

### Proposed Manawatu-Wanganui (Horizons) Regional Council Consent Conditions

#### General

1. The activities authorised by these Discharge Consents / Land Use Consents shall be restricted to the following:
  - a. Discharge Consent to discharge stormwater to land where it may enter water from various locations throughout the wind farm site including; turbine sites, roads and access tracks, and spoil disposal sites during construction;
  - b. Discharge Consent for the discharges of cleanfill to land associated with spoil disposal sites throughout the wind farm site; and
  - c. Land Use Consent for the construction, installation, use and maintenance of culverts in the beds of unnamed tributaries of the Makaretu Creek,

at the NZ Windfarms Ltd Wind Farm eastern extension site on properties legally described as: Section 6 Block II Mangahao SD (WN25B/416); Section 2 Block II Mangahao SD (WN42C/720); Section 4 Block II Mangahao SD (WN23C/569); and Part Section 1 Block XIX Mangahao SD (WN36B/480) - which are located approximately two kilometres to the north of the Pahiatua-Aokautere Road and North Range Road junction, and approximately 10 kilometres north east of Palmerston North - for a term of:

- a. 15 years for the discharge of stormwater to land and water,
- b. 35 years for the discharge of cleanfill to land,
- c. 15 years for the construction of culverts,

in general accordance with the resource consent application except as otherwise provided for by conditions of these consents.

2. These Consents are granted by Manawatu-Wanganui Regional Council subject to its warranted officers being permitted access to the Property at all reasonable times for the purpose of carrying out inspections, surveys, investigations, tests, measurements or taking samples which are required in order for the Manawatu-Wanganui Regional Council to determine whether these conditions are being met.
3. These Consents lapse within 10 years (i.e. by 1 January 2020) unless they are given effect to or an extension is granted under the provisions of Section 125 of the Resource Management Act 1991.

#### Silt and Sediment Management

4. The location, design, implementation and operation of all earthworks and associated discharges of sediment-laden stormwater to land and water shall be undertaken in general accordance with the following documents, unless any modifications are required to comply with any of the conditions of these consents:
  - a. The consent application lodged with Manawatu-Wanganui Regional Council on 29 May 2009;
  - b. Further information and amendments received by Manawatu-Wanganui Regional Council on 14 September 2009 and 21 September 2009;

- c. Greater Wellington Regional Council's Erosion and Sediment Control Guidelines for the Wellington Region dated September 2002 and any subsequent reviews (**GWECG**); and
- d. Any additional plans or information to be prepared and submitted and certified by Manawatu-Wanganui Regional Council in accordance with various conditions of these consents.

**Advice Note 1:** Any change from the location, design concepts and parameters implemented and / or operation may require a change in consent conditions pursuant to Section 127 of the Resource Management Act 1991.

**Advice Note 2:** Where there may be contradiction or inconsistencies between the application and further information provided by the Applicant, the most recent information applies. In addition, where there may be inconsistencies between information provided by the Applicant and conditions of the consent, the conditions apply.

**Aquatic Monitoring**

- 5. The Consent Holder shall prepare and submit to the Manawatu-Wanganui Regional Council Environmental Protection Manager:
  - a. One Preconstruction Aquatic Monitoring report;
  - b. Annual aquatic monitoring reports for the duration of the construction works covered by the consents.
  
- 6. The Preconstruction Monitoring Report shall:
  - a. Identify locations for monitoring that are representative of the receiving water and the discharge points which have been determined in consultation with the Manawatu-Wanganui Regional Council Environmental Protection Manager and which must include:
    - i. Three tributaries of Makaretu Creek that may receive stormwater run-off from the windfarm extension;
    - ii. Two locations within the main stem of Makaretu Creek: one upstream and one downstream of the subcatchments affected by the construction works;
  - b. Identify the monitoring locations that can be used as reference sites in comparable catchments unaffected by the activities covered by these consents;
  - c. Contain details of the monitoring procedures and responsibilities as well as the personnel involved in the monitoring;
  - d. Include a monitoring timetable that identifies when pre construction monitoring commenced, the frequency and duration of monitoring, how rainfall was recorded within the project site, how data was logged or recorded; and the maintenance procedures used to ensure monitoring was achieved; and
  - e. State the monitoring parameters and methods, that were used which must have included:

Parameter	Number of sampling occasions		Timing of sampling
	Tributaries	Main stem	
Deposited sediments (quorer method)	N/a	2	Within 3 hours of the end of significant rainfall events.

## APPENDIX TWO

Turbidity (NTU)	3	3	Within 3 hours of the end of significant rainfall events. Sampling to coincide with sampling in the Makaretu Creek
Suspended solids (g/m <sup>3</sup> )	3	3	Within 3 hours of the end of significant rainfall events.
Macroinvertebrates (Reporting indices shall include: MCI, QMCI, %EPT taxa)	1	2	At least 10 days after a significant rainfall event

**Table 1:** Preconstruction monitoring for the tributaries and main stem

**Advice note:** Significant rainfall events are events with rainfall greater than 15 millimetres (in a 24 hour period) as measured at the NZ Windfarms site office located on the existing Te Rere Hau wind farm site.

- f. Be submitted to the Manawatu-Wanganui Regional Council's Environmental Protection Manager at least 30 working days prior to bulk earthworks commencing.

7. The Annual Aquatic Monitoring Reports shall include:

- a. Details of the further monitoring which shall include monitoring of the tributaries and Makaretu Creek at the preconstruction locations stated in condition 6(a) above (or such location as may be approved by the Manawatu-Wanganui Environmental Protection Manager) and at the frequencies and for the parameters set out in Table 2 below.

Parameter	Frequency		Notes
	Main stem	Tributaries and reference sites	
Deposited sediments (quorer method)	Twice per April – September season	None	Within 3 hours of the end of significant rainfall events.
Macroinvertebrate communities	Twice per April – September season	Twice per year	Reporting indices shall include: MCI, QMCI, %EPT taxa
Turbidity (NTU) & suspended solids (g/m <sup>3</sup> )	8 times per year	8 times per year	Within 3 hours of the end of significant rainfall events.

**Table 2:** Annual Aquatic Monitoring frequencies and parameters

- b. Results of the Annual Aquatic Monitoring undertaken including identification of levels of specific parameters that shall, if exceeded and if shown to be a consequence of construction activities, require additional monitoring or the implementation of contingency measures and identification of specific measures to be implemented when trigger levels are breached;
- c. A requirement that the monitoring shall be undertaken by a suitably qualified person;
- d. A requirement that all monitoring results obtained in accordance with the conditions of these consents be recorded in a log on site, be available for inspection during normal office hours and be submitted to the Manawatu-Wanganui Regional Council's Environmental Protection Manager at quarterly intervals;

- e. A requirement that records also be kept to show where monitoring is not possible due to dry conditions or where no sediment control structure inflow or outflow exists;
- f. A requirement that the Annual Aquatic Monitoring shall be implemented at the same time as the bulk earthworks commence on site and shall continue to be implemented until the site is approved to be stabilised by the Manawatu-Wanganui Regional Council's Environmental Protection Manager.

**Advice note 1:** Significant rainfall events are events with rainfall greater than 15 millimetres (in a 24 hour period) as measured at the NZ Windfarms site office located on the existing Te Rere Hau wind farm site.

**Advice note 2:** If due to dry weather conditions there is no discharge, then sampling shall be limited to times when rain events generate observed discharges.

8. The procedures required to implement Conditions 7a to f above shall be submitted to the Manawatu-Wanganui Regional Council's Environmental Protection Manager for approval at least 30 working days prior to bulk earthworks commencing on site. Bulk earthworks shall not commence until the approval of the Environmental Protection Manager for these procedures is obtained.
9. Should the results of the Annual Aquatic Monitoring reports show exceedance of the trigger levels determined in Condition 7b above and where this exceedance can be shown to be attributable to the bulk earthworks activities, the Consent Holder shall immediately advise the Environmental Protection Manager and shall undertake such remediation measures as may be required to comply with these conditions, such compliance to be achieved within 10 working days of notice being given of the breach.

### Construction and Environmental Management Plan

10. The Consent Holder shall prepare and submit a **Construction and Environmental Management Plan (CEMP)** for all construction activities related to the project to the Manawatu-Wanganui Regional Council's Environmental Protection Manager for certification, at least 30 working days prior commencing bulk earthworks. Bulk earthworks shall not commence until the certification of the Environmental Compliance Manager is obtained. The CEMP shall include, but not be limited to:
  - a. Roles and responsibilities, including appointment of a representative of the Consent Holder to be the primary contact person in regard to matters relating to the consents;
  - b. Construction timetable for all works and the sequencing of the works;
  - c. A requirement to notify the Manawatu-Wanganui Regional Council of who the contractor(s) is for each phase of the works a minimum of 10 working days prior to commencement of bulk earthworks;
  - d. A requirement to:
    - i. Provide all contractors with a copy of the conditions of these consents; and
    - ii. Obtain an undertaking from contractors to comply with these conditions;
  - e. A requirement to hold a pre-construction site meeting between all relevant parties (New Zealand Windfarms authorised representative(s) and Environmental Advisors) and representatives of relevant consent authorities, prior to any works authorised by these consents commencing on the site to discuss implementation of erosion and sediment control measures;
  - f. Procedures for earthworks, selection of fill disposal areas, erosion and sediment control methodologies and detailed design;

- g. Procedures for identification of areas on the site of historical, cultural and/or ecological significance and management of activities in proximity to such areas;
- h. Procedures to ensure all contractors are educated regarding the indigenous vegetation and wildlife values of the wind farm site;
- i. Details of landscaping and revegetation proposed for exposed areas including rehabilitation methods and vegetation mixes;
- j. Procedures for managing hazardous substances and spill contingencies;
- k. A requirement to consult with tangata whenua prior to construction commencing;
- l. An Environmental Pest Plant Management Plan, including contingency measures to eradicate environmental pest plant species and post construction environmental pest plant monitoring;
- m. Fire Management Plan; and
- n. Details of a suitably qualified and experienced engineer for the purposes of certifying all earthwork activities including fill areas; and
- o. Procedures for keeping records of public complaints, for notifying the Manawatu-Wanganui Regional Council of the complaints and any action taken to rectify the cause to the complaint;

### ***Contaminant Management***

- p. Details of how earthmoving machinery will be thoroughly cleaned of unwanted vegetation (e.g. environmental pest plants), seeds or contaminants prior to coming on site to commence bulk earthworks;
- q. Details of how fixed re-fuelling areas will be bunded or contained in such a manner so as to prevent the discharge of contaminants;
- r. A requirement that no machinery is cleaned, stored or refuelled within 50 metres of any seepage, ephemeral or permanent watercourse;
- s. Requirements that all mobile fuel tankers carry spill kits and that spill kits are stored at bulk storage tank locations at all times;
- t. Details of a spill prevention and response procedure specifying those trained in spill response, how spills will be contained, remedied and any material used disposed of. Contents of proposed spill kits, including absorbent pads, booms, pillows and socks and appropriate pegs/rope to hold the absorbent material in place should also be included in this procedure;
- u. Details of an internal and external notification procedure in the event of a spill (e.g. The Manawatu-Wanganui Regional Council Environmental Protection Manager for external notification);
- v. Procedures for notifying the Manawatu-Wanganui Regional Council of incidents, including who is responsible and the timeframes;
- w. Procedures for recording details of incidents and responses to those incidents;

### ***Erosion and Sediment Control***

- x. Details of the erosion and sediment control structures required for the project to address Section 5 of the GWECG. including requirements that:
  - i. The sediment retention pond embankments must be thoroughly compacted with suitable material free of humus and other organic material. The embankments are to be laid in no greater than 150 mm layers to achieve the equivalent of at least 95 % of maximum dry density as determined by NZS 4402: 1986 Test 4.1.1;
  - ii. Sediment retention ponds shall generally be required where it serves a contributory catchment greater than 0.3 hectares except where an alternative

- method is approved by the Manawatu-Wanganui Regional Council's Environmental Protection Manager;
- iii. All sediment retention ponds serving fill sites which have a discharge to land within 50 metres of a perennial stream shall be fitted with a flocculation system where necessary;
  - iv. All ponds shall be fitted with an outlet structure that disperses the flow over the full width of the grass buffer area (not as a point source).
- y. Details of who is undertaking the erosion and sediment control work and their contact details;
  - z. A method statement covering construction method, monitoring, auditing and contingencies;
  - aa. A work programme;
  - bb. A plan or a series of plans showing:
    - i. Areas to be disturbed;
    - ii. Fill areas which must not be within 10 metres of any identified seep zones, ephemeral or permanent streams, and must not be on sites with slopes of greater than 20 degrees;
    - iii. Soil stock pile areas;
    - iv. Culverts;
    - v. 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;
    - vi. The areas where re-vegetation and is to be undertaken;
  - cc. Inspection and reporting schedule in particular in response to adverse weather conditions;

**Advice Note:** It is understood all water is to be sourced off site. If however, any water is required for activities on the wind farm site it shall comply with the Permitted Activity Rules (SW Rule 4 of the Land and Water Regional Plan and POP Rule 15-1 of the Proposed One Plan) and shall be used within the catchment in which it is abstracted, otherwise a resource consent application will be required.

### ***Stream Works***

- dd. A requirement that fish passage is maintained or restored during and on completion of the construction of any new and replacement crossing structures on the tributaries of the Makaretu Creek which cross tracks 10, 13 and 21.
- ee. A requirement that the Consent Holder shall not cross the tributaries of the Makaretu Creek outside the construction areas on tracks 10, 13 and 21 by driving machinery through the bed of the tributaries;
- ff. A requirement that the Consent Holder is to obtain ecologist input into the final design of culverts, roading and stormwater management in the immediate vicinity of the crossing points of the tributaries of the Makaretu Creek crossings on tracks 10, 13 and 21;
- gg. A requirement that the Consent Holder maintain and keep clear from obstructions and debris all culverts which are subject to these conditions, for the duration of the land use consent for the construction of culverts.

**Advice note 1:** The CEMP shall not include details of aquatic monitoring as this is subject to separate conditions stated above.

**Advice note 2:** The CEMP does not include details of flora and fauna monitoring as these activities are covered in the Tararua District Council consents.

11. The CEMP may be amended at any time. Any amendments shall be:
  - a. Only for the purposes of improving the efficiency or effectiveness of the measures outlined in the CEMP;
  - b. Consistent with the conditions of this resource consent; and
  - c. Prepared by an appropriately qualified person and submitted in writing to the Council prior to any amendment being implemented.
  - d. Certified by Manawatu-Wanganui Regional Council's Environmental Protection Manager.

**Advice Note 1:** Whilst Condition 10 states that the CEMP shall be provided at least 30 working days prior to construction commencing the Environmental Protection Manager shall work with the Consent Holder to enable approval to be obtained as soon as practicable.

**Advice Note 2:** The Council may obtain an independent peer review of the CEMP and all costs associated with obtaining such a review will be met by the Consent Holder pursuant to section 36 of the Resource Management Act 1991.

12. The Consent Holder shall ensure that no sediment retention ponds, chemical flocculation systems or perimeter controls are to be removed or decommissioned unless the removal or decommissioning has been approved by the Manawatu-Wanganui Regional Council's Environmental Protection Manager and the entire area is stabilised, unless such removal and decommissioning is in accordance with the requirements of the CEMP.
13. The works authorised by these consents shall remain the responsibility of the Consent Holder and be maintained so that:
  - a. Any erosion, scour or instability of the stream bed or banks that is attributable to the works carried out as part of these consents is remedied by the Consent Holder within 15 working days;
  - b. Fish passage is not impeded on completion of works;
  - c. The culverts shall not adversely affect the ability of the streams to convey flood flows or floating or flood borne debris and shall remain substantially free of debris; and
  - d. The structural integrity of the structures remains sound.

### **Annual Monitoring Report**

14. The Consent Holder shall compile an Annual Monitoring Report for the year ending **30 June** each year that these Consents are current. As a minimum the Report shall contain:
  - a. Data to demonstrate whether or not compliance with the Conditions of this consent has been achieved;
  - b. Include all other data and information collected under the conditions of these consents;
  - c. Critically analyse the information collected in accordance with the conditions of these consents in terms of compliance and actual or potential adverse environmental effects;
  - d. Make recommendations on the need to undertake mitigation measures to reduce or eliminate any actual or potential adverse environmental effect.

- e. A certificate signed by an appropriately qualified and experienced engineer to certify that any permanent structures authorised under these consents have been constructed in accordance with the conditions of these consents.
15. The report shall be to a standard acceptable to the Manawatu-Wanganui Regional Council and shall be forwarded to the Manawatu-Wanganui Regional Council's Environmental Protection Manager by 30 August for each year that these are current.

### Review

16. In accordance with section 128 of the Resource Management Act 1991, the Manawatu-Wanganui Regional Council may at one year after the commencement of these consents and at one yearly intervals during the construction period and thereafter at five yearly intervals after the commissioning and full operation of the windfarm, serve notice on the Consent Holder of its intention to review any of the conditions of these consents for any of the following purposes:
- a. To deal with any adverse effects on the environment that may arise from the exercise of these Consents which it is appropriate to deal with at a later stage;
  - b. To require the Consent Holder to adopt the best practicable option to mitigate any adverse effects; or
  - c. For the purpose of avoiding, remedying or mitigating any adverse effect on the environment that may arise from the exercise of these consents and that was not anticipated at the time of commencement of these consents.
17. Subject to condition 16, the Review of conditions shall allow for:
- a. The deletion or amendment to any conditions of these Consents; and
  - b. If necessary and appropriate the, adoptions of best practicable options to avoid, remedy or mitigate any adverse effect on the environment.

**Advice Note:** Costs associated with any review of the conditions of these consents shall be recovered from the Consent Holder in accordance with the provisions of Section 36 of the Resource Management Act 1991.