# APPENDIX 2 – PALMERSTON NORTH CITY COUNCIL LAND USE CONSENT CONDITIONS

**Implementation of works in accordance with application**

1. With the exception of amendments required to comply with other conditions of this consent and any conditions of related resource consents granted by Horizons Regional Council, the turbines, access roads and ancillary facilities and services shall be constructed and operated generally in accordance with all of the information, site and elevation plans and drawings accompanying the application or submitted as further information. For the avoidance of any doubt this information is held on file reference 202697. In particular:

   (a) Each turbine shall be located within a 30 metre radius circle (turbine contingency zone) of the turbine positions shown on the submitted location plans contained in the Motorimu Wind Farm Limited Assessment (MWFL) resource consent application to Palmerston North City Council (PNCC) provided that:

      (i) in no case will there be an increase in vertical height of the turbine by more than 3 metres.
      (ii) Turbines T10 or T29 shall not be moved closer to the current edge of native bush in the vicinity of these turbines;
      (iii) The tip of the blades on turbines T17 and T25 are located at least 30 metres (horizontally) from the edge of the existing native vegetation.
      (iv) Turbine rotor sweep shall be no closer than a vertical line 30 metres from the edge of closed-canopy native podocarp/broadleaf forest. Minor siting alterations shall be approved by the Palmerston North City Council (PNCC) Principal Planner.

   (b) All external parts including turbine towers, nacelles and turbine rotor blades shall be finished in low reflectivity finishes so as to minimise blade glint. The exact colour reference shall be provided to the Palmerston North City Council (PNCC) Principal Planner for approval prior to any construction works taking place on site.

   (c) Minor alterations may be approved by the PNCC Principal Planner as appropriate to accommodate the particular turbine technology used or to comply with other conditions of consent upon the written request of the consent holder, provided the alteration is not materially different from the proposal described in the application and that the scale and intensity of adverse effects will not be increased and that no approval is required from any affected person.

**Time limit**

2. This consent shall lapse five years after the date the consent is granted unless the consent is either given effect to before that lapsing date, or unless the PNCC Principal Planner fixes a longer period pursuant to section 125 of the Resource Management Act 1991.

**Batching plant removal**

3. The concrete batching plant shall be a temporary installation for the construction period only and shall be located in the position in the submitted plan titled *'Motorimu Wind Farm – Construction Sites'* and dated 29/08/06. The batching plant shall be removed within six months of completion of construction of the wind farm.

**Construction noise**

4. Noise from all construction and decommissioning work including (but not limited to):
   - Site works;
   - Wind turbine generator assembly and placement;
   - Concrete placement;
   - Wind turbine removal;
   - Foundation demolition and removal; and
   - Land reinstatement.

   Shall be measured, assessed and controlled using New Zealand Standard NZS6803:1999 *Acoustics - Construction Noise*. The noise limits shall be those set out in Table 2 of NZS6803 for works of '*long term*' duration.

**Concrete manufacturing**

5. Concrete shall not be manufactured outside of the hours of 7.00am to 7.00pm on any day. All aspects of concrete manufacture shall not exceed the following noise limits:

   7.00am to 7.00pm 50dBA $L_{10}$

   The noise associated with concrete manufacture shall be measured in accordance with NZS6801:1991: *Measurement of Sound* and assessed in accordance with NZS6802:1991: *Assessment of Environmental Sound*.

**Heavy traffic hours of operation**

6. Heavy vehicles accessing the wind farm site shall not use Scotts Road outside of the hours of 7.00am to 7.00pm Monday to Saturday nor during times when school buses are using the road. For the avoidance of doubt there shall be no heavy vehicle movements on Sundays or Public Holidays. (Note: For a definition of 'heavy vehicle' see condition 67)

**Construction Noise Management Plan**

7. A **Construction Noise Management Plan** (CNMP) shall be prepared and implemented prior to commencement of construction. This shall be generally in accordance with Section 8 and the relevant annexes of New Zealand Standard NZS6803:1999 *Acoustics – Construction Noise* which detail the types of construction and procedures that will be carried out to ensure compliance with the Standard. The CNMP shall be prepared by appropriately qualified and experienced persons, prior to relevant construction stages commencing, and shall be approved by the PNCC Principal Planner prior to construction commencing.

**Operational Noise (Non-turbine Related)**

8. Noise from all other activities on the site (other than wind turbine generator operation and construction activities) shall not exceed the following limits;

   | | |
   |---|---|
   | 7.00am to 10.00pm | 50dBA $L_{10}$ |
   | 10.00pm to 7.00am | 40dBA $L_{10}$ and 70dBA $L_{max}$ |

   when measured at or within the boundary of any site other than the wind farm site. For the purposes of clarity, this condition does not apply to dwellings in respect of which the consent holder has reached agreement with the landownder. The noise shall be measured in accordance with NZS6801:1991: *Measurement of Sound* and assessed in accordance with NZS6802:1991: *Assessment of Environmental Sound.*

**Operational noise (Day time) (Turbines)**

9. Wind turbine sound levels, when measured at the notional boundary of dwellings existing at the date of this consent (excluding any dwelling on the Wind Farm site, and excluding dwellings in respect of which the consent holder has reached agreement with the landowner), shall not exceed the appropriate regression curve of the A-weighted background sound level ($L_{95}$) by more than 5dBA, or a level of 40dBA $L_{95}$, whichever is the greater.

**Operational noise (Night time) (Turbines)**

10. Between the hours of 10pm and 7am the following day wind turbine sound levels, when measured at the notional boundary of dwellings existing and permitted at the date of this consent (excluding any dwelling on the Wind Farm site, and excluding dwellings in respect of which the consent holder has reached agreement with the landowner), shall not exceed the appropriate regression curve of the A-weighted background sound level ($L_{95}$) by more than 5dBA, or a level of 35dBA $L_{95}$, whichever is the greater.

**Acoustic Emissions Report**

11. Prior to installation of any wind turbine generator the consent holder shall furnish an Acoustic Emissions Report to PNCC Principal Planner for each of the selected wind turbine generators. The report shall be in accordance with IEC61400-11, Wind Turbine Generator Systems Part 11, Acoustic noise measurement techniques and shall include the A-weighted sound power levels, spectra, and tonality at integer wind speeds from 6 to 10 m/s and up to 95% of rated power for each type and mode of individual wind turbine to be installed.

**Noise Prediction Report**

12. Prior to installation of any wind turbine generator the consent holder shall furnish a Noise Prediction Report from a suitably qualified and experienced acoustical consultant that demonstrates to the satisfaction of the PNCC Principal Planner that the sound levels from the wind farm will not exceed those levels set out in Condition 9 and 10, above. Modes of operation and the type of turbine must be specified.

**Pre-Instalment Measurements**

13. The wind farm sound levels shall be measured and assessed using NZS6808:1998 *Acoustics - The Assessment and Measurement of Sound from Wind Turbine Generators* within the notional boundary of any dwelling, except for lots where written approval for the wind farm has been obtained, but with the following requirements to be met. Where these following requirements differ from NZS6808:1998 then these requirements shall prevail:

    (a) The 10 minute background sound levels ($L_{95,10min}$) shall be measured within the notional boundary of a dwelling. Such measurements shall be carried out before the commencement of any construction work related to the wind farm that could produce noise sufficient to affect $L_{95}$ background sound measurements.

    (b) Representative measurement locations shall be selected for all dwellings where wind farm sound levels are predicted to equal or exceed 35dBA $L_{eq.}$. As a guide, representative background sound monitoring should take place within 200 metres of a dwelling of interest within a notional boundary of the representative dwelling. Upon inspection the background sound level at a place of interest should be reasonably similar to the monitoring location. Depending on topography and the location of ambient sound generators such as streams and vegetation in the area this distance of 200 metres may need to be less. The representative locations shall be selected on the principle that if turbine noise

was excessive, then the largest difference between the predicted post-installation noise level and the background sound level would be obtained.

(c) The requirements for background sound level measurements under this condition shall not apply to any property where access for measurement purposes has been refused by the property owner or tenant and monitoring cannot take place at a nearby representative location.

(d) The 10 minute average wind speed and wind direction at the wind farm shall be based on or near the hub height of the wind turbines and wind speed measurements shall be made at the same time as the 10 minute background $L_{95,10min}$ measurements at dwellings (and called data pairs). Local wind speed and direction measurements shall also be made in the vicinity of the sound level monitoring (without interfering with that monitoring) at the time of these measurements and this data shall be recorded.

(e) Background sound level $L_{95,10min}$ at a dwelling shall be correlated with wind speed at the wind farm for conditions under 13(f).

(f) Sufficient data must be collected to assess the following:
- Operation wind speeds of the wind turbines from the cut-in wind speed (nominally 3 $m.s^{-1}$) up to the rated power wind speed (nominally 15 $m.s^{-1}$) at the wind farm;
- The prevailing wind directions at the wind farm – (255˚ - 330˚) and (105˚ - 165˚);
- Time of day – Night time (10pm to 5am) and Daytime (5am to 10pm)

Sufficient data is when the addition of further data makes no significant difference to the location of the regression curve.

(g) Sufficient data shall be gathered such that accurate best fit regression curves can be obtained.

(h) Care will be taken to eliminate periods of contamination of the noise data by other noise sources, i.e. seasonal cicadas, crickets, frogs, rainfall periods, etc.

**Post-Installation Testing**

14. Post-installation compliance testing of the wind farm, once turbines are installed and commissioned, shall commence as soon as practical, as agreed by the PNCC Principal Planner. If possible the testing shall be carried out at the same locations as the background sound monitoring or, if that position is not available, then at a nearby location where the background sound monitoring is still representative.

**Same parameters**

15. The same parameters as in condition 13(f) required for the background noise monitoring shall also be measured for the post-installation compliance testing. The cut-in operation times of the wind turbine generators shall also be recorded and this shall be indicated on the results.

**Regression curves**

16. The regression curves of the A-weighted background sound level ($L_{95,10min}$) shall be provided in accordance with condition 13(f).

**Regression curve – noise limit**

17. The appropriate regression curve of the $L_{95,10min}$ of the wind turbine generator sound levels corrected for any special audible characteristics is not to exceed the noise limits specified in conditions 9 and 10.

**Submit results to PNCC**

18. As compliance testing takes place at each site the consent holder shall provide the raw results of noise and wind monitoring to the PNCC Principal Planner in a form that will allow PNCC to undertake its own analysis and assessment of the results should it choose to do so.

**Results within 20 working days**

19. The consent holder shall provide reports to PNCC as soon as practical following testing at each location but no longer than 20 working days after the completion of each test.

**Testing in any location**

20. PNCC may reasonably direct the consent holder to undertake noise monitoring in accordance with the provisions of these conditions. The monitoring is intended to show compliance at locations not identified in condition 13b.

**Sharing wind data**

21. If PNCC wishes to undertake separate compliance testing of part or all of the wind farm operation then the consent holder shall share with the PNCC specified noise consultant any wind data required to allow PNCC to analyse their noise monitoring results in accordance with the requirements of these conditions.

**Compliance monitoring at any time**

22. 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.

**Compliance testing after a reasonable request**

23. Thereafter, compliance testing shall be carried out at any reasonable request by PNCC. This may be as a result of what PNCC 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 wind turbine generators.

**Continuous monitoring**

24. Continuous sound level monitoring shall be undertaken at a minimum of 3 measurement locations which are representative of existing residential locations/dwellings. These measurement locations are to be agreed with PNCC and the consent holder. Measurements shall be made in accordance with the requirements contained within conditions 9, 10, 13 -16 (Pre and Post-Installation Testing) for these agreed locations. Measurements shall be undertaken for an initial period of 2 years and are subject to review in accordance with condition 37.

**All measurements**

25. Sound monitoring shall conform to the following measurement standards:

    (a) The complete measurement and analysis method system shall conform to the requirements of NZS6808:1998 *Acoustics - The Assessment and Measurement*

*of Sound from Wind Turbine Generators* and the Standards referred to by NZS6808; and

(b) Microphones shall be fitted with a wind shield such that the noise generated by wind on the wind shield is, to the extent practicable, at least 10dBA below the noise being measured.

(c) All sound monitoring shall be carried out by suitably qualified and experienced persons.

(d) The operator shall provide all necessary data required to carry out the compliance testing, including:

i. wind speed and direction at hub height during periods of compliance testing;
ii. the times at which individual wind turbines are operating above the cut-in wind speed.

**Compliance testing costs**

26. The operator of the wind turbines shall pay all costs associated with compliance testing.

**De-rated wind turbines**

27. Only wind turbines that can be de-rated to reduce noise levels shall be installed at the wind farm.

**Assessment of Special Audible Characteristics**

28. When wind farm sound within the notional boundary of a dwelling has a special audible characteristic, i.e. impulsiveness, tonality and/or an audible modulation, the measured sound level of the source shall have a maximum 5dB penalty applied by adjustment of the measured sound level by the arithmetic addition of the penalty. The total penalty for all special audible characteristics shall be no more than 5dB or the penalty applied under condition 29b, if that condition is to be applied, and is numerically greater than 5dB.

**Audible tones adjustment**

29a. Sound with a special audible characteristic includes clearly audible tones. A test for the presence of tonality shall be made by comparing the levels of neighbouring one-third octave bands in the sound spectrum. An adjustment of +5dB for tonality shall be applied if the level ($L_{eq}$) in any one third octave band exceeds the arithmetic mean of the $L_{eq}$ levels in the two adjacent bands by more than the values given in Table 1.

**Table 1 – One-third Octave Band Level Differences**

| One-third octave band | Level difference |
|---|---|
| 25-125Hz | 12dB |
| 160-400Hz | 8dB |
| 500-10,000Hz | 5dB |

29b. There might be cases where this analysis does not result in a tonal component being defined although the sound is in fact tonal. For these cases it will be necessary to undertake a narrow band analysis in order to determine if a sound is tonal using Joint Nordic Method Version 2 with the penalties in that document applied.

**Modulation test**

30. A test for modulation is if the measured peak to trough levels exceed 5dBA on a regularly varying basis or if the spectral characteristics, third octave band levels, exhibit a

peak to trough variation that exceeds 6dB on a regular basis in respect of the blade pass frequency.

**Reporting of Analysed Results**

31. All analysed results shall be provided in accordance with NZS6808:1998 as soon as practical but at least within 21 days of the monitoring being completed to the PNCC Principal Planner. All measured data shall be kept by the consent holder in a form that will allow recalculation of the information for different times of the day or night as required by any of the review provisions. Such recalculation will be undertaken by the consent holder, as part of any review and as requested by Council.

**Non-compliance with conditions**

32. Where compliance is not achieved with these conditions, then upon receiving written notice from the PNCC Principal Planner the consent holder shall operate the wind turbine generators at reduced noise output until remedies are identified and implemented. If sound emissions cannot be reduced such that they comply, then the consent holder shall cease to operate the non-compliant wind turbine generators until modifications are made to reduce the noise. Further operation of the non-compliant wind turbine generators shall only be for sound measurement checks as specifically agreed with the PNCC Principal Planner to demonstrate compliance.

**Noise Management Plan**

33. Prior to the commencement of the wind farm the consent holder shall prepare and implement a **Noise Management Plan** (NMP) for approval by the PNCC Principal Planner in order to manage the potential effects of noise. The NMP shall be prepared by a person suitably qualified and experienced in noise assessment and control. That person shall act in liaison with the consent holder.

**NMP considerations**

34. The NMP shall include, but not be limited to, the following:

    (a) Assessment of periods of low background sound conditions.

    (b) An assessment of the contribution to the overall sound levels from individual wind turbine generators.

    (c) An assessment of how individual wind turbine generators can be de-rated to comply with conditions 9 and 10.

    (d) The implementation of an automatic control mechanism to de-rate or stop the wind turbine generators to ensure compliance with conditions 9 and 10.

    (e) Continued assessment of the control measures to judge the compliance and to update where more information provides for improvements.

    Community liaison as part of the NMP:

    (f) The consent holder shall establish and publicise an 0800 number so that members of the local community have a specified and known point of contact to raise any noise related issues that may arise during construction and operation of the wind farm. A logbook of all calls made shall be kept, and details of all calls received shall be forwarded to the PNCC Principal Planner upon request. Any issues arising shall be reviewed and addressed by revising the NMP where appropriate.

(g) The consent holder shall nominate an appropriately experienced staff member to be responsible for;

i. Liaison with residents;
ii. Overseeing the assessment procedure;
iii. Receiving and dealing with complaints;
iv. Ensuring the implementation and updating of the above automatic control measuring system on an ongoing basis.

**NMP information to PNCC**

35. The information collected as part of the implementation of the NMP shall be provided to the PNCC Principal Planner.

**Review of noise conditions**

36. PNCC may review the noise conditions set out above, by giving notice of its intention to do so under section 128 of the Resource Management Act 1991, one, three and five years after the wind farm completion or, if the wind turbine generators are installed in stages, then one year after the completion of each stage and then three and five years after the final completion, for the following purposes:

(a) To deal with any adverse effects on the environment resulting from wind farm sound, including sound with any special audible characteristics, which may arise from the operation of the wind turbines; and

(b) Review the low background sound criteria in relation to conditions 9 and 10.

(c) To review the adequacy of any recommendations of the Noise Management Plan.

(d) Permanent monitoring requirements.

(e) To address any issues arising out of complaints.

Such reviews (if any) must take place within six months of the specified dates.

**Community Liaison Group**

37. Within three months of the date of this decision, the consent holder shall facilitate the creation of a **Community Liaison Group** (CLG) at its own cost and to the satisfaction of the PNCC Principal Planner with the following organisations and interested parties being invited to nominate a representative or representatives:

- Palmerston North City Council (convenor);
- Horowhenua District Council;
- Local area representatives (one from Scotts Road, one from Millricks Line and one from Williams Road);
- At least one representative nominated by the consent holder will also be a member of this group;
- At least one representative from an iwi group;
- At least one owner of land upon which the turbines are located.

**Functions of the CLG**

38a. The function of the CLG shall be to:

(a) Be consulted by the consent holder with regard to its performance in terms of the following matters:
i. noise control;
ii. construction traffic impact.

(b) Make recommendations for the consent holder to consider, and receive feedback from the consent holder in respect of either of the above matters where considered necessary and appropriate.

(c) Be consulted by the consent holder with regard to the implementation of the Noise Management Plan.

(d) Be consulted by the consent holder with regard to the implementation of the Construction Earthworks Management Plan. (See condition 42).

(e) Be consulted by the consent holder with regard to the development and implementation of the Traffic Management Plan. (See condition 58).

38b. Variation of functions:

The CLG may vary its functions as it thinks fit from time to time to enable it to liaise more effectively with the community and the consent holder, provided the variation is approved by the PNCC Principal Planner and accepted by the consent holder.

**Frequency of CLG meetings**

39. The first meeting of the constituted CLG shall be convened prior to any construction of the wind farm commencing and thereafter at six monthly intervals or at such other frequency as the CLG decides.

**Landscape plans**

40. Prior to any construction works taking place on the site the consent holder must submit for approval to the PNCC Principal Planner detailed landscape plans for all cut and fill earthworks and permanent buildings. These plans must:

- identify the disposal sites for fill which must be consistent with the positions shown on the plans submitted with the application. If alternative disposal sites are required, where practicable, they shall be located in sites which are not in visually prominent locations;
- provide for the integration of the cut and fill earthworks with the surrounding landform where practicable;
- detail proposed colours, materials and landscaping of the switching station building, maintenance building and associated areas in a manner consistent with the existing rural environment

**Works in accordance with landscape plans**

41. The consent holder must ensure that all cut and fill earthworks, disposal of fill and landscaping is undertaken in accordance with the approved landscape plans approved under condition 40.

**Lighting**

41a. 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 CAA.

**Earthworks management**

42. The consent holder shall prepare and subject to condition 44, implement in consultation with the Department of Conservation, a **Construction Earthworks Management Plan** (CEMP) to manage the potential effects of earthworks including silt run-off and dust arising from the construction activities required to develop the access roads and install the wind turbines and ancillary buildings and facilities. The CEMP shall be prepared by a chartered professional engineer or other person suitably qualified and experienced in construction earthworks design and supervision and shall include, but not be limited to, the following:

(a) The planned staging of earthworks and intended method of construction specifying proposed measures to control dust from earthworked areas;

(b) The location and extent of proposed cut and fill operations;

(c) Other potential sources of dust and sediment run-off (including vehicles, unpaved surfaces, materials stockpiles, cuts and fill batters) and measures proposed to suppress dust and silt run-off from those sources;

(d) The location of any truck wash-down facilities if proposed;

(e) Measures intended to minimise the area of land excavated or disturbed at any one time;

(f) A rehabilitiation/revegetation plan shall be submitted to Council outlining proposals for ensuring that earthworked areas are remediated, grassed, hydroseeded or sealed as quickly as possible after earthworks activities and specifying recommended time frames within which such remediation, grassing, or sealing shall be completed. Photographic evidence of rehabilitation/revegetation shall be provided to Council within 6 months of the commissioning of the wind farm and at yearly intervals for the first 5 years of operation.

(g) Measures to ensure that no stock are allowed to access or graze on the worked surfaces after construction until a good grass cover has formed except in the case of access routes where this is otherwise agreed to occur;

(h) Measures to maintain a 5-metre-wide buffer of rank grass around worked surfaces until the earth worked surfaces have settled and grown a good grass cover;

(i) Contingency measures to be employed in the event of accidental dust emissions or silt run-off entering streams;

(j) The operational responsibilities of the contractor and contracting staff to control dust, silt and sediment in the course of earthworks;

(k) The nominated point of contact for receipt of complaints and procedures to be followed to respond to complaints;

(l) Operational measures proposed to monitor dust emissions and silt run-off;

(m) Undertake strict earthworks controls to avoid spillage or disturbance of sites identified as providing habitat for Giant Land Snails, in particular where

earthworks, construction or associated activities are likely to occur within 100 metres of the bush edge.

*Note: MFWL have advised that trained personnel will be in attendance before and during construction activities in the vicinity of the snail habitat area. MWFL will also endeavour to avoid depositing soil or sediment on sites identified as providing habitat for Giant Land Snails* (*Powelliphanta traverse tarauaensis).*

(n) The CEMP shall give preference, to summer construction of roads, culverts and turbine pads near easterly draining streams in basin area;

(o) De-stock land adjacent to major creeks for a minimum period of eight weeks to allow rank grass growth prior to earthworks occurring and re-grassing shall be prioritised along these watercourses.

*Note: It is acknowledged that MWFL and the Landowner have entered into an agreement for the Landowner to de-stock the immediate construction area for the period of construction and at the expense of MWFL with the objective of minimising the impacts of farming and to farming during the construction period.*

(p) Deposit excess fill and/or topsoil within the vicinity of the 'basin' thinly over non-draining paddocks rather than using gully head sites;

(q) Ensure that run-off from concrete batching is contained so as not to be released into permanent watercourses on the site;

(r) Ensure siltation prevention measures along tributaries of the Kahuterawa Stream are fully functional prior to and during construction and regularly monitored to ensure regional water quality standards are met.

*Note: MWFL have advised that where there are stream crossings identified on local mapping they have agreed to design and construct road culvert crossings in accordance with clause 127 of the planning report submitted by Environment by Design (and in accordance with the Erosion and Sediment Control Guidelines for the Wellington Region 2002) and to Department of Conservation (DoC) standards with respect to native fish passages.*

(s) That no earthworks shall be undertaken within 30 metres of bush other than exotic plantation or single-tier horopito - dominated bush.

*Note: It is acknowledged that in consultation with DoC that MWFL will prepare and DOC will approve the CEMP prior to any construction in the vicinity of the snails. The CEMP will include:*

1) *Procedures for identifying and documenting Giant Land Snails in or adjacent to the construction area,*
2) *Procedures and methods for handling and relocation of snails including training by DoC and issue of permits by DoC for:*
   a) *The handling, moving and recording of live snails, and*
   b) *The collection, disposal and recording of dead or damaged snails*
3) *Restoration (including removal of construction materials and replanting) of the site in the vicinity of the snails upon completion of construction.*

**Earthworks manager**

43. The consent holder shall nominate an appropriately qualified and experienced manager to be responsible for the control of sediment and dust in the course of earthworks construction on the site. The name and contact details of this person shall be submitted to the PNCC Principal Planner and HRC Compliance Manager prior to any construction works taking place on site.

**CEMP approval**

44. The consent holder shall, prior to commencement of construction earthworks associated with the project, submit the CEMP for approval by the PNCC Principal Planner. No construction works shall be permitted to commence until the Principal Planner, PNCC, has certified that the CEMP meets the requirements of condition 42. A copy shall also be supplied to Horizons Regional Council for their information. The reason is that the Regional Council will be monitoring construction earthworks to ensure compliance with LM Rule 2: Permitted Vegetation Clearance, Soil Disturbance and Cultivation permitted activity performance standards.

**Contractor obligation**

45. The consent holder shall ensure that the contract documentation for the earthworks activities specifically includes and obliges the contractor to comply with the terms of the CEMP certified under condition 44.

**Works in accordance with CEMP**

46. The consent holder shall be responsible for ensuring that all construction earthworks are undertaken in accordance with the CEMP certified under condition 44.

**Construction dust management**

47. The consent holder shall implement measures to suppress dust caused by the movement of construction vehicles on Scotts Road during the construction period. Details of the intended method of dust suppression shall be submitted to the PNCC Roading Manager. No construction work shall commence until the Roading Manager has certified that the proposed dust suppression method fulfils this condition and complies with PNCC's usual road construction standards.

**Pre-construction Giant Land Snail survey**

48. The consent holder shall undertake a thorough pre-construction search for live Giant Land Snails (*Powelliphanta traverse tarauaensis)* in all areas identified in the CEMP as being subject to construction activities (including fencing) that may pose a threat and relocate found snails to areas where threats to their survival can be minimised. In particular, the construction of fencing, roads and turbine pads on the eastern Kaihinu spur should be monitored closely. The results of this search shall be submitted to the PNCC Principal Planner.

    *Note: It is acknowledged that MWFL have entered into an agreement with DoC to make available an amount of no more than $100,000 during a five year period. These funds are to be allocated by DoC towards implementation of a research and habitat management programme for the giant land snail (The 'Snail Plan') in the nominated land adjacent to the proposed project area. [Note – this fund is for research, snail relocation and pest control] Note: Permits are required under the Wildlife Act 1953 from the Minister of Conservation for the handling and relocation of the Giant Land Snails.*

**Stock proof fencing**

49. The consent holder shall erect stock proof fencing for the protection of Giant Land Snail habitat and improved viability of the bush remnant at the following locations identified on the plan labelled *'Motorimu Wind Farm – Fence Lines (Schedule 1)'*, Created 31/01/07 – Bernard Voll.

    - around the small bush forest remnant near turbine 29; and
    - the area south of turbines 9 and 10, as identified by the pink coloured lines.

The fencing shall be erected prior to any construction taking place on turbine number's 17, 25, and 29 to the satisfaction of the PNCC Principal Planner.

*Note:*

*The fence line will be maintained by the Landowner and MWFL for the duration of the wind farm at the expense of MWFL.*

*MWFL agrees to organise trained and certificated personnel to survey areas of bush on the proposed development site that will not be protected by the fence and, prior to and during construction, to arrange for snails found in these unprotected areas of bush to be moved into the protected areas by trained and certificated personnel.*

**Bird strike monitoring**

50. The consent holder shall record all birds found within the wind farm site that may have been killed or injured as a result of the operation of the wind farm. The methodology used to record birds found killed or injured shall be prepared in consultation with the Department of Conservation. The area recorded must include all turbines developed as part of the Motorimu Wind Farm project and shall be undertaken as part of the duties of site staff. This recording shall be undertaken from the commissioning of the first turbine and must be continued for a period of 5 years. The information collected is to be forwarded to PNCC once every 12 months for the duration of the specified monitoring period. All incidents of injury to or death of bird or bat species are to be reported to the Department of Conservation throughout the life of the wind farm and all injured or dead animals provided to the Department of Conservation for autopsy or treatment.

**Avifauna monitoring**

51. The consent holder shall undertake seasonal fixed-site bird utilisation and roaming surveys focusing on raptors, waterfowl, magpies and keystone species and this shall take place for four seasons prior to construction (noting that four seasons have already been completed) and continue post-installation of the final turbine for a period of not less than four years. In particular the survey shall reference specific results for turbines T 17, 25, 26 and 29 and shall give priority to the understanding of the behavior patterns of New Zealand Falcons. The results of the survey shall be submitted to the PNCC Principal Planner, the Department of Conservation and Tanenuiarangi Manawatu Inc. prior to construction beginning on site and then after the wind farm has been fully commissioned.

**Bat survey**

52a. The consent holder shall undertake a survey of bat species within the application site over the summer period immediately preceding the commencement of construction works. The purpose of the survey will be to ascertain the absence or presence of bat species and to recommend, if appropriate, any measures which can be undertaken to ensure that these species are not adversely affected by the wind farm development.

The results of the survey shall be submitted to the PNCC Principal Planner and Department of Conservation prior to construction beginning on site.

52b. The consent holder shall undertake further surveys of bat species within the application site for a total of 5 years (including surveys undertaken prior to construction).

*Note: It is acknowledged that MWFL has carried out an initial bat survey. The initial survey work will continue for a two year period. Thereafter periodic surveys will be continued at a scale and frequency appropriate to the initial findings for up to 5 years or as otherwise determined by PNCC.*

**Pre-construction monitoring**

53. If as a result of pre-construction monitoring required under the conditions of this consent, unforeseen potential adverse effects are identified then the consent holder shall report the findings to the PNCC Principal Planner and shall, in consultation with the Department of Conservation, take all reasonable steps to avoid or mitigate such effects.

**Pest control**

54. The consent holder or its nominated agent shall ensure that there is on going pest control of magpies, rabbit and hare within the subject site.

**Surveillance Management Plan**

55. Prior to commencement of construction earthworks associated with the project, the consent holder shall submit a list of weeds to be controlled along with a **Surveillance Management Plan** (SMP) for the purpose of preventing those weeds spreading during the lifetime of the wind farm. The list and SMP shall be submitted for approval by the PNCC Principal Planner. The works shall then be undertaken in accordance with the approved SMP.

**As-built plans**

56. The consent holder shall submit to the PNCC Principal Planner 'as-built' plans showing the exact location of all of the turbines constructed pursuant to this consent within 12 months of completion of the construction of each turbine.

**Turbine maintenance**

57. The consent holder shall maintain the wind turbine generators in good condition at all times and shall undertake appropriate regular monitoring and servicing of the wind turbine generators.

**Traffic Management Plan**

58. Prior to any construction or decommissioning works commencing the consent holder shall submit and have approved by the PNCC Roading Manager a **Traffic Management Plan** (TMP) covering the following matters:

    (a) Procedures for consultation and communication with the local community and other road users including the specific involvement of Woodpecker Holdings Ltd.
    (b) Measures to reduce the amount of commuter traffic by construction personnel.
    (c) A description of possible 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. The TMP 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.
    (d) The times during which the construction traffic would not be allowed to operate on Scotts Road.
    (e) Areas of Scotts Road identified for upgrading work including (but not restricted to) sealing, widening, benching for sight distance and tracking curves and passing opportunities as required by the TTMPs.
    (f) Dust suppression techniques on Scotts Road.
    (g) Measures to achieve a practicable split of heavy vehicles between Scotts Road and Williams Road, taking into account road traffic and noise effects.

(h) A requirement for all construction traffic entering Scotts Road to approach from the North.

The TMP will be required to accommodate and manage all the road users (including pedestrians, cyclists and horses) on Scotts Road during the construction period.

59a. MWFL shall manage construction activity in accordance with the TMP.

*Advice note: It is only necessary that one TMP will be prepared to cover Scotts Road within the PNCC boundary and Williams Road and Konini Street within the HDC boundary.*

59b. Prior to any construction occurring the consent holder shall commission an independent engineering report from a suitably qualified geotechnical engineer acceptable to PNCC to undertake a geotechnical survey of Scotts Road with particular regard to road geometry, structural integrity and slope stability and including any recommendations for any upgrading required to ensure the road can be maintained to a standard suitable for continuous use by wind farm construction traffic and other road users.

**Intersection upgrade**

60. The consent holder shall upgrade the intersection of State Highway 57 and Scotts Road as proposed in the application and documented in Barclay Traffic Planning drawing j274504 November 2006. The consent holder shall submit to the PNCC Roading Manager and Transit New Zealand details of the proposed upgrading works. No work shall commence on the upgrading works until the PNCC Roading Manager and Transit New Zealand have certified that the proposed design and construction details comply with the requirements of this condition. No use of Scotts Road by heavy vehicles shall take place until such time as the intersection upgrade work has been completed to the satisfaction of the PNCC roading manager and Transit New Zealand.

*Note: The consent holder should note that Section 51 of the Transit New Zealand Act 1989 requires that written permission be obtained from Transit New Zealand before any physical work commences within the state highway corridor.*

**Road condition survey**

61. The consent holder shall pay the full cost of a high speed camera survey of Scotts Road prior to any construction taking place on site for the purpose of obtaining an accurate baseline condition of the road. The survey shall be submitted prior to any construction works taking place on site to the satisfaction of the PNCC Roading Manager.

**Engineering plans**

62. The consent holder shall submit engineering plans for approval by the PNCC Roading Manager, for the upgrading works of Scotts Road required by the TMP and by the geotechnical report required by condition 59b in accordance with the ARRB Unsealed Roads Manual, Guidelines to Good Practices (August 2000) or similar standard acceptable to the PNCC Roading Manager.

**Centre Line Marking**

63. The consent holder shall pay the full cost of centre line marking for the full length of the sealed portion of Scotts Road. The line marking shall be completed prior to construction taking place on any part of the Motorimu Wind Farm to the satisfaction of the PNCC Roading Manager.

*Note: The consent holder may elect to contract Palmerston North City Council to undertake the works required to comply with this condition.*

**Written approval for road works**

64. Under no circumstances shall the consent holder undertake any change to the roads within the legal boundary of Scotts Road without the prior written approval of the PNCC Roading Manager.

**Road maintenance**

65. The consent holder shall be responsible for maintaining, remediating or restoring the formation of Scotts Road to a standard similar to, and no worse than existed, as at the date of commencement of construction of any part of the Motorimu Wind Farm for the entire construction period.

**Completion survey**

66. At the completion of all construction works the consent holder shall notify the PNCC Roading Manager in writing within ten working days so that he/she may then undertake a survey of Scotts Road. Using the high speed camera survey prepared under condition 61 as a reference point, if the Roading Manager considers that the road has not been maintained in accordance with condition 65 then appropriate remedial works shall then be undertaken at the consent holder's cost to the satisfaction of the PNCC Roading Manager.

67. For the purposes of conditions 6, 59 to 66 of this consent, a "heavy vehicle" shall be a vehicle of more than 10 tons gross vehicle mass or have more than 2 axles.

**Excavation of archaeological or koiwi remains**

68. If, at any time during the earthworks activities authorised by this consent, potential historic artefacts or cultural remains or koiwi or archaeological remains are discovered, all work shall stop, within a 100 metre radius, and the consent holder shall immediately advise the PNCC Principal Planner, Tanenuiarangi Manawatu Incorporated (TMI) and the New Zealand Historic Places Trust. The consent holder shall, at that time, engage the services of a qualified archaeologist to verify whether or not the object(s) or remains constitute archaeological material. Further excavation work at the location of the remains shall be suspended to allow Tanenuiarangi Manawatu Incorporated an opportunity to carry out their procedures and tikanga for removing any taonga identified by them or by the archaeologist. No work shall commence in the immediate vicinity of the remains until authorised by the PNCC Principal Planner.

    *Note: The consent holder should note that further or other authorisations may be required under the Historic Places Act 1993.*

**TMI protocol**

69. The consent holder shall develop a protocol with TMI to manage and protect the integrity of known and unknown archaeological sites from damage or loss. Details of the protocol shall be submitted to the PNCC Principal Planner prior to the commissioning of the first wind turbine.

**Site excavations**

70. Where Rangitane O Manawatu have nominated that sites of significance exist in relation to this site, the consent holder shall invite Rangitane O Manawatu as represented by Tanenuiarangi Manawatu Inc, Ngati Hineaute Hapu Authority and Te Rangimarie Marare to be present at times site excavations are being undertaken in these nominated sites, in order that they may observe the excavations to identify if any historical artefacts or cultural remains or koiwi are uncovered.

**Television interference**

71. An on-site Signal Interference Study (SIS) is to be prepared relating to television and telecommunication signals pre and post construction to the satisfaction of the PNCC Principal Planner. The SIS should allow quantitative comparison after installation with a comparison survey unless consultation with stakeholders confirms that there should be no problems expected due to the relative locations of signal transmitters, the wind farm and residences. Remedial measures, if required, may include improved antennae, relocation of a transmitter, installing a repeater or cabling from a location clear of interference.

**Airways interference**

72. The consent holder shall ensure that the effect of the wind farm development on the operation of the Airways Ballance radar station and any other relevant navigational sites and facilities be fully assessed and avoided, remedied or mitigated to ensure the safe and efficient operation of the air transport network.

72a. Any lighting installed on turbines to meet the requirements of the Civil Aviation Authority (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.

**De-Commissioning Management Plan**

73. The consent holder shall prepare a De-commissioning Management Plan (DMP) and submit this for approval to the PNCC Principal Planner at least 3 months prior to the commencement of de-commissioning parts of or the entire wind farm. The DMP shall detail the intended methodology and measure to address the following:

    (a) The total de-commissioning of the wind farm, the removal from the site of all above ground structures associated with the operation of the wind farm including all turbine towers, wind turbine generators, accessory buildings (unless the landowner specifically elects to keep them) and signage within 12 months of the wind farm ceasing to operate; and
    (b) For de-commissioning of individual WTGs, the removal from the site of all above ground structures associated with the operation of those wind turbine generators; and
    (c) the restoration and re-vegetation as pasture of the site of each wind turbine generator, and other ancillary sites, to the satisfaction of the PNCC Principal Planner.

73a. The consent holder shall ensure the decommissioning is undertaken in accordance with the DMP approved under condition 73.

**Conditions Monitoring Programme**

74. The consent holder shall prepare, submit and implement a **Monitoring Programme (MP)** to document when compliance with the aforementioned conditions will be made at the appropriate stages of the wind farm development. The MP shall be submitted for approval by the PNCC Principal Planner 60 days prior to works commencing on any part of the site.

    The MP shall include a spreadsheet individually listing the conditions and shall identify by what date each condition will be complied with based on the latest time table available at that time. The spreadsheet should also include the consent holder contact person responsible for giving effect to each condition.

    *Note: It is expected that the monitoring programme will be to a certain degree a 'live' document that can be updated through the construction process to take into account various timing issues that may arise out of the direct control of the consent holder.*

*However, the consent holder is reminded that in the first instance it must comply with the stated timeframes given in the conditions or apply for a change of condition pursuant to section 127 of the Resource Management Act 1991 if the stated timeframe cannot be achieved.*

**Conditions Performance Certificate**

75. Upon completion of the work required by the appropriate conditions, and prior to the operation of the wind turbine generators, the consent holder shall give written notice to the PNCC Principal Planner, that the conditions have been complied with. On receipt of that notice, the PNCC Principal Planner or his/her nominee will carry out an inspection of the site (if necessary) to verify that the conditions have been complied with. Once it is established that full compliance with the conditions has been achieved, a performance certificate will be issued.

**Consent monitoring fee**

76. 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.

**Payment of non-compliance fees**

77. The consent holder shall also pay a fee if any non-compliance with the conditions of this consent is discovered as a result of monitoring. This fee shall be set in accordance with Section 36(1)(c) of the Resource Management Act 1991 and Section 690A of the Local Government Act 1974.

*Note: Currently the monitoring fee is $120 (GST inclusive) per inspection. This amount may alter in the future if fees are reviewed. The monitoring fee charged will be the fee applicable at the time of monitoring, and will be charged on each inspection necessary until full compliance with the consent conditions is achieved.*

**Review of conditions**

78. Pursuant to section 128(1) of the Act, PNCC may review any of the conditions of this consent by serving notice either:

    (a) within a period of three months, commencing six months after activities have commenced under this consent; or
    (b) within a period of 3 months, commencing on each anniversary of the date of issue of this consent;
    for any of the following purposes:
        (i) to deal with any adverse effect on the environment which may arise from the exercise of this consent and which it is appropriate to deal with at a later stage;
        (ii) to require the adoption of the best practicable option to remove or reduce any adverse effect on the environment;
        (iii) to assess the appropriateness of imposed compliance standards, monitoring parameters, monitoring regimes and monitoring frequencies and to alter these accordingly;
        (iv) to take account of any written recommendations made in respect of the Bird and Bat Surveys under conditions 52 and 53;
        (v) to ensure that the objectives of the requirements in conditions 1, 42, 48, 49, 50, 51, 52a & 52b, and 55 are achieved, taking into account the results of monitoring and surveying carried out pursuant to conditions 48, 50, 51, 52a & 52b and 55, and the matters referred to in condition 42.

# APPENDIX 3 – HOROWHENUA DISTRICT COUNCIL LAND USE CONSENT CONDITIONS

*These conditions relate to the consenting requirement of rules within the HDC District Plan specifically rule 21.1.1(v), rule 20.1.2 and rule 22.1.7. For the avoidance of doubt these rules relate to the haul road from Williams Road, the proposed electricity line and the proposed substation building.*

**Implementation of works in accordance with application**

1. With the exception of amendments required to comply with other conditions of this consent and any conditions of related resource consents granted by Horizons Regional Council, access roads and ancillary facilities and services shall be constructed and operated generally in accordance with all of the information, site and elevation plans and drawings accompanying the application or submitted as further information. For the avoidance of any doubt this information is held on PNCC file reference 202697.

**Time Limit**

2. This consent shall lapse five years after the date the consent is granted unless the consent is either given effect to before that lapsing date, or unless the HDC Environment and Regulatory Services Manager fixes a longer period pursuant to section 125 of the Resource Management Act 1991.

**Construction noise**

3. Noise from all construction and decommissioning work including (but not limited to):

   - Site works;
   - Land reinstatement.

   Shall be measured, assessed and controlled using New Zealand Standard NZS6803:1999 *Acoustics - Construction Noise*. The noise limits shall be those set out in Table 2 of NZS6803 for works of '*long term*' duration.

**Heavy vehicle hours of operation**

4. Heavy vehicles accessing the wind farm site shall not use Williams Road outside the hours of 7.00am to 7.00pm Monday to Saturday nor during times when school buses are using the road. For the avoidance of doubt there shall be no heavy vehicle movements on Sundays or Public Holidays.

**Construction Noise Management Plan**

5. A **Construction Noise Management Plan** (CNMP) shall be prepared and implemented prior to commencement of construction. This shall be generally in accordance with Section 8 and the relevant annexes of New Zealand Standard NZS6803:1999 *Acoustics – Construction Noise* which detail the types of construction and procedures that will be carried out to ensure compliance with the Standard. The CNMP shall be prepared by appropriately qualified and experienced persons, prior to relevant construction stages commencing, and shall be approved by the HDC Environment and Regulatory Services Manager prior to construction commencing.

**Operational noise (Non-turbine Related)**

6. Noise from all other activities on the site (other than wind turbine generator operation and construction activities) shall not exceed the following limits:

   7.00am to 10.00pm 50dBA $L_{10}$

10.00pm to 7.00am 40dBA $L_{10}$ and 70dBA $L_{max}$

When measured at or within the boundary of any site other than the wind farm site, For the purposes of clarity, this condition does not apply to dwellings in respect of which the consent holder has reached agreement with the landownder. The noise shall be measured in accordance with NZS6801:1991: *Measurement of Sound* and assessed in accordance with NZS6802:1991: *Assessment of Environmental Sound.*

**Community Liaison Group**

7. Within three months of the date of this decision the consent holder shall facilitate the creation of a **Community Liaison Group** (CLG) at its own cost and to the satisfaction of the HDC Environment and Regulatory Services Manager with the following organisations or interested parties being invited to nominate a representative or representatives:

- Palmerston North City Council (convenor);
- Horowhenua District Council;
- Local area representatives (one from Scotts Road, one from Millricks Line and one from Williams Road);
- At least one representative nominated by the consent holder will also be a member of this group;
- At least one representative from an iwi group;

**Functions of the CLG**

8a. The function of the CLG shall be to:

a) Be consulted by the consent holder with regard to its performance in terms of the following matters:
   i. noise control;
   ii. construction traffic impact.

(b) Make recommendations for the consent holder to consider and receive feedback from the consent holder, in respect of either of the above matters where considered necessary and appropriate.

(c) Be consulted by the consent holder with regard to the implementation of the Noise Management Plan.

(d) Be consulted by the consent holder with regard to the implementation of the Construction Earthworks Management Plan. (See condition 13)

(e) Be consulted by the consent holder with regard to the development and implementation of the Traffic Management Plan. (See condition 20)

8b. Variation of functions:

The CLG may vary its functions as it thinks fit from time to time to enable it to liaise more effectively with the community and the consent holder provided the variation is approved by the HDC Environment and Regulatory Services Manager and accepted by the consent holder.

**Frequency of CLG meetings**

9. The first meeting of the CLG shall be convened prior to any construction of the wind farm commencing and thereafter at six monthly intervals or at such other frequency as the CLG decides.

**Landscape plans**

10. Prior to any construction works taking place on the site, the consent holder must submit for approval to the HDC Environment and Regulatory Services Manager detailed landscape plans for all cut and fill earthworks and permanent buildings. These plans must:
    - identify the disposal sites for fill which must be consistent with the positions shown on the plans submitted with the application. If alternative disposal sites are required, where practicable, they shall be located in sites which are not in visually prominent locations;
    - provide for the integration of the cut and fill earthworks with the surrounding landform where practicable;
    - detail proposed landscaping of the substation and associated areas in a manner consistent with the existing rural environment.

    *Note: Of particular importance are the plans detailing cut and fill works for the access track leading from the end of Williams Road to the wind farm site.*

**Works in accordance with landscape plans**

11. The consent holder must ensure that all cut and fill earthworks, disposal of fill and landscaping is undertaken in accordance with the approved landscape and contour plans approved under condition 10.

**Lighting**

12. No static night time illumination is permitted within the wind farm site and the access roads to it, other than for maintenance, construction, and security purposes.

**Earthworks management**

13. The consent holder shall prepare and implement subject to condition 15, in consultation with the Department of Conservation, a **Construction Earthworks Management Plan** (CEMP) to manage the potential effects of earthworks including silt run-off and dust arising from the construction activities required to develop the access roads and install the wind turbines and ancillary buildings and facilities. The CEMP shall be prepared by a chartered professional engineer or other person suitably qualified and experienced in construction earthworks design and supervision and shall include, but not be limited to, the following:

    (a) The planned staging of earthworks and intended method of construction specifying proposed measures to control dust from earthworked areas;

    (b) The location and extent of proposed cut and fill operations;

    (c) Other potential sources of dust and sediment run-off (including vehicles, unpaved surfaces, materials stockpiles, cuts and fill batters) and measures proposed to suppress dust and silt run-off from those sources;

    (d) The location of any truck wash-down facilities if proposed;

    (e) Measures intended to minimise the area of land excavated or disturbed at any one time;

    (f) A rehabilitiation/revegetation plan shall be submitted to Council outlining proposals for ensuring that earthworked areas are remediated, grassed, hydroseeded or sealed as quickly as possible after earthworks activities and specifying recommended time frames within which such remediation, grassing, or sealing shall be completed. Photographic evidence of rehabilitation/revegetation shall be provided to Council within 6 months of the

commissioning of the wind farm and at yearly intervals for the first 5 years of operation;

(g) Measures to ensure that no stock are allowed to access or graze on the worked surfaces after construction until a good grass cover has formed except in the case of access routes where this is otherwise agreed to occur;

(h) Measures to maintain a 5-metre-wide buffer of rank grass around worked surfaces until the earth worked surfaces have settled and grown a good grass cover;

(i) Contingency measures to be employed in the event of accidental dust emissions or silt run-off entering streams;

(j) The operational responsibilities of the contractor and contracting staff to control dust, silt and sediment in the course of earthworks;

(k) The nominated point of contact for receipt of complaints and procedures to be followed to respond to complaints;

(l) Operational measures proposed to monitor dust emissions and silt run-off;

(m) The CEMP shall give preference, to summer construction of roads and culverts near easterly draining streams;

(n) Deposit excess fill and/or topsoil within the vicinity of the 'basin' thinly over non-draining paddocks rather than using gully head sites or at other sites as approved by the HDC Environment and Regulatory Services Manager.

(o) A requirement for cut batters and fill greater than 2.5 metres in height on the Williams Road haul track to be rehabilitated after construction is complete.

**Earthworks manager**

14. The consent holder shall nominate an appropriately qualified and experienced manager to be responsible for the control of sediment and dust in the course of earthworks construction on the site. The name and contact details of this person shall be submitted to the HDC Environment and Regulatory Services Manager and HRC Compliance Manager prior to any construction works taking place on site.

**CEMP approval**

15. The consent holder shall, prior to commencement of construction earthworks associated with the project, submit the CEMP for approval by the HDC Environment and Regulatory Services Manager. No construction works shall be permitted to commence until the HDC Environment and Regulatory Services Manager, has certified that the CEMP meets the requirements of condition 13. A copy shall also be supplied to Horizons Regional Council for their information. The reason is that the Regional Council will be monitoring construction earthworks to ensure compliance with LM Rule 2: Permitted Vegetation Clearance, Soil Disturbance and Cultivation permitted activity performance standards.

**Contractor obligation**

16. The consent holder shall ensure that the contract documentation for the earthworks activities specifically includes and obliges the contractor to comply with the terms of the CEMP certified under condition 13.

**Works in accordance with CEMP**

17. The consent holder shall be responsible for ensuring that all construction earthworks are undertaken in accordance with the CEMP certified under condition 13.

**Construction dust management**

18. The consent holder shall implement measures to suppress dust caused by the movement of construction vehicles on Williams Road and Konini Street during the construction period. Details of the intended method of dust suppression shall be submitted to the HDC Roading Manager. No construction work shall commence until the Roading Manager has certified that the proposed dust suppression method fulfils this condition and complies with HDC's usual road construction standards.

**Surveillance Management Plan**

19. Prior to commencement of construction earthworks associated with the project, the consent holder shall submit a list of weeds to be controlled along with a **Surveillance Management Plan** (SMP) for the purpose of preventing those weeds spreading during the construction process. The list and SMP shall be submitted for approval by the HDC Environment and Regulatory Services Manager. The works shall then be undertaken in accordance with the approved SMP.

**Traffic Management Plan**

20. Prior to any construction or decommissioning works commencing the consent holder shall submit and have approved by the HDC Environment and Regulatory Services Manager a **Traffic Management Plan** (TMP) covering the following matters:

    (a) Procedures for consultation and communication with the local community and other road users.
    (b) A description of possible 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. The TMP 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.
    (c) The times during which the construction traffic would not be allowed to operate on Williams Road / Konini St.
    (d) Areas of Williams Road / Konini St identified for upgrading work including (but not restricted to) widening, benching for sight distance and tracking curves and passing opportunities as required by the TTMPs.
    (e) Dust suppression techniques on Williams Road / Konini St.
    (f) Measures to achieve a practicable split of heavy vehicles between Scotts Road and Williams Road, taking into account road traffic and noise issues.
    (g) Consideration of the use of Konini St during the construction period.

    The TMP will be required to accommodate and manage all the road users (including pedestrians, cyclists and horses) on Williams Road / Konini St during the construction period.

21. MWFL shall manage construction activity in accordance with the TMP.

    *Advice note: It is only necessary that one TMP be prepared to cover Scotts Road within the PNCC boundary and Williams Road and Konini Street in the HDC boundary.*

**Road condition survey**

22. The consent holder shall pay for the full cost of a high speed camera survey of Williams Road and Konini St (if used under the discretion provided in Condition 20) prior to any construction taking place on site for the purpose of obtaining an accurate baseline condition of the road. The survey shall be submitted prior to construction taking place to the satisfaction of the HDC Roading Manager.

**Engineering plans**

23. The consent holder shall submit engineering plans for approval by the HDC Roading Manager, for the upgrading works of Williams Road and Konini St (if used under the discretion provided in Condition 20) required by the TMP in accordance with the ARRB Unsealed Roads Manual, Guidelines to Good Practices (August 2000) or similar standard.

**Written approval for road works**

24. Under no circumstances shall the consent holder undertake any change to the roads within the legal boundary of Williams Road or Konini Street without the prior written approval of the HDC Roading Manager.

**Road maintenance**

25. The consent holder shall be responsible for maintaining, remediating or restoring the formation of Williams Road and Konini St (if used under the discretion provided in Condition 20) to a standard similar to, and no worse than existed, as at the date of commencement of construction of any part of the Motorimu Wind Farm.

**Completion survey**

26. At the completion of all construction works the consent holder shall notify the HDC Roading Manager in writing within ten working days so that he/she may then undertake a survey of Williams Road and Konini St (if used under the discretion provided in Condition 20). Using the high speed camera survey prepared under condition 22 as a reference point, if the HDC Roading Manager considers that the road has not been maintained in accordance with condition 25 then appropriate remedial works shall then be undertaken at the consent holder's cost to the satisfaction of the HDC Roading Manager.

27. For the purposes of conditions 20 to 26 of this consent, a "heavy vehicle" shall be a vehicle of more than 10 tons gross vehicle mass or have more than 2 axles.

**Excavation of archaeological or koiwi remains**

28. If, at any time during the earthworks activities authorised by this consent, potential historic artefacts or cultural remains or koiwi or archaeological remains are discovered, all work shall stop, within a 100 metre radius, and the consent holder shall immediately advise the HDC Environment and Regulatory Services Manager, the appropriate iwi group(s) and the New Zealand Historic Places Trust. The consent holder shall, at that time, engage the services of a qualified archaeologist to verify whether or not the object(s) or remains constitute archaeological material. Further excavation work at the location of the remains shall be suspended to allow the appropriate iwi group(s) an opportunity to carry out their procedures and tikanga for removing any taonga identified by them or by the archaeologist. No work shall commence in the immediate vicinity of the remains until authorised by the HDC Environment and Regulatory Services Manager.

    *Note: The consent holder should note that further or other authorisations may be required under the Historic Places Act 1993.*

**Details of substation**

29. Prior to any construction taking place of the substation the consent holder shall submit detailed layout, elevation and section plans in relation to the substation for the approval of the HDC Environment and Regulatory Services Manager. The plans shall specifically include appropriate recessive colour treatment for the walls, details of exterior lighting and the extent of earthworks to partially locate the building beneath the existing ground level in order to minimise its visual appearance. The works shall then be undertaken in accordance with the approved plans and supporting details.

**De-Commissioning Management Plan**

30. The consent holder shall prepare a De-commissioning Management Plan (DMP), and submit this for approval by the HDC Environment and Regulatory Services Manager at least 3 months prior to the commencement of de-commissioning parts of or the entire wind farm. The DMP shall detail the intended methodology and measures to address the following:

    (a) the total de-commissioning of the wind farm, the removal from the site of all above ground structures associated with the operation of the wind farm including all turbine towers, wind turbine generators, accessory buildings (unless the landowner specifically elects to keep them) and signage within 12 months of the wind farm ceasing to operate; and

    (b) the restoration and re-vegetatation as pasture at each building site to the satisfaction of the HDC Environment and Regulatory Services Manager.

31. The consent holder shall ensure that all de-commissioning is undertaken in accordance with the DMP approved under condition 30.

**Conditions Monitoring Programme**

32. The consent holder shall prepare, submit and implement a **Monitoring Programme (MP)** to document when compliance with the aforementioned conditions will be made at the appropriate stages of the wind farm development. The MP shall be submitted for approval by the HDC Environment and Regulatory Services Manager 60 days prior to works commencing on any part of the site.

    The MP shall include a spreadsheet individually listing the conditions and shall identify by what date each condition will be complied with based on the latest time table available at that time. The spreadsheet should also include the consent holder contact person responsible for giving effect to each condition.

    *Advice note: It is expected that the monitoring programme will be to a certain degree a 'live' document that can be updated through the construction process to take into account various timing issues that may arise out of the direct control of the consent holder. However, the consent holder is reminded that in the first instance it must comply with the stated timeframes given in the conditions or apply for a change of condition pursuant to section 127 of the Resource Management Act 1991 if the stated timeframe cannot be achieved.*

**Review of conditions**

33. Pursuant to section 128(1) of the Act, HDC may review any of the conditions of this consent by serving notice either:
    a) within a period of three months, commencing six months after activities have commenced under this consent; or
    b) within a period of 3 months, commencing on each anniversary of the date of issue of this consent;

    for any of the following purposes:

(i) to deal with any adverse effect on the environment which may arise from the exercise of this consent and which it is appropriate to deal with at a later stage;

(ii) to require the adoption of the best practicable option to remove or reduce any adverse effect on the environment;

(iii) to assess the appropriateness of imposed compliance standards, monitoring parameters, monitoring regimes and monitoring frequencies and to alter these accordingly;

(iv) to ensure that the objectives of the requirements in condition 1 are achieved, taking into account the matters referred to in condition 13 and 19.

**Conditions Performance Certificate**

34. Upon completion of the work required by the appropriate conditions in this consent, and prior to the operation of the wind turbine generators, the consent holder shall give written notice to the HDC Environment and Regulatory Services Manager, that the conditions have been complied with. On receipt of that notice, the HDC Environment and Regulatory Services Manager or his/her nominee will carry out an inspection of the site (if necessary) to verify that the conditions have been complied with. Once it is established that full compliance with the conditions has been achieved, a performance certificate will be issued.

**Payment of non-compliance fees**

35. The consent holder shall also pay a fee if any non-compliance with the conditions of this consent is discovered as a result of monitoring. This fee shall be set in accordance with Section 36 (1) (c) of the Resource Management Act 1991 and Section 690A of the Local Government Act 1974.

# APPENDIX 4 – MANAWATU-WANGANUI (HORIZONS) REGIONAL COUNCIL CONSENT CONDITIONS

## All Resource Consents

1. These Resource Consents shall be for a term of 10 (ten) years being from either the date of the closure of the appeal period or if the decision is appealed the date of the resolution of all appeals to the decision.

2. Subject to Condition 1 these Resource Consents shall lapse on the 5th anniversary of the commencement of the Consents as per Condition 1 if they have not been exercised prior to that date.

3. Subject to Conditions 1 and 2 these Resource Consents shall be exercised for not more than one continuous period of two (2) years over the term of these Resource Consents.

22. Charges, set in accordance with Section 36(1)c of the Resource Management Act 1991, and Section 150 of the Local Government Act 2002, shall be paid to the Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of these resource consent and for the carrying out of its functions under Section 35 (duty to gather information, monitor, and keep records) of the Act.

    [**Note:** Section 36(1)c of the Act provides that the Regional Council may from time to time fix charges payable by holders of resource consents. The procedure for setting administrative charges is governed by Section 36(2) of the Act and is currently carried out as part of the formulation of the Regional Council's Long Term Council Community Plan.]

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4. The Permit Holder shall take a daily flow reading from the flow gauge monitor (discussed in condition 8) prior to any abstraction from the Stream that day.

5. Records of those gaugings shall be kept and presented to Horizons Regional Council's Compliance Monitoring Staff on request and forwarded to Horizons Team Leader Compliance by the first day of each month after the exercise of this Water Permit.

6. The maximum daily abstraction of surface water from the unnamed tributary of the Tokomaru River on the property legally described as Section 33 Town of Fitzherbert at approximate map reference S24: 224-771 shall not exceed the following:

    a. 70 $m^3$/day at a maximum rate of 25 % of the flow above a minimum residual flow of 10 litres per second when flow in the stream is gauged on the day of the abstraction and exceeds 10 litres per second (10 l/s); and

    b. abstraction shall cease completely when flow in the Stream at the take point is measured on any day prior to abstraction at equal to or below 10 litres per second (10 l/s).

7. Prior to the abstraction of any water under the provisions of this Water Permit the Permit Holder shall construct an appropriately sized and battered storage pond for the purpose of storing water abstracted under this permit. The pond shall be located

adjacent to the Stream from which water is taken, but not within it, and at least 5 m from the edge of the stream bank.

8. **Within one month** of commencement of this Permit, the Permit Holder shall install and maintain, in fully operational condition, a flow meter with a pulse counter output and a GPRS data logger/telemetry unit compatible with the Manawatu-Wanganui Regional Council's Telemetry System on the water abstraction line traceably calibrated to +/- 5% or better. The flow meter shall be capable of providing daily water use as well as a pulse counter output. The GPRS data logger/telemetry unit attached to the pulse counter output will be monitored by the Manawatu-Wanganui Regional Council to ensure compliance with Water Permit conditions and as part of a programme to enable monitoring of total catchment water use. The flow meter shall be installed to measure the entire volume of water abstracted under authorisation of this Permit. Where flow metering/telemetry equipment fails for reasons other than fair wear and tear, replacement or repair will be at the Permit Holder's expense and replacement will be required within seven days.

   i. The flow meter shall be easily and safely accessible and is to be installed so as to be between 100 mm and 1,200 mm above ground level at all times or be located on or not more than 1,200 mm above a safe working platform.

   ii. If the flow meter is to be positioned on or above a safe working platform, then the platform shall meet all regulations pertaining to safe working at heights (including but not limited to guard rails, ladders and fall arrest anchors).

   iii. The flow meter shall be positioned within straight lengths of steel pipe of uniform wall thickness (excluding flanges) before and after the meter.

   iv. For the purpose of this clause, the pipe on either side of the flow meter shall be of equal diameter. The length of straight pipe before and after the flow meter shall be the **greater** of:

      a. 10 times the external diameter of the pipe before the meter's inlet flange and 5 times the external diameter of the pipe after the meter's outlet flange;

      b. 1.5 m before the flow meter inlet flange and 0.75 m of pipe after the flow meter outlet flange;

      c. the length of pipes specified by the Flow Meter manufacturer to enable accurate flow measurement to be achieved.

      **Note:** Spiral welded pipe will not meet the "uniform" wall thickness specifications above.

9. **Within one month** of exercise of this Permit, the Permit holder shall keep hourly records of the rates and volumes of water abstracted under the authorisation of this Permit using the flow meter and GPRS data logger/telemetry unit as required by Condition 8. The records shall be supplied automatically through the telemetric system linked to the Manawatu-Wanganui Regional Council.

   **Note:** The Council's Manager Resource Data is committed to providing reasonable assistance and advice to facilitate the installation of telemetry equipment at the point of abstraction and the point of diversion. For information please contact Horizons Regional Council's Hydrology Team.

10. The Permit Holder shall provide the Regional Council's Resource Information and/or Compliance Monitoring Staff with reasonable access to enable monitoring of water use.

11. **Within one month** of the exercise of this Permit the Permit Holder shall ensure that the intake pipe is screened with a minimum screen size of 5mm to prevent damage to trout and native fish as a result of the abstraction, by the commencement of this Permit.

12. With exception of network power failure or network maintenance the Permit Holder shall ensure that power supply is maintained at the site for the telemetry equipment at all times.

    **Note:** If power supply is lost at the site due to Permit Holder negligence or abuse and telemetry units require recalibration by Manawatu-Wanganui Regional Council staff, staff costs associated will be recovered from the Permit Holder.

13. The Manawatu-Wanganui Regional Council may, under Section 128 of the Act, initiate a review of all Conditions of this Permit within the first six months of the commencement of the consent and annually thereafter. The review shall be for the purpose of reviewing the effectiveness of the conditions in avoiding, or mitigating any adverse effects on the environment which may arise as a result of the exercise of this Permit:

    a. The review may be necessary to:

        i. assess the water abstraction volumes and rates detailed in Condition 1 of this permit for consistency with the any future Regional Water Allocation Policy and if necessary change the monitoring outlined in Conditions 2 and 3 of this Permit;

        ii. change the flow recording site the flow restrictions are measured from, and the flows at which restrictions come into force;

        iii. deal with any significant adverse effects on the environment which may arise as a result of this Permit and that were not apparent or could not be known at the time of granting this Water Permit including impact on water volumes available for stock and domestic use downstream.

    b. The review of conditions shall allow for:

        i. the deletion or amendment of any of the conditions of this Permit; or

        ii. the imposition of different low flow cut off parameters in Condition 1; or

        iii. the addition of new conditions as necessary to avoid, remedy or mitigate any adverse effects on the environment; or

        iv. the cancellation of this permit

        **Note:** Any review exercised under this condition may result in the abstraction volume and/or rate being reduced and/or restricted, or restrictions being placed on the abstraction volume and/or rate during low flow conditions.

14. The Regional Council may under Section 128(1)(b) of the Resource Management Act 1991, initiate a review of all of the conditions of this Permit at any time throughout the term of this permit, when a regional plan has been made operative which sets rules relating to maximum or minimum levels or flows or rates of use of water and in the

Regional Council's opinion it is appropriate to review the conditions of the permit in order to enable the levels, flows, rates, or standards set by the rule to be met. The review shall be for the purpose of reviewing the effectiveness of the conditions in avoiding, or mitigating any adverse effects on the environment, which may arise as a result of the exercise of this Permit in response to any future Regional Water Allocation Plan.

## Water Permit 103865

4. The Permit Holder shall prepare, three months prior to the exercise of this Water Permit, an Erosion and Sediment Control Plan to be submitted to Horizons Team Leader Compliance within 10 working days of its completion. That plan shall include but not be limited to:

    - Details of all principles, procedures and practices that will be implemented to undertake erosion and sediment control and to minimise the potential sediment discharge from the site;
    - The design criteria and dimensions of all key erosion and sediment control structures and any other relevant information;
    - A site plan of a suitable scale to identify the locations of all key erosion sediment control structures and any other relevant site info;
    - Maintenance and monitoring procedures;
    - Rainfall response and contingency measures including procedures to minimise the adverse effects of extreme rainfall and or failure by any of the key erosion or sediment control structures; and
    - Identification of specific site responsibility for the operations and maintenance of all key erosion and sediment control structures.

    The Plan shall be based on and in general accordance with the principles and practices of the Greater Wellington Regional Council "Sediment and Erosion Control Guidelines" September 2002. Changes to the plan once drafted shall be confirmed in writing by the Permit Holder and confirmed in writing by the Team Leader Compliance of the Manawatu Wanganui Regional Council.

5. At least 15 working days prior to the exercise of this Water Permit the Permit Holder shall prepare and submit the following documents to the Team Leader Compliance, Manawatu-Wanganui Regional Council. The documents shall state:

    a. A programme of works and sequence of works that indicate how the work will be undertaken while minimising adverse effects of sediment discharge downstream;

    b. Details of the storage pond and protection works around the inlet for that pond; and

    c. Details of the erosion control measures to be employed at the 150 mm diversion pipeline where it enters the stream channel.

6. The Consent Holder shall take all reasonable practicable measures to minimise sediment entering surface water as a result of works authorised by this consent. Works that result in discharges of sediment to surface water shall not occur for more than eight hours in a 24 hour period.

7. The Consent Holder shall ensure that any work requiring machinery to operate in the flowing river channel is kept to a minimum.

8. The Consent Holder shall take all reasonable and practicable measures to minimise the potential for uncured cement or cement based products to enter the flowing water in the channel during the exercise of works authorised by this Water Permit. Any concrete placed in or near the watercourse shall be undertaken in such a manner that no uncured concrete or cement leaches out and enters the watercourse. Such measures may include, but not be limited to the following:

- Working during summer low flow conditions;
- Containing the new concrete in a watertight framework.

New concrete or mortar shall not be exposed to the flow of water before the concrete or mortar has hardened to a strength of at least 10 mpa, or for at least 48 hours unless concrete is tremmied.

9. The Consent Holder shall ensure that all areas disturbed during the activities authorised by this consent are stabilised, recontoured and revegetated to minimise sediment runoff to the river as soon as practicable on the completion of any works and that except for the diversion the area is remediated to as natural a state as practicable in keeping with the adjacent environment.

10. The Consent Holder shall take all reasonable practicable steps to minimise bank disturbance, damage or slumping that will result in erosion and sediment release to the river during construction works and any damage that does occur shall be repaired as soon as practicable following the completion of the work.

11. During the exercise of this consent, no trees, vegetation, stockpiles, mounds, depressions, holes (excluding the settling pond and storage ponds) or surplus materials shall be left in a worked area of the bed or in a position where it may adversely affect the flow of water or where runoff from stockpiles or mounds can directly enter water except for the working platform required during construction.

12. On completion of the operation of the concrete batching plant the settling pond and storage pond shall be appropriately dewatered and filled. The culverts shall be removed to avoid the need for on-going maintenance to keep them viable. The Eastern Channel need not be reinstated to its original course.

13. The Consent Holder shall ensure that construction material and any subsequent materials from repair and maintenance activities authorised by this consent, no longer required as part of the works, are removed on completion of the works or activities and disposed of in an appropriate manner where it will not affect floodwaters.

14. The Consent Holder shall ensure that all materials from the works activities authorised by this consent, no longer required as part of the works, are removed on completion of the works or activities and disposed of in an appropriate manner where it will not affect floodwaters.

15. The Consent Holder shall ensure that the construction activity, and the structure once completed, shall be undertaken in a manner that provides for passage of existing fish species past the structure and works.

16. The Consent Holder shall ensure that:

    a. No machinery leaking fuel, lubricants, hydraulic fluids or solvents shall work within a watercourse, or in an area where leakage could enter a watercourse;

    b. No refuelling of any vehicles, machinery or equipment shall take place within the bed of the watercourse or in a position where spills may enter water;

    c. The storage of fuel or contaminants adjacent to a watercourse does not result in any fuel or contaminants entering water; and

    d. During construction activities any machinery or equipment not in use shall be stored out of the riverbed.

17. The Consent Holder shall ensure that any works undertaken which deflect the flow of water do not adversely impact on the adjacent stream banks.

18. The Consent Holder shall ensure that any works once completed shall not adversely reduce the ability of the channel to convey flood flows or flood borne debris or have adverse effects on upstream water levels.

19. The Consent Holder shall contact the Regional Council's Area Engineer – Central five working days prior to the commencement of the construction works authorised by this consent and on completion of the construction works to allow an inspection to be undertaken to ensure compliance with consent conditions.

20. The Consent Holder shall ensure that the structure and associated works are maintained in an effective condition throughout the term of this consent. Maintenance shall include, but not be limited to, repairing any damage to the culverts and associated works.

    **Note:** Maintenance is defined as restoration of a structure to a state of good repair and includes the reconstruction or alteration of part of a structure provided the maintenance activity does not increase the area occupied by the structure, or change the character, scale or intensity of any effects of the structure on the environment (except to reduce any adverse effects or increase any positive effects). Maintenance does not include extending, removing, demolishing or replacing and reconstructing an entire structure if destroyed.

21. If human remains or artefacts are uncovered during the activities authorised by this Consent, the Consent Holder shall immediately cease further work and inform the local iwi and the Manawatu-Wanganui Regional Council's Team Leader Compliance. Further work at the site shall be suspended while iwi carry out their procedures for removal of taonga. The Manawatu-Wanganui Regional Council's Team Leader Compliance will advise the Consent Holder when work at the site may recommence.

    **Note:** Tanenuiarangi Manawatu Inc's representative can be contacted, at the time of granting of this consent, as follows: Jonathan Procter 06 353 1881.

**Discharge Permit 103866**

4. The activities authorised by this Discharge Permit shall be restricted to the discharge of settled stormwater and sediment from the site of the concrete batching plant via a settling pond to an artificial watercourse, namely the on-site water storage pond at the concrete batching plant at Scotts Road, Linton at approximate map reference S24:271-771 in general accordance with the application and supplementary documents submitted in support of the application except as otherwise required by conditions of this Discharge Permit.

5. All site stormwater collected from the general yard area and aggregate storage area shall be treated in a settling pond prior to being discharged into the water storage pond for recycling in the concrete batching process.

6. The Permit 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.

7. The Permit Holder shall, at all times, operate the stormwater treatment system in a manner that will minimise any of the following effects that may result from the discharge of stormwater into the water storage pond:

    a. a change in horizontal visibility of no more than 30%, defined as the horizontal sighting range of a 200 mm black disc, or in the case where horizontal visibility is unable to be measured, a change in turbidity of no more than 50%; or

    b. a change in hue greater than 10 points on the Munsell Scale; or

    c. a reduction in light at the sediment bed, as measured using a photosynthetically active radiation (PAR) meter, of more than 20 %; or

    d. the daily average carbonaceous $BOD_5$ concentration due to dissolved organic compounds to exceed 2 $g/m^3$; or

    e. the daily average concentration of ammonia (NH4-N) to exceed:

        i. 1.1 $g/m^3$ at water temperatures equal to or less than 15$^oC$; or

        ii. 0.8 $g/m^3$ at water temperatures greater than 15$^oC$; or

    f. bacterial and/or fungal slime growths visible to the naked eye as plumose growths or mats,

    at any time, except during the first hour after the discharge has been made to the water storage pond.

8. The Permit Holder shall ensure that the stormwater discharge into the water storage pond does not cause an odour that is offensive or objectionable at or beyond the property boundary.

**Discharge Permit 103894**

4. The activities authorised by this Discharge Permit shall be restricted to the discharge of contaminants to air (particulates including dust and cement powder) from the operation of a concrete batching plant at Scotts Road, Linton at approximate map reference S24:271-771 in general accordance with the application and supplementary documents submitted in support of the application except as otherwise required by conditions of this Discharge Permit.

5. The Permit Holder shall, within 3-months of the date specified in Condition 1 and prior to any concrete being produced at the site, prepare and submit to Horizons Regional Council's Team Leader of Compliance an Operation and Maintenance Plan for the concrete batching plant including but not limited to procedures for the management of particulate matter and dust discharges to air from the Scotts Road site. This plan shall include but not be limited to:

   - An 'as built' plan showing the locations and capacities of the key components of the concrete batching plant, including buildings, concrete silo, raw material storage areas and bins, process / load out area, process water collection / storage area and the site stormwater collection, treatment and disposal system. The plan shall also show concreted and hardstand areas, site fencing, water reticulation lines and sumps and drains that carry stormwater in the vicinity of the property;
   - Procedures for the daily and weekly inspections of the plant (both visual and maintenance inspections), the yard, aggregate storage areas, the bins, the cement silos and particulate filters and the aggregate conveyor system;
   - Wash down regime for the process area, if any;
   - Checking of the various site alarms - in particular the silo overfill alarm;
   - Logging of truck movements and volumes of raw materials entering and concrete leaving the premises; and
   - Procedures for managing dust and particulate nuisance beyond the boundary of the batching plant during periods of high wind.

6. The Permit Holder shall take practical measures to minimise dust arising from bulk aggregate storage, aggregate and cement handling and vehicle movements on the premises to ensure that these activities and plant shall not create offensive or objectionable dust or odours, beyond the site boundaries.

7. Any spillages of cement or cement dust from the handling of cement shall be contained as far as practicable and cleaned up immediately.

8. 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 atmosphere.

9. The Permit Holder shall ensure that the discharge meets the Ambient Air Quality Standard for $PM_{10}$ being not greater than 50 micro grams per cubic metre expressed as a 24-hour mean period in a 12 month period beyond the property boundary.

   **Advice Note:** Refer to Annex One of this Appendix for interpretation of this standard.

10. The Permit Holder shall ensure that dust control equipment shall be kept in good repair and cleaned with sufficient frequency to maintain efficient removal of particulate matter from the discharge to air to minimise significant visible discharge. If significantly visible emissions do occur the operation causing the dust shall cease immediately and the dust control equipment measures reinstated or upgraded to

minimise any significant visible discharge and deposition of dust beyond the boundary.

11. The Permit Holder shall maintain a Complaints Register to record complaints from the public in respect to adverse off-site environmental impact arising from activities at this site. 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 and the remedial measures taken by the Company.

12. A copy of this log shall be made available to the Horizons Regional Council's Compliance Monitoring Staff on request.

## Annex One

**AMBIENT AIR QUALITY STANDARDS FOR CONTAMINANTS**

In the following table,

**1-hour mean—**

(a) means a mean calculated every hour on the hour for the preceding hour; and

(b) in relation to a contaminant at a particular location for a particular hour, means the mean of not more than 10-minute means, collected not less than once every 10 seconds, for the contaminant at that location during that hour

**24-hour mean—**

(a) means a mean calculated every 24 hours at midnight for the preceding 24 hours; and

(b) in relation to a contaminant at a particular location for a particular 24-hour period, means—

(i) the mean level at which the contaminant is recorded in the air, by continuous sampling of the air at that location, throughout that 24-hour period; or

(ii) the mean of the 1-hour means for that contaminant at that location for the preceding 24 hours

**Running 8-hour mean—**

(a) means a mean calculated every hour on the hour for that hour and the preceding 7 hours to give 1 running 8-hour mean per hour; and

(b) in relation to a contaminant at a particular location for a particular hour, means the mean of the 1-hour means for that contaminant at that location for that hour and the preceding 7 hours.

| **Contaminant** | **Threshold concentration** | **Permissible excess** |
|---|---|---|
| Carbon monoxide | 10 milligrams per cubic metre expressed as a running 8-hour mean | One 8-hour period in a 12-month period |
| Nitrogen dioxide | 200 micrograms per cubic metre expressed as a 1-hour mean | 9 hours in a 12-month |
| Ozone | 150 micrograms per cubic metre expressed as a 1-hour mean | Not to be exceeded at any time |
| $PM_{10}$ | 50 micrograms per cubic metre expressed as a 1-hour mean | One 24-hour period in a 12-month period |
| Sulphur dioxide | 350 micrograms per cubic metre expressed as a 1-hour mean<br><br>570 micrograms per cubic metre expressed as a 1-hour mean | 9 hours in a 12-month period<br><br>Not to be exceeded at any time |