

## Turitea Wind Farm - Proposed Resource Consent Conditions

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| General conditions applicable to all regional council Land Use Consents and Discharge Permits.   | 2    |
| Land Use Consent 104553: for vegetation clearance and land disturbance in rare or threatened habitats, near streams and on highly erodible land throughout the general wind farm site. |      |
| Land Use Consent 104554: for the construction of a double culvert in an un-named tributary of the Kahuterawa Stream.   |      |
| Discharge Permit 104555: for the discharge of dust to air from the concrete batching plants.   |      |
| Discharge Permit 104556: for the discharge of dust to air from the mobile crushing plant throughout the general wind farm site.  |      |
| Discharge Permit 104557: for the discharge of wastewater from two operations and maintenance facilities to land.   |      |
| Discharge Permit 104558: for the discharge of stormwater from substations to land.   |      |
| Discharge Permit 104559: for the discharge of cleanfill to land in the form of spoil disposal sites throughout the wind farm site.   |      |
| Discharge Permit 104560: for the discharge of stormwater from roads and turbine platforms, and other areas to land.  |      |

**Manawatu-Wanganui (Horizons) Regional Council  
Land Use Consents and Discharge Permits**

**PART A: GENERAL CONDITIONS**

**Authorised Works, Lapse Date and Term**

1. The proposed development shall be undertaken in general accordance with the plans and information submitted with Mighty River Power's resource consent applications dated 8 August 2008 and numbered 104553 – 104560 by Manawatu-Wanganui Regional Council, as modified by:
  - 1.1 Mighty River Power's responses to requests for further information under section 92 of the Resource Management Act 1991 dated 19 and 26 September, and 2, 10 and 24 October 2008 respectively;
  - 1.2 A letter from Manawatu-Wanganui Regional Council dated 14 October 2008, following Mighty River Power's responses to requests for further information under section 92 of the RMA (with respect to the consents required for the project from Horizons);
  - 1.3 Mighty River Power's *Revised Layout and Associated Information* document dated January 2009;
  - 1.4 The plan attached to the public notification of the applications dated 24 January 2009, together with an explanation of associated amendments to the AEE, including the revised montages and an updated noise report (with respect to the deletion of 9 of the turbine zones originally applied for);
  - 1.5 Any other documentation submitted by Mighty River Power relevant to the applications; and
  - 1.6 The conditions of consent.
2. In accordance with section 125(1) of the Resource Management Act 1991, these consents shall lapse if not given effect to within ten years after the date of commencement of the consents.
3. The consent terms for land use (section 13) and discharge permits shall be for a period of 35 years from the date of commencement of the consents pursuant to section 123 of the Resource Management Act 1991.
4. The Consent Holder shall provide a copy of this consent to any operator or contractor undertaking works authorised by this consent, prior to the works commencing.
5. The Consents are granted by Manawatu-Wanganui Regional Council subject to its officers or agents being permitted access to the property at all reasonable times for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.

**Construction and Environmental Management Plan**

6. At least 40 working days prior to the commencement of any construction works, the Consent Holder shall submit a detailed Construction Environmental Management Plan

(CEMP) to the Manawatu-Wanganui Regional Council's Environmental Compliance Manager (Environmental Compliance Manager), to demonstrate how the Consent Holder will achieve compliance with these consents. The CEMP shall be prepared with the assistance of a suitably qualified environmental management specialist, and shall include, but not be limited to, the following:

- 6.1 Objectives of the environmental management process;
  - 6.2 Outline of the relevant statutory and contractual requirements;
  - 6.3 Proposed construction methodology and timetable for all works;
  - 6.4 Process for reviewing the plan including the process for developing and advising of revisions;
  - 6.5 Roles and responsibilities, including appointment of a representative to be the primary contact person in regard to matters relating to these consents;
  - 6.6 Training to ensure all contractors are made aware of the conditions of these consents and comply with them at all times;
  - 6.7 Procedures for keeping records of public complaints and any action taken to rectify the cause to the complaint in accordance with Condition 31;
  - 6.8 Methodology for preparing Site Environmental Management Plans for each of the South Range Road, Water Catchment Access Road, Western Ridge, Browns Flat and Cross Valley Transmission and Out of Reserve (farmland) sub-catchment areas;
  - 6.9 Outline of the key potential environmental effects and measures to be adopted to avoid or mitigate these;
  - 6.10 An Accidental Discovery Protocol in relation to archaeological sites;
  - 6.11 Environmental emergency responses for managing hazardous substances and spill contingencies; and
  - 6.12 Procedures for inspections, monitoring and reporting.
7. Where the Environmental Compliance Manager considers the Turitea Wind Farm CEMP is not consistent with these consent conditions; he/she will, within 10 working days of receipt of the CEMP, outline in writing these inconsistencies to the Consent Holder, who shall where necessary modify the CEMP and resubmit it 10 working days before site works begin.

#### **Site Environmental Management Plan**

8. The Consent Holder shall prepare and submit to the Environmental Compliance Manager a Site Environmental Management Plan (SEMP) for each of the South Range Road, Water Catchment Access Road, Western Ridge, Browns Flat and Cross Valley Transmission and Out of Reserve (farmland) sub-catchment areas. The breakdown of the site into individual SEMPs may be varied by the Consent Holder from this structure as necessary to reflect any change to the design and construction programmes. The SEMPs shall be prepared with the assistance of a suitably qualified environmental

management specialist. The preparation of the SEMP shall include, but not be limited to, an on-site meeting and walk over of each sub-catchment area. The on-site meeting shall include a representative(s) for each of the Consent Holder, Contractor, and Council.

9. Each SEMP shall be submitted to the Environmental Compliance Manager at least 20 working days prior to bulk earthworks commencing in each SEMP area. The purpose of the SEMP is to indicate how the CEMP will be applied at a detailed site specific level.
10. Each SEMP shall include, but not be limited to, the following as appropriate to each individual sub-catchment area:
  - 10.1 A location plan;
  - 10.2 Details of who is undertaking the work and contact details;
  - 10.3 A description of the work to be undertaken;
  - 10.4 A work programme;
  - 10.5 A method statement covering construction method, monitoring and contingencies;
  - 10.6 Design for the works covered by the SEMP; showing:
    - a. Areas to be disturbed;
    - b. Fill areas;
    - c. Spoil stockpile and disposal areas;
    - d. Culverts and associated works in watercourses;
    - e. Erosion and sediment control measures including, but not limited to, cut off drains, surface water control works, silt ponds, progressive rehabilitation of earthworks areas and any other sediment control measures;
    - f. Stormwater management measures; including both temporary and permanent measures;
    - g. Re-vegetation and rehabilitation (identification of re-vegetations to be undertaken and re-vegetation methods and any maintenance);
    - h. Inspection and reporting schedule in particular in response to adverse weather conditions;
    - i. Maintenance and monitoring activities; and
    - j. Storage and handling of fuels and hazardous material and contingency measures for containment of spills.
11. The Consent Holder shall provide written notification to the Environmental Compliance Manager at least five working days prior to works commencing in each of the sub-catchment areas.

12. All erosion and sediment control measures shall remain the responsibility of the Consent Holder, and be installed, operated and maintained in accordance with Wellington Regional Council's Erosion and Sediment Control Guidelines for the Wellington Region (dated September 2002) (or its subsequent equivalent), the CEMP and relevant SEMP, except as otherwise required by these conditions.
13. All spoil disposal sites shall be grassed over or re-vegetated as soon as practicably possible after the disposal site has been fully utilised in order to stabilise these areas, prevent scour and avoid sediment being washed into adjacent watercourses.
14. The Consent Holder shall engage the services of an independent and appropriately qualified person to inspect bulk earthwork activities on a regular or as-required basis to ensure that the sediment and erosion control methods are being maintained in accordance with the CEMP and relevant SEMP for each sub-catchment area.
15. The Consent Holder shall not remove or decommission any sediment retention ponds or perimeter controls until the entire sub-catchment area is stabilised. Removal and decommissioning of such devices must be in accordance with the SEMP.

### **Dust Suppression**

16. The Consent Holder shall ensure that the wind farm construction, operation and maintenance activities are managed in a manner to ensure that there are no dust emissions occurring beyond the boundary of the wind farm site that are considered objectionable or offensive. Measures for control may include, but not be limited to, the application of water to surfaces that are exposed or excessively dry, and covering an exposed area with a coating of geotextile, grass and/or mulch.
17. If offensive or objectionable dust emissions do occur beyond the site boundaries, the dust causing activity shall cease immediately and shall not recommence until appropriate measures have been put in place to prevent recurrence of a similar event.
18. Should an emission of dust occur that has an objectionable or offensive effect, the Consent Holder shall provide a written report to the Manawatu-Wanganui Regional Council within five working days of being notified of such by the Council. The report shall specify:
  - 18.1 The cause or likely cause of the event and any factors that influenced its severity;
  - 18.2 The nature and timing of any measures implemented by the Consent Holder to avoid, remedy or mitigate any adverse effects; and
  - 18.3 The steps to be taken in future to prevent recurrence of similar events.

### **Fuel Storage and Plant**

19. The consent holder shall ensure that:
  - 19.1 All on-site storage areas for fuel and lubricants are bunded or contained in such a manner so as to prevent the discharge of spillages of such contaminants as far as practicable.
  - 19.2 All machinery and plant is regularly maintained in such a manner so as to minimise the potential for leakage of fuels and lubricants.

- 19.3 No equipment or machinery is cleaned, maintained, stored or refuelled within 10 metres of the tributaries of any watercourse on site.

#### **Cultural/Archaeological Matters**

20. The Consent Holder shall prepare an Accidental Discovery Protocol as part of the CEMP for the wind farm. The protocol shall be in place for any earthmoving or ground modification that occurs during the construction, operation and maintenance of the wind farm. The protocol shall clearly set out the steps to take in accordance with these conditions of consent should any prehistoric (Maori) or historic archaeological site or sub-surface deposits be found at any time.
21. If Taonga (treasured or prized possessions, including Maori artefacts) or archaeological sites are discovered in any area being earthmoved, the Consent Holder shall cease work within a 100m radius of the discovery immediately and contact local iwi, the New Zealand Historic Places Trust and the Council's Environmental Compliance Manager. Works shall not recommence in that area until a site inspection is carried out by iwi representatives, relevant Council staff and staff of the Historic Places Trust (if they consider it necessary); the appropriate action has been carried out to remove the Taonga and record the site, or alternative action (e.g. works are relocated) has been taken; and approval to continue work is given by the Environmental Compliance Manager. The site inspection shall occur within three working days of the discovery being made.
22. If during construction activities, the Consent Holder uncovers any Koiwi (skeletal remains) or similar material, works are to cease within a 100m radius of the discovery immediately, and the Consent Holder shall notify the New Zealand Police, local iwi, the New Zealand Historic Places Trust and the Council's Environmental Compliance Manager. Works shall not recommence in that area until a site inspection is carried out by iwi representatives, relevant Council staff, and staff from the Historic Places Trust and the New Zealand Police (if they consider it necessary); the appropriate ceremony has been conducted by iwi (if necessary); the materials discovered have been removed by the iwi responsible for the tikanga appropriate to their removal and preservation or re-interment, or alternative action (e.g. works are relocated) has been taken, and approval to continue work is given by the Environmental Compliance Manager.
23. In the event that earthworks are undertaken within sites that local iwi have indicated to the Consent Holder in writing are of significance, the Consent Holder shall invite a tangata whenua representative on site to monitor the works.
24. The historic quarry sites situated within the application site(s), and identified in the Archaeological Assessment included as Appendix G of the application documents, are to be temporarily fenced off for the duration of site works to prevent accidental damage during construction.

#### **Aquatic Ecology Monitoring**

25. A monitoring programme shall be designed and carried out to measure the effects of the proposed wind farm on the Turitea Stream, Kahuterawa Stream, Otangane Stream, Tainui Stream and Southern Matarua Creek. The Consent Holder shall submit the programme to the technical staff at Manawatu-Wanganui Regional Council, prior to any construction work commencing, to demonstrate how the Consent Holder will achieve compliance with this condition. The programme shall include a requirement to obtain

pre-construction data for a period of no less than six months on water quality and in-stream community structure in order to establish baseline data. The monitoring programme shall not be required beyond two years from completion of construction provided that no adverse affects have been identified.

#### **Avifauna Monitoring and Management**

26. Conditions to be confirmed following technical caucusing.

#### **Ecological Monitoring and Management**

27. Conditions to be confirmed following technical caucusing.

#### **Adaptive Management Response to Findings of Aquatic Ecology Monitoring**

28. The Consent Holder shall prepare an Adaptive Aquatic Ecology Management Response Plan, to be submitted to technical staff at Manawatu-Wanganui Regional Council, which specifies agreed responses to the findings of the monitoring to be undertaken in accordance with Condition 25.
29. The Adaptive Aquatic Ecology Management Response Plan will include a contingency plan for:
  - 29.1 Riparian zone restoration and de-silting of the Palmerston North City Council water supply reservoirs in the event of significant erosion / washout events being causally-associated with the construction of the Wind Farm;
  - 29.2 Early notification of downstream users and monitoring of a cleanup response in the event of significant spillage of hydrocarbons / concrete products to watercourses being causally-associated with the construction of the Wind Farm; and
  - 29.3 The removal and disposal of cleared vegetation offsite in the event of significant release of nutrients / BOD from moribund vegetation bunds at turbine sites being causally associated with the construction of the Wind Farm.

#### **Complaints Register**

30. The Consent Holder shall establish and publicise a local telephone number so that members of the public have a specified and known point of contact to raise any issues that may arise during construction, operation and maintenance of the Wind Farm. A log book of all calls shall be kept, and details of all calls received shall be made available to the Manawatu-Wanganui Regional Council, within five working days.
31. The Consent Holder shall maintain a Complaints Register to record complaints from the public in respect to adverse off-site environmental impact that may arise during construction, operation and maintenance of the Wind Farm. This Register is to include the name and address of the complainant, the date and time of the complaint, the nature of the complaint, wind and weather at the time, activity occurring on the site at the time, and any remedial measures undertaken by the Consent Holder. A copy of the complaints register shall be made available to the Manawatu-Wanganui Regional Council's Compliance Monitoring Staff on request; and an annual summary for the year ending 31 December shall be forwarded to the Environmental Compliance Manager by 30 January each year.

### **Post Construction Inspection**

32. Upon completion of construction activities, the Consent Holder will invite the Environmental Compliance Manager to jointly inspect the site with the Consent Holder and Contractor to demonstrate that all earthworks and site remediation works have been carried out in accordance with the conditions of the resource consents and relevant plans.

### **Review of Conditions**

33. In accordance with section 128 of the Resource Management Act 1991, the Manawatu-Wanganui Regional Council may at five yearly intervals after the completion of all construction works, serve notice on the Consent Holder of its intention to review any of the conditions of consent for any of the following purposes:
  - 33.1 To deal with any adverse effects on the environment that may arise from the exercise of the Consent which it is appropriate to deal with at a later stage; or
  - 33.2 To require the Consent Holder to adopt the best practicable option to mitigate any adverse effects; or
  - 33.3 For the purpose of avoiding, remedying or mitigating any adverse effect on the environment that may arise from the exercise of these resource consents and that was not anticipated at the time of commencement of the consent.
  - 33.4 Within twelve (12) months of the Crown settling any claim with Rangitane o Manawatu under the provisions of the Treaty of Waitangi Act (1975), the Council may, following service of notice on the consent holder, commence a review of the conditions of this consent pursuant to section 128(1)(a) of the RMA, for the purpose of ensuring that this consent is in alignment with the provisions of any such settled claim.

### **Charges**

34. The Consent Holder shall pay to the Manawatu-Wanganui Regional Council all reasonable administration costs and charges fixed by the Council pursuant to section 36 of the Resource Management Act 1991, in relation to any administration, monitoring and inspection relating to these consents, and charges authorised by regulations.

## **PART B: SPECIFIC CONDITIONS**

### **Land Use Consent 104554: for the construction of a double culvert in an un-named tributary of the Kahuterawa Stream**

#### **Culverts**

35. The works should, as far as practicable, be undertaken in dry conditions. However if flow is present the Consent Holder shall ensure that the construction activities are separated from flowing water by diverting the full flow of the streams around the construction works prior to disturbance of the stream beds and installation of culverts commencing.
36. The discharge from any temporary diversion channels shall be controlled so as to prevent scour at the outlet.
37. The Consent Holder shall ensure that any fish stranded during the works are immediately placed in the nearest flowing water adjacent to the stranding as soon as reasonably practicable. Where there is a choice of which adjacent flowing water stranded fish could be placed in, fish shall be placed in the clearest, flowing water adjacent to the stranding site.
38. The culvert structures shall be installed in accordance with best engineering practice and to the manufacturer's specifications.
39. The installation of culverts shall be undertaken in accordance with the CEMP and relevant SEMP, and in general accordance with the DoC publication "*Fish passage at Culverts*", December 1999.

**Discharge Permit 104555: for the discharge of dust to air from  
the concrete batching plants.**

**Dust from the Concrete Batching Plants**

40. Any spillages of cement or cement dust from the handling of cement shall be contained as far as practicable and cleaned up immediately.
41. All air displaced from the cement storage silos shall be routed to adequate dust control equipment and treated as far as practical before discharge to the atmosphere.

**Discharge Permit 104557: for the discharge of wastewater from two operations and maintenance facilities to land**

**Wastewater Management**

42. There shall be no overland flow of wastewater to the Turitea Water Supply Catchment, flowing watercourse, drainage ditch which contains water, ephemeral drain, wetland or permanent pond.
43. The discharge of primary treated effluent (septic tank treated) from ablution facilities at the Operations and Maintenance Building shall be undertaken in accordance with the application and supplementary documents as outlined in Condition 1 and the Manawatu-Wanganui Regional Council's manual for On-Site System Design and Management.
44. The Consent Holder shall ensure that the effluent treatment and disposal system is installed by a registered drainlayer.
45. The Consent Holder shall ensure that annual maintenance and inspections of the disposal field and treatment system are undertaken and maintenance records are kept and a written report shall be submitted to the Environmental Compliance Manager by 30 January each year detailing the results of the annual inspection of the disposal field and treatment system.

**Discharge Permit 104558: for the discharge of stormwater from substations to land**

**Stormwater Management**

46. Stormwater shall be discharged in a manner that avoids erosion as a result of the discharge, both at the outlet structure and in the receiving water or stream channel downstream of the discharge point.
47. There shall be no discharge of stormwater from the stormwater collection and treatment system to the Turitea Water Supply Catchment.
48. The substation transformer(s) shall be bunded, with the bund sized to accommodate 110% of the oil storage volume, plus a 1% AEP 24 hour rainfall depth on the bunded area.
49. The Consent Holder shall maintain all structures used for the collection, treatment and disposal of stormwater to water on site in a serviceable condition at all times in accordance with best engineering practice.
50. The Consent Holder shall, at all times, except when a 10% AEP rainfall event is exceeded, operate the stormwater collection and treatment system in a manner that will avoid any of the following effects that may result from the discharge of stormwater to surface receiving waters:
  - 50.1 A change in horizontal visibility of no more than 30%, defined as the horizontal sighting range of a 200 mm black disc; or
  - 50.2 A change in hue greater than 10 points on the Munsell Scale; or
  - 50.3 A reduction in light at the sediment bed, as measured using a photosynthetically active radiation (PAR) meter, of more than 20%.

**Discharge Permit 104560: for the discharge of stormwater from roads and turbine platforms, and other areas to land.**

51. Stormwater shall be discharged in a manner that avoids erosion as a result of the discharge, both at the outlet structure and in the receiving water or stream channel downstream of the discharge point.
52. The Consent Holder shall maintain all structures used for the collection, treatment and disposal of stormwater to water on site in a serviceable condition at all times in accordance with best engineering practice.

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| <p>Land Use Consent RC0068:</p> <ul style="list-style-type: none"> <li>– to establish and operate a wind farm within the Palmerston North City jurisdiction;</li> <li>– to undertake earthworks associated with tracking and roading, turbine construction and associated buildings in the areas within Palmerston North City jurisdiction;</li> <li>– for the western side of Pahiatua Aokautere Road not meeting access requirements;</li> <li>– for the storage of diesel (10,000 L) in bunded areas outside the Turitea water supply catchment, generally located at the two substation laydown areas, that exceeds the 0.2 effects ratio maximum in the rural zone; and</li> <li>– for the construction of a 220 kV electricity transmission line and substations.</li> </ul> | 23   |

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| <p>Land Use Consent 1448:</p> <ul style="list-style-type: none"> <li>– for a wind farm (which is not listed as a permitted or controlled activity) in the areas within the Taranua District;</li> <li>– for land disturbance of more than 200m<sup>3</sup> of soil and cleanfill material associated with tracking and roading, turbine construction, spoil disposal and other associated works;</li> <li>– for upgrades to South Range Road and the construction of new site access;</li> <li>– for turbine and wind monitoring mast structures not meeting height requirements in the Taranua District;</li> <li>– for the modification of a Significant Natural Feature in Schedule 3.3 (i.e. Taranua Ranges Ridgeline);</li> <li>– for not meeting noise requirements; and</li> <li>– for clearance of indigenous vegetation.</li> </ul> | 25   |

## GENERAL CONDITIONS

All General Conditions apply to resource consents RC0068 by Palmerston North City Council and 1448 by Tararua District Council (respectively)

### General

1. The proposed development shall be undertaken in general accordance with the plans and information submitted with Mighty River Power's resource consent applications dated 8 August 2008, as modified by:
  - 1.1 Mighty River Power's responses to requests for further information under section 92 of the Resource Management Act 1991 dated 2, 10 and 24 October, and 5 November 2008 respectively;
  - 1.2 Mighty River Power's *Revised Layout and Associated Information* document dated January 2009;
  - 1.3 The plan attached to the public notification of the applications dated 24 January 2009, together with an explanation of associated amendments to the AEE, including the revised montages and an updated noise report (with respect to the deletion of 9 of the turbine zones originally applied for);
  - 1.4 Any other documentation submitted by Mighty River Power relevant to the applications; and
  - 1.5 The conditions of consent.
2. In accordance with section 125(1) of the Resource Management Act 1991, these consents shall lapse if not given effect to within ten years after the date of commencement of the consents.
3. The consent terms for land use (section 13) and discharge permits shall be for a period of 35 years from the commencement of the consents pursuant to section 123 of the Resource Management Act 1991.
4. The Consent Holder shall provide a copy of this consent to any operator or contractor undertaking works authorised by this consent, prior to the works commencing.
5. The Consents are granted by Council subject to its officers or agents being permitted access to the property at all reasonable times for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples.

### Turbines

6. The Consent Holder shall construct no more than 122 turbines in total.
7. The Consent Holder shall locate turbines within the turbine zones identified in the wind farm layout provided in the *Revised Layout and Associated Information* document dated January 2009.
8. All external and visible parts of the turbines including towers, nacelles and turbine rotor blades shall be finished in a light grey colour and in low reflectivity finishes.

9. Minor alterations may be proposed by the Consent Holder to the Council's Environmental Services Group Manager to accommodate the particular turbine technology used or to comply with other conditions of consent. Such alterations shall be notified in writing to the Environmental Services Group Manager and shall not be materially different from the proposal described in the application and supplementary documents as outlined in Condition 1.1.
10. Turbines shall be no more than 125m in height (as measured from the existing ground level to the vertically extended blade tip).

#### **Construction Noise**

11. Noise from all construction work shall be measured and assessed in accordance with NZ Standard NZS6803:1999 "Acoustics – Construction Noise", and shall comply with the noise limits set out in this standard.
12. A Construction Noise Management Plan shall be prepared by an appropriately qualified acoustic consultant and shall be submitted to the Council's Environmental Services Group Manager at least 60 working days prior to site works commencing. The Construction Noise Management Plan shall be implemented throughout construction. The Construction Noise Management Plan shall be generally in accordance with section 8 and Annex E of NZ Standard NZS6803:1999 "Acoustics – Construction Noise", which details the types of construction and procedures that will be carried out to ensure compliance with the Standard.

#### **Operational Noise (Turbines)**

13. The turbines shall be designed, constructed, operated and maintained so that within the notional boundary of any rural dwelling existing at the date of issue of consent (excluding dwellings on properties upon which turbines are located or where written consent has been provided) the sound level from the wind turbine generators shall not exceed the background sound level  $L_{95}$  by more than 5dBA, or a level of 40dBA  $L_{95}$ , whichever is the greater.
14. The measurement and assessment of noise effects from the turbines is to be conducted in accordance with the requirements of NZ Standard NZS6808:1998 "Acoustics – The Assessment and Measurement of Sound from Wind Turbine Generators" (or any successor).

#### **Pre-Instalment Assessment**

15. A Pre-Instalment Noise Assessment shall be prepared demonstrating that the intended numbers, layout and type of turbines to be utilised for the wind farm will result in the noise limits specified in Condition 13 above being met. The Pre-Instalment Noise Assessment shall be prepared by an appropriately qualified acoustic consultant, and submitted to the Council's Environmental Services Group Manager prior to installation of any wind turbine generator.
16. Pre-Instalment noise surveys shall be undertaken at positions identified by the Consent Holder in consultation with the Council, which may be in addition to those undertaken

for the Resource Consent application. These surveys shall be undertaken, and results assessed, in accordance with the requirements of NZS6808:1998.

### **Post-Installation Testing**

17. Post-installation noise compliance testing of the wind farm operation shall be conducted within three months of all turbines being installed and commissioned, or as soon as practicable. Where practicable, noise compliance testing measurements shall be undertaken at the same locations as the background noise measurements undertaken for the Noise Assessment in the resource consent application documents and the additional surveys undertaken for the purposes of Pre-Installation Noise Assessment (refer Condition 15). The noise compliance testing shall be undertaken by an appropriately qualified acoustic specialist in accordance with the requirements of NZS6808:1998 "*Acoustics – The Assessment and Measurement of Sound from Wind Turbine Generators*", and results submitted to the Council's Environmental Services Manager within 10 working days after completion of the testing.
18. The Council may reasonably request additional post-installation noise compliance testing to take place at any location and nothing in these conditions shall prevent compliance monitoring of wind farm noise from being undertaken at any wind speed and direction, or time of day. This may be as a result of what Council considers to be substantiated complaints regarding increased levels of noise from the wind farm or any change in the character of the noise emanating from the turbines. Compliance testing is to be undertaken in accordance with NZS6808:1998 "*Acoustics – The Assessment and Measurement of Sound from Wind Turbine Generators*", and results submitted to the Council's Environmental Services Manager within 10 working days after completion of the testing.

### **Noise Management Plan**

19. Prior to commencement of operation of the wind farm (either in part or entirety) the Consent Holder shall prepare and implement a Noise Management Plan to manage the potential effects of noise from the turbines. The Noise Management Plan shall be prepared by an appropriately qualified acoustic consultant and submitted to the Council's Environmental Services Group Manager. The Noise Management Plan shall include, but not be limited to, the following:
  - 19.1 An assessment of the contribution to the overall sound levels from individual wind turbine generators;
  - 19.2 Procedures for ensuring compliance with the noise conditions of this consent, including noise compliance testing, methods for addressing non-compliance and contacts and complaints procedures; and
  - 19.3 Procedures for addressing wind turbine malfunctions that cause noise beyond typical operational noise.

### **Non Compliance with Noise Conditions**

20. In the event of non-compliance with the noise conditions, the Consent Holder shall manage the operation of the wind farm to achieve compliance within 15 working days

of the non-compliance being identified. This may include operating at a reduced rate or, de-rating turbines, or other means of achieving compliant outcomes for affected dwellings. The Consent Holder shall undertake further post-installation noise compliance testing within 20 working days after measures have been adopted to achieve compliance, to demonstrate that compliance has been achieved. The Consent Holder shall advise Council of any non-compliance, within five working days and must report on measures undertaken to achieve compliance within ten working days of further compliance testing being completed.

### **Contact and Complaints Procedure**

21. The Consent Holder shall establish and publicise a local telephone number so that members of the public have a specified and known point of contact to raise any issues that may arise during construction, operation and maintenance of the wind farm. A log book of all calls shall be kept, and details of all calls received shall be made available to the Council, within five working days.
22. The Consent Holder shall maintain a Complaints Register to record complaints from the public in respect to any adverse off-site environmental impacts that may arise during the construction, operation and maintenance of the Wind Farm. This Register is to include the name and address of the complainant, the date and time of the complaint, the nature of the complaint, wind and weather at the time, activity occurring on the site at the time, and any remedial measures undertaken by the Consent Holder.
23. A copy of the complaints register shall be made available to the Council's Compliance Monitoring Staff on request; and an annual summary for the year ending 31 December shall be forwarded to the Council's Environmental Compliance Manager by 30 January each year.

### **Lighting**

24. No static night time illumination is permitted within the wind farm site, other than for maintenance, construction and security purposes, or as required by the Civil Aviation Authority (CAA).
25. Any lighting installed on turbines to meet the requirements of the CAA shall be shrouded to ensure there is no direct light spill when viewed from ground level, provided such shrouding is acceptable to the CAA.

### **Television Interference**

26. The Consent Holder shall remedy any analogue television interference that is a direct result of the installation and operation of the wind turbines as soon as practicable after receiving confirmation such interference has occurred. The remedy will be restoration of reception for free to air channels at the Consent Holder's cost.

### **Electric and Magnetic Fields**

27. Electric and Magnetic Fields shall comply with guidelines for public exposure to electric and magnetic fields as published in 1998 by the International Commission on Non-ionizing Radiation Protection.

### **Electrical Safety**

28. All transmission lines shall be designed and constructed to comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).

### **Landscape Mitigation for Private Properties**

53. Conditions to be confirmed following technical caucusing

### **Construction and Environmental Management Plan**

29. Prior to the commencement of any construction works, the Consent Holder shall submit a detailed Construction Environmental Management Plan (CEMP) to the Council's Environmental Compliance Manager, to demonstrate how the Consent Holder will achieve compliance with these consents. The CEMP shall be prepared with the assistance of a suitably qualified environmental management specialist, and shall include, but not be limited to, the following:
  - 29.1 Objectives of the environmental management process;
  - 29.2 Outline of the relevant statutory and contractual requirements;
  - 29.3 Proposed construction methodology and timetable for all works;
  - 29.4 Process for reviewing the plan including the process for developing and advising of revisions;
  - 29.5 Roles and responsibilities, including appointment of a representative to be the primary contact person in regard to matters relating to these consents;
  - 29.6 Training to ensure all contractors are made aware of the conditions of these consents and comply with them at all times;
  - 29.7 Procedures for keeping records of public complaints and any action taken to rectify the cause of the complaint in accordance with Condition 22;
  - 29.8 Outline of the key potential environmental effects and measures to be adopted to avoid or mitigate these;
  - 29.9 Environmental emergency response for managing hazardous substances and spill contingencies;
  - 29.10 An Accidental Discovery Protocol in relation to archaeological sites; and
  - 29.11 Procedures for inspections, monitoring and reporting.

### **Construction Traffic Management Plan**

30. At least 40 working days prior to any construction works commencing the Consent Holder shall submit a Construction Traffic Management Plan (CTMP) to the Council's Roading Manager covering the following matters:

- 30.1 Project scheduling;
- 30.2 Access locations;
- 30.3 Travel routes;
- 30.4 Traffic flows;
- 30.5 Hours when each access will be used;
- 30.6 Project contacts;
- 30.7 Management of oversized loads;
- 30.8 Road improvements;
- 30.9 A description of temporary traffic management techniques with provision for the preparation of Temporary Traffic Management Plans (TTMP) as required. TTMPs shall be prepared in accordance, but not be restricted to the Transit New Zealand Code of Practice for Temporary Traffic Management, and the Local Roads Supplement (now a New Zealand Transport Authority document). The TTMP shall ensure that there is safe and practical access to and from the wind farm site during the construction phase with a minimum of disruption to local residents;
- 30.10 Procedures for consultation and communication with the local community and other road users; and
- 30.11 Dust suppression techniques on all access roads that are not sealed.

***Advice note:** It is only necessary that one CTMP will be prepared to cover roads within both the Palmerston North City Council boundary and the Tararua District Council boundary respectively.*

- 31. Prior to any road improvement/construction, the Consent Holder shall commission an independent engineering report from a suitably qualified engineer to undertake a survey of the roads to be upgraded with particular regard to road geometry, structural integrity and slope stability. The report shall include any recommendations to ensure the road can be maintained to a standard suitable for continuous use by wind farm construction traffic and other road users.

#### **Roading upgrades**

- 32. At least 30 working days prior to the commencement of any roading upgrades, engineering plans will be submitted to the Council's Roding Manager outlining details of any proposed works. Under no circumstances shall the Consent Holder undertake any change to any public road without the prior written approval of the Council's Roding Manager. All roading upgrades shall comply with Council roading standards.

### **Cultural/Archaeological Matters**

33. The Consent Holder shall prepare an Accidental Discovery Protocol as part of the CEMP for the wind farm. The protocol shall be in place for any earthmoving or ground modification that occurs during the construction, operation and maintenance of the wind farm. The protocol shall clearly set out the steps to take in accordance with these conditions of consent should any prehistoric (Maori) or historic archaeological site or sub-surface deposits be found at any time.
34. If Taonga (treasured or prized possessions, including Maori artefacts) or archaeological sites are discovered in any area being earthmoved, the Consent Holder shall cease work within a 100m radius of the discovery immediately and contact local iwi, the New Zealand Historic Places Trust and the Council's Environmental Compliance Manager. Works shall not recommence in that area until a site inspection is carried out by iwi representatives, relevant Council staff and staff of the Historic Places Trust (if they consider it necessary); the appropriate action has been carried out to remove the Taonga and record the site, or alternative action (e.g. works are relocated) has been taken; and approval to continue work is given by the Council's Environmental Compliance Manager. The site inspection shall occur within three working days of the discovery being made.
35. If during construction activities, the Consent Holder uncovers any Koiwi (skeletal remains) or similar material, works are to cease within a 100m radius of the discovery immediately, and the Consent Holder shall notify the New Zealand Police, local iwi, the New Zealand Historic Places Trust and the Council's Environmental Compliance Manager. Works shall not recommence in that area until a site inspection is carried out by iwi representatives, relevant Council staff, and staff from the Historic Places Trust and the New Zealand Police (if they consider it necessary); the appropriate ceremony has been conducted by iwi (if necessary), the materials discovered have been removed by the iwi responsible for the tikanga appropriate to their removal and preservation or re-interment, or alternative action (e.g. works are relocated) has been taken, and approval to continue work is given by the Council's Environmental Compliance Manager.
36. In the event that earthworks are undertaken within sites that local iwi have indicated to the Consent Holder in writing are of significance, the Consent Holder shall invite a tangata whenua representative on site to monitor the works.
37. The historic quarry sites situated within the application site(s), and identified in the Archaeological Assessment included a Appendix G of the application documents, are to be temporarily fenced off for the duration of site works to prevent accidental damage during construction

### **Turbine Maintenance**

38. The Consent Holder shall maintain the turbines in good condition at all times and shall undertake appropriate regular servicing.

### **Post Construction Inspection**

39. Upon completion of construction and maintenance activities, the Consent Holder will invite the Council's Environmental Compliance Manager to inspect the site to demonstrate that all earthworks and site remediation works have been carried out in accordance with the conditions of the resource consents and relevant plans.

### **Review of Conditions**

40. In accordance with section 128 of the Resource Management Act 1991, the Council may at five yearly intervals after the completion of all construction works, serve notice on the Consent Holder of its intention to review any of the conditions of consent for any of the following purposes:
  - 40.1 To deal with any adverse effects on the environment that may arise from the exercise of the Consent which it is appropriate to deal with at a later stage; or
  - 40.2 To require the Consent Holder to adopt the best practicable option to mitigate any adverse effects; or
  - 40.3 For the purpose of avoiding, remedying or mitigating any adverse effect on the environment that may arise from the exercise of these resource consents and that was not anticipated at the time of commencement of the consent; or
  - 40.4 Within twelve (12) months of the Crown settling any claim with Rangitaane o Manawatu under the provisions of the Treaty of Waitangi Act (1975), the Council may, following service of notice on the consent holder, commence a review of the conditions of this consent pursuant to section 128(1)(a) of the RMA, for the purpose of ensuring that this consent is in alignment with the provisions of any such settled claim.

## **Palmerston North City Council Land Use Consent RC0068**

### **General**

1. Consent RC0068 is subject to compliance with the General Conditions (attached).

### **Turbines**

2. Upon commissioning of the wind farm the Consent Holder shall provide a set of "as built" plans to Council that identifies the final location of each turbine, substations, operations and maintenance buildings, transmission lines and permanent wind monitoring masts and other permanent features of the site constructed in accordance with this consent.

### **Batching plant removal**

3. The batching plants shall be removed within six months of completion of construction of the wind farm.

### **Construction dust management**

4. The Consent Holder shall implement measures to suppress dust caused by the movement of construction vehicles on Greens Road and Pahiatua-Aoukautere Road during the construction period.

### **Landscape Plans**

5. At least 40 working days prior to the construction works taking place on the site the Consent Holder must submit to Palmerston North City Council's Environmental Services Manager detailed landscape plans for all cut and fill earthworks and permanent buildings. These plans must:
  - 5.1 Identify the disposal sites for fill, which must be in general accordance with the positions shown on the plans submitted with the application, and supplementary documents;
  - 5.2 Provide for the integration of cut and fill earthworks with the surrounding landform where practicable; and
  - 5.3 Detail proposed colours, materials and landscaping of the substation buildings, maintenance building and associated areas.
6. The Consent Holder must ensure that all cut and fill earthworks, disposal of fill and landscaping is undertaken in accordance with the landscape plan submitted to Council.

### **Diesel Storage**

7. No diesel storage tanks shall be located within the Turitea water supply catchment.
8. All diesel storage facilities shall be bunded, with the bund sized to accommodate 110% of the diesel storage volume, plus a 1% AEP 24 hour rainfall depth on the bunded area.

### **Palmerston North Water Supply**

9. A monitoring programme shall be established and implemented to determine the effects (if any) of the proposed wind farm on the Palmerston North Water Supply reservoirs. The Consent Holder shall submit the programme to Palmerston North City Council's Environmental Services Manager, prior to any construction work commencing, to demonstrate how the Consent Holder will achieve compliance with this condition. The programme shall include a requirement to obtain pre-construction data on the bathymetry, benthic community structure and the trophic status of the Turitea reservoirs in order to establish baseline data. The Consent Holder shall cease the monitoring programme two years after construction is completed, provided no adverse effects on the operation of the water supply have been shown.

### **Consent Monitoring Fee**

10. The Consent Holder shall pay a monitoring fee of \$600 (GST inclusive) at the time the resource consent is granted to cover the cost of monitoring compliance with the above conditions. This fee covers five monitoring visits.

### **Charges**

11. The Consent Holder shall pay to the Palmerston North City Council reasonable administration costs and charges fixed by the Council pursuant to section 36 of the Resource Management Act 1991, in relation to any administration, monitoring and inspection relating to these consents, and charges authorised by regulations.

## **Tararua District Council Land Use Consent 1448**

### **General**

1. Consent 1448 is subject to compliance with the General Conditions (attached).

### **Turbines**

2. Upon commissioning of the wind farm the Consent Holder shall provide a set of “as built” plans to Council that identifies the final location of each turbine, transmission lines and permanent wind monitoring masts and other permanent features of the site constructed in accordance with this consent.

### **Landscape Plans**

3. At least 40 working days prior to the construction works taking place on the site the Consent Holder must submit to Tararua District Council’s Environmental Services Manager detailed landscape plans for all cut and fill earthworks and permanent buildings. These plans must:
  - 3.1 Identify the disposal sites for fill, which must be in general accordance with the positions shown on the plans submitted with the application, and supplementary documents; and
  - 3.2 Provide for the integration of cut and fill earthworks with the surrounding landform where practicable.
4. The Consent Holder must ensure that all cut and fill earthworks, disposal of fill and landscaping is undertaken in accordance with the landscape plan submitted to Council.

### **Charges**

5. The Consent Holder shall pay to the Tararua District Council reasonable administration costs and charges fixed by the Council pursuant to section 36 of the Resource Management Act 1991, in relation to any administration, monitoring and inspection relating to these consents, and charges authorised by regulations.