FTAA - Waitaha Hydro Project: Proffered Conditions for Resource Consents

DRAFTING NOTES

Version Date: 17.11.25

Version Description:

- This version incorporates the following changes to Appendix 45 of the FTAA Application - with associated tracking and comments made prior to 10 November 2025 now removed:
  - Initial post lodgement feedback from WDC staff;
  - Initial post lodgement feedback and suggested edits from WCRC staff;
  - Westpower suggested amendments in response to WDC and WCRC staff initial feedback;
  - Consequential changes resulting from further engagement with DOC on draft concession conditions;
  - Further amendments as agreed at 13 October conditions workshop (Westpower, WDC and WCRC);
- This version also incorporates the following additional and subsequent changes identified as tracked change text:
  - Minor amendments to improve clarity and enforceability of conditions:
  - Inclusion of additional requirements as standalone consent conditions to improve robustness of Management Plans and clarity of related conditions in terms of what they must achieve;
  - Other amendments made in response to further feedback from Council staff received late October / Early November; and
  - Various other minor typos.

Introduction and Structure

The following proffered conditions (the "conditions") are intended to cover all Fast-track Consents ordinarily required as resource consents granted under the RMA to authorise the construction, operation and maintenance of the Waitaha Hydro Project (the "Project").

In recognition that the consented activities associated with the Project span the jurisdictions of the West Coast Regional Council ("WCRC") and Westland District Council ("WDC"), and noting that a number of resource and environmental management matters are common to these jurisdictions, for the purpose of efficiency, the conditions proffered are structured as follows:

Part A: Includes a schedule of defined terms used throughout the conditions;

Part B: Includes all general conditions common to WCRC and WDC;

Part C: Includes conditions for resource consents specific to WCRC; and

Part D: Includes conditions specific to WDC.

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PART A: DEFINITIONS AND EXPLANATION OF TERMS

This table below defines the acronyms and terms used in the conditions.

Acronym/Term	Definition
AMP	Avifauna Management Plan
Application	The document titled "Westpower Limited Waitaha Hydro Project: An Application made under the Fast-track Approvals Act (2024)" dated 31 July 2025, including all technical assessments and supporting reports.
BMP	Bat Management Plan
Bulk Earthworks	Large scale soil / rock disturbances associated with any Project Construction Works (excludes earthworks associated with Enabling Works).
CEMP	Construction Environmental Management Plan
Commencement of Construction	The time when any Project Construction Work Component (excluding Enabling Works) first starts.
Completion of Construction	The time when the Waitaha Hydro Project has been built and commissioned and is available to generate electricity for customer supply.
Commencement of Generation	The date when the Project first transmits electricity onto the local network for customer supply.
Consents	Any resource consents granted under the Fast-track Approvals Act 2024 that would otherwise have been granted under the RMA.
Concessions	Any concessions granted under the Fast-track Approvals Act 2024 that would otherwise have been granted under the Conservation Act.
Concession Area	Area of the Project located on land administered by the Department of Conservation.
Consent Area	The total area of land covered by the Consents – equivalent to the total area of land used for the construction and operation of the Project.
Construction	All activities related to constructing the Project excluding Enabling Works and Pre-Construction activities.
CNMP	Construction Noise Management Plan.
Consent Authority	Westland District Council, in respect of land use consents administered by Westland District Council; or West Coast Regional Council, in respect of resource consents administered by West Coast Regional Council.
Construction Staging Areas	Areas developed prior to or during Construction and used for plant and equipment laydown, construction contractor and staff offices and amenities, staff parking, helicopter landings and take-offs and other general construction-related activities. Construction Staging Areas within the Project Construction Site include: • Construction Staging Area 1 (Headworks); • Construction Staging Area 2 (Power Station Site); and • Construction Staging Area 3 (McLean's Farm).
CTMP	Construction Traffic Management Plan

Acronym/Term	Definition
Department of Conservation Liaison Officer	The designated Department of Conservation employee or external contractor who will act as a liaison contact between the consent holder and the Department of Conservation's local Area Office during Construction.
DMP	Dust Management Plan
Enabling Works	Construction related activities (or any part thereof) NOT requiring removal of indigenous vegetation AND occurring outside the following locations: • Any land within 10m of any stream; • Any land within 20m of any natural wetland; Enabling Works may include, but are not necessarily limited to: • Geotechnical and geophysical investigations or other non-invasive surveys or monitoring; • Works necessary to implement sediment or erosion controls required in accordance with the certified ESCP; • Establishment of Construction Staging Area 3; • Re-grassing (spraying, sowing); • Formation or upgrading of vehicle access roads within the Waitaha and Anderson Road Reserves and within the McLean Farm; • Establishment of site entrances and fencing; • Construction of surface water take infrastructure for construction activities; • Construction of temporary structures; • Any other construction related activity ordinarily permitted under any West Coast Regional Plan, the Westland District Plan, any National Environmental Standard, or any National Policy Statement. Except for formation or upgrading of roads in a road reserve, Enabling Works are able to be undertaken without a certified CEMP and without a Pre-Construction Meeting.
ESCP	Erosion and Sediment Control Plan
FEMP	Freshwater Ecology Management Plan
FlushMP	Flushing Management Plan
FMP	Flight Management Plan
FTAA	Fast-track Approvals Act 2024
Headworks	The physical structures within the Scheme situated above Morgan Gorge comprising a low-profile weir and intake structure together with an access tunnel portal and access road.
LMP	Landscape Management Plan
LizMP	Lizard Management Plan
McLean Farm	Land within the Consent Area located north of, and adjacent to, the true right bank of Macgregor Creek described as as Rural Section 933 and Rural Section 4047, Section 1-4 Survey Office Plan 11859 and Lot 2 Deposited Plan 376096, LOT 1 DP 339 LOT 2 DP 376096 SECS 1-4 SO 11859 RSEC 1 SO 481569 URAL SECS 933 4047 4023.

Acronym/Term	Definition
Power Station	The physical structures within the Scheme situated immediately adjacent to, and in the vicinity of, the Waitaha River and the lower end of the Tunnels generally comprising the: • Powerhouse; • Tailbay; • Tailrace; • Switchyard; and • all ancillary structures.
Power Station Site	The area comprising the Power Station
Power Station Access Road	The vehicle access road between the Anderson Road vehicle crossing and the Power Station Site.
Pre-Construction activities	Any activity associated with investigative drilling or geophysical investigations.
Project	Includes all physical resources and activities associated with constructing, operating and maintaining the Scheme and all ancillary structures and activities.
Project Construction Site	All land required to be used for the construction of the Project.
Project Site	All land required to be used for the operation and maintenance of the Project.
Project Construction Work Component	Specified components or phases associated with constructing the Project (including all associated activities (excluding Enabling Works)). Project Construction Work Components include: • Construction Staging Area 3 and adjacent land-based gravel extraction / spoil disposal; • Waitaha River gravel extraction; • Construction of temporary access road and bridge to and over Granite Creek; • Road formation and road upgrade works occurring in road reserve; • Construction of new transmission lines and upgrades to existing transmission lines and access road north of the true right bank of Macgregor Creek; • Construction of new access road and transmission lines south of the true left bank of Macgregor Creek and associated structures; • Streamworks; • Power Station Site and/or Tunnels including Construction Staging Area 2; • Headworks including Construction Staging Area 1; • Waitaha Substation re-build; and • Rehabilitation works.
PRSRR	Public River Safety Risk Report
RMA	Resource Management Act 1991
Scheme	The Waitaha Hydro Scheme.
SMP	Stormwater Management Plan
SOMP	Site Operations and Maintenance Plan
Streamworks	All physical works undertaken within, and involving the disturbance of, any stream or riverbed excluding riverbed gravel extraction.

Acronym/Term	Definition
Tunnels	All physical structures associated with the water tunnel and the access tunnel included in the Scheme.
Transmission Line	The physical structures comprising the electricity transmission infrastructure between the Power Station Site and the existing Waitaha Substation.
VMP	Vegetation Management Plan
WCRC	West Coast Regional Council
WDC	Westland District Council
Wildlife Permits	Any Wildlife Permits granted under the Fast-track Approvals Act 2024 that would otherwise be granted under the Wildlife Act.
WWNZ	Whitewater NZ Incorporated

PART B: PROPOSED CONDITIONS COMMON TO WCRC AND WDC

1. All construction, operation and maintenance activities must be undertaken in general accordance with the Application and within the Consent Area shown in Schedule BA of these Consents.

2. Where there is any inconsistency between the Application and:

   a) these conditions, the conditions will prevail; and

   b) the requirements of any Management Plan referred to in these conditions, the Management Plan requirements will prevail.

Management Plans

3. Prior to commencing each of the Project Construction Work Components identified in Table 1, the consent holder must have prepared and submitted to the relevant Consent Authority for certification, in accordance with the conditions of these Consents, the associated Management Plans.

   When submitting any Management Plan applicable to any Project Construction Work Component occurring on, over or under land administered by the Department of Conservation (denoted by underlined text in Table 1), the consent holder must also provide evidence to the relevant Consent Authority that engagement with the Department of Conservation Liaison Officer was sought, including evidence of any feedback or concerns provided or raised by the Department of Conservation Liaison Officer that have been actioned or addressed, or provide reasons supporting why they have not been actioned or addressed.

Table 1: Pre Construction Management Plans

Project Construction Work Component	Pre-Construction Management Plan Requirements	Relevant Consent Authority
Construction Staging Area 3 and adjacent land-based gravel extraction / spoil disposal.	• Erosion and Sediment Control Plan • Dust Management Plan • Construction Traffic Management Plan • Construction Noise Management Plan	• WCRC • WCRC • WDC • WDC
Waitaha River gravel extraction.	• Dust Management Plan • Construction Traffic Management Plan • Construction Noise Management Plan	• WCRC • WDC • WDC
Road formation and road upgrade works occurring in road reserve.	• Erosion and Sediment Control Plan • Dust Management Plan • Construction Traffic Management Plan • Construction Noise Management Plan	• WCRC • WCRC • WDC • WDC

Project Construction Work Component	Pre-Construction Management Plan Requirements	Relevant Consent Authority
Construction of new transmission lines and upgrades to existing transmission lines and access road north of the true right bank of Macgregor Creek	• Construction Environmental Management Plan • Flight Management Plan (if helicopters are used) • Construction Noise Management Plan	• WCRC and WDC • WDC • WDC
Construction of new access road and transmission lines across and south of the true left bank of Macgregor Creek	• Construction Environmental Management Plan • Erosion and Sediment Control Plan • Dust Management Plan • Construction Traffic Management Plan • Construction Noise Management Plan	• WCRC and WDC • WCRC • WCRC • WDC • WDC
Streamworks	• Construction Environmental Management Plan • Flight Management Plan (if helicopters are used) • Erosion and Sediment Control Plan • Construction Noise Management Plan	• WCRC and WDC • WDC • WCRC • WDC
Headworks including Construction Staging Area 1 Power Station Site and/or Tunnels including Construction Staging Area 2	• Construction Environmental Management Plan • Erosion and Sediment Control Plan • Dust Management Plan • Construction Traffic Management Plan • Flight Management Plan (if helicopters are used) • Construction Noise Management Plan	• WCRC and WDC • WCRC • WCRC • WDC • WDC • WDC
Waitaha Substation works	• Construction Environmental Management Plan • Erosion and Sediment Control Plan • Construction Traffic Management Plan • Construction Noise Management Plan	• WCRC and WDC • WCRC • WDC • WDC

Advice Note: *The rationale for the table above provides for different Project Construction Work Components to proceed independently of each other in recognition of the relatively long construction phase duration for the Project. This framework also enables the scope of each*

Management Plan to match a particular phase of construction work rather than cover, at the outset, what is a very large scope of Construction Works.

4. When undertaking the Project Works Construction Components listed in Table 2, the consent holder must, in accordance with the conditions of these Consents, implement the corresponding Management Plans (being the FINAL Management Plans included with the Application and approved via the Panel's decision).

Table 2: Approved Management Plans

Project Construction Work Component	Pre-Construction Management Plan Requirements	Relevant Consent Authority
Road formation and road upgrade works occurring in a road reserve	• Lizard Management Plan	• WDC
Streamworks	• Freshwater Ecology Management Plan	• WCRC
Construction of new access road and transmission lines across and south of the true left bank of Macgregor Creek	• Freshwater Ecology Management Plan • Vegetation Management Plan • Avifauna Management Plan • Bat Management Plan • Lizard Management Plan • Landscape Management Plan	• WCRC • WDC • WDC • WDC • WDC • WDC
Headworks including Construction Staging Area 1		
Power Station Site and/or Tunnels including Construction Staging Area 2		
Waitaha Substation works	• Nil	• N/A
Rehabilitation Works	• Vegetation Management Plan • Landscape Management Plan	• WDC • WDC

Advice Note: *Management Plans listed in this condition (that were included with the Application and approved via the Panel's decision), do not require certification in accordance with conditions 8 and 9.*

5. Prior to the Commencement of Generation the consent holder must have prepared and submitted to the relevant Consent Authority for certification, in accordance with the conditions of these Consents, the Management Plans identified in Table 3. When any of these Management Plans are submitted, the consent holder must also provide evidence to the relevant Consent Authority that engagement with the Department of Conservation Liaison Officer was sought including evidence of any feedback or concerns provided or raised by the Department of Conservation Liaison Officer that have been actioned or addressed, or provide reasons supporting why they have not been actioned or addressed.

Table 3: Other Operational Management Plans

Operations Phase Management Plans	Relevant Consent Authority
• Site Operations and Maintenance Plan	• WCRC and WDC
• Stormwater Management Plan	• WCRC and WDC
• Flushing Management Plan	• WCRC

6. The preparation of each Management Plan referred to in conditions 3 and 5 must be prepared by a suitably qualified and experienced person and the qualifications detailed as part of the Management Plan.

7. The consent holder must undertake all activities authorised by these Consents in accordance with the relevant certified Management Plans referred to in Conditions 3 and 5 and the relevant approved Management Plans in Condition 4 and any amendments to a Management Plan certified under condition 11.

Management Plan Certification

8. The consent holder must supply a copy of each Management Plan to the relevant regulatory agency, or agencies in accordance with the relevant condition requiring a consent authority or authorities to certify the Management Plan.

9. In the event the relevant regulatory authority does not provide a response within 20 working days of receiving a Management Plan, or Management Plan amendment, to be certified, for the purpose of avoiding unreasonable delay, the consent holder may submit, in writing, a follow-up request to the regulatory authority seeking their response. If, after 5 working days following any follow-up request being received by the relevant regulatory authority, a response is still not provided, and unless otherwise agreed between the relevant regulatory authority and the consent holder (for example, if multiple Management Plans are submitted for certification concurrently, a schedule of target certification dates may be agreed between the relevant regulatory authority and the consent holder), the Management Plan, or Management Plan amendment, must be deemed to be certified and the consent holder can proceed with the relevant activities pertaining to that Management Plan, or Management Plan amendment, in accordance with the submitted plan and the conditions of consent.

   Advice Note: *The certification of a Management Plan by a Consent Authority is limited to the Consent Authority being satisfied that the Management Plan adequately addresses its objectives and/or purpose and contains the information required by the condition/s of these Consents. Where the relevant Consent Authority considers a Management Plan, or Management Plan amendment cannot be certified, their response must outline the reasons why it cannot be certified and set out the information it considers is required to address these reasons.*

10. The consent holder must not commence the activities listed in Conditions 3 and 5 until certification of the relevant Management Plan or Plans listed in those conditions has been obtained.

11. The consent holder may amend any Management Plan referred to in Conditions 3, 4 or 5 at any time. Any proposed amendment must be submitted to the relevant Consent Authority or Authorities, for

certification in accordance with conditions 8 and 9. Any amended Management Plan will have no effect until certification in accordance with conditions 8 and 9. In addition, when seeking certification of any amendments to Management Plans applicable to land administered by the Department of Conservation (denoted by underlined text in Table 1) or certification of any amendments to the Management Plans listed in Tables 2 and 3, the consent holder must provide evidence to the relevant consent authority that engagement with the Department of Conservation Liaison Officer has been sought, including evidence of any feedback or concerns provided or raised by the Department of Conservation Liaison Officer that have been actioned or addressed, or provide reasons supporting why they have not been actioned or addressed. Any amended Management Plan will have no effect until certification has occurred. The consent holder must meet the costs of the production, monitoring and review of any Management Plan.

12. Until Completion of Construction, copies of all current and certified Management Plans referred to in Conditions 3 and 4 must be kept at Construction Staging Area 3 at all times.

13. From the Commencement of Generation, and to the extent of their respective tenures, copies of all current, certified Management Plans referred to in Conditions 4 and 5 must be kept at the Power Station Site at all times.

Pre-commencement meeting – Project Construction Work Components

14. Not less than 10 days prior to the anticipated commencement of any Project Construction Work Component, the consent holder must schedule and attend a pre-construction meeting on the Project Site with the Consent Authorities and the contractor(s) who will manage or undertake the works associated with the relevant Project Construction Work Component.

    The purpose of this meeting is to ensure all parties in attendance are aware of the scale and scope of works to be undertaken and are familiar with relevant consent conditions and Management Plan requirements that apply.

    The following information must be made available at the pre-construction meeting by the consent holder:

    a) Scheduling and staging of the works, including the proposed start date;

    b) Relevant consent conditions;

    c) Contact details for all relevant parties;

    d) Site visit / inspection requirements;

    e) A copy of the Final CEMP;

    f) A copy of the Final ESCPs relevant to the Project Construction Work Component;

    g) Copies of any other Management Plans required for the Project Construction Work Component or Components as set out in in Condition 3 of Part B of these conditions.

Enabling Works

15. Except for formation or upgrading of roads in a road reserve, the consent holder may undertake Enabling Works without a certified CEMP and without a Pre-commencement meeting.

Hours of Construction

16. The consent holder must limit hours of construction for specific activities in accordance with the following table:

Construction Activity	Hours of Construction
Underground tunnel construction and associated activities	Any time
Construction of tunnel portals and the Headworks	Any time, provided that works undertaken between 7 PM and 7 AM are avoided whenever practicable
All other construction activities	Between the hours of 7 AM and 7 PM Monday to Sunday inclusive

Construction Environmental Management Plan (CEMP)

17. The purpose of the CEMP required by Condition 3 of Part B of these conditions is to set out the management procedures and construction methods to be undertaken by the consent holder to avoid, remedy or mitigate or minimise any potential adverse effects associated with Construction Works and to comply with all construction related conditions of these Consents.

    The CEMP must also include (as appendices or attachments) copies of any other Management Plans applicable to the scope of Project Construction Work Component(s) being covered by the CEMP (as set out in Condition 3 and 4 of Part B of these conditions).

    To achieve its purpose, the CEMP must be prepared by a suitably qualified and experienced person, be of a similar form and content to the DRAFT CEMP provided in the Application, and include the following information:

    a) Regarding overall project management:

        i) The roles and responsibilities of staff and contractors including their contact details (phone and email address);

        ii) A summary description of the existing site(s) to be used for construction;

        iii) A detailed description of the scope of construction activities, including a list of all Project Construction Work Components and all land to be used;

        iv) Construction Work programmes and any staging details;

        v) Hours of construction work in accordance with Condition 16 of Part B of these Consents;

        vi) Construction Site layout details including Construction Staging Areas, locations of refuelling activities and construction lighting;

        vii) Measures and actions to respond to warnings of heavy rain;

        viii) Methods for providing for the health and safety of the general public during construction;

ix) Procedures, including spill prevention and response measures, for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to watercourses;

x) Methods for managing sewage, solid wastes and refuse generated from Construction Works;

xi) Procedures for incident management including natural hazard events;

xii) Procedures for responding to complaints about Construction Works;

xiii) Methods for amending and updating the CEMP as required;

b) Methods and processes associated with the following other construction activities and control of any related discharges or effects, including but not necessarily limited to;

i) Gravel extraction and screening activities;

ii) Road and transmission line construction activities;

iii) Spoil disposal activities;

iv) Streamworks;

v) Construction, operation and decommissioning of the concrete batching plant; and

vi) Construction water take operation and monitoring.

To enable sequencing of the Project Construction Works Components, the CEMP may be reviewed and amended over time in accordance with Condition 11 of Part B of these conditions.

Construction Disturbance Area

18. The total land area disturbed or used during construction activities authorised by these Consents must not exceed the following:

Project Construction Site	**Maximum Area (ha)**
Headworks	1.2
Power Station Site and access road / transmission line south of Macgregor Creek	6.2
McLean Farm including Construction Staging Area 3, Spoil Disposal Areas, access road, transmission lines and gravel screening	28
Overall Total	**35.4**

Indigenous Vegetation Disturbance Area

19. The total area of indigenous vegetation permanently removed as a result of activities authorised by these Consents must be not exceed the following:

Project Construction Site / Project Site Areas	**Maximum Area (ha)**
Headworks	0.13

Power Station Site including tailrace	0.67
Access Road / transmission line south of Macgregor Creek	3.46
McLean Farm including Construction Staging Area 3, Spoil Disposal Areas, access road, transmission lines and gravel screening	0.21
Overall Total	**4.47**

Accidental discovery protocols

20. If, at any time during any earthworks, Streamworks or gravel extraction activities authorised by these Consents, any archaeological features (including human remains, archaeology and artefacts) are uncovered, works in the immediate site must cease and the area immediately surrounding the discovery appropriately protected and Poutini Ngāi Tahu, WCRC, WDC, Heritage New Zealand Pouhere Taonga (09 307 9920) notified immediately;

    - If any archaeological features are uncovered in the Concession Area, DOC must also be notified; or
    - If any human remains are uncovered, the New Zealand Police, must be notified immediately.

    In all cases, the following protocols must be followed:

    Wait for and enable inspection of the site

    a) Stop work and wait for the site to be inspected by the relevant authority or agency:

        (i) The New Zealand Police are required to investigate the human remains to determine whether they are those of a missing person or are a crime scene. The remainder of this process will not apply until the New Zealand Police confirm that they have no further interest in the discover.

        (ii) A site inspection for the purpose of initial assessment and response will be arranged by the Consent Authorities in consultation with Heritage New Zealand Pouhere Taonga and appropriate Poutini Ngāi Tahu representatives.

    b) Following site inspection and consultation with all relevant parties (including the consent holder), the Consent Authorities will determine the area of the site within which work must cease, until the requirements of this condition have been satisfied.

    Recommencement of work

    c) Work within the area determined by the Consent Authorities must not recommence until all of the following requirements, so far as relevant to the discovery, have been met:

        (i) Heritage New Zealand has confirmed that an archaeological authority has been approved for the work or that none is required;

        (ii) Any required notification under section 11(3) of the Protected Objects Act 1975 ;

        (iii) Any material of scientific or educational importance has been recorded and if appropriate recovered and preserved; and

d) Where the site is of Māori origin and an authority from Heritage New Zealand Pouhere Taonga is not required, the Council will confirm, in consultation with Poutini Ngāi Tahu, that:

(i) Any koiwi have either been retained where discovered or removed in accordance with the appropriate tikanga; and

(ii) Any agreed revisions to the planned works to be/have been made to address adverse effects on Māori cultural values.

21. If, at any time during any earthworks, Streamworks or gravel extraction activities authorised by these consents, any pounamu (greenstone) is discovered, the consent holder must follow the Pounamu Accidental Discovery Protocol set out in Schedule 10 of the Operative West Coast Regional Land and Water Plan.

Weir and Intake Structures

22. The consent holder must engage a suitably qualified and experienced engineer, a freshwater ecologist and an expert familiar with whio to provide advice on the design of the weir and intake structures (including the diversion weir) with the objective to appropriately manage adverse effects on river morphology, sediment transport, kōaro and whio.

The consent holder must also consult with WWNZ prior to finalising the diversion weir design and any portage access structures.

Prior to the commencement of any Streamworks associated with the Headworks, the consent holder must submit a Final Weir and Intake Structure Design Report to WCRC and/or WDC for certification. The Final Weir and Intake Structure Design Report must be in general accordance with preliminary plan drawing titled "Concept Design – Preferred Arrangement Headworks General Arrangement Channel and Intake" Revision E, and preliminary cross-section drawing titled "Preliminary Design – Headworks General Arrangement Section and Details" Revision D, provided in **Appendix 42** of the Application and include:

a) Final detailed drawings of all Weir and Intake structures;

b) Final location details of the structures;

c) Details of consultation undertaken;

d) Confirmation of design features to:

i) maintain the minimum residual flow required by condition 33 of Part C9 of these Consents;

ii) manage and pass bedload sediment;

iii) maintain existing natural fish passage including the continued provision for upstream and downstream passage of kōaro and the continued exclusion of upstream salmonid passage as required by condition 5 of Part C9 of these Consents;

iv) if possible, without compromising the weir structure's ability to achieve part (d) (iii) of this condition, provide for the passage of whio;

v) provide for safe downstream portage of recreational kayakers; and

vi) minimise adverse landscape, natural character, visual and amenity impacts;

e) Erosion and scour protection features; and

f) Any proposed rehabilitation.

In addition, when seeking certification of the Final Weir and Intake Structure Design Report, the consent holder must provide evidence to the relevant consent authority that engagement with the Department of Conservation Liaison Officer has been sought, including evidence of any feedback or concerns provided or raised by the Department of Conservation Liaison Officer that have been actioned or addressed, or provide reasons supporting why they have not been actioned or addressed. Once certified, the consent holder must construct the Weir and Intake structures in accordance with the certified Final Weir and Intake Structure Design Report.

23. Prior to any changes to the design of the Weir and Intake, the consent holder must submit a Revised Weir and Intake Structure Design Report to WCRC and WDC for certification. Any Revised Weir and Intake Design Report must include:

a) The reasons for changing the design (e.g. monitoring results of kōaro recruitment into Kiwi Flat);

b) Revised detailed drawings of all Weir and Intake structures;

c) Any revised location details of the structures;

d) Details of consultation undertaken; and

e) Confirmation of any changes to the design features set out in Condition 22(d), (e) and (f).

In addition, when seeking certification of the Revised Weir and Intake Structure Design Report, the consent holder must provide evidence to the relevant consent authority that engagement with the Liaison Officer or the Department of Conservation has been sought, including evidence of any feedback or concerns provided or raised by the Liaison Officer or Department of Conservation that have been actioned or addressed, or provide reasons supporting why they have not been actioned or addressed. Once certified, the consent holder must alter the Weir and Intake structures in accordance with the certified Revised Weir and Intake Structure Design Report.

Permanent Scheme Footprint

24. The maximum operational footprint of the Project Site must not exceed the following.

Project Site Area	**Maximum Area (ha)**
Headworks	0.3
Power Station Site and access road / transmission line corridor south of Macgregor Creek	4.7
McLean Farm including, access road, transmission lines	6.5
Overall Total	**11.5**

Site Operations and Maintenance Plan

25. The purpose of the SOMP required by Condition 5 of Part B of these conditions is to set out the operational practices and procedures to be adopted to ensure compliance with all relevant operational conditions of the Consents are complied with and adverse effects on neighbours and their property, the wider community including recreational users of the Waitaha Valley and the receiving environment resulting from operational and maintenance activities within the Project Site are minimised and appropriately avoided, remedied or mitigated.

    The SOMP must include:

    a) General site operations, monitoring, and maintenance procedures for the Project Site including standard operating and maintenance procedures for:

        (i) Controlled (planned) Power Station start-up and shut-down;

        (ii) Unplanned Power Station trip events;

        (iii) Discharging sediment through the desander sluicing pipe at the tailrace of the Power Station including the timing and duration of such discharges;

        (iv) Establishing no-take days in accordance with condition 28 of Part B of these consents, including processes used to communicate and co-ordinate the use of them to/with relevant recreational users; and

        (v) Routine instream maintenance works;

    b) Measures and actions to respond to warnings of heavy rain;

    c) Trial methodologies and associated monitoring details to confirm the appropriateness of maximum ramping rates set out in Conditions 21 and 2 of Part C9 of the consents in respect of fish stranding (during planned Power Station shut down) and public safety (during planned Power Station start-up and shut down);

    d) Methods for providing for the health and safety of the general public including any measures identified in the Public River Safety Risk Report required under Condition 32 of Part B of these Consents;

    e) Procedures for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to watercourses ;

    f) Methods for managing sewage, solid wastes and refuse generated from the Project Site;

    g) Procedures for incident management including natural hazard events;

    h) Procedures for monitoring and maintaining in-stream structures, including the Headworks, culverts and culverted ford river crossing structures and associated Streamworks;

    i) The management and maintenance steps taken to minimise adverse effects on the passage of fish and ensure that each instream structure's ability to provide for the passage of fish does not reduce over its lifetime;

    j) Once they have been developed following desander flushing trials, procedures for desander flushing including minimum river flows for flushing events;

k) The Monitoring Plan required under Condition 26 of Part B of these Consents including detailed information on all monitoring locations and methods;

l) When available, following any desander flushing trials, the Flushing Management Plan required under Condition 34 of Part C9 of the consents including procedures for desander flushing and minimum river flows for flushing events;

m) Indigenous tree trimming protocols;

n) Public complaint procedures; and

o) Annual reporting procedures.

The consent holder must review the SOMP at least once every 5 years following the Commencement of Generation. Any amendments made to the SOMP must be certified in accordance with Condition 11 of Part B of these conditions.

Monitoring Plan

26. The consent holder must prepare and implement an operations phase Monitoring Plan for the Project Site to be included in the SOMP. As a minimum, the Monitoring Plan must include the monitoring activities set out in the table below:

Monitoring Parameter	Monitoring location(s)	Units	Measurement Frequency
WATER FLOWS			
Station Inflow	Power Station Site	m^3/sec	At 15 minute measurement intervals
Residual flow to abstraction reach	Immediately downstream of diversion weir	m^3/sec	At 15 minute measurement intervals
Waitaha River Flow	Immediately upstream of the diversion weir and intake (calculated as the sum of measured station inflow and residual flow)	m^3/sec	At 15 minute measurement intervals
ECOLOGY			
Fish	As set out in the FEMP	As set out in the FEMP	As set out in the FEMP
Periphyton	Abstraction reach and as set out in the FEMP	As set out in the FEMP	As set out in the FEMP
Accumulated sediment reference state	Abstraction reach and as set out in the FlushMP	As set out in the FlushMP	As set out in the FlushMP
RIVER MORPHOLOGY			

Monitoring Parameter	Monitoring location(s)	Units	Measurement Frequency
Kiwi Flat river bed morphology	Between the bottom of Waitaha Gorge to the Headworks	Lidar	10-yearly

Kayaking and No-take days

27. Prior to submitting the Weir and Intake Structure Design Report, the consent holder must consult with WWNZ on the provision of a portage across and around the weir to ensure the safe passage of kayakers and pay the reasonable and agreed costs of an expert to advise WWNZ in relation to the portage design.

28. Within three months following Commencement of Generation, and then every twelve months thereafter, the consent holder must offer WWNZ four no-take days along the abstraction reach of the Waitaha River for the upcoming 12 month period with one no-take day occurring during each month between November and February (inclusive) unless agreed otherwise. If the Consent Holder cancels a no-take day it must consult with WWNZ to arrange another no-take day during the same 12 month period or, if that is not practicable, pay WWNZ $5,000 (excluding GST) per no-take day cancelled up to a maximum of $20,000 (excluding GST) for each November to February period (inclusive). If WWNZ informs the Consent Holder that it does not wish to use a no-take day the Consent Holder must pay WWNZ $5,000 (excluding GST) per no-take day declined, up to a maximum of $20,000 (excluding GST) for each November to February period (inclusive).

29. The consent holder must pay WWNZ $15,000 (excluding GST) per annum and make publicly available through its website, in consultation with WWNZ:

    a) information regarding access to and the kayaking opportunities on the Waitaha River; and

    b) information on risks and safety requirements due to the Scheme.

    Advice Note: *To assist the relevant consent authority in their role of monitoring compliance with these consents, all information associated with any compensation payments made by the consent holder under conditions 28 and 29 of Part B of these consents is required to be included in the Anunal Report prepared in accordance with condition 37 of Part B of these consents.*

30. During each no-take day, the consent holder must operate the Hydro Scheme (inclusive of the Power Station and the bypass valve), as far as is reasonable, to benefit the kayaking experience during the no-take day while considering public health and safety.

Flow data available to the public

31. The consent holder must implement and maintain a communication method that provides the following flow monitoring data to members of the public via a website following the Commencement of Generation.

Monitoring Parameter	Monitoring location(s)	Units	Frequency
Waitaha River Flow	Immediately upstream of the diversion weir and intake (calculated as the sum of measured station inflow and residual flow)	m^3/sec	At 15 minute measurement intervals
Residual flow to abstraction reach	Immediately downstream of diversion weir	m^3/sec	At 15 minute measurement intervals
Water tunnel diversion flow	Power Station Site	m^3/sec	At 15 minute measurement intervals

Public access and safety

32. No less than 6 months prior to the Commencement of Generation, the consent holder must engage a suitably qualified and experienced person to prepare a Public River Safety Risk Report (PRSRR). The purpose of the PRSRR is to identify any public river safety risks that may arise from the exercise of these Consents and recommend methods to appropriately minimse these risks.

    As a minimum, the PRSRR must address any potential hazards that may arise from rapid changes in water flows and levels, the use of the by-pass valve and the need for signage and audible sirens (as required by Condition 32 of Part B of these consents) at the Power Station and Headworks. The PRSRR must also consider and address the suggested public safety measures set out in the Public Safety Report provided as **Appendix 32** to the Application. The consent holder must provide a copy of the PRSRR to WCRC, WDC and DOC.

    The consent holder must implement the methods to address public river safety risks in accordance with the PRSRR, including the installation and maintenance of any required signs and/or sirens to warn the general public of any hazard.

33. The use of emergency sirens must be limited to near the Headworks and Power Station and each siren must be designed and directed in a way to ensure they are audible in areas where staff and recreational users need to be alerted of sudden river level changes, but no louder than necessary to limit potential noise exposure to wildlife under the advisement of a suitably qualified and experience ecologist.

34. Subject to the agreement of the Department of Conservation as landowner, the consent holder must provide alternative track access on the true right of the Waitaha River for recreational visitors to avoid the Power Station Site. Also subject to the agreement of the Department of Conservation as landowner, the alternative track's alignment and location must be in general accordance with that of the "Alternative Walking Track" denoted in Figure 8A of the Landscape Report provided as Appendix 27 of the Application. The alternative track must be provided to meet the Tramping Track Standard described in the New Zealand Handbook Tracks and Outdoor Visitor Structures SNZ HB8630:2004 at the Consent Holder's expense for the duration of the Consents.

Power Station Site Stormwater Management Plan

39. The purpose of the Stormwater Management Plan (SMP) referred to in Condition 5 of Part B of these Consents is to manage and reduce risks associated with potential spills and to avoid, or otherwise minimise, the release of other contaminants into the environment via stormwater generated within the Project Site, and in particular, within the Power Station Site.

    The SMP must include, but not be limited to:

    a) Identification of the specific activities conducted on the site;

    b) Identification of potential contaminants associated with these activities;

    c) Descriptions of the methods to be used to prevent identified contaminants being discharged into stormwater and manage environmental risks from site activities;

    d) An up-to-date and accurate site drainage plan showing the location of all site catchpits, treatment devices and the discharge point(s) of the site stormwater system;

    e) Operation and maintenance plan for any oil detection and/or any other interceptor systems installed on site; and

    f) Copies of relevant Material Safety Data Sheets (MSDS).

    The consent holder must review the SMP at least once every 5 years following the Commencement of Generation. Any amendments made to the SOMP must be certified in accordance with Condition 11 of Part B of these Consents.

Consent Compliance

35. The consent holder must supply a copy of these Consents, including conditions and relevant Management Plans, to any agent or contractor undertaking any activities authorised by these Consents.

36. The consent holder must, during Construction, keep a copy of these Consents at Construction Staging Area 3, and following the Commencement of Generation, keep a copy of these Consents at the Power Station and present them to an officer of the consent authority upon request.

Annual Report

37. By the end of September every year following the Commencement of Generation, the consent holder must prepare and provide to WCRC, WDC and DOC an Annual Report that presents a summary of all monitoring and operational information relating to the period between 1 July in the preceding year and 30 June of the year in question.

    The Annual Report must contain at least the following:

    a) A general description of operations including any major maintenance and/or operational or compliance issues;

    b) All Monitoring Plan data collected during the reporting period;

c) Within the first five years following the Commencement of Generation, a description of all restoration planting areas including monitoring and maintenance records as set out in the VMP;

d) Results of ongoing ecological monitoring undertaken in accordance with the FEMP along with a critical analysis of any trends identified, any recommended adaptive management responses along with any associated recommended amendments to the SOMP, Monitoring Plan, and FEMP;

e) Confirmation of all recreation and WWNZ compensation payments required to be made within the annual reporting period in accordance with conditions 28 and 29 of Part B of these consents, along with the details of all no-take days agreed with WWNZ and any cancelled no-take days, and confirmation of all ecological compensation payments required to be made within the annual reporting period in accordance with conditions 46 to 50 and condition 52 of Part D of these Consents including details of when compensation payments were made and what entities received the payments;

f) Results of any other operational information required in accordance wit h the SOMP;

g) Details associated with any complaints received and any associated corrective actions undertaken; and

h) Details of any future significant changes to the Scheme or its operations.

Review

38. Pursuant to Section 128 of the Resource Management Act 1991, the Consent Authority may review the conditions of these Consents by serving notice within a period of three months commencing each anniversary of the commencement of the consent for any of the following purposes:

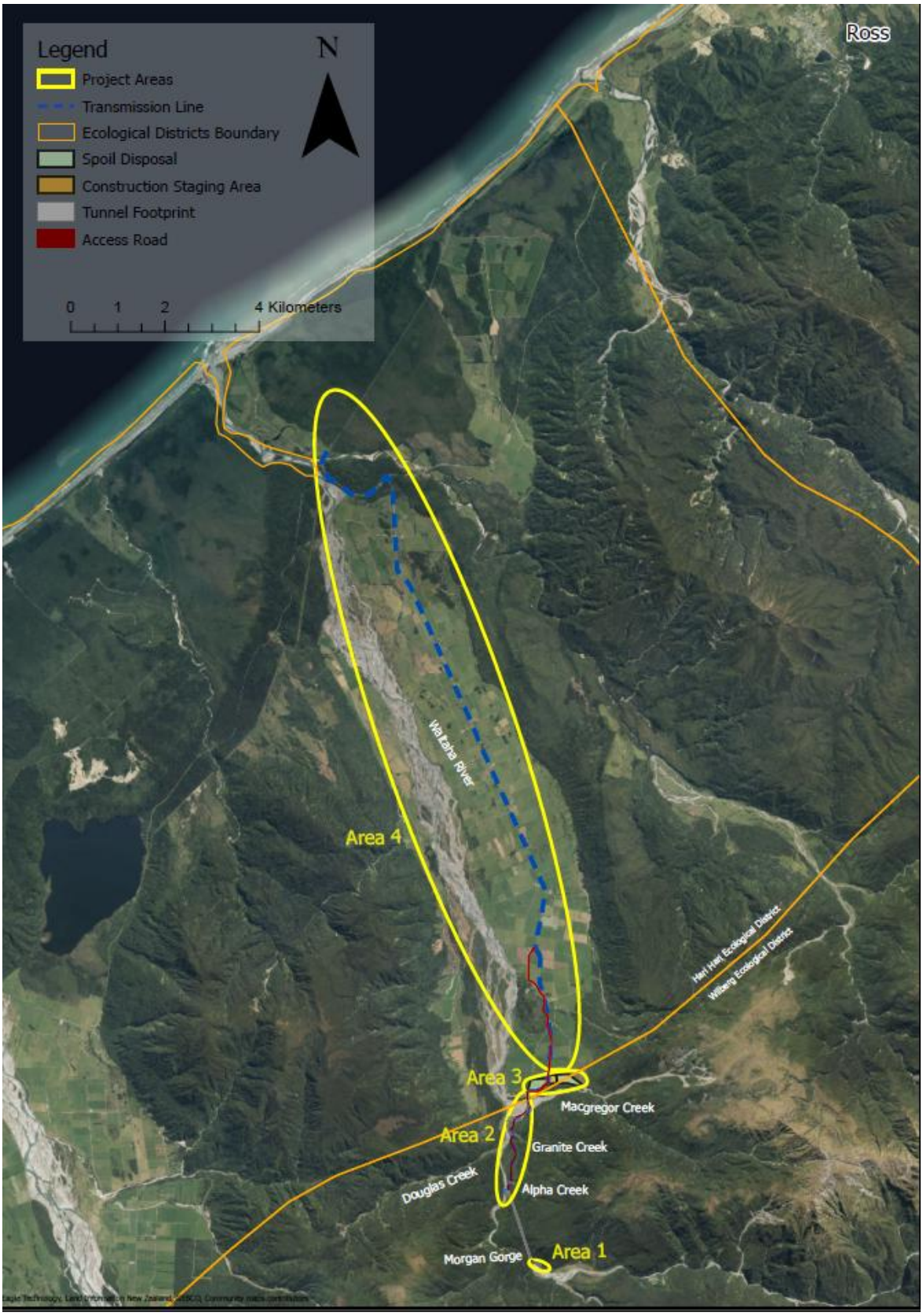
    a) To deal with any adverse effect on the environment which may arise from the exercise of these Consents and which it is appropriate to deal with at a later stage.

    b) To require the consent holder to adopt the best practicable option to remove or reduce any adverse effect on the environment.

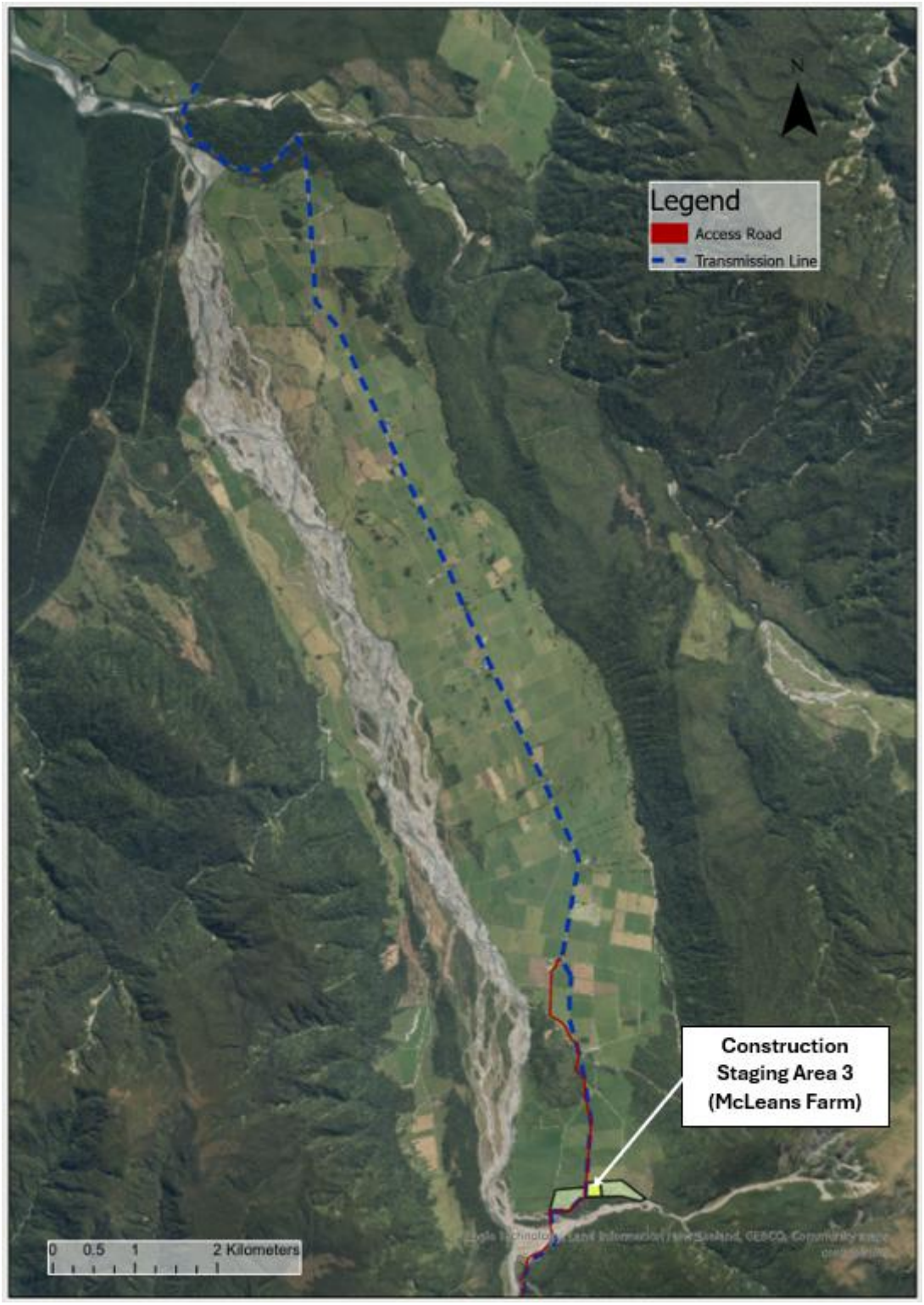
    Any review must, in addition to addressing the requirements of the RMA, have particular regard to the purpose of the FTAA.

Schedules

Schedule BA: Waitaha Hydro Project Consent Areas



Schedule BB: Waitaha Construction Staging Areas




N
Legend
Access Road
Transmission Line
Construction Staging Area 2
(Power Station Site)
Construction Staging Area 1
(Headworks)
0 0.15 0.3 0.6 Kilometers

PART C: WCRC SPECIFIC CONDITIONS

C1: General

1. The consent holder must also comply with the conditions contained in Part B of these Consents.

2. The consent holder must meet all reasonable and invoiced costs associated with monitoring procedures undertaken by the Consent Authority, or its agents, to establish compliance with the conditions of these Consents.

Notification of Non-Compliance and Fuel Spill

3. Unless otherwise stated in these Consents, in the event of any breach of compliance with the conditions of these Consents and in the event of any fuel spillage in excess of 20 litres that occurs onto the land surface or into water, the consent holder must notify the Consent Authority immediately after becoming aware of the breach. Within 7 working days of becoming aware of the breach, the consent holder must provide written notification to the Consent Authority, which explains the cause of the breach, and steps which were taken to remedy the breach and steps which will be taken to prevent any further occurrence of the breach.

   Advice Note: *"immediately after" reporting required by this condition can be undertaken at anytime via the WCRC's pollution hotline (0508 800 118)*

Sediment losses

4. The consent holder must ensure that sediment losses to natural water associated with the construction, operational and maintenance activities authorised by these Consents is avoided or otherwise minimsed.

Didymo

5. To prevent the spread of Didymo or any other aquatic pest, the consent holder must ensure that activities authorised by the Consents are undertaken in accordance with the Biosecurity New Zealand's hygiene procedures.

   Advice note: *You can access the most current version of these procedures from the Biosecurity New Zealand website* [*http://www.biosecurity.govt.nz*](http://www.biosecurity.govt.nz)

C2: Section 9 - Land Use Consent: Earthworks and Vegetation Clearance (Construction Phase)

CONSENT TYPE	ACTIVITIES AUTHORISED	LOCATION	TERM	LAPSE
Section 9	To undertake earthworks and vegetation disturbance within riparian margins, Erosion Prone Area One (including land-based gravel extraction activities) and Erosion Prone Area Two.	E 1415334 N 5223633	15 years	10 years

General

1. The consent holder must also comply with the conditions contained in Part C1 of these Consents.

Dust Management Plan

2. The purpose of the DMP required by Condition 3 of Part B of these conditions is to set out the practices and procedures to be adopted to ensure dust emissions from construction activities are minimised and managed and do not cause an objectionable or offensive effect beyond the boundary of the Project Site.

   The Dust Management Plan must, as a minimum, include:

   a) Confirmation of the parties responsible for dust management during Construction;

   b) Identification of sensitive receivers to potential dust effects and specific works methodologies for undertaking works in proximity to these parties;

   c) Proposed dust control methods including concrete batching plant dust management methods and confirmation of an adequate water supply with sufficient capacity to ensure damp ground conditions can be maintained within the site during high dust risk periods; and

   d) Protocols for responding to and addressing any complaints received.

Erosion and Sediment Control Plan

3. The Erosion and Sediment Control Plan (ESCP) required by Condition 3 of Part B of these conditions must be prepared by a suitably qualified and experienced person. The purpose of the ESCP is to ensure erosion and sediment discharges from construction work areas are appropriately minimised and managed.

4. The ESCP must be of a similar form and content to the DRAFT ESCP provided in the Application, and contain as a minimum details and methods for:

a) Minimising erosion and mobilisation of sediment during all earthwork activities, and in particular, specific sediment discharge protection measures for the "Stable Trib" shown in Schedule C2B of this consent and in accordance with conditions 9 and 10 of this consent;

b) Controlling mobilised sediment during construction related earthworks including locations, dimensions and capacities of all controls to achieve the discharge quality standard set out in condition 12(a) of this consent;

c) Minimising mobilisation of sediment and release of cementitious contaminants to water during all Streamwork activities;

d) Monitoring and treating any high-pH water generated during the application of shotcrete in tunnels to achieve the discharge quality standard set out in condition 12(b) of this consent; and

e) Erosion and sediment control device monitoring and maintenance or replacement requirements including maintaining levels of accumulated sediment within any sediment retention pond of no more than 20% of the pond's volume.

Pre-commencement Notification

5. The Consent Authority must be notified at least five (5) working days prior to Bulk Earthwork and Vegetation Clearance activities commencing on the Project Site.

Land-based Gravel Extraction

6. The consent Holder must not take more than a total volume of 100,000m^3 of gravel material over the duration of this consent.

7. All land based gravel extraction activities must be confined to the Consent Area denoted in Schedule C2A of this consent.

8. All land based gravel extraction areas must be backfilled and rehabilitated in accordance with the ESCP and LMP.

Prior to Earthworks

9. Prior to finalising the road alignment between Macgregor Creek and the Power Station, the consent holder must accurately mark out the location of the 'Stable Trib' via a ground survey.

10. The consent holder must ensure all parts of the access road between Macgregor Creek and the Power Station are set-back more than 20 metres from any part of the Stable Trib.

During Earthworks

11. The Project Site must be progressively stabilised against erosion at all stages of the earthwork activity and must be sequenced to minimise the discharge of contaminants to groundwater and/or surface water in accordance with any certified ESCP.

12. Any discharge to surface water from any construction phase water treatment device must comply with the following quality standards:

a) Clarity of no less than 100mm; and

b) pH of between 6.7 and 8.2.

13. The erosion and sediment control measures must be maintained throughout the duration of the earthwork activity at that site, or until the site is permanently stabilised against erosion. A record of any maintenance work to the erosion and sediment control measures must be kept by the consent holder and be supplied to WCRC on request.

14. All earthworks must be managed to ensure that they do not lead to any instability or collapse either adversely affecting the site, neighbouring properties or water courses. If such collapse or instability does occur and results in one or more of these adverse effects, it must be reported to the WCRC immediately following the consent holder becoming aware of the instability or collapse and must be repaired by the consent holder as soon as practicable.

    Advice Note: *"immediately following" reporting required by this condition can be undertaklen at any time via the WCRC's pollution hotline (0508 800 118)*

15. All imported fill used within the Project Site must:

    a) comply with the definition for 'cleanfill material' in the Operative Regional Land and Water Plan;

    b) be solid material of a stable, inert nature; and

    c) not contain hazardous substances or contaminants above recorded natural background levels of the receiving site.

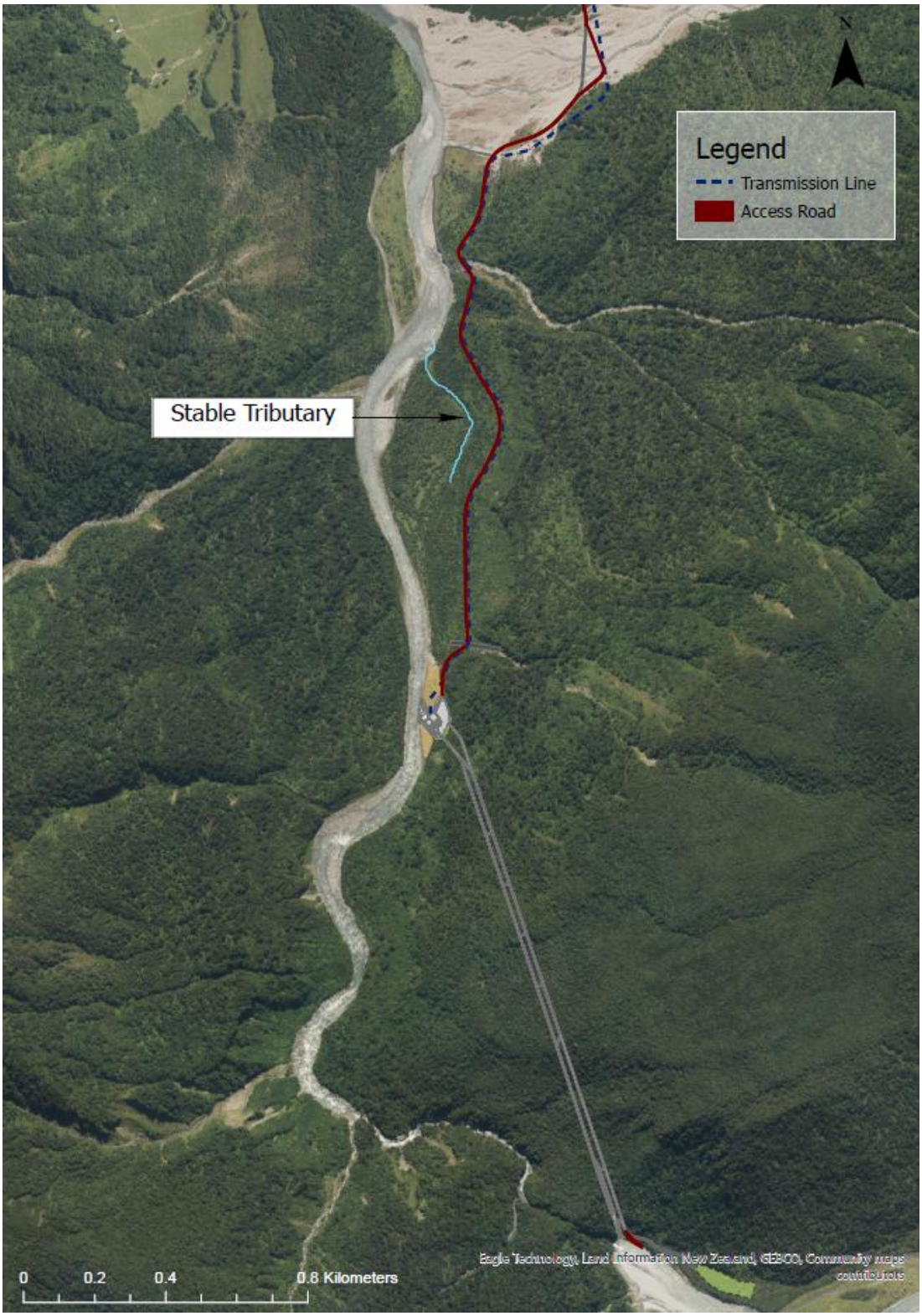
16. All machinery must be maintained and operated in a way which ensures that risks of spillages of hazardous substances such as fuel, oil, grout, concrete products and any other contaminants are avoided or otherwise minimised.

17. The maximum area of any unstabilised parts of the spoil disposal areas located on the McLean Farm must not exceed 1 hectare at any one time.

Schedules

Schedule C2A: Land-Based Gravel Extraction Area

Schedule C2B: Stable Trib



C3: Section 13 - Land Use Consent: River gravel extraction (Construction Phase)

CONSENT TYPE	ACTIVITIES AUTHORISED	LOCATION	TERM	LAPSE
Section 13	Gravel extraction from the beds of the Waitaha River and Macgregor Creek.	E 1415222 N 5228369	15 years	10 years

General

1. The consent holder must also comply with the conditions contained in Part C1 of these Consents.
2. River gravel extraction activities authorised by these Consents must be confined to the dry riverbed of the Waitaha River within the Consent Area shown in Schedule C3A of this consent.

Gravel Extraction Limits

3. The consent Holder must not take more than a total volume of 23,000m^3 over the duration of these Consents.
4. Notwithstanding Condition 3, if the consent holder is advised in writing by the Consent Authority that the Consent Authority reasonably considers that the available gravel resource has become depleted, the consent holder must cease or reduce its gravel extraction to the extent directed by the Consent Authority.

Gravel Extraction Operations

5. The consent holder must ensure that gravel extraction activities authorised by this consent do not occur simultaneously with stone removal activities authorised within the bed of the Waitaha River by Resource Consent RC-2019-0037.
6. The consent holder must notify the Consent Authority in writing at least one working day prior to the commencement of any period of gravel extraction operations. The written notice required by this condition must include;
    a) The estimated duration of gravel extraction operations;
    b) The name of the agent(s) or contractor(s) undertaking the gravel removal and whether or not the equipment they propose to use has been used previously in water bodies containing Didymosphenia geminata (Didymo); and
    c) The anticipated quantity of gravel for each period of extraction.
7. The bed disturbance and excavation and gravel removal must be undertaken:
    a) Only in the dry bed of the river when the bed is not submerged by high river flows;
    b) At least 6 metres from any riverbank;
    c) By excavating in strips that are parallel to the flow of the river and not by excavating holes;

d) To a depth no greater than 0.1m above the current water level in the flowing channel at the time of extraction; and

e) By working back from, and no closer than, 4 metres from the closest water edge.

8. The consent holder must ensure that gravel removal authorised by this Consent does not occur within:

   a. Any area of indigenous vegetation; or

   b. 50 metres of any bridge in the riverbed; or

   c. 20 metres of any other structure.

9. The consent holder must ensure that the site is restored within 5 working days of the completion of the period of gravel extraction operations notified to the Consent Authority in accordance with Condition 6(a). Restoration required by this condition must, as a minimum, include the following:

   a) Reject, surplus or unused gravel must be spread out evenly over the beach or adjacent dry bed areas;

   b) Stripping areas must be left with battered slopes of a gentle contour;

   c) Removing all equipment and signs associated with the operation; and

   d) All gravel heaped up during the process of removal must be spread out as per item (a) above.

10. The site must be left tidy with all machinery removed from the riverbed at the completion of each day's activities.

11. The riverbed must be checked for nesting birds prior to any gravel extraction works being undertaken. All gravel extraction activities must be set back from any occupied nest in accordance with the minimum setbacks set out in the Avifauna Management Plan.

12. The consent holder must ensure that the exercise of these Consents does not result in:

   a) Direct damage to riverbanks and riverbank vegetation; or

   b) The initiation of riverbank erosion; or

   c) The exacerbation of any riverbank erosion currently occurring; or

   d) The diversion of any surface water flow from its existing channel(s).

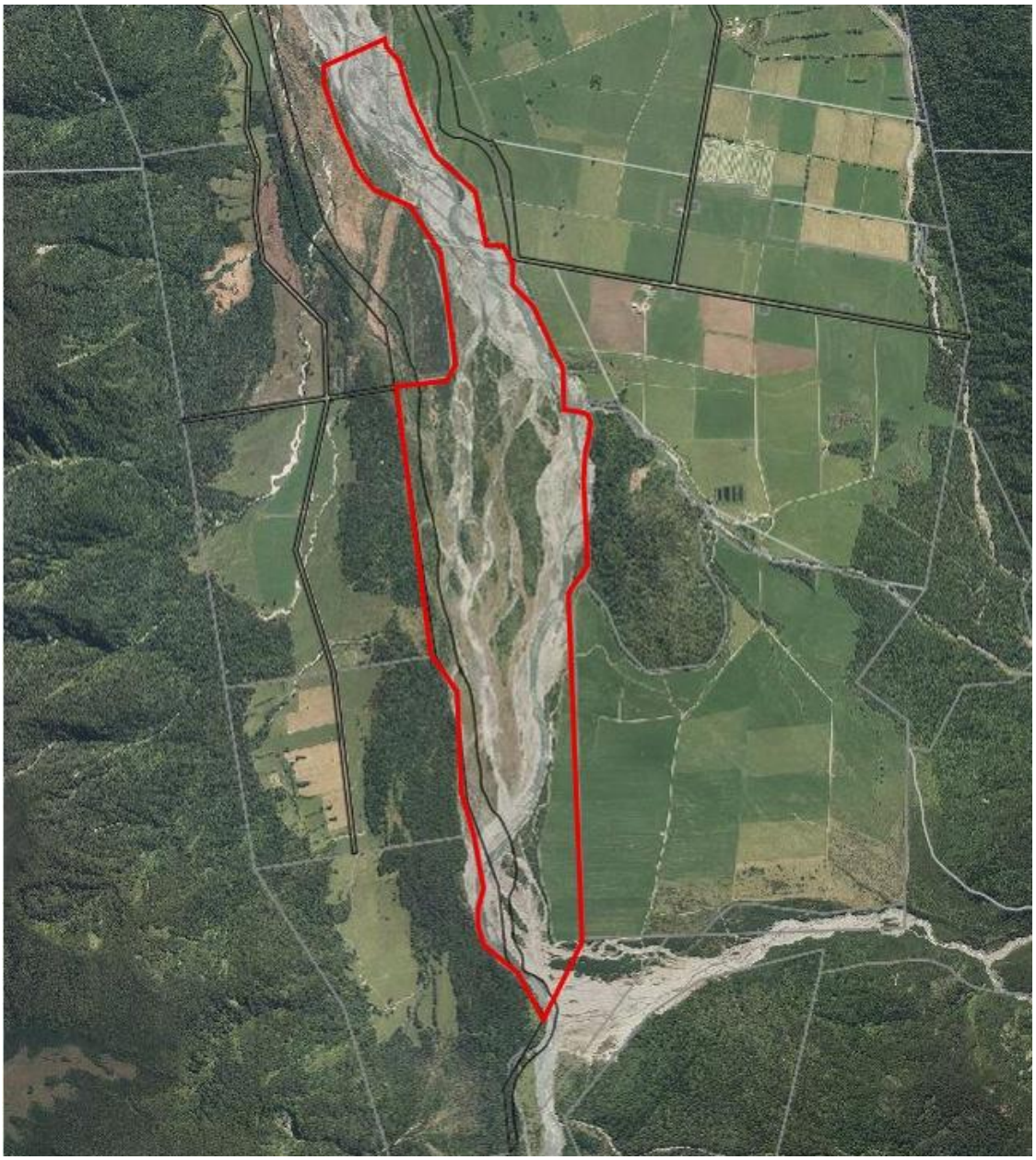
Reporting

13. The consent holder must on an annual basis, and no later than 31 January each year, provide the Consent Authority records of gravel volumes removed during the previous calendar year (i.e. the period from 1 January to 31 December).

   Advice note: *"Gravel Extraction Record Forms" can be requested from a Regional Council Compliance Officer, or downloaded from www.wcrc.govt.nz.*

Schedules

Schedule C3A: River Gravel Extraction Area (being the Waitaha River portion of the consent area for existing resource consent RC-2019-0037)



C4: Section 14 – Water Permit: Take (Construction Phase)

CONSENT TYPE	ACTIVITIES AUTHORISED	LOCATION	TERM	LAPSE
Section 14	The take of water from the Waitaha River for tunnel drilling, concrete batching plant operations, dust suppression and other ancillary construction activities.	Take locations for water used for tunnel drilling operations and other anciliarry construction activities: E 1415276 N 5223587 and E 1415852 N 5222158 Take location for water used for concrete batching plant operations, dust suppression and other ancillary construction activities: E 1415086 N 5225710	15 years	10 years

General

1. This consent authorises the take and use of surface water from the Waitaha River for the following purposes:
    a) Tunnel drilling operations;
    b) Concrete batching plant operations;
    c) Domestic uses and other ancillary construction activities undertaken at the Construction Staging Area 3 facilities; and
    d) Dust suppression.
2. The consent holder must also comply with the conditions contained in Part C1 of these Consents.

Take limit

3. The maximum combined rate of take from all consented take locations must not exceed 1,728 m^3 per day.

Fish screen

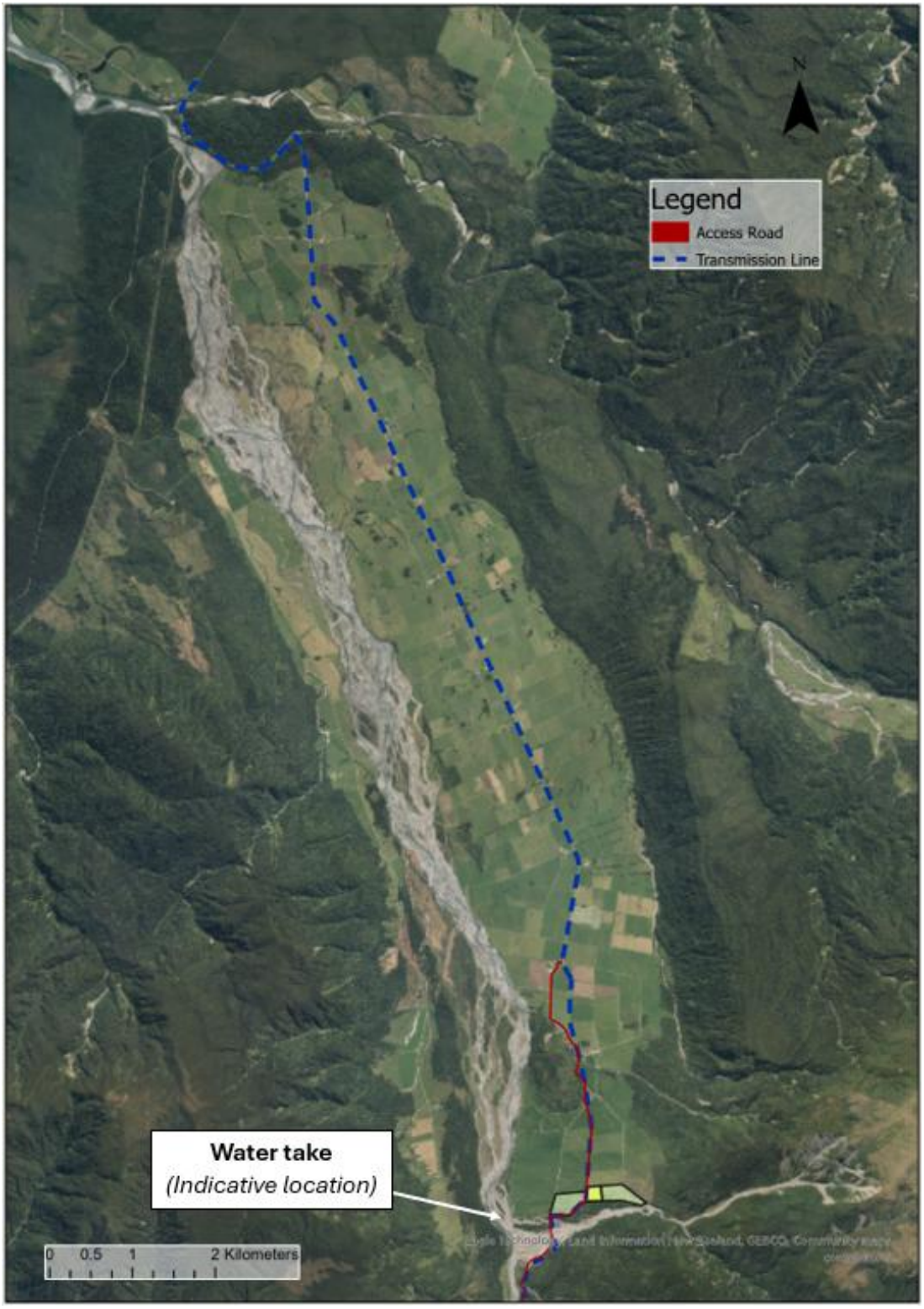
4. A fish screen with a mesh aperture size no greater than 3 mm (or no greater than 5 mm if combined with the pump head being submerged in a ballast-filled well pit or ballast-filled permeable vessel) must be installed and maintained on the intake structure to minimise fish passing through the intake or being trapped against the screen.

Temporary take cessation

5. If requested by the Consent Authority the consent holder must cease water takes for a period of up to 48 hours to allow for the calculation of the instantaneous flow rate of any flowing waterbody.

Schedules

Schedule C4A: Map Showing Approximate Locations of Surface Water Takes




N
Legend
Access Road
Transmission Line
Water take
(Indicative location)
0 0.15 0.3 0.6 Kilometers

C5: Section 14 - Water Permit: Diversions (Construction Phase)

CONSENT TYPE	ACTIVITIES AUTHORISED	LOCATION	TERM	LAPSE
Section 14	The temporary diversion of Waitaha River flows for the construction of the Headworks, the Power Station tailrace and for the construction of crossing structures for flowing tributary waterways.	E 1415334 N 5223633	15 years	10 years

General

1. The consent holder must also comply with the conditions contained in Part C1 of these Consents.
2. All temporary surface water diversions must be undertaken in accordance with relevant requirements set out in the CEMP, ESCP and FEMP.
3. Prior to commencing any temporary diversions associated with the construction or installation of any structures in or on the bed of any river or stream, the consent holder must engage a suitably qualified and experienced person to undertake a fish survey of the surface waterways within the site to identify the fish species present or expected to be present.
4. Any diversion pumping activities during construction must be undertaken under supervision of an appropriately qualified and experienced ecologist and a fish screen with a mesh aperture size no greater than 3 mm (or no greater than 5 mm if combined with the pump head being submerged in a ballast-filled well pit or ballast-filled permeable vessel) must be installed and maintained on the diversion pump intake to minimise fish passing through the intake or being trapped against the screen.
5. The consent holder must ensure any diversion does not reduce the natural surface water flow except in the location where the works are taking place, or exacerbate flooding of another person's property, erosion, land instability, sedimentation or property damage.
6. The design for all culvert and culverted ford structures must be informed by the most recent version of the New Zealand Fish Passage Guidelines, and must reflect the local waterway conditions and fish species present or expected to be present as identified in the survey required under Condition 3 of this consent.
7. The consent holder must notify the WCRC no less than 5 working days prior to undertaking any temporary diversions of the Waitaha River above the Headworks.
8. During temporary diversions of the Waitaha River above the Headworks, the consent holder must ensure natural fish passage at this location is maintained including the continued provision for upstream and downstream passage of kōaro and the continued exclusion of upstream salmonid passage.

9. Except for temporary diversions of the Waitaha River above the Headworks (which are separately addressed in condition 8 of this consent), during all other temporary diversions, fish passage must be maintained at all times except where pumping over or around culvert structures locations is required for construction purposes and undertaken in accordance with Condition 4 of of this consent.

C6: Section 15 - Discharge Permit: Drilling Discharges to Land (Pre-Construction Phase)

CONSENT TYPE	ACTIVITIES AUTHORISED	LOCATION	TERM	LAPSE
Section 15	Discharge of contaminants to land from temporary investigative drilling.	E 1415721 N 5222563	15 years	10 years

General

1. The consent holder must also comply with the conditions contained in Part C1 of these Consents.
2. Unless otherwise approved by the Consent Authority, all discharges to land associated with investigative drilling activities must be confined to the drilling pad areas shown in Schedule C6A of these Consents.

Discharges to land

3. There must be no direct discharge of any contaminants to surface waters as a result of activities authorised by this Consent.
4. All solid drilling waste must be either removed from the site or placed on land within the drilling pad so that it does not mobilise beyond the drilling pad perimeter.
5. All drilling wastewater must be directed or discharged to retention ponds or ground soakage facilities appropriately sized and designed to avoid any overland flow.

SCHEDULES

Schedule C6A: Investigative Drilling Areas

C7: Section 15 - Discharge Permit: Concrete Batching Plant Discharges (Construction Phase)

CONSENT TYPE	ACTIVITIES AUTHORISED	LOCATION	TERM	LAPSE
Section 15	Discharge of contaminants to air from a concrete batching plant.	E 1415073 N 5225775	15 years	10 years
	Discharge of concrete batching plant and concrete equipment wash water to land.	E 1415073 N 5225775 E 1415334 N 5223633 E 1416142 N 5222039		

General

1. The consent holder must also comply with the conditions contained in Part C1 of these Consents.

Discharges to land

2. The temporary concrete batching plant must be located within Construction Staging Area 3.
3. All concrete batching plant and concrete equipment washwater must be directed or discharged to retention ponds or ground soakage facilities appropriately sized and designed to avoid any overland flow.
4. All concrete batching plant and concrete equipment washwater discharges to land must occur no closer than 10 m from any natural surface water body.
5. As a result of the operation of the concrete batching plant and during any washing of equipment used to transport or apply concrete, there must be no direct discharge of any contaminants to surface waters.
6. Prior to any concrete batching plant washwater being discharged to land within Construction Staging Area 3, the consent holder must submit to the Consent Authority for their certification, final design plans of the washwater retention ponds or ground soakage facilities. The final design plans must include information necessary to demonstrate how compliance with condition 3 of this consent will be achieved. The consent holder must ensure the washwater retention ponds or ground soakage facilities are constructed in accordance with the certified final design plans.

Discharges to air

7. The consent holder must undertake regular cleaning of site surfaces, use dust suppression techniques, and ensure that all equipment is properly maintained to minimise dust emissions.
8. The operation of the concrete batching plant must be undertaken so that there is no discharge of particulate matter that causes an objectional effect beyond the boundary of the McLean Farm.

C8: Section 15 - Discharge Permit: Discharge of Spoil Material to Land (Construction Phase)

CONSENT TYPE	ACTIVITIES AUTHORISED	LOCATION	TERM	LAPSE
Section 15	Discharge of spoil material to land.	E 1415073 N 5225775	15 years	10 years

General

1. The consent holder must also comply with the conditions contained in Part C1 of these Consents.
2. Spoil disposal activities must be confined to the Spoil Disposal Areas denoted in Schedule C8A of these Consents and all spoil materials discharged to land must be at least 10m from any natural surface water body.
3. All material placed in the Spoil Disposal Areas must be limited to:
    a) Rock cuttings from tunnel excavation activities;
    b) Excess fill generated from Construction related earthworks or Streamworks; and
    c) Excess vegetation cleared from the Project footprint.

Spoil disposal management

4. There must be no direct discharge of any contaminants to surface waters.
5. All areas of spoil disposed to land must be managed and progressively rehabilitated to pasture in accordance with the ESCP, VMP and LMP.
6. The placement and compaction of fill material must be supervised by a suitably qualified engineering professional.

Schedules

Schedule C8A: Spoil Disposal Areas (refer to red outlined areas)

C9: Main Hydro Scheme Consents (Construction and Operational Phases)

CONSENT TYPE	ACTIVITIES AUTHORISED	LOCATION	TERM	LAPSE
Section 13	Placement, use, maintenance and removal of structures in, on or over the beds of rivers and streams associated with the Waitaha Hydro Scheme including, but not limited to: a) All Headworks structures located on the bed of the Waitaha River including the diversion weir and intake structure; b) Box culvert structures in the beds of Alpha Creek, Allen Creek and an unnamed tributary of the Waitaha River; c) The drift deck structure for the Macgregor Creek crossing; d) The temporary and permanent Granite Creek Bridges; e) The Alpha Creek and Macgregor Creek flow training structures / bunds; f) Parts of the Power Station tailrace and flood protection structures located on the bed of the Waitaha River; g) Parts of the permanent accessway between the Headworks access tunnel portal and the Waitaha River edge located on the bed of the Waitaha River; h) Water level and river flow recording devices; and	Various Waitaha River and Waitaha River tributary locations within the Project Site.	35 years	10 years

	all works, including Streamworks, associated with construction, maintenance and removal of all structures listed above.			
Section 14	The take, use and diversion of water from the Waitaha River for hydro-electric power generation purposes.	E 1415821 N 5222165		
	The take, use and diversion of groundwater into the pressurized water and access tunnels.	E 1415721 N 5222563		
	The use of water diverted into the pressurized water tunnel for Power Station equipment cooling, staff potable supply and other general Power Station Site operations and maintenance.	E 1415334 N 5223633		
	The diversion of Waitaha River flows over the Headworks diversion weir including the kōaro passage structure, through the Headworks residual flow gate and channel and through the sluice gate and chamber.	E 1415919 N 5222162		
Section 15	Incidental discharges of contaminants to water resulting from the maintenance of in-stream structures including any associated adjacent, upstream or downstream Streamworks	Various Waitaha River and Waitaha River tributary locations within the Project Site		
	Discharges to air associated with intermittent operation of an emergency diesel fired generator at the Power Station Site.	E 1415334 N 5223633		

General

1. The consent holder must also comply with the conditions contained in Part C1 of these Consents.

Final design

2. The final design, locations and extents of all structures authorised by these Consents must be in general accordance with the conceptual Scheme design drawings included in **Appendix 42** of the Application.

Fish passage

3. Prior to commencing the construction or installation of any structures in or on the bed of any river or stream, the consent holder must engage a suitably qualified and experienced person to undertake a fish survey of the surface waterways within the site to identify the fish species present or expected to be present.

4. The design for all culvert and culverted ford structures must be informed by the most recent version of the New Zealand Fish Passage Guidelines, and must reflect the local waterway conditions and fish species present or expected to be present as identified in the survey required under condition 3 of this consent.

5. The Headworks diversion weir must be operated and maintained to maintain existing natural fish passage at this location, including the continued provision for upstream and downstream passage of kōaro and the continued exclusion of upstream salmonid passage.

6. During temporary diversions of the Waitaha River above the Headworks, the consent holder must ensure natural fish passage at this location is maintained including the continued provision for upstream and downstream passage of kōaro and the continued exclusion of upstream salmonid passage.

7. Except for temporary diversions of the Waitaha River above the Headworks (which are separately addressed in condition 6 of this consent), during all other temporary diversions, fish passage must be maintained at all times except where pumping over or around culvert structures locations is required for construction purposes and undertaken in accordance with Condition 11 of this consent.

8. Any diversion pumping activities must be undertaken using a fish screen with a mesh aperture size no greater than 3 mm (or no greater than 5 mm if combined with the pump head being submerged in a ballast-filled well pit or ballast-filled permeable vessel) must be installed and maintained on the diversion pump intake to minimise fish passing through the intake or being trapped against the screen.

Streamworks

9. Streamworks associated with the construction of structures authorised by these Consents must be undertaken in accordance with relevant requirements set out in the CEMP, ESCP and FEMP.

10. Streamworks associated with the maintenance of structures authorised by these Consents must be undertaken in accordance with the SOMP.

11. Any diversion pumping activities during construction or maintenance must be undertaken under supervision of an appropriately qualified and experienced ecologist.

12. The consent holder must ensure any diversion does not reduce the natural surface water flow except in the location the works are taking place, or exacerbate flooding of another person's property, erosion, land instability, sedimentation or property damage.

13. The consent holder must ensure that no wet concrete is placed in any flowing water of any river or waterway.

14. All machinery must be cleaned prior to its arrival on site to ensure it is free of weeds, seeds and plant material and upon request, provide proof to the Consent Authority that this has occurred. No cleaning of any machinery or vehicles may occur within 20 metres of a waterbody or natural wetland.

15. The consent holder must not leave machinery unattended on the bed of a waterway at any time during the exercise of these Consents.

    Advice Note: *For the avidance of doubt, the intent of this condition is to avoid machinery being exposed to flood events and becoming washed downstream. To this extent, "unattended" in the context of this condition excludes periods of time a worker might leave an item of machinery as part of their normal work.*

NES-F conditions

16. The information specified in this condition must be collected and provided to the Consent Authority within 20 working days after the works associated with each instream structure have finished. The information includes:

    a) The time and date of the collection of the information;

    b) The type of structure;

    c) The geographical co-ordinates of the structure;

    d) The flow of the river or connected area (whether none, low, normal, or high);

    e) Whether the water is tidal at the structure's location;

    f) At the structure's location,—

        (i) The width of the river or connected area at the water's surface; and

        (ii) The width of the bed of the river or connected area.

    g) Whether there are improvements to the structure to mitigate any effects the structure may have on the passage of fish;

    h) Whether the structure protects particular species, or prevents access by particular species to protect other species;

    i) The likelihood that the structure will impede the passage of fish; and

    j) Visual evidence (for example, photographs) that shows both ends of the structure, viewed upstream and downstream.

    k) The culvert's asset identification number, if known;

    l) Whether the culvert's ownership is—

        (i) Held by the Crown (for example, the Department of Conservation), a regional council, a territorial authority, the New Zealand Transport Agency, or KiwiRail Holdings Limited; or

        (ii) Held publicly by another person or organisation; or

        (iii) Held privately; or

(iv) Unknown.

m) The number of barrels that make up the culvert;

n) The culvert's shape;

o) The culvert's length;

p) The culvert's diameter or its width and height;

q) The height of the drop (if any) from the culvert's outlet;

r) The length of the undercut or erosion (if any) from the culvert's outlet;

s) The material from which the culvert is made;

t) The mean depth of the water through the culvert;

u) The mean water velocity in the culvert;

v) Whether there are low-velocity zones downstream of the culvert;

w) The type of bed substrate that is in most of the culvert;

x) Whether there are any remediation features (for example, baffles or spat rope) in the culvert;

y) Whether the culvert has wetted margins;

z) The slope of the culvert;

aa) The alignment of the culvert;

bb) The numbers of each other type of structure to which this subpart applies, or of wingwalls or screens, on the culvert; and

cc) If there is any apron or ramp on the culvert, the information required by regulation 68 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 for each structure.

Advice note: *The information as required by this condition is also required to be submitted for non-consented culverts installed under permitted activity rules as per part 3 Regulations 62 and 63 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.*

Freshwater Ecology Management Plan

17. The consent holder must engage an appropriately qualified and experienced ecologist (Project Ecologist - Freshwater) to advise upon, supervise and coordinate the implementation of the Freshwater Ecology Management Plan referred to in Condition 4 of Part B of these conditions.

    The purpose of the Freshwater Ecology Management Plan is to specify the construction and operational procedures to be applied for the management of potential adverse impacts on aquatic habitat and aquatic ecology from the Scheme.

    The Freshwater Ecology Management Plan must, as a minimum, include:

    a) Results of surveys undertaken to identify all freshwater species present;

b) Methods for fish capture and relocation within flowing stream or riverbeds (e.g. for waterway crossings) prior to associated Steamworks;

c) Methodologies for monitoring and reporting kōaro recruitment into Kiwi Flat that follows a Before-After-Control-Impact (BACI) design including no less than two kōaro surveys prior to commencing construction of the diversion weir;

d) Methodologies for monitoring for any other fish species in Kiwi Flat waterways;

e) For the purpose of informing the Morgan Gorge Flushing Management Plan (FlushMP), abstraction reach periphyton monitoring and triggers for undertaking flushing flows to reduce growth build-up;

f) Design criteria and operational and maintenance management methods for the weir and tailrace to minimise effects on fish, and in particular, maintain compliance with conditions 5, 6 and 7 of this consent; and

g) Reporting.

18. As part of the FEMP or the SOMP, the consent holder must include a monitoring and maintenance plan for all in-stream structures authorised by these Consents including information on activities to ensure ongoing compliance with conditions 5, 6 and 7 of this consent. As a minimum, the monitoring and maintenance plans must include the following information:

a) What monitoring and maintenance will be done;

b) The frequency and/or duration of monitoring and maintenance that will be done; and

c) Any other steps taken to minimise any adverse effects on the passage of fish.

19. The consent holder must provide an updated version of the information required by Condition 18 of this consent in an electronic format to the Consent Authority as follows:

a) Each time any maintenance is done that materially alters any structure; and

b) Each time a significant natural hazard affects the structural integrity of any structure to an extent requiring amendments to the monitoring and maintenance plans.

Hydro scheme commissioning

20. The consent holder must notify the Consent Authority in writing at least 1 week prior of the intention to start commissioning the Scheme.

Hydro scheme diverted water management

21. The maximum rate of water taken and diverted from the Waitaha River at the Headworks must not exceed 23 m^3/sec.

22. Except for any water taken and used for domestic purposes at the site as a permitted activity, all water diverted under Condition 21 of this consent and used for electricity generation must be done so non-consumptively and returned to the Waitaha River via the Power Station tailrace and/or the by-pass valve in a “run-of-river” fashion.

Advice note: *For the avoidance of doubt, any water left within the water tunnel following a shut-down of the Power Station is excluded from this run-of-river operation requirement.*

23. During any controlled power station start-up, the ramp-up rate for discharges to the tailrace must not exceed those set out in Table 1 of this consent.

24. During any controlled power station shut-down, the ramp-down requirements for discharges to the tailrace must not exceed those set out in Table 1 of this consent.

Table 1: Power Station Ramping Requirements

River flow above intake (m^3/s)	Maximum ramp-up and ramp-down rates
< 8.5	"(X m^3/s - 3.5 m^3/s) / 10 minutes (where "X" = River Flow)
8.5 – 40	0.5 m^3/s/minute
40 – 180	X m^3/s/minute (where "X" = 1.3% of the river flow)
180 or more	No restriction

25. Deviations from the ramping requirements set out in Conditions 23 and 24 may only occur when one or more of the following circumstances apply:

    (a) When undertaking trials to establish the appropriateness of the Power Station ramping requirements set out in Conditions 23 and 24 of this consent in terms of potential fish stranding and public safety effects;

    (b) When ramping up at "night", being the time between the end of evening civil twilight and the beginning of morning civil twilight;

    (c) When undertaking an Emergency Black Start;

    (d) When there is a threat to the structural integrity of the structures of the Waitaha Hydro Scheme;

    (e) When otherwise lawfully directed in writing by the West Coast Regional Council for flood management or Civil Defence purposes;

    (f) When requested by the police, army, fire or other emergency service provider;

    (g) When necessary to respond to the uncontrolled release and spread of contaminants; and

    (h) Any force majeure event.

Advice Note: *An Emergency Black Start is defined as starting the Power Station when there is no supply from the electricity grid. In this rare situation (anticipated to occur approximately once every*

5 years when there is a total loss of supply from the grid), the Power Station may need to increase flow at higher ramping rates to accept blocks of electrical load while maintaining a stable electricity network frequency.

26. Whenever a deviation from the defined ramping rate regime occurs due to any of the circumstances described in Conditions 25 (c) to (h) of this consent, the consent holder must return to the normal operating regime as soon as practicably possible.

27. To avoid bank erosion, all diverted water returned to the Waitaha River via the by-pass valve must be directed downstream and not towards the true left riverbank.

28. All groundwater diverted into the access tunnel must be directed to the Waitaha River either via a dedicated drain or pipe that directs flow to the Power Station tailrace or via a dedicated drain or pipe that directs flow to Kiwi Flat.

Ramping Rate Effects

29. The consent holder must engage a suitably qualified and experienced freshwater ecologist to design a trial methodology and implement a monitoring programme to establish the appropriateness of the Power Station ramp-up and ramp-down requirements set out in Conditions 23 and 24 of this consent in terms of minimising the displacement or stranding of downstream fish. Details of trial methods and monitoring must be included in the SOMP required under Condition 25 of Part B of the consents.

30. For the purpose of confirming the extent, magnitude and timing of flow changes downstream of the Power Station and the diversion weir associated with its operations, the consent holder must engage a suitably qualified and experienced freshwater ecologist and a recreational river safety expert to undertake trials, including monitoring downstream river levels and fish to establish the appropriateness of the Power Station ramp-up and ramp-down requirements set out in conditions 23 and 24 of this consent in terms of appropriately minimising public river safety risks and minimising fish displacement or stranding effects. These trials must be undertaken for a period of no less than 12 months following Commencement of Generation and the details of the trial methods and monitoring must be included in the SOMP required under Condition 25 of Part B of the consents.

31. The consent holder must engage suitably qualified and experienced freshwater ecologist and a recreational river safety expert to jointly prepare a Ramping Rate Adaptive Management Report based on the monitoring information collected in accordance with Conditions 29 and 30 of this consent. Unless authorised by the Consent Authority following a request by the Consent Holder to extend the timeframe due to unfavourable flows for conducting the monitoring, the Ramping Rate Adaptive Management Report must be submitted to the Consent Authority within 18 months following the Commencement of Generation and it must, as a minimum, include the following information:

    In relation to confirming ramping rate impacts on public safety;

    a) Results of downstream river water level monitoring and Power Station ramp-up and/or ramp-down flow curves and any corresponding by-pass flows;

b) Observational details of any downstream safety issues associated with controlled Power Station ramp-up and/or ramp-down; and

In relation to confirming ramping rate impacts on downstream fish displacement or stranding;

a) Details of downstream fish monitoring undertaken including: monitoring dates, times, ambient river flows and Power Station ramp-up and/or ramp-down flow curves;

b) Observational details of any downstream fish displacement or stranding during, or associated with, controlled Power Station ramp-up and/or ramp-down; and

Any recommended changes to the Power Station ramp-up and ramp-down requirements set out in Conditions 23 and 24 of this consent and any likely corresponding changes to renewable electricity generation.

32. Pursuant to Section 128 of the RMA, the conditions of this consent (<insert permit number>) may be reviewed by the Consent Authority at the consent holder's cost, within 60 working days of receiving the Ramping Rate Adaptive Management Report required under Condition 31 of this consent in order to vary the Power Station ramp-up and ramp-down rates set out in Conditions 23 and 24 of this consent.

Hydro scheme residual flow

33. The consent holder must ensure that a residual flow of at least 3,500 litres per second is maintained in the Waitaha River below the intake except during any time when natural flows at the intake are less than 3,500 litres per second, in which case, all flows at the intake must flow to Morgan Gorge and must not be used for hydro generation purposes.

Morgan Gorge flushing for removing accumulated fine sediment

34. The Flushing Management Plan (FlushMP) required in accordance with condition 5 of Part B of these Consents must be submitted to the Consent Authority for certification no later than 18 months following the Commencement of Generation.

The purpose of the FlushMP is to minimise adverse impacts on the quality of habitat for biota in the abstraction reach associated with accumulated fine sediment that may occur following extended low-flow periods by, firstly, establishing a reference state of fine sediment cover and thickness in the abstraction reach which, if exceeded, would trigger a flushing flow release to Morgan Gorge and, secondly, setting out the details for flushing Morgan Gorge.

In establishing the reference state of fine sediment cover and thickness under natural low flow conditions, the consent holder must undertake flushing trials and monitoring that generally aligns with the guidance set out in Appendix F of the Sediment Report provided in **Appendix 19** of the Application including the following:

a) The use visual bankside assessment of fine sediment cover to assess the width of any fine sediment depositional zone, then sampling the sediment thickness within that zone by direct measurement; and

b) The engagement of an suitably qualified and experienced geomorphologist to design the trials and associated monitoring; and

c) The implementation of the trials within the first 12 months following the Commencement of Generation.

35. The FlushMP must include the following information;

a) Methodology details and results of the trials;

b) A critical analysis of the trial results to be prepared by an appropriately qualified and experienced geomorphologist;

c) The location of the nearest slow run habitats within the abstraction reach where the accumulated sediment reference state will be monitored;

d) Monitoring details for fine sediment cover and thickness at the monitoring site including timing, frequency and methodology;

e) Confirmation of the fine sediment cover and thickness triggers (to be no less than 20% greater than the reference states established for these parameters during the trials) along with any other pre-requisite conditions (e.g. no forecasted rainfall) that require a manually controlled flush of water through Morgan Gorge; and

f) Morgan Gorge flushing procedures including minimum flush rate and duration.

Desander Flushing

36. Unless associated with trials undertaken in accordance with condition 37 of this consent or otherwise provided for by a certified Low Flow Desander Flushing Trial Report in accordance with Condition 38 of this consent, the consent holder must limit desander flushing activities to times when Waitaha River flows, as measured at the Headworks diversion weir, are 75 m^3/s or greater.

Low Flow Desander Flushing Trials

37. For the purpose of investigating the effects of desander flushing events during river flows less than the 75 m^3/s minimum flow limit required under Condition 36 of this consent, the consent holder may, following the Commencement of Generation, undertake a series of desander flushing trials at the Power Station Site. As a minimum, the methodology for any low flow desander flushing trials must include:

a) Desander flushing events undertaken across a range of Waitaha River flow rates;

b) Recordings of Waitaha River flows during each desander flushing event;

c) Recordings of the duration of each desander flushing event;

d) Where practicable (i.e. when river water clarity allows), monitoring of riverbed sediment cover upstream and downstream of the tailrace before and after flushing;

e) Monitoring of river turbidity/clarity upstream and downstream of the tailrace during flushing; and

f) No less than 1 week prior to commencing any trials, written notice to the Consent Authority of the intended commencement date of any trials and the anticipated duration of the trial period.

38. Following any low flow desander flushing trials carried out in accordance with Condition 37 of this consent, the consent holder may provide a Low Flow Desander Flushing Trial Report to the Consent Authority for certification. The Low Flow Desander Flushing Trial Report must be prepared by a suitably qualified and experienced expert and include, as a minimum, the following information;

    a) Confirmation of trial methodologies used;

    b) Results of desander flushing event trials including all monitoring results; and

    c) Any recommendations to amend related desander flushing event parameters required under Condition 36 of this consent or as set out in the SOMP along with supporting evidence.

39. For any desander flushing events during river flows less than the 75 m^3/s, the consent holder must undertake these in accordance with the certified Low Flow Desander Flushing Trial Report.

Hydro Scheme Maintenance

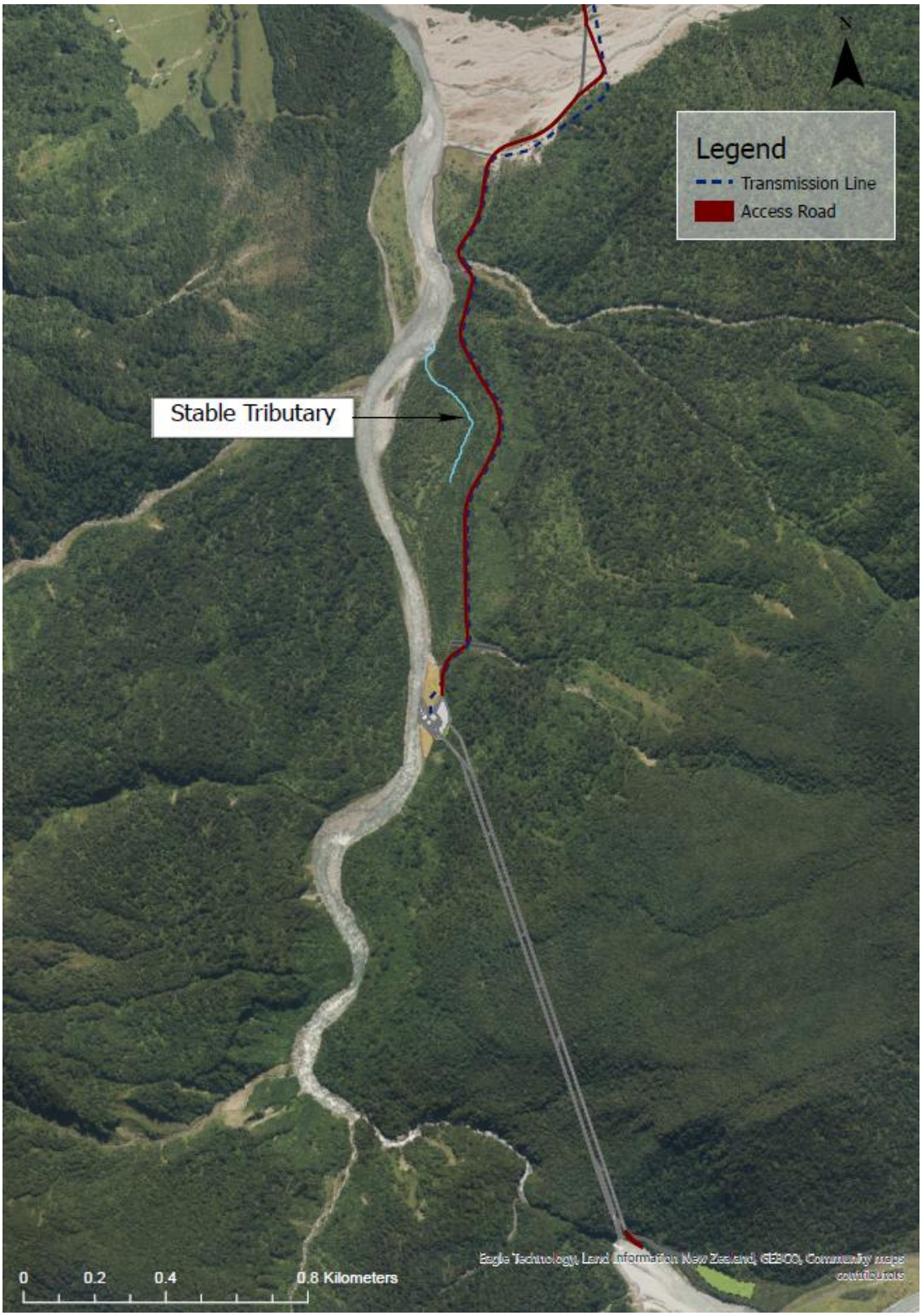
40. The consent holder must ensure any physical disturbances to earth associated with maintenance of the access road between Macgregor Creek and the Power Station are set-back more than 20 metres from any part of the Stable Trib shown in Schedule C9A of this consent.

Air discharges from emergency diesel fired generator

41. The consent holder must maintain and test the emergency generator at the Power Station Site in accordance with the manufacturer's instructions. Records of the tests within the last two years must be retained and provided to the Consent Authority on request.

Schedules

Schedule C9A: Stable Trib



PART D: WDC SPECIFIC CONDITIONS

CONSENT TYPE	ACTIVITIES AUTHORISED	LOCATION	TERM	LAPSE
Section 9	Land use consent authorising the construction, operation and maintenance of the Waitaha Hydro Scheme including temporary vegetation clearance, investigative drilling, use of helipads and aggregate mining, and permanent flood protection works, signs and water level and river flow recording devices.	E 1415334 N 5223633	Unlimited	10 years

General

1. The consent holder must comply with the conditions contained in Part B of these Consents.
2. The consent holder will meet all reasonable, itemised and invoiced costs associated with monitoring procedures undertaken by the Consent Authority, or its agents, to establish compliance with the conditions of these Consents.

Notification of Non-Compliance

3. Unless otherwise stated in these Consents, in the event of any breach of compliance with the conditions of this Consent, the consent holder must notify the Consent Authority by no later than 24 hours after becoming aware of the breach or, if the consent holder became aware of the brech on a non-working day, no later than Midday of the next working day. Within 7 working days of becoming aware of the breach, the consent holder must provide written notification to the Consent Authority, which explains the cause of the breach, and steps which were taken to remedy the breach and steps which will be taken to prevent any further occurrence of the breach.

Pre-construction investigative drilling

4. All vegetation clearance activities associated with pre-construction investigative drilling that occurs within the riparian margin must be undertaken in accordance with the VMP.

State Highway 6 – Waitaha Road Intersection

5. Prior to the commencement of Construction, the consent holder must widen the northern (inside) radius of the left turn approach into Waitaha Road from State Highway 6 to the reasonable satisfaction of New Zealand Transport Authority.
6. Prior to the commencement of Construction, and for the duration of Construction, the consent holder must maintain roadside vegetation adjacent to the State Highway 6 – Waitaha Road intersection to ensure appropriate sight distances are achieved to the reasonable satisfaction of New Zealand Transport Authority.

7. Prior to the commencement of Construction, the consent holder must provide to the Consenting Authority, correspondence from New Zealand Transport Agency confirming that works to State Highway 6 required by Condition 5 of this consent and the initial vegetation trimming required by Condition 6 of this consent, have been undertaken to the reasonable satisfaction of New Zealand Transport Agency.

8. Prior to the commencement of Construction, the consent holder must offer to erect, and if the offer is accepted erect and maintain for the duration of Construction, temporary road signage located east and west of the SH6 – Waitaha Road intersection warning users of SH6 of construction traffic and potential for trucks crossing.

Local road works

9. No less than 3 months prior to undertaking any upgrade works on any existing parts of Waitaha Road or Anderson Road the consent holder must submit design/construction plans for all parts of the road works to the Consent Authority for certification. The submitted plans must include, but are not limited to:

    a) Pavement design;

    b) Longitudinal sections;

    c) Disposal of stormwater including all structures and erosion control;

    d) Common services trench; and

    e) Surface treatment.

    All road construction and upgrade works must be designed to the acceptance of the Road Controlling Authority at the consent holder's expense.

10. Prior to using Waitaha Road and Anderson Road for Construction activities authorised by these Consents, the consent holder must undertake the road construction and upgrade works in accordance the certified design/construction submitted under Condition 9 of this consent.

11. The consent holder must submit a Corridor Access Request to WDC's District Assets Department prior to undertaking works in the legal road reserve.

12. Following completion of the road construction or upgrade works required under Condition 10 of this consent, Quality Assurance Certificates from a suitably qualified and experienced expert must be completed, signed and submitted to the Road Controlling Authority. Quality Assurance Certificates must be submitted within 3 months of completion of the road construction or upgrade works.

13. The consent holder must provide as-built plans of the road upgrades and any associated structures located within the road reserve to the Road Controlling Authority. As built plans must be submitted within 3 months of completion of the road construction or upgrade works.

Site access

14. Where not already achieved, the site entrance from Anderson Road must be upgraded, formed, and thereafter maintained for the term of this consent in accordance with the Westland District Council Code of Practice for Engineering Works. All costs of works shall be met by the Consent Holder.

Construction traffic management

15. The CTMP, required by Condition 3 of Part B of these conditions must be prepared in accordance with the Consent Authority's requirements for traffic management plans or CTMPs (as applicable) and the New Zealand Guide to Temporary Traffic Management (NZGTTM).

    The purpose of the CTMP is to set out how the consent holder will manage road traffic to and from the Project Site to appropriately protect public safety, minimise delays to road users and adress any road pavement damage caused by the consented construction activities.

    The CTMP must be prepared by a suitably qualified Traffic Engineer and it must include, as a minimum, the following information:

    a) The measures to be adopted to minimise, to the extent practicable, the effects of the Project on the existing roading network;

    b) Construction dates and hours of operation including any specific non-working hours for traffic;

    c) Diagrams of all truck routes to be used within the Project Construction Site;

    d) Methods to ensure any damage to Waitaha Road (including its intersection with State Highway 6), caused as a result of project construction traffic, is identified and remedied in accordance with conditions 16 to 18 of this consent;

    e) Measures to ensure vegetation located adjacent to the SH6 – Waitaha Road intersection is maintained to achieve appropriate sight distances for construction traffic turning into State Highway 6 from Waitaha Road;

    f) Temporary traffic management details to manage the interaction of road users with heavy construction traffic including, details and locations of temporary road signage required by Condition 8 of this consent;

    g) Waitaha Road passing bay details including design drawings and confirmation of design standards used;

    h) Driver protocols and speed restrictions;

    i) Communication protocols with Waitaha Road residents; and

    j) Details of site access/egress to and from the local roading network over the entire construction period and any limitations on truck movements.

    Construction activity in relation to any Project Construction Work Component requiring a CTMP must not commence until the CTMP has been certified by the Consent Authority and all construction traffic must be managed at all times in accordance with the approved CTMP.

    The CTMP must be included in the application for any Corridor Access Request.

Road pavement maintenance surveys

16. The consent holder must, in conjunction with the Consent Authority, undertake surveys of the road condition both prior to construction activities commencing and at completion of construction. The

road surveys must include all parts of Waitaha Road and Anderson Road that are to be used for construction traffic.

Advice Note: *The surveys undertekn in accordance with this condition must also consider effects on road conditions that may have been caused by other users of Waitaha Road and Anderson Road, including any potential future consented activities (such as a quarry) that use these roads*.

17. The consent holder must repair damage cause by the consented activities along Waitaha Road and Anderson Road that are to be used for construction traffic to a safe and comfortable driving surface (at least equivalent to the road surface condition identified by the pre-construction road survey undertaken under Condition 16 of this consent and to the reasonable satisfaction of the Consent Authority) for the duration of the construction period. The road carriageways used must be made good for any damage cause by the consented activities by the consent holder during and/or at the end of the construction period and must be returned to the Road Controlling Authority in a condition no worse than that prior to the commencement of Construction.

18. The consent holder must ensure that any spillage of gravel, cement or any other construction material resulting from the consented activities onto SH6 or other Local Roads used during construction as a result of the activities authorised by these Consents is removed as soon as practicable.

Power Station parking and manoeuvring

19. All permanent vehicle manoeuvring areas and parking spaces at the Power Station must be formed and drained and thereafter maintained in a permanent all-weather surface such as concrete, cobblestones, chip seal, asphalt or similar.

Helicopter flight management

20. The purpose of the Flight Management Plan (**FMP**) required by Condition 3 of Part B of these Consents is to:

    - Confirm helipad locations, flight paths and helipad use protocols for all pilots during construction and operations;
    - Inform pilots flying to and from the Project Site of the relevant requirements of these Consents; and
    - Minimise adverse effects <u>of helicopter use on recreational users of the Waitaha Valley and</u> on high value ecological areas supporting wildlife.

    The FMP must include:

    a) Pilot briefing notes including:

        i. The maximum number of helicopter flights as set out in Condition 21 of this consent;

        ii. Relevant information that alerts pilots of high value ecological areas near the Site that support wildlife that can be adversely affected by helicopter noise; and

iii. Any other helicopter operator instructions required by the consent holder including pre-flight communications to ensure Consent requirements, on-site health and safety or operational procedures or requirements are met;

b) Protocols to manage noise impacts on local residents when flying helicopters to and from the Project Site and when flying within the Project Site;

c) Protocols to ensure that all new operators are informed of the certified FMP, including information on relevant consent conditions, approved helipad locations, flight paths, flight exclusion areas and protocols; and

d) FMP review procedures.

The certified FMP is to be implemented and maintained on a continuing basis by the consent holder for all movements to/from the site during Construction and Operations and the consent holder must issue annual reminder notices to all helicopter operators to reiterate compliant, safe and courteous flying practices.

21. During Construction, helipads authorised for use by these Consents are limited to one helipad each at the following locations:

a) Within Construction Staging Area 1 (Headworks);

b) Within Construction Staging Area 2 (Power Station Site); and

c) Within Construction Staging Area 3 (McLeans Farm).

22. There must be no more than 30 helicopter movements during any one day during Construction.

Advice note: *For the avoidance of doubt, a helicopter movement comprises a take-off from any helipad on the Project Site and a landing at any helipad on the Project Site. i.e. One helicopter taking off and landing within the Project Site constitutes one helicopter movement.*

23. There must be no helicopter movements at night, other than in emergency situations.

Advice note: *The Civil Aviation Authority defines "night" as the time between the end of evening civil twilight and the beginning of morning civil twilight.*

24. The consent holder must maintain a complete and accurate log of all helicopter movements to and from the site during Construction. The consent holder is to keep the following information in this log:

a) The date and time of each movement;

b) Records of the helicopter owner, operator or helicopter transit company undertaking the helicopter flight; and

c) The helicopter model type or Civil Aviation Authority registration number.

The log must be made available to Council officers within ten working days upon request.

25. To minimise impacts on whio, the consent holder must take all practicable steps to ensure flight paths for all helicopter trips during construction and operations remain landward of the true right bank of the Waitaha River and minimise flying up-valley of Construction Staging Area 1.

26. No aircraft is authorised to sit and idle on the ground for longer than 10 minutes, except for the periods required for construction and operational purposes immediately prior to take off and after landing.

27. Helipads are not to be used for engine testing unless required for safety or emergency reasons.

Construction noise management

28. The purpose of the Construction Noise Management Plan (**CNMP**) required by Condition 3 of Part B of these Consents is to:

- Set out details of how the limits in Conditions 30, 31 and 32 of this consent will be achieved;
- Set out details of general noise management and mitigation procedures and communication and complaint procedures to be undertaken during the Scheme's construction; and
- Provide a framework for the development of particular noise control practices in order to reduce the impact on the environment and achieve the noise limits set out in these Consents.

The CNMP must be prepared by a suitably qualified and experienced acoustic engineer engaged by the consent holder, be of a form and include content consistent with the DRAFT CNMP submitted with the Application and include, but not be limited to:

a) Brief descriptions of construction work;

b) Noise criteria to apply to general construction activities, blasting and helicopter movements as set out in conditions 30, 31 and 32 of this consent;

c) Details of general noise management measures to be implemented during general construction activities, helicopter movements and blasting;

d) Specific details on noise management measures to minimise noise effects on local residents, recreational users, wildlife and livestock including methods for achieving compliance with condition 29 of this consent;

e) Contingency measures;

f) Construction worker training; and

g) Noise complaint review, and if required, corrective action procedures.

29. Prior to a period of work involving open-air blasting, the consent holder must:

a) notify residents within five kilometres of the proposed blast site or sites of the activity no less than 48 hours prior to blasting commencing;

b) temporarily close public access to any part of a walking track located within 500 metres from a blasting site or sites; and

c) must make arrangements to ensure any livestock are no closer than 500 metres from a blasting site or sites.

Noise limits

30. The consent holder must ensure that any construction noise (excluding blasting and helicopter movements within the site) will be controlled to achieve the following limits set out in Table 2 of NZS 6803:1999 at the notional boundary of any rural dwelling:

Time of week	Time period	Long-term duration (dBA)	
		L_{eq}	L_{max}
Weekdays	0630-0730	55	75
	0730-1800	70	85
	1800-2000	65	80
	2000-0630	45	75
Saturdays	0630-0730	45	75
	0730-1800	70	85
	1800-2000	45	75
	2000-0630	45	75
Sundays and public holidays	0630-0730	45	75
	0730-1800	55	85
	1800-2000	45	75
	2000-0630	45	75

31. The consent holder must ensure that any construction blasting will be controlled to achieve the following limits set out in Australian Standard AS 2187.2-2006 "Explosives-Storage and use, Part 2: Use of explosives" (specifically Appendix J) when measured at the notional boundary of any rural dwelling:

    a) A maximum air blast overpressure of 115 dB L_{peak}; and

    b) The level of 115 dB L_{peak} may be exceeded on up to 5% of the total number of blasts over a period of 12 months, however, the level should not exceed 120 dB L_{peak} at any time.

32. The consent holder must ensure that helicopter noise during construction and operation within the site does not exceed the following limit as determined in accordance with NZS6807:1994 *"Noise management and land use planning for helicopter landing areas"*

    a) 50 dB Ldn (day-night average) and 70 dB LAFmax (between 10 pm and 7 am) at the notional boundary of any rural dwelling.

33. The consent holder must ensure helicopters are flown in accordance with noise abatement techniques provided in The Helicopter Association International's 'I Fly Neighborly' programme.

34. The consent holder must ensure that when the Kiwi Flat Hut is occupied overnight during construction at the Headworks, all construction activities undertaken at the Headworks are managed in accordance with night-time noise limits within NZS 6803:1999 (Acoustics - Construction Noise) such that the noise limits contained in that Standard are complied with when measured at the Kiwi Flat Hut.

35. The consent holder must ensure that any operational noise (excluding helicopter use and maintenance construction activities) from the Scheme achieves the following limits:

Times		**Noise from any activity must not exceed the following noise limits at any point at the notional boundary of any site within the GRUZ (General Rural Zone)**
Daytime	Monday to Friday 7:00am – 10:00pm	55 dB $L_{Aeq\ (15\ min)}$
	Saturday, Sundays and Public Holidays 7:00 am –10:00pm	50 dB LAeq
Night-time	10:00pm – 7:00am	45 dB $L_{Aeq\ (15\ min)}$
		75 dB L_{AFmax}

Landscape management

Landscape Management Plan

37. The purpose of the Landscape Management Plan (LMP) referred to in Condition 4 of Part B of these Consents is to document the landscape, natural character and amenity measures to be implemented and managed through construction, rehabilitation and establishment phases of the Waitaha Hydro Project to ensure relevant mitigation measures are effective.

    The LMP must, as a minimum, include:

    a) The key aims of the LMP;
    b) Areas to be rehabilitated;
    c) Landscape rehabilitation processes and/or options for the Headworks, Power Station Site, access road between the Power Station Site and Macgregor Creek and the spoil disposal areas; and
    d) Contingency options for landscape management in the event of unforeseen events (e.g. slips).

Headworks and Upper Access Tunnel Portal

38. The Headworks and upper access tunnel portal must be designed and built in general accordance with the conceptual Scheme design drawings provided in **Appendix 42** of the Application.

Power Station Site and Buildings

39. The Power Station Site and associated buildings must be designed and built in general accordance with the conceptual Scheme design drawings provided in **Appendix 42** of the Application.

Vegetation Management Plan

40. The consent holder must engage an appropriately qualified and experienced ecologist (Project Ecologist - Vegetation) to advise upon, supervise and coordinate all tree removals associated with implementation of the Vegetation Management Plan (**VMP**) referred to in Condition 4 of Part B of these conditions.

The purpose of the VMP is to specify relevant vegetation removal and rehabilitation methods that will be applied during, and immediately following, the Construction of the Scheme to avoid, remedy, mitigate or minimise adverse environmental effects on vegetation and associated habitats for flora and fauna and to comply with all relevant conditions regarding the management and protection of terrestrial flora.

The VMP must, as a minimum, include:

a) Confirmation of indigenous vegetation areas to be cleared;

b) Methods, procedures or protocols for;

   (i) Inducting employees and contractors in vegetation removal activities;

   (ii) Avoiding, minimising or mitigating adverse effects on vegetation and associated habitats for flora and fauna;

   (iii) Avoiding works in delineated natural inland wetlands shown in Map 9 of Appendix I of the Vegetation Report provided as Appendix 20 of The Application and the stable tributary shown in Schedule D1B of this consent and avoiding, as far as practicable, removal of individual trees possessing significant ecological values; and

   (iv) Rehabilitating the temporary construction areas, including spoil disposal areas;

c) A monitoring framework designed to confirm that the requirements of Condition 19 of Part B of these Consents (maximum indigenous clearance areas) has been adhered to;

d) A weed monitoring and control plan; and

e) Reporting of monitoring data, incidents and inspections.

Avifauna Management Plan

41. The consent holder must engage an appropriately qualified and experienced ecologist (Project Ecologist - Avifauna) to advise upon, supervise and coordinate the implementation of the Avifauna Management Plan (**AMP**) referred to in Condition 4 of Part B of these conditions.

    The purpose of the AMP is to specify the methods that will be applied to avoid, remedy, minimise or mitigate potential adverse effects on avifauna (including whio) associated with the construction of the Scheme and to comply with all relevant conditions regarding the management and protection of indigenous avifauna.

    The AMP must, as a minimum, include:

    a) Methods, procedures or protocols for managing effects on indigenous avifauna including, to the extent practicable;

       (i) undertaking Streamworks maintenance at the Headworks outside of the whio breeding season (September – December);

       (ii) minimising helicopter trips within the Site during the whio breeding season; and

       (iii) minimising construction activities and use of outdoor lighting between dusk and dawn.

    b) Protocols during vegetation and other avifauna habitat removal;

c) Bird injury and mortality protocols;

d) Compensation details designed to address residual construction related effects on forest birds and whio in accordance with conditions 47, 48 and 49 of this consent; and

e) Compliance monitoring and reporting processes.

Bat Management Plan

42. The consent holder must engage an appropriately qualified and experienced ecologist (Project Ecologist - Bats) to advise upon, supervise and coordinate the implementation of the Bat Management Plan (**BMP**) referred to in Condition 4 of Part B of these conditions.

The purpose of the BMP is to specify the construction and operational procedures to be applied for the management of potential adverse impacts on long-tailed bats (*Chalinolobus tuberculatus*) from the Scheme.

The BMP must, as a minimum, include:

a) Methods, procedures or protocols for avoid, remedy or mitigate effects on bats;

b) Protocols to be implemented prior to, during and after bat habitat removal;

c) Compensation details designed to address residual construction related effects in accordance with conditions 46, 48 and 49 of this consent; and

d) Compliance monitoring and reporting processes.

Lighting

43. The consent holder must minimise light sources and light spill from any lighting used during construction (excluding within the tunnels), operations and maintenance activities to the greatest extent practicable.

44. The consent holder must ensure any outside light sources used within the Project Site (excluding within the tunnels) has a colour temperature of no more than 2700K to minimise the emission of light with blue/ ultra-violet wavelengths.

Lizard Management Plan

45. The consent holder must engage an appropriately qualified and experienced ecologist (Project Ecologist - Lizards) to advise upon, supervise and coordinate the implementation of the Lizard Management Plan (**LizMP**) referred to in Condition 4 of Part B of these conditions.

The purpose of the LizMP is to specify the procedures to be applied for the management of potential adverse impacts on lizards associated with the construction of the Scheme.

The LizMP must, as a minimum, include:

a) A description of methodology for survey, trapping and relocation of lizards rescued including but not limited to:

(i) salvage methods including timeframes;

(ii) lizard handling and relocation protocols (including method used to identify suitable relocation site(s));

(iii) data collection;

(iv) habitat clearance/transfer protocols;

b) A description of the release site(s);

c) Compensation details designed to address residual construction related effects in accordance with conditions 50 of this consent; and

d) Reporting.

Ecological Compensation

46. For ten years following the Commencement of Construction, and in consultation with the Department of Conservation, the consent holder must make an annual payment of $15,000 to an ecosystem programme in the region as a contribution to support the West Coast region's bat population. The first of the ten payments required by this condition must be made no later than two months following the Commencement of Construction. Subsequent annual payments must be made on the same month as the first annual payment.

47. For ten years following the Commencement of Construction, and in consultation with the Department of Conservation, the consent holder must make an annual payment of $35,000 to an ecosystem programme in the region as a contribution to support the West Coast region's whio population. The first of the ten payments required by this condition must be made no later than two months following the Commencement of Construction. Subsequent annual payments must be made on the same month as the first annual payment.

48. From and including the eleventh year following the Commencement of Construction, and then for the duration of the consents, and in consultation with the Department of Conservation, the consent holder must make an annual payment of $35,000 to an ecosystem programme in the region as a contribution to support the West Coast region's wider ecosystem or locally in the Waitaha Valley.

49. For any year during the construction of the Scheme where indigenous vegetation clearance is undertaken south of Macgregor Creek, in consultation with the Department of Conservation, the consent holder must make a payment of $10,000 to an ecosystem programme in the region as a contribution to support the West Coast region's wider ecosystem.

50. For any year during the construction of the Scheme where indigenous vegetation clearance is undertaken between 1 April and 30 September, the consent holder must make a payment of $5,000 to an ecosystem programme in the region, in consultation with the Department of Conservation, as a contribution to supporting lizard populations on the West Coast.

51. If the ecosystem programmes being funded in accordance with Conditions 46, 47 and 48 change or cease to exist within the period when payments are required, the consent holder must, following consultation with the Department of Conservation, make the annual payments to an alternative entity undertaking pest management works in the West Coast region or locally in the Waitaha Valley (as the case may be).

Recreation compensation

52. Within no less than 3 months following the Commencement of Construction, the consent holder must make a one-off financial payment of $25,000 as a contribution towards public access to the Upper Waitaha Valley and/or the maintenance and upkeep of Waitaha Valley walking tracks and huts that existed at the time this consent was granted. The entity to recieve this payment must be confirmed following the consent holder's consultation with the Department of Conservation (and may be, or include, the Department of Conservation).

Supervision of works

53. Construction of retaining structures, flood protection structures and Power Station building foundations and any associated placement and compaction of fill material must be supervised by a suitably qualified engineering professional.

Scheme signage

54. As far as practicable, and excluding any signs required for health and safety purposes, the consent holder must minimise the number and size of signs installed at the site and any single sign must meet the following minimum requirements:

    a) They must not exceed 2 m in height and 2 m in width; and
    b) They must not be flashing, revolving or retro-reflective.

55. No less than 6 months prior to the Commencement of Generation, the consent holder must prepare and provide to the Consent Authority a register of site signage (the "Sign Register") including locations and sign sizes. Any signs required for health and safety purposes are excluded from this condition.

56. All signs listed in the Sign Register must be well maintained to the satisfaction of Council at all times. Any damage, vandalism or deterioration is to be remedied within 14 days of damage being identified by the consent holder or being brought to the consent holder's attention.

Hydro scheme commissioning

57. The consent holder must notify the Consent Authority in writing at least 1 week prior of the intention to start commissioning the Scheme.

Schedules

Schedule D1A: Aggregate Mining Areas

Schedule D1B: Stable Trib