

IN THE MATTER of the Resource Management Act 1991
("RMA" or "the Act")

AND

IN THE MATTER of an application to **Kaipara District Council** for resource consent by **Tararua Wind Power Ltd (RM200234)** to construct, operate and maintain up to 19 wind turbines within a defined project envelope on the property at 379 Maitahi Road, Omamari, legally described as Lot 1 DP 201886. (Referred to as **Kaiwaikawe Wind farm**).

**JOINT WITNESS STATEMENT(JWS) OF EXPERTS IN RELATION TO
BATS AND PLANNING**

4 OCTOBER 2021

Expert Witness Conferencing Topic: Bats & Planning

Held on: 4 October 2021 at 9:00am

Venue: Via online video conference

Facilitator: Marlene Oliver

Admin Support: Polly Smith

1. **ATTENDANCE**

1.1 The list of expert participants is in the schedule at the end of this Statement. Their area of expertise (bats (B) or planning (P)) is indicated in that schedule.

2. **BASIS OF ATTENDANCE AND ENVIRONMENT COURT PRACTICE NOTE 2014**

2.1 All participants agree as follows:

- (a) The Environment Court Practice Note 2014 provides relevant guidance and protocols for the expert conferencing session.
- (b) They will comply with the relevant provisions of the Environment Court Practice Note 2014.
- (c) They will make themselves available to appear at the hearing in person if required to do so by the Hearing Panel (as directed by the Hearing Panel's directions).
- (d) This JWS report is to be filed with the Hearing Panel.

3. **AGENDA – ISSUES TO BE CONSIDERED AT CONFERENCING**

3.1 The issues identified as forming the agenda for conferencing were:

- (a) Expert Panel;
 - (i) All experts agree with the approach that was agreed at avifauna expert conferencing on 30/9/21; that being two separate panels – one for bats and one for avifauna.
 - (ii) It was agreed that the planning experts prepare an amended suite of conditions covering the expert panels.
- (b) Baseline Surveying (condition 60);
 - (i) For the outcome of Expert Conferencing on 4/10/21 – refer to condition 60 in the conditions in Attachment 1;
- (c) Bat Monitoring and Management Plan (conditions 60C onwards and 60D onwards);
 - (i) For the outcome of Expert Conferencing on 4/10/21 – refer to condition 60C and 60D in the conditions in Attachment 1;
- (d) Turbine Survey Reporting (condition 60I onwards);
 - (i) For the outcome of Expert Conferencing on 4/10/21 – refer to condition 60I onwards in the conditions in Attachment 1;
- (e) Carcass Monitoring and Mitigation (condition 58FA onwards and 60L); and
 - (i) For the outcome of Expert Conferencing on 4/10/21 – refer to condition 58FA onwards and 60L in the conditions in Attachment 1;
- (f) Other Matters.
 - (i) Condition 2 (the consent lapse period) – the planning experts all agree that ten years is appropriate.
 - (ii) Condition 35AA – the planning experts all agree that this condition be deleted.

4. **PARTIES TO THIS JOINT WITNESS STATEMENT**

4.1 The participants to this Joint Witness Statement confirm that:

- (a) They agree with the outcomes of the expert conference as recorded in this statement. As this session was held online and there is an existing hearing timetable, in the interests of efficiency, it was agreed that each expert would verbally confirm their position to the Facilitator during the online conference. This is recorded in the schedule below; and
- (b) They agree with Section 2 above, being the Basis of Attendance and Environment Court Practice Note 201; and
- (c) They have read Appendix 3 of the Environment Court’s Practice Note 2014 and agree to comply with it; and
- (d) The matters addressed in this statement are within their area of expertise.

CONFIRMED ON 4 OCTOBER 2021

EXPERT NAME	PARTY	EXPERT'S CONFIRMATION (REFER PARA 4.1)
Richard Turner P	Applicant	Yes
Stephen Fuller B	Applicant	Yes
Dwayne Daly P	KDC	Yes
Jamie Mackay B	KDC	Yes
Maggie Burns P	DOC	Yes
Tertia Thurley B	DOC	Yes

KAIWAIKAWE WIND FARM
PROPOSED CONDITIONS - EXPERT CONFERENCING TABLE – BATS & PLANNING
4 OCTOBER 2021

Note: Yellow highlighting in the column 'Department of Conservation Condition – 9 September 2021' identifies areas where agreement was reached between the experts and matters resolved, subject to revision of the text by the planning experts.

Proposed Condition – 18 August 2021 (including any matters agreed between experts for TWPL and KDC, and matters agreed between TWPL, KDC and DOC prior to conferencing through circulation of conditions)	Department of Conservation Condition – 9 September 2021	TARARUA WIND POWER LIMITED RESPONSE	DEPARTMENT OF CONSERVATION RESPONSE	KAIPARA DISTRICT COUNCIL RESPONSE
PLANS AND FINAL DESIGN AND OPERATION REPORT				
<p>31. At least 40 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall provide the Resource Consents Manager - Kaipara District Council with a set of final design drawings and accompanying detailed design report for the Kaiwaikawe Wind Farm. The final design drawings shall, as a minimum, include:</p> <ul style="list-style-type: none"> a. The layout and spacing of the wind turbines; b. The specifications of the wind turbines, turbine platforms, foundations and hard stand areas; c. The location and specifications of all supporting infrastructure, including the location and design of any permanent stormwater controls, wastewater infrastructure and disposal fields and water supplies to be installed against the relevant engineering standards administered by the Kaipara District Council; d. The location of cabling within the Connection Envelope; e. The layout and pavement composition of the internal access road network; and f. The location of all fill disposal sites to be utilised. 	<p>31. At least 40 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall provide the Group Manager - Environmental Services, Kaipara District Council with a set of final design drawings and accompanying <u>detailed Final dDesign and Operation rReport</u> for the Kaiwaikawe Wind Farm. The final design drawings shall, as a minimum, include:</p> <ul style="list-style-type: none"> a. The layout and spacing of the wind turbines; b. The specifications of the wind turbines, turbine platforms, foundations and hard stand areas; c. The location and specifications of all supporting infrastructure, including the location and design of any <u>transmission lines</u>, permanent stormwater controls, wastewater infrastructure and disposal fields and water supplies to be installed against the relevant engineering standards administered by the Kaipara District Council; d. The location of cabling within the Connection Envelope; e. The layout and pavement composition of the internal access road network; and f. The location of all fill disposal sites to be utilised. 			

<p>The detailed design report for the Kaiwaikawe Wind Farm shall, as a minimum, include:</p> <p>g. A slope stability assessment of any cuts and fills that are required (and which are verified by a suitably qualified and experienced geotechnical engineer); and</p> <p>h. Hydraulic assessment of any stormwater infrastructure, including culvert inlet and outlet structures, demonstrating compliance with Kaipara District Council Engineering Standards 2011, and Auckland Council's "Hydraulic Energy Management: Inlet and Outlet Design for Treatment Devices, July 2013."</p>	<p><u>31AA.</u> The detailed Final dDesign and Operation rReport for the Kaiwaikawe Wind Farm shall, as a minimum, include:</p> <p><u>a.</u> A slope stability assessment of any cuts and fills that are required (and which are verified by a suitably qualified and experienced geotechnical engineer); and</p> <p><u>b.</u> Hydraulic assessment of any stormwater infrastructure, including culvert inlet and outlet structures, demonstrating compliance with Kaipara District Council Engineering Standards 2011, and Auckland Council's "Hydraulic Energy Management: Inlet and Outlet Design for Treatment Devices, July 2013.";</p> <p><u>c.</u> <u>The final detailed design and operational parameters for the Kaiwaikawe Wind Farm, which shall be updated annually in accordance with Condition 31AB, including:</u></p> <p><u>i.</u> <u>Any changes made to the design of the wind farm from that set out in the Application documents to address the results from, and analysis of, the monitoring for Australasian bittern undertaken in accordance with Conditions 53 and 54C(a) and any changes set out in the Australasian Bittern Monitoring and Management Plan in accordance with Conditions 54A to 54D;</u></p> <p><u>ii.</u> <u>Any changes made to the operation of the wind farm from that set out in the Application documents to address the results from, and analysis of, the monitoring for Australasian bittern undertaken in accordance with Conditions 53 and 54C(a) and any changes set out in the Australasian Bittern Monitoring and Management Plan in accordance with Conditions 54A to 54D;</u></p> <p><u>iii.</u> <u>Any changes to the operation of the wind farm or measures to address adverse effects as set out in the Baseline Survey Report in accordance with Condition 54H;</u></p> <p><u>iv.</u> <u>Any changes made to the design of the wind farm from that set out in the Application documents to address the results from, and analysis of, the monitoring for Long-tailed bats undertaken in accordance with Condition 60D, as set out in the Long-Tailed Bat Monitoring and Management Plan in Condition 60C and/or the Turbine Survey Report prepared in accordance with Condition 60J;</u></p>			
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	<ul style="list-style-type: none"> v. <u>Any changes made to the operation of the wind farm from that set out in the Application documents to address the results from, and analysis of, the monitoring for Long-tailed bats undertaken in accordance with Condition 60D, as set out in the Long-Tailed Bat Monitoring and Management Plan in Condition 60C and/or the Turbine Survey Report prepared in accordance with Condition 60J;</u> vi. <u>Any responses to breaches of Mitigation Review thresholds and/or Immediate Review Thresholds for avifauna in Conditions 58Fa, 58J and/or 58R;</u> vii. <u>Any responses to breaches of Mitigation Review thresholds and/or Immediate Review Thresholds for Long-tailed bats in Conditions 60C and/or 60D;</u> viii. <u>Any changes to the operation or design of the wind farm as a result of one or more Australasian Bittern being found injured or deceased under Condition 55B(c);</u> ix. <u>Any measures required as a result of bird of Long tailed bat mortality as set out in the Bird and Long-tailed Bat Collision Monitoring Plan under Condition 58E(c)</u> x. <u>Any changes to the operation or design of the wind farm as a result of one or more Long-tailed bat being found injured or deceased under Condition 60D(Bbb); and</u> xi. <u>Any recommendations by the expert panel for ongoing monitoring following the development of the wind farm or in response to the results of monitoring or any immediate review or urgent review in accordance with Condition 55B(b);</u> <p><u>31AB. The Final Design and Operation Report shall be updated annually to respond to the results of carcass monitoring undertaken in accordance with Conditions 55B and 60D; and any measures required to be undertaken to address adverse effects on avifauna and/or Long-tailed bats required by Conditions 54D, 55B, 58Fa and/or Condition 60D.</u></p> <p><u>31AC. At least 80 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall provide the expert panel with the draft Final Design and Operation Report required in accordance with Condition 31AA for review and comment.</u></p>			
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<p>31A. The consent holder shall provide the planned staging of works for the Kaiwaikawe Wind Farm to Mana Whenua Kaitiaki (Te Roroa) at least 60 working days prior to the commencement of construction works authorised as part of this resource consent. A copy of the correspondence provided to Mana Whenua Kaitiaki (Te Roroa) shall also be forwarded to the Resource Consents Manager – Kaipara District Council.</p> <p>32. Within 40 working days of completion of construction works for the Kaiwaikawe Wind Farm (or after each stage, if the Kaiwaikawe Wind Farm is constructed in stages), the consent holder shall provide the Resource Consents Manager - Kaipara District Council with a set of as-built plans for the following:</p>	<p><u>31AD. The expert panel shall provide its written comments (if any) on the draft Final Design and Operation Report to the consent holder within 20 working days of receipt of the report from the consent holder.</u></p> <p><u>31AE. The consent holder shall submit the Final Design and Operation Report, including all written comments provided by the expert panel and the consent holder's response to those comments, to the Group Manager - Environmental Services, Kaipara District Council for certification that the plan meets the requirements in Condition 31AA(c).</u></p> <p><u>31AF. The first time the Plan is submitted, construction, including establishment works, cannot commence until the Plan has been certified by the Group Manager – Environmental Services, Kaipara District Council in accordance with the process outlined above</u></p> <p><u>31AG. A draft of all annual updates to the Final Design and Operation Report shall be provided to the Expert Panel for review and input prior to being provided to the Group Manager - Environmental Services, Kaipara District Council for certification, in accordance with the process set out in Conditions 31AC to 31AE.</u></p> <p><u>31AH. The consent holder shall provide a copy of the Final Design and Operation Report, and all updates to the report, to the Consultative Group for its information, within 20 working days of submission to the Group Manager - Environmental Services, Kaipara District Council.</u></p> <p><u>31ABB. The consent holder shall provide the planned staging of works for the Kaiwaikawe Wind Farm to Mana Whenua Kaitiaki (Te Roroa) at least 60 working days prior to the commencement of construction works authorised as part of this resource consent. A copy of the correspondence provided to Mana Whenua Kaitiaki (Te Roroa) shall also be forwarded to the Group Manager – Environmental Services, Kaipara District Council.</u></p> <p>32. Within 40 working days of completion of construction works for the Kaiwaikawe Wind Farm (or after each stage, if the Kaiwaikawe Wind Farm is constructed in stages), the consent holder shall provide the Group Manager - Environmental Services, Kaipara District Council with a set of as-built plans for the following:</p>			
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<ul style="list-style-type: none"> a. All wind turbines, turbine platforms and foundation areas; b. The internal access road network; c. The location of cabling within the Connection Envelope; d. All fill disposal sites; e. All permanent supporting infrastructure; and f. Engineering survey plans and sections of major earthworks. 	<ul style="list-style-type: none"> a. All wind turbines, turbine platforms and foundation areas; b. The internal access road network; c. The location of cabling within the Connection Envelope; d. All fill disposal sites; e. All permanent supporting infrastructure; and f. Engineering survey plans and sections of major earthworks. 			
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EARTHWORKS AND CONSTRUCTION

Earthworks and Construction Management Plan

<p>33. At least 20 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall submit an Earthworks and Construction Management Plan to the Resource Consents Manager - Kaipara District Council for certification that the plan meets the objectives in Condition 33(a) to (g). The Earthworks and Construction Management Plan shall be prepared by an experienced and appropriately qualified person and shall provide for the following objectives:</p> <ul style="list-style-type: none"> a. Minimise the volume of earthworks required for the construction of the Kaiwaikawe Wind Farm and ensure slope stability of any cuts or fills that are required; b. Maximise the effectiveness of erosion and sediment control measures associated with earthworks by minimising sediment generation and sediment laden runoff (particularly in locations adjacent to the Maitahi Wetland / Waitakahuruhuru Stream and the Omamari Station Wetland and Shrubland Crossings); c. Minimise the overall area of disturbance so as to reduce the potential impact on any vegetation, wetlands and potential 	<p>33. At least 20 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall submit an Earthworks and Construction Management Plan to the Group Manager - Environmental Services, Kaipara District Council for certification that the plan meets the objectives in Condition 33(a) to (g). The Earthworks and Construction Management Plan shall be prepared by an experienced and appropriately qualified person and shall provide for the following objectives:</p> <ul style="list-style-type: none"> a. Minimise the volume of earthworks required for the construction of the Kaiwaikawe Wind Farm and ensure slope stability of any cuts or fills that are required; b. Maximise the effectiveness of erosion and sediment control measures associated with earthworks by minimising sediment generation and sediment laden runoff (particularly in locations adjacent to the Maitahi Wetland / Waitakahuruhuru Stream and the Omamari Station Wetland and Shrubland Crossings); c. Minimise the overall area of disturbance so as to reduce the potential impact on any vegetation, wetlands, indigenous 			
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<p>archaeological features within the Project Site;</p> <p>d. Ensure control and / or mitigation of the adverse effects of any dust emissions;</p> <p>e. Minimise the effects, and introduction, of weeds;</p> <p>f. Ensure that fill disposal sites are contoured to generally reflect the surrounding landforms; and</p> <p>g. Rehabilitate and re-vegetate worked areas so that they are returned to pasture or their existing vegetative cover.</p>	<p>fauna and potential archaeological features within the Project Site;</p> <p>d. Ensure control and / or mitigation of the adverse effects of any dust emissions;</p> <p>e. Minimise the effects, and introduction, of weeds;</p> <p>f. Ensure that fill disposal sites are contoured to generally reflect the surrounding landforms; and</p> <p>g. Rehabilitate and re-vegetate worked areas so that they are returned to pasture or their existing vegetative cover.</p> <p>h. Incorporation of measures in the Australasian Bittern Monitoring and Management Plan and Long-Tailed Bat Monitoring and Management Plan to achieve a zero net impact outcome as a result of construction on Australasian Bittern and Long-Tailed bats.</p>			
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TRAFFIC

Construction Traffic Management Plan

<p>48. At least 30 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall submit a Construction Traffic Management Plan to the Resource Consents Manager - Kaipara District Council for certification that the plan meets the objectives in Condition 48(a) to (f). The objectives of the Construction Traffic Management Plan shall be to:</p> <p>a. Ensure all specific legislative requirements and consent conditions in relation to construction traffic are adhered to;</p> <p>b. Encourage a culture of road safety awareness and commitment;</p> <p>c. Ensure best practice in transport safety;</p> <p>d. Ensure emergency services are not obstructed;</p>	<p>48. At least 30 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall submit a Construction Traffic Management Plan to the Group Manager - Environmental Services, Kaipara District Council for certification that the plan meets the objectives in Condition 48(a) to (f). The objectives of the Construction Traffic Management Plan shall be to:</p> <p>g. Ensure all specific legislative requirements and consent conditions in relation to construction traffic are adhered to;</p> <p>h. Encourage a culture of road safety awareness and commitment;</p> <p>i. Ensure best practice in transport safety;</p> <p>j. Ensure emergency services are not obstructed;</p>			
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<p>e. Minimise disruption to the surrounding community, farming operations and rural services; and</p> <p>f. Keep the local community informed of construction operations and encourage participation in maximising safety and minimising disruption</p>	<p>k. Minimise disruption to the surrounding community, farming operations and rural services; and</p> <p>l. Keep the local community informed of construction operations and encourage participation in maximising safety and minimising disruption</p> <p>m. Incorporation of measures in the Australasian Bittern Monitoring and Management Plan and Long-Tailed Bat Monitoring and Management Plan to achieve a zero net impact outcome as a result of construction on Australasian Bittern and Long-Tailed bats.</p>			
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EXPERT AVIFAUNA / LONG-TAILED BAT PANEL

Establishment of Expert Avifauna / Long-Tailed Bat Panel

<p>52G. At least 80 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall submit the names and curriculum vitae of four independent experts with appropriate qualifications and experience in the monitoring of avifauna and long-tailed bat ecology and / or risk assessment to the Group Manager – Environmental Services, Kaipara District Council. Two of the experts shall be nominated by the Department of Conservation (Director, Operations, Northern North Island), and two shall be nominated by the consent holder.</p>	<p>52G. At least 80 120 working days prior to commissioning the monitoring required under Condition 53the commencement of construction works authorised as part of this resource consent; the consent holder shall submit the names and curriculum vitae of foursix independent experts with appropriate qualifications and experience in the monitoring of avifauna and long-tailed bat ecology and / or risk assessment to the Group Manager – Environmental Services, Kaipara District Council. Two of the experts shall be nominated by the Department of Conservation (Director, Operations, Northern North Island), two shall be nominated by the consent holder and two shall be nominated by the Group manager – Environmental Services, Kaipara District Council.</p>			
<p>52H. Notwithstanding Condition 52G above, the two experts nominated by the Department of Conservation (Director, Operations, Northern North Island) may be employees of, or contractors to, the Department of Conservation.</p>	<p>52H. Notwithstanding Condition 52G above, the two experts nominated by the Department of Conservation (Director, Operations, Northern North Island) may be employees of, or contractors to, the Department of Conservation.</p>			
<p>52I. The Group Manager – Environmental Services, Kaipara District Council shall select two experts from the names provided by the consent holder to form an expert panel in accordance with Condition 52J below. One expert must be from the names submitted by the Department of Conservation (Director, Operations, Northern North Island), and one expert must be from the names submitted by the consent holder.</p>	<p>52I. The Group Manager – Environmental Services, Kaipara District Council shall select two three experts from the names provided by the consent holder to form an expert panel in accordance with Condition 52J below. One expert must be from the names submitted by the Department of Conservation (Director, Operations, Northern North Island), and one expert must be from the names submitted by the consent holder, and one from the names submitted by the Group manager – Environmental Services, Kaipara District Council. The Panel shall meet the following criteria:</p> <p>a) At least one of whom shall be experienced in avifauna ecology, one of whom shall be experienced in long-tailed</p>			

<p>52J. The consent holder shall establish the expert panel within five working days of the selection of the two experts by the Group Manager – Environmental Services, Kaipara District Council.</p> <p>52K. In the event that either any member of the expert panel is unable, for whatever reason, to continue in their role in accordance with the conditions of this resource consent, the party which nominated the expert shall submit the two names name and curriculum vitae of a replacement expert with appropriate qualifications and experience in the monitoring of avifauna and long-tailed bat ecology and / or risk assessment to the Group Manager – Environmental Services, Kaipara District Council for approval.</p> <p>52L. The role of the expert panel is to assist the Group Manager – Environmental Services, Kaipara District Council with the following:</p> <p>a. The provision of advice and assistance to the consent holder in respect of the consent holder’s responsibilities in accordance with this resource consent in relation to the monitoring and management of potential adverse effects on bird species (particularly Australasian Bittern) and long-tailed bats;</p> <p>b. The provision of oversight, and input into, the implementation of the conditions of this resource consent relating to the monitoring and management of potential adverse effects on bird species (particularly Australasian Bittern) and long-tailed bats on behalf of the Group Manager –</p>	<p><u>bat ecology and one of whom shall be a cryptic and wetland avifauna expert.</u></p> <p>b) <u>Be suitably qualified and have demonstrated expertise in their field.</u></p> <p><u>52IA The Panel may co-opt other independent specialist members to assist in any of its functions for specified periods subject to the approval of the Group Manager – Environmental Services, Kaipara District Council.</u></p> <p>52J. The consent holder shall establish the expert panel within five working days of the selection of the <u>three</u> experts by the Group Manager – Environmental Services, Kaipara District Council <u>and selection will occur no later than 80 days prior to commissioning of monitoring required under Condition 53.</u></p> <p>52K. In the event that <u>either any</u> member of the expert panel is unable, for whatever reason, to continue in their role in accordance with the conditions of this resource consent, the party which nominated the expert shall submit <u>the two names</u> and curriculum vitae of a replacement expert with appropriate qualifications and experience in the monitoring of avifauna and long-tailed bat ecology and / or risk assessment to the Group Manager – Environmental Services, Kaipara District Council for approval.</p> <p>52L. The role of the expert panel is to assist the Group Manager – Environmental Services, Kaipara District Council with the following:</p> <p>a. The provision of advice and assistance to the consent holder in respect of the consent holder’s responsibilities in accordance with this resource consent in relation to the monitoring and management of potential adverse effects on bird species (particularly Australasian Bittern) and long-tailed bats;</p> <p>b. The provision of oversight, and input into, the implementation of the conditions of this resource consent relating to <u>the final design and operation of the wind farm,</u> <u>and</u> the monitoring and management of potential adverse effects on bird species (particularly Australasian Bittern) and long-tailed bats on behalf of the Group Manager – Environmental Services, Kaipara District Council; and</p>			
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<p>Environmental Services, Kaipara District Council; and</p> <p>c. The provision of advice and assistance to the consent holder and the Group Manager – Environmental Services, Kaipara District Council in the event of any bird or bat mortality events or investigations.</p> <p>52M. The consent holder shall meet the reasonable costs incurred by the expert panel in undertaking its duties as set out in Condition 52L above, subject to normal business practices of invoicing and accounting.</p>	<p>c. The provision of advice and assistance to the consent holder and the Group Manager – Environmental Services, Kaipara District Council in the event of any bird or bat mortality events or investigations.</p> <p>52M The consent holder shall provide the Panel with all records, raw data, plans, designs and other information that the Panel may request to undertake its review, and shall afford the Panel full access to the site at reasonable times. This includes the final Design and Operation Report and annual updates thereof.</p> <p>52MAA The Expert Panel shall endeavour to provide a consensus view where possible. Where a consensus view cannot be reached, Panel members shall provide their individual recommendations and advice.</p> <p>52MAB The consent holder shall prepare Terms of Reference (ToR) for the Expert Panel, which shall be provided in draft to the Department of Conservation (Director, Operations, Northern North Island) for written comments within 20 working days of receipt of the draft ToR. The consent holder shall provide the TOR which shall address any comments made by the Department of Conservation (Director, Operations, Northern North Island), to the Group Manager – Environmental Services, Kaipara District Council for certification prior to the Expert Panel exercising any of its functions under Conditions 52G to 52N.</p> <p>52MN. The consent holder shall meet the reasonable costs incurred by the expert panel in undertaking its duties as set out in Condition 52L above, subject to normal business practices of invoicing and accounting.</p>			
<p>BIRD AND LONG-TAILED BAT COLLISION MONITORING</p>				
<p><i>Bird and Long-tailed bat Collision Monitoring Plan</i></p>				
<p>58A. At least 60 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall submit the draft Bird Collision Monitoring Plan required in accordance with Conditions 58C and 58D below to the expert panel for review and comment.</p> <p>58B. The expert panel shall provide its written comments (if any) on the draft Bird Collision Monitoring and Management Plan to the consent</p>	<p>58A. At least 60 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall submit the draft Bird and Long-tailed Bat Collision Monitoring Plan required in accordance with Conditions 58C, 58ca and 58D, below to the expert panel for review and comment.</p> <p>58B. The expert panel shall provide its written comments (if any) on the draft Bird and Long-tailed Bat Collision Monitoring and Management Plan to the consent holder within at least 20 40</p>			

<p>holder within 20 working days of receipt of the plan from the consent holder.</p> <p>58C. The consent holder shall submit the Bird Collision Monitoring Plan, including all written comments provided by the expert panel and the consent holder's response to those comments, to the Group Manager – Environmental Services, Kaipara District Council to certify that the plan meets the objective in Condition 58C(a). The Bird Collision Monitoring Plan shall be jointly prepared by a suitably experienced and qualified avian expert and a suitably experienced and qualified bio-statistician, and shall provide for the following objective:</p> <p>a. Measure the rates of bird mortality from collisions at the Kaiwaikawe Wind Farm.</p> <p>58D. In order to achieve the objective established in Condition 58C above, the Bird Collision Monitoring Plan shall describe the methods for recording the frequency of collisions resulting in mortality for all bird species. These methods shall define a search area relevant to the height and rotor span of the wind turbines, be statistically robust and include, but not be limited to, the following:</p> <p>a. Calculating the probability and rate of bird carcass loss to scavengers, decomposition and other causes, taking into account temporal, environmental and other sources of variation;</p> <p>b. Calculating the probability of carcass detection by searchers, which may include searching assisted by suitably-trained dogs, taking into account temporal, environmental, searcher identity and other sources of variation;</p>	<p>working days <u>of receipt of the plan from the consent holder prior to the commencement of construction works authorised as part of this resource consent.</u></p> <p>58C. <u>At least 20 working days prior to the commencement of construction works authorised as part of this resource consent</u> The consent holder shall submit the Bird <u>and Long-tailed Bat</u> Collision Monitoring Plan, including all written comments provided by the expert panel and the consent holder's response to those comments, to the Group Manager – Environmental Services, Kaipara District Council to certify that the plan meets the objective in Condition 58C(a). The Bird <u>and Long-tailed Bat</u> Collision Monitoring Plan shall be jointly prepared by a suitably experienced and qualified avian <u>fauna</u> expert, <u>bat expert</u> and an <u>independent</u> suitably experienced and qualified bio-statistician, and shall provide for the following objective:</p> <p>a. Measure the rates of bird <u>and long-tailed bat</u> mortality from collisions at the Kaiwaikawe Wind Farm.</p> <p><u>58CC The detail for design and implementation of the Bird and Long-tailed bat Collision Monitoring Plan established by condition 58C above is set out in a Bird and Long-tailed bat Collision Monitoring Framework attached to these conditions as Appendix XX.</u></p> <p>58D. In order to achieve the objective established in Condition 58C above, the Bird <u>and Long-tailed Bat</u> Collision Monitoring Plan shall describe the methods for recording the frequency of collisions resulting in mortality for all bird species <u>and Long-tailed bats</u>. These methods shall <u>define a search area relevant to the height and rotor span of the turbines</u>, be statistically robust and include, but not be limited to, the following:</p> <p>a. Calculating the probability and rate of bird <u>and Long-tailed bat</u> carcass loss to scavengers, decomposition and other causes, taking into account temporal, environmental and other sources of variation;</p> <p>b. Calculating the probability of carcass detection by searchers, which may include searching assisted by suitably-trained dogs <u>(and for Long-tailed bats will include searching assisted by suitably trained dogs)</u>, taking into account temporal, environmental, searcher identity and other sources of variation;</p>			
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<p>c. A data collection and analysis regime specifying the timing, location and duration of monitoring at a statistically derived number of wind turbines and wind monitoring masts. The purpose of the data collection and analysis regime is to ensure that a reliable estimate of bird strike mortality at all wind turbines and wind monitoring masts is obtained;</p> <p>d. Methods to account for carcass loss and detection probability taking into account temporal, environmental and other sources of variation when estimating rates of mortality across the Kaiwaikawe Wind Farm;</p> <p>e. Methods to accurately record the condition (partial carcass, entire carcass, or feather spot) and cause of death; and</p> <p>f. Methods to record, and electronically store, audit and backup data.</p>	<p>c. A data collection and analysis regime specifying the timing, location and duration of monitoring at a statistically derived number of wind turbines and wind monitoring masts. The purpose of the data collection and analysis regime is to ensure that a reliable estimate of bird and Long-tailed bat strike mortality through all seasons and environmental conditions at all each wind turbines and wind monitoring masts is obtained;</p> <p>d. Methods to account for carcass loss and detection probability taking into account temporal, environmental and other sources of variation; when estimating rates of mortality across the Kaiwaikawe Wind Farm;</p> <p>e. Methods to accurately record the condition (partial carcass, full entire carcass, or feather spot) and cause of death; and</p> <p>f. Methods to record, and electronically store, audit and backup data.</p>			
<p>58E. In addition to the requirements specified in Condition 58D, the Bird Collision Monitoring Plan shall:</p> <p>a. Specify that all carcasses shall be photographed as found, labelled with a unique number, and mapped using GPS location on a detailed map of the search area showing the location of the wind turbines and associated facilities, such as internal access roads and wind monitoring masts; and</p> <p>b. Identify additional measures that may be implemented by the consent holder in order to avoid, remedy or mitigate for the potential adverse effects of the Kaiwaikawe Wind Farm on threatened and at-risk bird species in the event that the bird mortality effects for any species is considered to be more than minor.</p>	<p>58E. In addition to the requirements specified in Condition 58D, the Bird and Long-tailed Bat Collision Monitoring Plan shall:</p> <p>aa. Specify that searches must occur along transects with search coverage recorded by GPS and searcher track maps reported in the monitoring reports required under conditions 58Fc-58Fe.</p> <p>a. Specify that all carcasses shall be photographed as found, labelled with a unique number, and mapped using GPS location on a detailed map of the search area showing the location of the wind turbines and associated facilities, such as internal access roads and wind monitoring masts; and</p> <p>b. Identify additional measures that may to be implemented by the consent holder in order to avoid, remedy or mitigate or and compensate for the potential adverse effects of the Kaiwaikawe Wind Farm on threatened and at-risk bird species in the event that the bird mortality effects for any species listed in Condition 58Fa equals or exceeds the Mitigation Review Threshold for the individual species is considered to be more than minor and</p>			

	<p>c. Specify the methodology that will be utilised to identify applicable turbines for the purpose of Condition 58Nb below.</p>																																															
<p><i>Bird and Long-tailed Bat Collision Monitoring</i></p>																																																
<p>58F. Bird collision monitoring shall commence immediately following the date any wind turbine first generates electricity and continue for a period of two years (or until an alternative date as determined by the Group Manager – Environmental Services, Kaipara District Council in accordance with Condition X) and at the frequencies specified in the Bird Collision Monitoring Plan.</p>	<p>58F. Bird and long-tailed bat collision monitoring shall commence immediately following the date any wind turbine first generates electricity and continue for a period of two ten years (or until an alternative date as determined by the Group Manager – Environmental Services, Kaipara District Council in accordance with Condition X 58G) and at the frequencies specified in the Bird and Long-tailed Bat Collision Monitoring Plan.</p> <p>58FA Mitigation Review thresholds and Immediate Review Thresholds for each species shall be as follows:</p> <table border="1" data-bbox="825 730 1451 1904"> <thead> <tr> <th>Species</th> <th>Conservation Status</th> <th>Mitigation (based on a 5-year rolling annual mean of bird mortality adjusted in accordance with Condition 58D)</th> <th>Immediate Review Threshold (based on actual bird mortality recorded over a 12-month period between 1 June and 31 May)</th> </tr> </thead> <tbody> <tr> <td colspan="4">Nationally Critical or Nationally Endangered Species</td> </tr> <tr> <td>Australasian bittern</td> <td>Critical</td> <td>n/a</td> <td>1</td> </tr> <tr> <td>Long-tailed bat</td> <td>Critical</td> <td>0.5</td> <td>2</td> </tr> <tr> <td>Any other nationally critical or nationally endangered species</td> <td></td> <td>0.5</td> <td>2</td> </tr> <tr> <td colspan="4">Nationally Vulnerable Species</td> </tr> <tr> <td>Lesser Knot</td> <td>Vulnerable</td> <td>2</td> <td>5</td> </tr> <tr> <td>Banded dotterel</td> <td>Vulnerable</td> <td>2</td> <td>5</td> </tr> <tr> <td>Wrybill</td> <td>Vulnerable</td> <td>2</td> <td>5</td> </tr> <tr> <td>Any other nationally vulnerable species</td> <td></td> <td>2</td> <td>5</td> </tr> <tr> <td colspan="4">At Risk or other species</td> </tr> </tbody> </table>	Species	Conservation Status	Mitigation (based on a 5-year rolling annual mean of bird mortality adjusted in accordance with Condition 58D)	Immediate Review Threshold (based on actual bird mortality recorded over a 12-month period between 1 June and 31 May)	Nationally Critical or Nationally Endangered Species				Australasian bittern	Critical	n/a	1	Long-tailed bat	Critical	0.5	2	Any other nationally critical or nationally endangered species		0.5	2	Nationally Vulnerable Species				Lesser Knot	Vulnerable	2	5	Banded dotterel	Vulnerable	2	5	Wrybill	Vulnerable	2	5	Any other nationally vulnerable species		2	5	At Risk or other species				<ul style="list-style-type: none"> - RT noted that the thresholds from Waipipi for threatened and at risk species were based on satisfying Policy 11 of the NZCPS, which imposes a different effects management regime than is required under the RPS. - RT considers that providing for monitoring to be undertaken and then assessed in conjunction with the expert panel as to whether a more than minor effect has occurred to be appropriate, provides for relevant context to be applied at the time, and is consistent with what has been accepted by the Environment Court in other projects dealing with threatened and at risk species. 	<ul style="list-style-type: none"> - TT notes that the numbers provided are based on the numbers used in the Waipipi conditions. - TT still considers the numbers provided in the table are reasonable. - TT and MB are prepared to reconsider whether the numbers are in the conditions or if it is left to the expert panel to determine. 	
Species	Conservation Status	Mitigation (based on a 5-year rolling annual mean of bird mortality adjusted in accordance with Condition 58D)	Immediate Review Threshold (based on actual bird mortality recorded over a 12-month period between 1 June and 31 May)																																													
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Any other nationally vulnerable species		2	5																																													
At Risk or other species																																																

Red-billed gull	Declining	5	10
New Zealand pipit	Declining	5	10
Spotless crane	Declining	5	10
Marsh crane	Declining	5	10
Fernbird	Declining	5	10
Banded rail	Declining	5	10
Eastern bar-tailed godwit	Declining	5	10
Pied oystercatcher	Declining	5	10
New Zealand dabchick	Recovering	5	10
Pied shag	Recovering	5	10
Black shag	Naturally Uncommon	5	10
Australian coot	Naturally Uncommon	5	10
Little black shag	Naturally Uncommon	5	10
Any other At Risk species		5	10
Any international migratory bird that doesn't breed in New Zealand	Migrant	5	10

Note: the conservation status specified in Condition 58FA is that stated in the most recent publications of "Conservation status of New Zealand Birds" and "Conservation status of New Zealand Bats", New Zealand Threat Classification Series, Department of Conservation, Wellington.

58FB. In the event that the conservation status of any of the individual bird species listed in Condition 82 changes as a result of an amendment to the New Zealand Threat Classification as published by the Department of Conservation, then the Mitigation Review Threshold and Immediate Review Threshold for the new, relevant threat classification shall apply.

58FC. A draft annual monitoring report shall be jointly prepared by a suitable experienced and qualified avian expert, a suitable experienced and qualified Long tailed bat expert, and an independent suitably experienced and qualified bio-statistician, and be provided to the expert panel for review and comment within 20 working days of the anniversary of the commencement

<p>58G. On the second anniversary of the date any wind turbine first generates electricity the consent holder shall commission a bird collision monitoring review report by a suitably experienced and qualified avian expert and a suitably experienced and qualified bio-statistician that:</p> <ol style="list-style-type: none"> Reviews the results of the monitoring required in accordance with the Bird Collision Monitoring Plan and considers whether mortality effects for any threatened and at-risk species are more than minor; Considers whether the monitoring required in accordance with the Bird Collision Monitoring Plan needs to continue, and if so at what frequency; and Considers whether any additional avoidance, remediation or mitigation measure, as identified in the Bird Collision Monitoring Plan, needs to be implemented by the 	<p><u>of bird and long-tailed bat collision monitoring. The annual monitoring report shall present, summarise and analyse the data collected in the preceding year and report on the operation of the Kaiwaikawe Wind Farm against the objective of the Bird and Long-tailed bat Collision Monitoring Plan and the mortality thresholds for the individual species set out in condition 58Fa.</u></p> <p><u>58FD. The consent holder shall submit the annual monitoring report (including all comments from the expert panel and the consent holder's response to those comments) to the Group Manager – Environmental Services, Kaipara District Council within 60 working days of the anniversary of the commencement of bird and long-tailed bat collision monitoring. A copy of the annual monitoring report shall also be provided to the Department of Conservation (Director, Operations, Northern North Island).</u></p> <p><u>58FE Upon receiving the annual monitoring report the Group Manager – Environmental Services, Kaipara District Council may seek advice and comment from the expert panel on the data presented in the report and the operation of the Kaiwaikawe Wind Farm against the objective of the Bird and Long-tailed Bat Collision Monitoring Plan and the mortality thresholds for the individual species set out in Condition 58Fa above.</u></p> <p><u>Bird and Long-tailed Bat Collision Monitoring Review</u></p> <p>58G. On the second <u>fifth</u> anniversary of the date any wind turbine first generates electricity the consent holder shall commission a bird <u>and long-tailed bat</u> collision monitoring review report by an <u>independent</u> suitably experienced and qualified avian expert, an <u>independent</u> suitably experienced and qualified bat expert, and a suitably experienced and qualified bio-statistician that:</p> <ol style="list-style-type: none"> Reviews the results of the monitoring required in accordance with the Bird <u>and Long-tailed Bat</u> Collision Monitoring Plan and considers whether mortality effects for any threatened and at-risk species are more than minor; Considers whether the monitoring required in accordance with the Bird <u>and Long-tailed bat</u> Collision Monitoring Plan needs to continue, and if so at what frequency; and Considers whether any additional avoidance, remediation or mitigation measure, as identified in the Bird <u>and Long-tailed bat</u> Collision Monitoring Plan, needs to be implemented by the consent holder in the event that mortality for any 			
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<p>consent holder in the event that mortality effects for any individual threatened or at-risk species are more than minor.</p> <p>58H. The consent holder shall submit the draft bird collision monitoring review report to the expert panel for review and comment. The expert panel shall provide its written comments (if any) on the draft bird collision monitoring review report to the consent holder within 20 working days of receipt of the report from the consent holder.</p> <p>58I. The consent holder shall submit the bird collision monitoring review report, including all comments from the expert panel and the consent holder's response to those comments, to the Group Manager – Environmental Services, Kaipara District Council within 20 working days of the receipt of written comments from the expert panel. A copy of the bird collision monitoring report shall also be provided at the same time to the Department of Conservation (Director, Operations, Northern North Island).</p> <p>58J. The Group Manager – Environmental Services, Kaipara District Council shall review the bird collision monitoring review report, subject to any advice from the expert panel, and determine whether:</p> <p>a. The monitoring required in accordance with the Bird Collision Monitoring Plan needs to continue, and if so at what frequency;</p> <p>b. Any additional avoidance, remediation or mitigation measure, as identified in the Bird Collision Monitoring Plan, needs to be implemented by the consent holder in the event that mortality effects for any individual threatened or at-risk species are more than minor; and</p> <p>c. There is a need to serve notice on the consent holder of its intention to review any of the ecological management / mitigation / compensation conditions of this resource consent in accordance with Sections 128 to 131 of the Resource</p>	<p>individual threatened or at-risk species are more than minor species listed in Condition 58Fa has equalled or exceed the Mitigation Review mortality threshold for the individual species.</p> <p>58H. The consent holder shall submit the draft bird <u>and Long-tailed bat</u> collision monitoring review report to the expert panel for review and comment. The expert panel shall provide its written comments (if any) on the draft bird <u>and Long-tailed bat</u> collision monitoring review report to the consent holder within 20 working days of receipt of the report from the consent holder.</p> <p>58I. The consent holder shall submit the bird <u>and Long-tailed bat</u> collision monitoring review report, including all comments from the expert panel and the consent holder's response to those comments, to the Group Manager – Environmental Services, Kaipara District Council within 20 working days of the receipt of written comments from the expert panel. <u>A copy of the bird and Long-tailed bat collision monitoring review report shall also be provided at the same time to the Department of Conservation (Director, Operations, Northern North Island).</u></p> <p>58J. The Group Manager – Environmental Services, Kaipara District Council shall review the bird <u>and Long-tailed bat</u> collision monitoring review report, subject to any advice from the expert panel, and determine whether:</p> <p>a. The monitoring required in accordance with the Bird <u>and Long-tailed Bat</u> Collision Monitoring Plan needs to continue, and if so at what frequency;</p> <p>b. Any additional avoidance, remediation or mitigation <u>or compensation</u> measure, as identified in the Bird <u>and Long-tailed bat</u> Collision Monitoring Plan, needs to be implemented by the consent holder in the event that mortality effects for any individual threatened or at-risk species are more than minor <u>for any species listed in Condition 58Fa has equalled or exceeded the mortality Threshold for the species;</u> and</p> <p>c. There is a need to serve notice on the consent holder of its intention to review any of the ecological management / mitigation / compensation conditions of this resource consent in accordance with Sections 128 to 131 of the Resource Management Act 1991 where there is not an agreement between the consent holder</p>			
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<p>Management Act 1991 where there is not an agreement between the consent holder and the expert panel as to the need for, or quantum of, any additional ecological management / mitigation / compensation.</p> <p>58K. Where there is agreement between the consent holder and the expert panel over the need for, or quantum of, any additional avoidance, remediation or mitigation measure, the consent holder shall implement such agreement.</p>	<p>and the expert panel as to the need for, or quantum of, any additional ecological management / mitigation / compensation.</p> <p>58K. Where there is agreement between the consent holder and the expert panel over the need for, or quantum of, any additional avoidance, remediation or mitigation measure, the consent holder shall implement such agreement. <u>The consent holder shall implement all recommendations of the expert panel.</u></p>			
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Immediate Review

	<p><u>58L</u> In the event that the bird and long-tailed bat collision monitoring required in accordance with the Bird and Long-tailed Bat Collision Monitoring Plan and Condition 58F identifies that the mortality of any individual bird species listed in Condition 58Fa has equalled or exceeded the Immediate Review Threshold for that individual species, then the consent holder shall:</p> <p>(a) <u>Notify the Group Manager – Environmental Services, Kaipara District Council and the expert panel within 24 hours of becoming aware of the exceedance; and</u></p> <p>(b) <u>Immediately suspend the operation of the applicable wind turbine(s), as identified by the suitably experienced and qualified avian expert responsible for bird collision monitoring at the Kaiwaikawe Wind Farm or the suitably experienced and qualified bat expert responsible for bat collision monitoring at Kaiwaikawe Wind Farm.</u></p> <p><u>58M</u> <u>The suitably experienced and qualified avian or bat expert responsible for bird or bat collision monitoring at the Kaiwaikawe Wind Farm shall undertake an investigation and complete a draft report on the possible cause of the species mortalities within 10 working days of the consent holder notifying the Group Manager – Environmental Services, Kaipara District Council. The draft report shall be immediately provided to the expert panel for review and comment.</u></p> <p><u>58N</u> <u>The consent holder shall convene a meeting with the expert panel within five working days of their receipt of the draft report on the possible cause of the species mortalities. The purpose of the meeting shall be to:</u></p> <p>(a) <u>Review and discuss the findings of the draft species mortality investigation report;</u></p>			
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	<p>(b) <u>Consider whether any additional monitoring is required to further consider the potential cause of species mortality;</u></p> <p>(c) <u>Consider whether any additional mitigation and / or compensation, needs to be implemented by the consent holder; and</u></p> <p>(d) <u>Consider whether it is appropriate for the applicable wind turbine(s) suspended in accordance with Condition 58N(b) to re-commence operations, and whether there is a need for further controls on the interim operation of the relevant wind turbines (e.g. limiting operations at particular times of the day / season or in particular wind / weather conditions).</u></p> <p><u>58O The consent holder shall submit the bird and Long-tailed bat mortality investigation report (including all comments from the expert panel from the meeting and the consent holder's response to those comments) to the Group Manager – Environmental Services, Kaipara District Council within five working days of convening a meeting with the expert panel in accordance with Condition 58P. A copy of the bird or Long tailed bat mortality investigation report shall also be provided to the Department of Conservation (Director, Operations, Northern North Island).</u></p> <p><u>58P The Group Manager – Environmental Services, Kaipara District Council shall, upon receipt of the bird or Long tailed bat mortality investigation report and as a matter of urgency, but subject to any advice from the expert panel, determine in consultation with the consent holder whether:</u></p> <p>(a) <u>It is appropriate for the applicable wind turbine(s) suspended in accordance with Condition 58N(b) to re-commence operations, and whether there is a need for further controls on the interim operation of the relevant wind turbines (e.g. limiting operations at particular times of the day / season or in particular wind / weather conditions);</u></p> <p>(b) <u>Consider whether Any additional monitoring is required and at what frequency;</u></p> <p>(c) <u>Any additional mitigation and / or compensation, needs to be implemented by the consent holder; and</u></p> <p>(d) <u>There is a need to serve notice on the consent holder of its intention to review any of the conditions of this resource</u></p>			
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	<p>consent in accordance with Sections 128 to 131 of the Resource Management Act 1991 where there is not an agreement between the consent holder and the expert panel as to the matters specified in Conditions 58R(a) to c).</p> <p>58Q The consent holder shall implement all recommendations of the expert panel.</p>			
LONG-TAILED BATS				
	<p>Objective</p> <p>60AA In exercising this resource consent, there shall be throughout the life of the project zero net impact for Long-tailed bats as a result of the operation of the Kaiwaikawe Wind Farm.</p>		<ul style="list-style-type: none"> - MB agrees to delete condition 60AA from this location in the suite of conditions. 	
Baseline Long-Tailed Bat Survey				
<p>60. Prior to the commencement of construction of the Kaiwaikawe Wind Farm, the consent holder shall (if it has not already done so) undertake a further baseline survey for the presence of long-tailed bats within, and adjacent to, the Project Envelope. The purpose of the baseline monitoring is to:</p> <p>a. Further the understanding of the whether long-tailed bats are present within, and / or adjacent to, the Project Envelope; and</p> <p>b. If long-tailed bats are present within, and / or adjacent to, the Project Envelope, determine (if possible) whether areas of activity vary by topography or habitat, valleys, saddles or ridgelines,</p> <p>The baseline survey shall be undertaken in accordance with the following protocols:</p> <p>c. The survey method shall follow standard bat monitoring protocols for sampling away from a roost (e.g. Sedgeley 2012, or subsequent updates, modified as necessary for the location);</p> <p>d. The survey shall be undertaken to coincide with the peak period of activity for bats (being November to April); and</p>	<p>60. Prior to the commencement of construction of the Kaiwaikawe Wind Farm, the consent holder shall (if it has not already done so) undertake a further baseline survey (i.e in addition to the survey undertaken prior to the completion of the AEE) for the presence of long-tailed bats within, and adjacent to, the Project Envelope. The purpose of the baseline monitoring is to:</p> <p>a. Further the understanding of the whether long-tailed bats are present within, and / or adjacent tearound, the Project Envelope; and</p> <p>b. If long-tailed bats are present within, and / or adjacent to, the Project Envelope, determine if possible) whether areas of activity vary by topography or habitat, valleys, saddles, or ridgelines;</p> <p>The baseline survey shall be undertaken in accordance with the following protocols:</p> <p>c. The survey method shall follow standard bat monitoring survey protocols for sampling away from a roost (e.g. Bats: counting away from roosts – automatic bat detectors Sedgeley 2012, or subsequent updates, modified as necessary for the location);</p> <p>cc. The design and implementation of the Baseline Survey shall be done by a suitably qualified and experienced bat ecologist.</p> <p>d. The survey shall be undertaken to coincide with the peak period of activity for bats (being November October to April, temperature 10 degrees or greater for the first 4 hours</p>		<ul style="list-style-type: none"> - MB agrees to deletion of the yellow highlighted words (Condition 60). - MB agrees to retain the word 'adjacent'. - TT agrees that condition 60b can be retained. 	
		<ul style="list-style-type: none"> - RT agrees with the DOC amendments to condition 60c. Planners are to clarify that this is the title of a publication. - RT agrees to this change subject to using the words 'experienced and appropriately qualified person'. This reflects standard wording used throughout the suite of conditions. - RT and SF agree to the DOC amendments to condition 60d. 	<ul style="list-style-type: none"> - MB agrees. 	

<p>e. The survey method shall include 30 sample sites in general accordance with the locations identified on the map attached as Appendix X to these conditions and dated X.</p>	<p>after official sunset time; precipitation <2.5mm in the first 2 hours after official sunset and <5mm in the first 4 hours after official sunset, wind <20km/hr) and include at least 21 valid survey nights; and:</p> <p>i. The survey method shall include at least 30 sample sites in general accordance with the locations identified on the map attached as Appendix X to these conditions and dated X.</p> <p>ii. Prior to the commencement of surveys, Automatic Bat Monitoring units (ABMs) must be checked for correct operation at a site where bat activity is known to be regular or by using the DOC – Bat Recorder Tester (Tussock Innovation Ltd) phone app.</p> <p>iii. All data collected as part of the baseline survey shall be provided to the Department of Conservation (Director Operations, Northern North Island), including the csv files from the processed data and the accompanying GPS location of each ABM.</p> <p>iv. If any bats are detected during this survey, further survey (Turbine Survey) will be done as required by Condition 60I.</p>	<p>- RT and SF agree to 'Prior to the commencement of surveys, Automatic Bat Monitoring units (ABMs) must be checked for correct operation'. The rest of the wording is to be deleted.</p>	<p>- Numbering should follow as e, f, g etc.</p> <p>- TT agrees.</p> <p>- MB agrees to deletion of this sub-clause (iii).</p> <p>- MB and TT agree to delete this sub-clause (iv), provided that expert conferencing considers condition 60F and the Monitoring and Management Plan (condition 60D), and consideration of the requirement for additional survey.</p>	
<p>Long-Tailed Bat Monitoring and Management Plan</p>				
<p>60A. At least 60 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall provide the expert panel with the draft Long-Tailed Bat Monitoring and Management Plan required in accordance with Condition 60C for review and comment.</p> <p>60B. The expert panel shall provide its written comments (if any) on the draft Long-Tailed Monitoring and Management Plan to the consent holder within 20 working days of receipt of the plan from the consent holder.</p> <p>60C. The consent holder shall submit the Long-Tailed Bat Monitoring and Management Plan, including all written comments provided by the expert panel and the consent holder's response to those comments, to the Group Manager - Environmental Services, Kaipara District Council for certification that the plan meets the objectives in Condition</p>	<p>60A. At least 60 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall provide the expert panel with the draft Long-Tailed Bat Monitoring and Management Plan required in accordance with Condition 60C for review and comment.</p> <p>60B. The expert panel shall provide its written comments (if any) on the draft Long-Tailed Monitoring and Management Plan to the consent holder within 20 working days of receipt of the plan from the consent holder.</p> <p>60C. The consent holder shall submit the Long-Tailed Bat Monitoring and Management Plan, including all written comments provided by the expert panel and the consent holder's response to those comments, to the Group Manager - Environmental Services, Kaipara District Council for certification that the plan meets the objectives in Condition 60C(a) to (c). The Long-Tailed Bat Monitoring and Management Plan shall be prepared by an</p>			

<p>60C(a) to (c). The Long-Tailed Bat Monitoring and Management Plan shall be prepared by an experienced and appropriately qualified person and shall provide for the following objectives:</p> <p>a. Monitoring of the relative abundance and distribution of long-tailed bats within, and around, the Project Envelope;</p> <p>b. Measure the extent of long-tailed bat mortality from collisions at the Kaiwaikawe Wind Farm (if necessary); and</p> <p>c. The measures to mitigate or compensation for more than minor adverse effects on the local population of long-tailed bats from the operation of the Kaiwaikawe Wind Farm.</p>	<p>experienced and appropriately qualified person and shall provide for the following objectives:</p> <p><u>aa. The achievement of a zero net impact outcome for long-tailed bats as a result of effects of the operation of the Kaiwaikawe Wind Farm, and avoidance as the primary approach to addressing adverse effects.</u></p> <p>a. Monitoring of the relative abundance and distribution of long-tailed bats within, and around, the Project Envelope <u>and at proposed turbine sites as per the Final Design and Operation Report;</u> and</p> <p>b. Measure the extent of long-tailed bat mortality from collisions at the Kaiwaikawe Wind Farm (if necessary); and</p> <p><u>c. The measures to avoid, mitigate or compensatione for more than minor any adverse effects on the local population of long-tailed bats from the operation of the Kaiwaikawe Wind Farm, including, but not limited to, avoiding impacts by not installing turbines in areas of high bat activity and curtailment in the event that one or more bats are found during the Turbine Survey.</u></p> <p><u>d. Additional measures to avoid, mitigate or compensate for the any adverse effects on the local population of long-tailed bats from the operation of the Kaiwaikawe Wind Farm in the event that bat mortality equals or exceeds:</u></p> <p><u>i. The mitigation review threshold (based on a 5 year rolling annual mean of bat mortality adjusted in accordance with condition x) of 0.5 bats</u></p>	<ul style="list-style-type: none"> - RE: aa – RT and SF do not agree that the DOC / MB text is an appropriate objective for this proposal. - RT considers that Policy 4.4.1 of the RPS along with the policies of the NPS REG are relevant to determining the objectives and management outcomes as part of the plan. The focus should be on avoiding, remedying, mitigating, compensating for effects so that they are no more than minor. The zero net population loss concept proposed by DOC does not align with the mitigation review thresholds in their condition 58FA. - RT agrees to MB's drafting change to condition 60C(c). 	<ul style="list-style-type: none"> - MB provided alternative wording for (aa) to read: <u>The achievement of a zero net population loss outcome for long-tailed bats as a result of effects of the operation of the Kaiwaikawe Wind Farm, and avoidance as the primary approach to addressing adverse effects.</u> - MB agrees to delete the words 'and at proposed turbine sites as per the Final Design and Operation Report'. - MB provided alternative wording for 60C(c): The measures to <u>avoid, remedy, mitigate or compensatione for more than minor</u> adverse effects on the local population of long-tailed bats from the operation of the Kaiwaikawe Wind Farm. - MB agrees that the following wording is not appropriate in an objective but may have a place in a subsequent condition: <u>including, but not limited to, avoiding impacts by not installing turbines in areas of high bat activity and curtailment in the event that one or more bats are found during the Turbine Survey.</u> - MB agrees to the deletion of sub-clause (d). Sub-clause (c) above adequately addresses the objective contemplated under proposed sub-clause (d). 	<ul style="list-style-type: none"> - DD agrees that this is a part of the condition suite that is not agreed between the parties.
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<p>60D. In order to achieve the objectives established in Condition 60C above, the Long-Tailed Bat Monitoring and Management Plan shall, as a minimum, address the following:</p> <p>a. The criteria or assessment methodology for determining whether the additional survey effort required in accordance with Conditions 60I is necessary in order to determine more than minor adverse effects on the local population of long-tailed bats from the operation of the Kaiwaikawe Wind Farm;</p> <p>b. The survey methodology for the additional survey effort specified in Conditions 60I;</p>	<p>ii. The immediate review threshold (based on actual bat mortality recorded over a 12 month period between 1 June and 31 May) of 2 bats</p> <p>60D. In order to achieve the objectives established in Condition 60C above, the Long-Tailed Bat Monitoring and Management Plan shall, as a minimum, address the following:</p> <p>a. The criteria or assessment methodology for determining whether the additional survey effort required in accordance with Conditions 60I is necessary in order to determine more than minor any adverse effects on the local population of long-tailed bats from the operation of the Kaiwaikawe Wind Farm. <u>The criteria will be met if one or more bat passes are identified in the baseline survey undertaken in accordance with Condition 60.</u></p> <p>b. The survey methodology for the additional survey effort <u>(Turbine Survey)</u> specified in Conditions 60I.</p> <p><u>i. Methods for curtailment procedures, including the development of a site-specific robust curtailment algorithm based on presence of bats, temperature and wind speed. Such an algorithm will be developed using continuous on-site data.</u></p> <p><u>ii. Curtailment shall be for any turbine where 1 or more bat passes are detected over the 12 months of the Turbine Survey. The remaining turbines shall be monitored using ABMs for 3 years. In the event that bats are detected during this monitoring, curtailment shall begin for the turbine/s at which bats were detected.</u></p> <p><u>iii. In the event that bats are detected in the baseline survey but not in the Turbine Survey, methods for monitoring bats using ABMs at each turbine location for</u></p>	<ul style="list-style-type: none"> - RT and SF do not agree that the relevant criteria is a single bat pass. SF considers that the trigger should relate to pattern of activity. - RT is not opposed to including criteria in the suite of conditions, but wants to see the detail of the criteria before determining where / how to put it in the conditions. <ul style="list-style-type: none"> - RT and SF don't agree with the inclusion of DOC's conditions, noting that they appear to be based on an advice note from the NZ Bat Recovery Group dated March 2020 that doesn't account for RMA policy framework or the site specific proposal, and is untested. - RT considers that DOC's approach is untested in a New Zealand context, lacks clarity in terms of the type of turbine technology that may be utilised at this wind farm, and does not deal with the level of risk that might be tolerated. - Curtailment is being proposed before carcass monitoring and demonstrated effect from the wind farm on bats. 	<ul style="list-style-type: none"> - MB agrees to the condition reading 'to determine more than minor adverse effects'. - TT supports retention of the criteria as 'one or more bat passes'. <ul style="list-style-type: none"> - All experts note that detailed criteria such as proposed in DOC's condition 60D(a) – last sentence - has not been fully addressed in evidence to date. The DOC amendment to this condition is the first time that such detail has been presented in this hearing. The experts consider that additional evidence would be required by the hearing panel if it has to determine this matter. The experts propose that they could address this through further exchange of information and expert conferencing. This would result in a further JWS to address this matter. <ul style="list-style-type: none"> - Clarification note: DOC propose deleting the Applicant's sub-clauses c, d and e, and replacing them with the wording in DOC's proposed condition (i, ii, iii). - TT considers that curtailment has been widely tested and shown to be effective overseas. TT is confident that it will be an effective mitigation measure here. Though wording has been informed by the NZ Bat Recovery Group advice note, TT considers this still to be independent and site specific. 	<ul style="list-style-type: none"> - JM considers that one bat pass would be sufficient to trigger turbine monitoring.
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<p>c. The methods for recording the frequency of collisions resulting in mortality for long-tailed bats in the event that carcass surveys are required around specific wind turbines in accordance with Condition 60L, which shall include:</p> <p>i. Calculating the probability and rate of long-tailed bat carcass loss to scavengers, decomposition and other causes, taking into account temporal, environmental and other sources of variation;</p> <p>ii. Calculating the probability of carcass detection by searchers, include searching assisted by suitably-trained dogs, taking into account temporal, environmental, searcher identity and other sources of variation;</p> <p>iii. A data collection and analysis regime specifying the timing, location and duration of monitoring at a statistically derived number of wind turbines. The purpose of the data collection and analysis regime is to ensure that a reliable estimate of bird strike mortality at all wind turbines is obtained;</p> <p>iv. Methods to account for carcass loss and detection probability;</p> <p>v. Methods to accurately record the condition and cause of death; and</p> <p>vi. Methods to record, and electronically store, audit and backup data.</p> <p>d. The tracking and recording methodology for all carcasses of long-tailed bats as part of the collision monitoring required in accordance with Condition 60L;</p> <p>e. The methodology for calculating any contribution to a predator control programme that benefits long-tailed bats in</p>	<p><u>3 years following construction. In the event that a bat or bats are detected during this monitoring, curtailment shall begin for the turbine/s at which the bat/s were detected.</u></p> <p>c.—The methods for recording the frequency of collisions resulting in mortality for long-tailed bats in the event that carcass surveys are required around specific wind turbines in accordance with Condition 60L, which shall include:</p> <p>i.— Calculating the probability and rate of long-tailed bat carcass loss to scavengers, —decomposition and other causes, taking into account temporal, environmental and — other sources of variation;</p> <p>ii.— Calculating the probability of carcass detection by searchers, include searching —assisted by suitably-trained dogs, — taking into account temporal, environmental, — searcher identity and other sources of variation;</p> <p>iii.— A data collection and analysis regime specifying the timing, location and duration of — monitoring — at a statistically derived number of wind turbines. The purpose of the data collection and analysis regime is to ensure that a reliable estimate of bird bat strike mortality — at — all wind turbines is obtained;</p> <p>iv.— Methods to account for carcass loss and detection probability;</p> <p>v.— Methods to accurately record the condition and cause of death; and</p> <p>vi.— Methods to record, and electronically store, audit and backup data.</p> <p>d.—The tracking and recording methodology for all carcasses of long-tailed bats as part of the collision monitoring required in accordance with Condition 60L;</p> <p>e. The methodology for calculating any contribution to a predator control programme that benefits long-tailed bats in the event that carcass surveys identify that the operation</p>	<p>- SF considers that curtailment after a single pass in a year is not a scientific response to collision risk assessment, and that patterns and abundance of bat activity are more appropriate.</p> <p>- It is agreed that the expert planners will undertake further drafting to provide separate conditions addressing bird and bat carcass monitoring. Revised wording will need to be reviewed by the parties' experts.</p>		
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<p>the event that carcass surveys identify that the operation of the Kaiwaikawe Wind Farm is having a more than minor adverse effect on the local population of long-tailed bats.</p> <p>60E. [this condition is now intentionally blank]</p>	<p>of the Kaiwaikawe Wind Farm is having a more than minor adverse effect on the local population of long-tailed bats.</p> <p>60DD. The first time the Plan is submitted construction, including establishment works, cannot commence until the Plan has been certified by the Group Manager – Environmental Services, Kaipara District Council in accordance with the process outlined above.</p> <p>60E. [this condition is now intentionally blank]</p>		<p>- MB agrees that condition 60DD can be deleted.</p>	
<p>Long-Tailed Bats Baseline Survey Report</p>				
<p>60F. At the conclusion of the baseline survey required in accordance with Condition 60, the consent holder shall engage an experienced and appropriately qualified person to prepare a survey report that:</p> <p>a. Presents, summarises and analyses the data collected from the baseline survey against the relevant objectives of the Long-Tailed Bats Monitoring and Management Plan and the relevant matters set out in Condition 60D; and</p> <p>b. Considers whether additional survey activity around the turbines in the vicinity of where bat activity was identified is required based on the assessment criteria set out in Condition 60D(a) of the Long-Tailed Bat Monitoring and Management Plan.</p> <p>The consent holder shall provide the draft baseline survey report to the expert panel for review and comment.</p> <p>60FF. The expert panel shall provide its written comments (if any) on the draft baseline survey report to the consent holder within 20 working days of receipt of the report from the consent holder.</p> <p>60H. The consent holder shall provide the baseline survey report, including all written comments provided by the expert panel and the consent holder's response to those comments, to the Group Manager – Environmental Services, Kaipara District Council. Upon receiving the</p>	<p>60F. At the conclusion of the baseline survey required in accordance with Condition 60, the consent holder shall engage an experienced and appropriately qualified person to prepare a survey report that:</p> <p>a. Presents, summarises and analyses the data collected from the baseline survey against the relevant objectives of the Long-Tailed Bats Monitoring and Management Plan and the relevant matters set out in Condition 60D; and</p> <p>b. Considers whether additional survey activity around the turbines in the vicinity of where bat activity was identified is required based on the assessment criteria set out in Condition 60D(a) of the Long-Tailed Bat Monitoring and Management Plan.</p> <p>The consent holder shall provide the draft baseline survey report to the expert panel for review and comment.</p> <p>60FFG. The expert panel shall provide its written comments (if any) on the draft baseline survey report to the consent holder within 20 working days of receipt of the report from the consent holder.</p> <p>60H. The consent holder shall provide the baseline survey report, including all written comments provided by the expert panel and the consent holder's response to those comments, to the Group Manager – Environmental Services, Kaipara District Council. Upon receiving the baseline survey report, the Group Manager – Environmental Services, Kaipara District Council may seek</p>			

<p>baseline survey report, the Group Manager – Environmental Services, Kaipara District Council may seek advice from the expert panel on the report, and then shall determine whether:</p> <p>a. Additional survey activity around the turbines in the vicinity of where bat activity was identified is required in accordance with the assessment criteria set out in Condition 60D(a) of the Long-Tailed Bat Monitoring and Management Plan.</p>	<p>advice from the expert panel on the report, and then shall determine whether:</p> <p>a. Additional survey activity around the turbines in the vicinity of where bat activity was identified is required in accordance with the assessment criteria set out in Condition 60D(a) of the Long-Tailed Bat Monitoring and Management Plan.</p>			
<p>Turbine Survey and Report</p>				
<p>60I. In the event that it is determined by the Group Manager – Environmental Services, Kaipara District Council that a survey around specific wind turbines is required in accordance with Condition 60H above, then this survey shall be undertaken by the consent holder between the period of November and April and in accordance with the methodology outlined in Condition 60D(b) as part of the Long-Tailed Bats Monitoring and Management Plan.</p> <p>60J. At the conclusion of the wind turbine survey required in accordance with Condition 60I, the consent holder shall engage an experienced and</p>	<p>60I. <u>Prior to the commencement of construction of the Kaiwaikawe Wind Farm and in the event that it is determined by the Group Manager – Environmental Services, Kaipara District Council that a Turbine survey around specific wind turbines is required in accordance with Condition 60H above, then this survey shall be undertaken by the consent holder between the period of November and April and in accordance with the methodology outlined in Condition 60D(b) as part of the Long-Tailed Bats Monitoring and Management Plan.</u></p> <p>60II. <u>The Turbine Survey shall use the same make and model of ABM at each site and include:</u></p> <p>a. <u>At least one ABM at each potential wind turbine site</u></p> <p>b. <u>Continuous survey for 12 months, with ABMs recording between 1 hour before official sunset to 1 hour after official sunrise</u></p> <p>c. <u>Regular checks of each ABM for correct operation at a site where bat activity is known to be regular or by using the DOC – Bat Recorder Tester (Tussock Innovation Ltd) phone app.</u></p> <p>d. <u>Recording windspeed, temperature and precipitation at each turbine location, in order to inform a curtailment plan if required by Condition Bbb or Bbbb.</u></p> <p>60III. <u>The Turbine shall be done by a suitably qualified and experienced bat ecologist.</u></p> <p>60J. At the conclusion of the wind-turbine survey required in accordance with Condition 60I, the consent holder shall engage an experienced and appropriately qualified person to prepare a monitoring report that:</p>	<ul style="list-style-type: none"> - RT does not agree with the timing of the turbine survey as outlined in DOC's conditions – which is a 12 month survey prior to construction commencing. - RT considers that Policy 4.4.1 of the RPS, which is the key policy in terms of bats, simply refers to avoid, remedy or mitigate, and does not articulate an effects management hierarchy as per the NPSFM for example. - RT notes that to complete the turbine surveys 12 months in advance of construction requires an understanding of the turbine technology to be used, and the proposed layout which is problematic. - RT notes that if the Applicant's approach is adopted and the turbine surveys completed once the turbines are in place then this level of detail in the conditions is unnecessary because the Monitoring and Management Plan is required to provide this monitoring management survey. 	<ul style="list-style-type: none"> - MB in support of DOC's timing considers that the additional survey effort prior to construction allows for consideration of avoidance measures, for example if bats were found in a location proposed for a turbine, then such a turbine would not be constructed. - MB considers that best practice under the RMA should prioritise avoidance as the first response. - MB agrees the wording of sub-clause (c) can be modified to require correct operation of equipment to be checked but does not need to specify the name and detail of the technology to be used. - TT agrees that condition 60II(d) be amended to read 'recording windspeed, temperature and precipitation within the windfarm at two locations'. - MB agrees that 60III be amended to reflect wording previously agreed above. 	

<p>appropriately qualified person to prepare a monitoring report that:</p> <p>a. Presents, summarises and analyses the data collected from the wind turbine survey against the relevant objectives of the Long-Tailed Bats Monitoring and Management Plan and the relevant matters set out in Condition 60D; and</p> <p>b. Considers whether carcass monitoring around specific wind turbines is required based on the assessment criteria set out in Condition 60D(b) as part of the Long-Tailed Bat Monitoring and Management Plan.</p> <p>The consent holder shall provide the draft turbine survey report to the expert panel for review and comment.</p> <p>60K. The consent holder shall provide the turbine survey report, including all written comments provided by the expert panel and the consent holder's response to those comments, to the Group Manager – Environmental Services, Kaipara District Council. Upon receiving the turbine survey report, the Group Manager – Environmental Services, Kaipara District Council may seek advice from the expert panel on the report, and then shall determine whether:</p> <p>a. Carcass monitoring around specific wind turbines is required in accordance with the assessment criteria set out in Condition 60D(a) of the Long-Tailed Bats Monitoring and Management Plan.</p>	<p>a. Presents, summarises and analyses the data collected from the wind turbine survey against the relevant objectives of the Long-Tailed Bats Monitoring and Management Plan and the relevant matters set out in Condition 60D; and</p> <p><u>b. Considers whether certain turbines should not be built in certain location;</u></p> <p><u>c. Considers curtailment of wind turbines based on the assessment criteria set out in Condition 60Dx; and</u></p> <p><u>bd.</u> Considers whether carcass monitoring around specific wind turbines is required based on the assessment criteria set out in Condition 60D(b) as part of the Long-Tailed Bat Monitoring and Management Plan.</p> <p>The consent holder shall provide the draft turbine survey report to the expert panel for review and comment.</p> <p>60K. The consent holder shall provide the turbine survey report, including all written comments provided by the expert panel and the consent holder's response to those comments, to the Group Manager – Environmental Services, Kaipara District Council. Upon receiving the turbine survey report, the Group Manager – Environmental Services, Kaipara District Council may seek advice from the expert panel on the report, and then shall determine whether:</p> <p>a. <u>Curtailment and</u> Carcass monitoring around specific wind turbines is required in accordance with the assessment criteria set out in Condition 60D(a)(bb) to (e) of the Long-Tailed Bats Monitoring and Management Plan.</p>	<p>- RT notes that sub-clauses (b) and (c) are not agreed based on previous discussions.</p>		
<p><u>Long-Tailed Bat Carcass Monitoring</u></p>				
<p>60L. In the event that it is determined by the Group Manager – Environmental Services, Kaipara District Council that carcass monitoring around specific wind turbines is required in accordance with Condition 60K above, then this monitoring shall be undertaken by the consent holder between the period of November and April, and for two seasons, and in accordance with the</p>	<p>60L. In the event that it is determined by the Group Manager – Environmental Services, Kaipara District Council that carcass monitoring around specific wind turbines is required in accordance with Condition 60K above, then this monitoring shall be undertaken by the consent holder between the period of November and April, and for two seasons, and in accordance with the methodology outlined in Condition 60D(c) as part of the Long-Tailed Bats Monitoring and Management Plan.</p>			

<p>methodology outlined in Condition 60D(c) as part of the Long-Tailed Bats Monitoring and Management Plan.</p> <p>60M. At the conclusion of the conclusion of the carcass monitoring required in accordance with Condition 60L, the consent holder shall engage an experienced and appropriately qualified person to prepare a monitoring report that:</p> <p>a. Presents, summarises and analyses the data collected from the carcass monitoring and considers whether the operation of the Kaiwaikawe Wind Farm is having a more than minor adverse effect on the local population of long-tailed bats, and, if necessary, the extent of the contribution required to a predator control programme that benefits long-tailed bats in accordance with the methodology set out in Condition 60D(e) as part of the Long-Tailed Bats Monitoring and Management Plan.</p> <p>The consent holder shall provide the draft carcass monitoring report to the expert panel for review and comment.</p> <p>60N. The consent holder shall provide the carcass monitoring report, including all written comments provided by the expert panel and the consent holder's response to those comments, to the Group Manager – Environmental Services, Kaipara District Council. Upon receiving the turbine survey report, the Group Manager – Environmental Services, Kaipara District Council may seek advice from the expert panel on the report, and then shall determine whether:</p> <p>a. The operation of the Kaiwaikawe Wind Farm is having a more than minor adverse effect on the local population of long-tailed bats and whether a contribution to a predator control programme that benefits long-tailed bats is required by the consent holder in accordance with the calculation methodology set out in Condition 60D(e) of the Long-Tailed Bat Monitoring and Management Plan.</p>	<p>60M. At the conclusion of the carcass monitoring required in accordance with Condition 60L, the consent holder shall engage an experienced and appropriately qualified person to prepare a monitoring report that:</p> <p>a. Presents, summarises and analyses the data collected from the carcass monitoring and considers whether the operation of the Kaiwaikawe Wind Farm is having a more than minor adverse effect on the local population of long-tailed bats, and, if necessary, the extent of the contribution required to a predator control programme that benefits long-tailed bats in accordance with the methodology set out in Condition 60D(e) as part of the Long-Tailed Bats Monitoring and Management Plan.</p> <p>The consent holder shall provide the draft carcass monitoring report to the expert panel for review and comment.</p> <p>60N. The consent holder shall provide the carcass monitoring report, including all written comments provided by the expert panel and the consent holder's response to those comments, to the Group Manager – Environmental Services, Kaipara District Council. Upon receiving the turbine survey report, the Group Manager – Environmental Services, Kaipara District Council may seek advice from the expert panel on the report, and then shall determine whether:</p> <p>a. The operation of the Kaiwaikawe Wind Farm is having a more than minor adverse effect on the local population of long-tailed bats and whether a contribution to a predator control programme that benefits long-tailed bats is required by the consent holder in accordance with the calculation methodology set out in Condition 60D(e) of the Long-Tailed Bat Monitoring and Management Plan.</p>			
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<p>61O. The consent holder shall contribute to a predator control programme that benefits long-tailed bats on a per annum basis (and CPI adjusted from the date of the first contribution) in accordance with the determination made by the Group-Manager – Environmental Services, Kaipara District Council as part of Condition 60N above. The consent holder shall provide written verification of the contribution to the Group Manager – Environmental Services, Kaipara District Council within 10 working days of the payment being made to the programme annually.</p>	<p>61O. The consent holder shall contribute to a predator control programme that benefits long-tailed bats on a per annum basis (and CPI adjusted from the date of the first contribution) in accordance with the determination made by the Group-Manager – Environmental Services, Kaipara District Council as part of Condition 60N above. The consent holder shall provide written verification of the contribution to the Group Manager – Environmental Services, Kaipara District Council within 10 working days of the payment being made to the programme annually.</p> <p>61X. All bat survey and monitoring data shall be made available to Director Operations – Northern North Island in the form of csv files from processed data and accompanying GPS locations of ABMs.</p>			<p>- MB agrees Condition 61X can be deleted.</p>
<p>60P. [this condition is now intentionally blank]</p>	<p>60P. [this condition is now intentionally blank]</p>			
<p>60Q. [this condition is now intentionally blank]</p>	<p>60Q. [this condition is now intentionally blank]</p>			
<p>Bat Roost Inspections</p>				
<p>61. If bats are identified in the Project Envelope as part of the baseline survey required in accordance with Condition 60F, then prior to the removal of any trees over 15 cm diameter at breast height with potential roost features the consent holder shall engage a suitably qualified person to determine whether they hold active bat roosts (nests). No trees with active bat roosts (nests) shall be removed until nests are confirmed as being vacant by the suitably qualified person.</p>	<p>61. If bats are identified in the Project Envelope as part of the baseline survey required in accordance with Condition 60F, then prior to the removal of any trees over 15 cm diameter at breast height with potential roost features the consent holder shall engage a suitably qualified person to determine whether they hold active bat roosts (nests). No trees with active bat roosts (nests) shall be removed until nests are confirmed as being vacant by the suitably qualified person.</p>			
<p>GENERAL REPORT OF BIRD AND BAT CARCASSES</p>				
<p>61A. The consent holder shall record and report any evidence of bird and bat strikes. Should a bird or bat species that is nationally critical, nationally endangered, nationally vulnerable or in serious decline as listed in the New Zealand Threat Classification System (https://nzctcs.org.nz/home) be found injured or dead at the site, the Department of Conservation (Director, Operations, Northern North Island) is to be notified immediately. The bird shall be photographed as found and the location noted on a map of the site.</p>	<p>61A. The consent holder shall record and report any evidence of bird and bat strikes. Should a bird or bat species that is nationally critical, nationally endangered, nationally vulnerable or in serious decline as listed in the New Zealand Threat Classification System (https://nzctcs.org.nz/home) be found injured or dead at the site, the Department of Conservation (Director, Operations, Northern North Island) is to be notified immediately. The bird shall be photographed as found and the location noted on a map of the site.</p>			