1st Class Honours in Anthropology) from the University of Auckland and a Bachelor of Arts (1990) from the University of Otago. I have worked in cultural heritage for 35 years and have surveyed, excavated and managed a variety of Māori, Pakeha and Chinese cultural heritage sites around New Zealand. I have been the New Zealand International Correspondent on cultural heritage for the Asia Pacific Office of UNESCO since 2008.

In 2016, I received the Groube Fieldwork Award from the New Zealand Archaeological Association (NZAA) and in 2024, the Public Archaeology Award also from the NZAA. I have been a past President of the NZAA and on its Council. Over the years, I have presented evidence related to heritage matters at hearings before Councils, the Environment Court and the District Court. I have published numerous papers on archaeology and heritage, including a book on the radiocarbon dating of New Zealand prehistory using marine shell in 2000. The focus of my publications in the last 16 years has been on the management of heritage sites and places through the UNESCO International Correspondent publications. UNESCOs cultural heritage publications focus on best practice heritage management, which crucially provide current views and methods on the management of heritage.

I have an extensive knowledge of the archaeology/heritage of Otago. I have surveyed this whenua/landscape as a consultant undertaking heritage assessments for private individuals and companies, for Government Departments and for Iwi, and as part of my work as the Senior Archaeologist for Heritage New Zealand / Pouhere Taonga, and for the Department of Conservation / Te Papa Atawhai. I was involved in the Tenure Review programme out of which many new heritage sites were recorded and when conservation covenants were developed to protect at risk heritage values in the long term. I hence specialise and have an intimate knowledge of goldfields and pastoral archaeology.