

IN THE ENVIRONMENT COURT OF NEW ZEALAND  
WELLINGTON REGISTRY

I MUA I TE KŌTI TAIAO O AOTEAROA  
TE WHANGANUI-Ā-TARA ROHE

ENV-2024-WLG-000001

Under the	<b>RESOURCE MANAGEMENT ACT 1991</b>
In the matter of	the direct referral of applications for resource consents under section 87G of the Act for the Mt Munro Wind Farm
By	<b>MERIDIAN ENERGY LIMITED</b> Applicant

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**JOINT STATEMENT OF THE PLANNING EXPERTS**

9 August 2024

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## **INTRODUCTION**

1. This joint expert witness statement relates to the direct referral application lodged by Meridian Energy Limited for resource consents to construct, operate and maintain a windfarm on Mt Munro, Eketāhuna.
2. The geotechnical experts attending the conference were:
  - (a) Damien McGahan for the District Councils (Taranaki District Council, and Masterton District Council)
  - (b) Lauren Edwards (**LE**) for the Manawatu-Whanganui Regional Council
  - (c) Alisha Vivian (**AV**) for the Wellington Regional Council
  - (d) Tom Anderson (**TA**) for Meridian Energy Limited (**MEL**).
3. The conference took place on 8-9 August 2024 at the Wellington registry of the Environment Court. It was facilitated by Environment Court Commissioner Myers.

## **AGREED AGENDA**

4. The agenda for discussion is set out below in Annexure A.

## **CODE OF CONDUCT**

5. This joint witness statement is prepared in accordance with section 9 of the Environment Court Practice Note 2023.
6. We confirm that we have read the Environment Court Practice Note 2023 and agree to abide by it.

## **PURPOSE AND SCOPE OF CONFERENCING**

7. The purpose of this expert conferencing was to identify, discuss, and highlight points of agreement and disagreement on acoustic issues.
8. Issues have been identified following the reporting of the Consent Authorities in the s 87F reports, and through evidence filed by MEL and the s 274 parties. At mediation in June 2024, the parties also agreed that some issues would be discussed at expert conferencing.

## **AGREED ISSUES**

9. Refer to Annexure A.

## **DISAGREEMENT AND REASONS**

10. Refer to Annexure A.

Date: 9 August 2024.



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**Damien McGahan**



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**Lauren Edwards**



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**Alisha Vivian**



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**Tom Anderson**

## ANNEXURE A

In the matter of the Mt Munro windfarm application

Expert conferencing – Planning – DM, LE, AV and TA

Issue	Agreed position with reasons	Disagreements with reasons
<b>Topic: Statutory Framework</b>		
<p>1. Relevant statutory framework and planning documents (including objectives and policies)</p>	<ul style="list-style-type: none"> <li>- The planners agree that the relevant statutory planning documents are as set out in paragraph 46 of TA's evidence with the addition of the NPS for highly productive land.</li> <li>- It is also noted that there is a proposed NPS natural hazards but at the time of consideration has no weight.</li> <li>- The proposed combined Wairarapa District Plan was notified in October 2023. There are no rules with immediate legal effect which impinge on the proposal but the relevant objectives and policies have some weight.</li> <li>- It is agreed that the objectives and policies as listed in Appendix C of TA's evidence are relevant with the exception of:               <ul style="list-style-type: none"> <li>o Addition of Policy 5-4 of the One Plan 2022</li> <li>o Exclusion of Policy 5-23 of the One Plan 2022</li> <li>o Agree that Policy 5-26 of the One Plan 2022 would be relevant if an analysis could be provided by Meridian to show that culverts are essential.</li> <li>o Exclusion of Objective 13-2 of the One Plan 2022.</li> </ul> </li> </ul>	

Issue	Agreed position with reasons	Disagreements with reasons
	<ul style="list-style-type: none"> <li>○ Addition of RPS Objective 2 and 10</li> <li>○ Addition of GWNRP, Objective 30.</li> <li>○ No changes required to the identified objectives and policies of relevant district plans.</li> </ul>	
2. Application of NPS-HPL	<p>Under clause 3.9(2)(j) the Councils agree that there is a need to demonstrate that the functional or operational need for the terminal substation and transmission line corridor to be within LUC3 and can only occur on this HPL.</p> <p>ACTIONS:</p> <ul style="list-style-type: none"> <li>- MEL to provide functional or operational needs as to why the terminal substation infrastructure must be located and can only occur on this LUC3 HPL.</li> <li>- MEL to confirm reasons why terminal substation is excluded from decommissioning conditions.</li> </ul> <p>Under clause 3.9(3)(a) we agree that the proposal minimises any actual loss of the availability and productive capacity of the HPL. In terms of part (b) we agree that the conditions as currently proposed/draft are able to mitigate reverse sensitivity effects on HPL.</p>	
3. Assessment of s 105(1) of the RMA to the project.	<p>Section 105(1) applies and subsections (a) and (b) have been satisfied through referencing the technical advice. Councils consider further work to be abundantly clear section 105(1)(c) is satisfied.</p> <p>ACTION:</p> <ul style="list-style-type: none"> <li>- MEL to specifically assess section 105(1)(c).</li> </ul>	
<b>Topic: Existing Environment</b>		

Issue	Agreed position with reasons	Disagreements with reasons
<p>4. Planning position regarding existing environment</p>	<ul style="list-style-type: none"> <li>- The site and surrounds are rural in nature as detailed in paragraphs 64 and 74 of TA's evidence. The site and surrounds are zoned for rural activities.</li> <li>- We have specifically considered implications on properties within the Masterton District Council area as a result of submissions and section 274 party evidence.</li> <li>- It is reasonable to expect or anticipate that dwellings can be constructed as a permitted activity on existing vacant sites where the following rules, standards and overlays can be met: <ul style="list-style-type: none"> <li>o Boundary set backs.</li> <li>o Vehicle access requirements.</li> <li>o Special management areas (flood hazard area, under the operative plan and HPL under the proposed plan).</li> <li>o Regional Council waste water discharge permitted activity rules (effluent disposal fields).</li> </ul> </li> <li>- It is agreed that any further subdivision and/or boundary adjustments of existing allotments that will result in allotments that are less than 40ha will trigger a non-complying activity.</li> </ul>	
<b>Topic: Consents</b>		
<p>5. Activity status of the application</p> <p>Including the following issues raised in the Mediation Outcomes Report</p> <ul style="list-style-type: none"> <li>- Clarification of issues at [436] of s 87F Planning report.</li> </ul>	<p>Agree that the overall activity status is as set out in paragraphs 58 and 59 of the Councils 87f report. We agree that the correct consents have been applied for as set out in 53-56 of the s 87f report.</p> <p>Agreed the activity is discretionary subject to the discussion on controlled activity status in paragraph 58 of the s 87f report.</p>	

Issue	Agreed position with reasons	Disagreements with reasons
<ul style="list-style-type: none"> <li>- For the CBP, consent trigger for Wellington Regional Council for air discharge?</li> </ul>		
<p>6. Consent lapse and expiry dates</p>	<p>The Councils remain open to considering a lapse date that is longer than five years on assessing further evidence by MEL concerning the variables as set out in Mr Bowmar's evidence and any additional matters that influence implementation of the consents.</p> <p>Consent lapse dates applied for by MEL:</p> <ul style="list-style-type: none"> <li>- 10 years for all consents.</li> </ul> <p>Consent expiry dates applied for by MEL:</p> <ul style="list-style-type: none"> <li>- District land use consents are unlimited.</li> <li>- All regional consents are 35 years.</li> </ul> <p>It is agreed that for the works within the beds of rivers a 35 year term is appropriate to allow for the operation ongoing use and maintenance of the culverts and diversions.</p> <p>It is agreed that district land use consents are unlimited.</p>	<p>TA considers that discharges associated with construction could have an expiry date of lapse date plus five years.</p> <p>Council need to consider whether it is appropriate for the land use consents that have associated discharges to have an expiry of lapse date plus five years (for completeness we do not have agreement on lapse date).</p>
<b>Topic: Degree of Effect</b>		
<p>7. Planning position regarding effects by topic (district and regional)</p> <ul style="list-style-type: none"> <li>- Traffic</li> <li>- Noise</li> <li>- Landscape &amp; visual</li> <li>- Lighting &amp; Shadow flicker</li> <li>- Social</li> </ul>	<p><b>Construction traffic</b></p> <p>We acknowledge that further information is still to come as a result of the traffic JWS:</p> <ul style="list-style-type: none"> <li>- The nature of the OCR upgrade design and maintenance (during and post construction).</li> <li>- Extent of the pavements survey (condition and tied back to CTMP).</li> </ul>	

Issue	Agreed position with reasons	Disagreements with reasons
<ul style="list-style-type: none"> <li>- Geotechnical</li> <li>- Erosion and sediment control</li> <li>- Air Quality</li> <li>- Ecology – freshwater and terrestrial</li> <li>- Stormwater/Hydrology</li> <li>- Archaeological</li> <li>- Any others that require discussion by the planners</li> </ul>	<ul style="list-style-type: none"> <li>- Access to SH2 into transmission corridor.</li> </ul> <p>We agree that conditions can address the actual and potential effects of the development. The traffic experts have provided us with useful direction on conditions via the highlighted passages in the Traffic JWS.</p> <p><b>Noise – construction and operation</b></p> <p>We agree that the conditions can address the actual and potential acoustic effects of the development. The experts have provided us with useful direction on conditions subject to provision of further clarity regarding production blasting timing. The planners would like the opportunity to work with the acoustic experts to ensure the appropriateness of the proposed draft conditions.</p> <p><b>Landscape &amp; visual</b></p> <p>On review of the JWS we acknowledge that there is a ‘high’ visual effect on four properties as per the TTATM rating scale and that Mr Girvan considers that a ‘high’ and therefore significant visual effect will result in a major change in some primary views. We note the advice from the Landscape JWS is that ‘very high’ would likely result in unacceptable adverse visual effects. We note the agreed position in the Landscape JWS that properties which experience at least ‘moderate high’ effects should be offered offsite mitigation. TA has drafted a suggested form of condition of consent to offer mitigation to those dwellings. This is to be considered by DM. It is agreed that effects on any property owner who has provided their written approval cannot be taken into account.</p>	



Issue	Agreed position with reasons	Disagreements with reasons
	<p><b>Lighting</b></p> <p>We note the agreement in the Lighting JWS that effects are no more than minor. We agree that conditions can be updated as per recommendations in the JWS.</p> <p><b>Shadow flicker</b></p> <p>We note the agreement in the Shadow flicker JWS and the direction for planners regarding conditions. We agree that with appropriate conditions shadow flicker effects will be within guideline limits. TA has drafted suggested amendments to the shadow flicker conditions. This is to be considered by DM.</p> <p><b>Social</b></p> <p>We agree to be informed by the social impact assessment being prepared for MEL.</p> <p><b>Geotechnical</b></p> <p>We agree that the actual and potential geotechnical effects of the proposal can be managed through consent conditions.</p> <p><b>Erosion and sediment control</b></p> <p>We agree that the actual and potential erosion and sediment effects of the proposal can be managed through consent conditions.</p> <p><b>Air Quality</b></p> <p>We agree that the actual and potential air quality effects of the proposal can be managed through consent conditions.</p> <p><b>Terrestrial Ecology</b></p> <p>We agree that the actual and potential terrestrial ecology effects of the proposal can be managed through consent conditions.</p>	

Issue	Agreed position with reasons	Disagreements with reasons
	<p><b>Wetlands</b></p> <p>We agree that the actual and potential wetlands effects of the proposal can be managed through consent conditions.</p> <p><b>Freshwater Ecology</b></p> <p>We note that further work is to be done by the ecologists (as indicated in the JWS), we will be informed by their advice once the work is completed.</p> <p><b>Stormwater/Hydrology</b></p> <p>We note Meridian have confirmed that stormwater will meet relevant permitted standards. Meridian has not shown how the permitted standards will be met as this is being left to the detailed design stage. We agree that this should be demonstrated to Councils through the detailed design required to be provided by consent conditions.</p> <p>We agree that condition CM1(b)(4) can be amended to be more explicit regarding meeting permitted activity standards.</p> <p><b>Archaeological</b></p> <p>We agree that the actual and potential archaeological effects of the proposal can be managed through consent conditions.</p> <p><b>Contamination</b></p> <p>We agree that the potential contamination land and discharge effects of the proposal can be managed through consent conditions.</p>	
<b>Topic: Conditions framework</b>		
8. Review condition set – update and identify and comment on any matters	The planners note that there is no presumption that the Court will grant the consent, however we understand that that it is	<p><b>Climate change</b></p> <p>TA and Council disagree as to the need for the inclusion of CC1. TA considers the condition does not provide any direction on the</p>

Issue	Agreed position with reasons	Disagreements with reasons
<p>identified in discussions to date, and any areas of disagreement.</p>	<p>useful to the Court to have proposed draft conditions based on the assessment and evidence to inform its decision making.</p> <p>We note that there are a number of administrative matters concerning consistency and cross referencing etc. that will need to be resolved.</p> <p>We agree that the inclusion of a management plan framework diagram is useful to aid in understanding how the various management plans and how they are intended to interact, their timing and which authority would need to receive and/or certify.</p> <p>We are agreed on the conditions framework that has been agreed to date.</p> <p><b>General</b></p> <p>We acknowledge lapse date (GA2) has been discussed earlier and requires resolution. We agree to ensure all documentation submitted through the pre-hearing process is reflected in GA1.</p> <p>ACTION: TA to compile the relevant list of documents and plans to be referenced in GA1.</p> <p><b>Stakeholder Liaison Group</b></p> <p>We agree that condition SLG6 will be further refined in terms of SLG composition including representatives of adjoining properties and any feedback from iwi.</p> <p><b>Windfarm layout and infrastructure</b></p> <p>We note and accept the recommended changes from the landscape and visual effects JWS to conditions WFL3 and WFL7.</p> <p>TA and DM to consider if parameters for the internal road network are necessary under WFL5.</p> <p><b>CAA requirements</b></p>	<p>consent holder and does not recognise what the consent holder has utilised for other similar projects. Council is of the view that the providing of the information in the condition would show how greenhouse gas effects were being managed on this project specifically under 104(1)(a) of the RMA given that 104E has been repealed. There is agreement that if a condition similar to CC1 is included it should be included as annual reporting.</p> <p><b>Ecological management plans and protocols</b></p> <p>We note the disagreement between AF and VK regarding trout spawning value discussed at point 7 of the Freshwater JWS and this leads to divergent planning views regarding associated conditions restricting sediment discharge during trout spawning period.</p>

Issue	Agreed position with reasons	Disagreements with reasons
	<p>We agree the only required condition is that aviation obstacle lighting is installed as required by the CAA.</p> <p><b>Earthworks stability standards</b></p> <p>The planners agree that condition EW2(c) needs to be further considered with geotechnical experts to ensure the intent of the geotechnical JWS is appropriately reflected.</p> <p>The planners agree that a new EW3 is introduced to reflect the recommendation from the geotechnical JWS regarding inferred faults.</p> <p>The planners note that MM and NC have agreed that the word inactive should be removed from EW2(c)(i).</p> <p><b>Erosion and Sediment Control</b></p> <p>We accept the recommended changes to conditions outlined in Annexure B of the Erosion and Sediment Control JWS.</p> <p>In regard to section 12 of the Erosion and Sediment Control JWS:</p> <ul style="list-style-type: none"> <li>- We confirm the intent of the deleted advice note is already included in the conditions.</li> <li>- We agree that ES4(q) can be removed given it is already required by the SSES CP in ES5(c)(xiii).</li> <li>- We agree that the wording in ES5(c)(i) regarding exclusion areas and wetlands needs to be clarified to recognise that not all wetlands will be excluded.</li> <li>- We agree to amend ES5(c)(vii) to cross-reference ES3(c)(ii).</li> <li>- We agree to consult with erosion and sediment control experts regarding the definition of overland flow paths provided in the Stormwater JWS.</li> </ul>	

Issue	Agreed position with reasons	Disagreements with reasons
	<ul style="list-style-type: none"> <li>- We agree ES10(f) can be removed.</li> </ul> <p>We agree that ES3(c)(xi) can be removed.</p> <p>Planners to reconsider wording of ES9 to provide clarity on how winter works authorisation would be administered.</p> <p><b>Potentially contaminated sites</b></p> <p>We agree that potentially contaminated land can be addressed in a condition. We agree that the condition should include reference to a SQEP being involved. The planners also agree to consider whether there are further procedural steps could be built into the condition.</p> <p><b>Air quality management</b></p> <p>We note that the air quality JWS confirms that dust is the only air quality issue of concern. Based on this we agree that the management plan should be referred to as a dust management plan.</p> <p>In regard to section 9 of the Air Quality JWS:</p> <ul style="list-style-type: none"> <li>- We will consider amending DM2(c)(iv).</li> <li>- We will add to DM2(c) identification of the persons responsible for management and implementation of the plan.</li> </ul> <p>In regard to section 12 of the Air Quality JWS we agree that DM2(c)(i) could be expanded to include specific reference to rock crushing and the operation of the concrete batching plant.</p> <p><b>Concrete batching</b></p> <p>We agree that the CBP will not be in the Makakahi River Valley as identified on the plan attached to this JWS as 'Attachment A'.</p>	

Issue	Agreed position with reasons	Disagreements with reasons
	<p>TA suggests that an elevation threshold is an appropriate condition to ensure that the CBP is not in the Makakahi River Valley or the construction lay down area and is set back more than 250m from the site entrance. TA considers that this will provide for a more efficient condition. This is to be considered by Councils.</p> <p>We note the disagreement at point 5 of the Acoustic JWS regarding which noise standards should apply and will consider if any amendments to the conditions are necessary.</p> <p>The planners will seek to clarify the comment under point 10 that similar constraints should be placed on the concrete batching plant as set out in MACF2 noting the exclusion for essential night time pours.</p> <p><b>Mobile aggregate crushing</b></p> <p>We note the agreement in the Acoustic JWS regarding the appropriateness of time limits as set out in MACF2.</p> <p><b>Controlled blasting</b></p> <p>We note that the acoustic experts are undertaking further work concerning the hours of operation for blasting and we agree to review the controlled blasting conditions (and associated construction noise conditions) once that work is completed.</p> <p>We note at point 21 of the Acoustic JWS which sets out the specific standard to be included, we agree that this should be included in CBL3.</p> <p><b>Construction traffic</b></p> <p>We agree to amend condition CTM2(a)(v) regarding provision of a right hand turn bay on SH2 using NZTA wording and will work with traffic experts as to timing for OCR/SH2 intersection upgrade.</p>	

Issue	Agreed position with reasons	Disagreements with reasons
	<p>Planners agree that CTM2(c) will be updated in light of point 6 of the Traffic JWS.</p> <p>For CTM2(d) planners to give consideration to timing and alignment with detailed design submission conditions.</p> <p>The planners wish to discuss CTM2(b), CTM3 and point 27 of the Traffic JWS with the traffic experts.</p> <p>In relation to point 17 in the Traffic JWS, the planners consider that this matter can be resolved directly between the road controlling authority and MEL.</p> <p>In regard to point 24 of the Traffic JWS, appropriate traffic management will be included in the decommissioning conditions.</p> <p><b>Construction noise</b></p> <p>We agree to implement the agreed position at points 12, 16, 22, 23 and 25 of the Acoustic JWS.</p> <p>We note that operational noise non turbine related is specifically conditioned under WFO1. We note the recommendations in points 26, 27 and 28 of the Acoustic JWS regarding the requirement for a SQEP to apply the referenced standard. Planners to confirm if this approach is appropriate.</p> <p><b>Construction lighting</b></p> <p>We agree with the recommendation at point 13 of the Lighting JWS and will update the condition set accordingly.</p> <p><b>Shadow flicker</b></p> <p>We agree with the recommendation at point 5 of the Shadow Flicker JWS. In response TA has drafted amendments to SF3 ('Attachment B') which DM will consider.</p>	

Issue	Agreed position with reasons	Disagreements with reasons
	<p><b>Ecological management plans and protocols</b></p> <p>We note the agreed extent in the Freshwater Ecology JWS of natural inland wetland loss for condition EC1. We agree that EC1 should include an upper limit of 0.35ha as set out in point 4 of the Freshwater Ecology JWS.</p> <p>We agree that EC8 should require monitoring for one year after the windfarm becomes operational.</p> <p>We agree that the recommended sentence from point 3 in the Terrestrial Ecology JWS should be included in EC11.</p> <p>TA has drafted amendments to EC10 ('Attachment B') which LE and AV will consider.</p> <p>We agree that the conditions must require stream simulation culverts as discussed in point 1 of the Freshwater Ecology JWS.</p> <p>We agree that EC4(c)(ii) should read at least 9 species rather than 7 as discussed at point 19 of the Freshwater JWS.</p> <p>We agree that EC12(b) must refer to work which may impact a reach of stream and remove reference to dewatering as discussed in point 20 of the Freshwater JWS.</p> <p>We will consider aligning EC12(h) with other reporting requirements.</p> <p>We agree to reinstate taonga species to EC12(d)(ii).</p> <p>We agree to reinstate the maintenance and monitoring of the culverts in EC13.</p> <p>We note that conditions EC15-EC17 have been agreed to be reviewed by the ecologists at point 24 of the Freshwater JWS.</p>	



Issue	Agreed position with reasons	Disagreements with reasons
	<p>We note that conditions relating to offsetting the culvert installation remain subject to further work as detailed in the Freshwater JWS.</p> <p><b>Culvert design and monitoring</b></p> <p>We agree to confirm with the stormwater experts that the RCP value is to apply to culvert design generally. If confirmed, we agree to include this as a condition.</p> <p>We agree to reinstate condition CU14.</p> <p><b>Windfarm operation</b></p> <p>The planners agree to include the stakeholder liaison group in condition WFO9.</p>	
<p>9. Confirm relationship between management plans, including timeframes, and what is expected to occur as part of the management plan approach (certification, etc).</p> <p>Note: consider a diagram illustrating relationship between the plans.</p>	<p>The planners have been progressing this point and will continue to refine and/or update as conditions are progressed.</p>	
<b>Topic: Other matters</b>		
<p>10. Cultural matters</p>	<p>We acknowledge that Ngāti Kahungunu ki Wairarapa and Ngāti Kahungunu ki Tāmaki nui-ā-Rua have expressed their support for the proposal. Meridian remain in ongoing discussions with Rangitāne o Tāmaki nui-ā-Rua and Rangitāne o Wairarapa concerning a memorandum of partnerships to work constructively together.</p>	

Issue	Agreed position with reasons	Disagreements with reasons
	<p>We agree that the Cultural History Assessment Rangitāne o Tāmaki nui-ā-Rua have stated they are working on is yet to be provided.</p> <p>We note that no submissions were received from any iwi.</p> <p>TA has confirmed that Meridian has shared the current condition set with the four iwi groups to seek their views.</p> <p>Council's expectation is that there would be some form of cultural conditions that reflect feedback from iwi and which are formulated alongside iwi, and pending the further Cultural History Assessment update from Rangitāne o Tāmaki nui-ā-Rua.</p> <p>At this time, in the absence of further feedback from Rangitāne o Wairarapa and Rangitāne o Tāmaki nui-ā-Rua, Councils remain of the position that they are unable to conclude that the proposal and/or conditions have adequately and appropriately addressed matters of cultural importance in regard to Rangitāne o Wairarapa and Rangitāne o Tāmaki nui-ā-Rua.</p> <p>The Councils are therefore unable to conclude whether the proposal aligns or is consistent with the relevant objectives and policies.</p>	
11. Consistency with Objectives and Policies	<p>We agree that the Mount Munro project is consistent with the Objectives and Policies in the One Plan and the NRP, the exception are Objectives and Policies regarding Tangata Whenua values, water quality (Policy 5-4 of the One Plan) and fresh water ecology. LE and AV consider the proposal is not consistent with these subject to further work being undertaken by VK and assessed by AF. With regard to freshwater policies TA considers proposal is consistent with these subject to further work being undertaken by VK.</p> <p>We agree that the Mount Munro project is generally consistent with the three relevant district plans, objectives and policy</p>	

Issue	Agreed position with reasons	Disagreements with reasons
	<p>framework. The planners agree that wind farms and ancillary activities are an anticipated activity within the relevant district plan zones subject to the appropriate management of environmental effects.</p> <p>DM notes that the only exceptions that remain relate to general amenity associated with the construction phase and presence of turbines and transportation aspects. However, DM notes that ongoing refinements to conditions as a result of transport and acoustic joint witness statements will assist. DM further notes TA has proffered a condition regarding offsite mitigation for dwellings which are subject to a high and moderate high degree of visual effect (appended to this JWS as Attachment B), which will form part of the consideration as to whether the visual effects are consistent with the Policy framework.</p> <p>We note that cultural matters, including consistency with objectives and policies, are addressed above.</p>	



# Attachment A

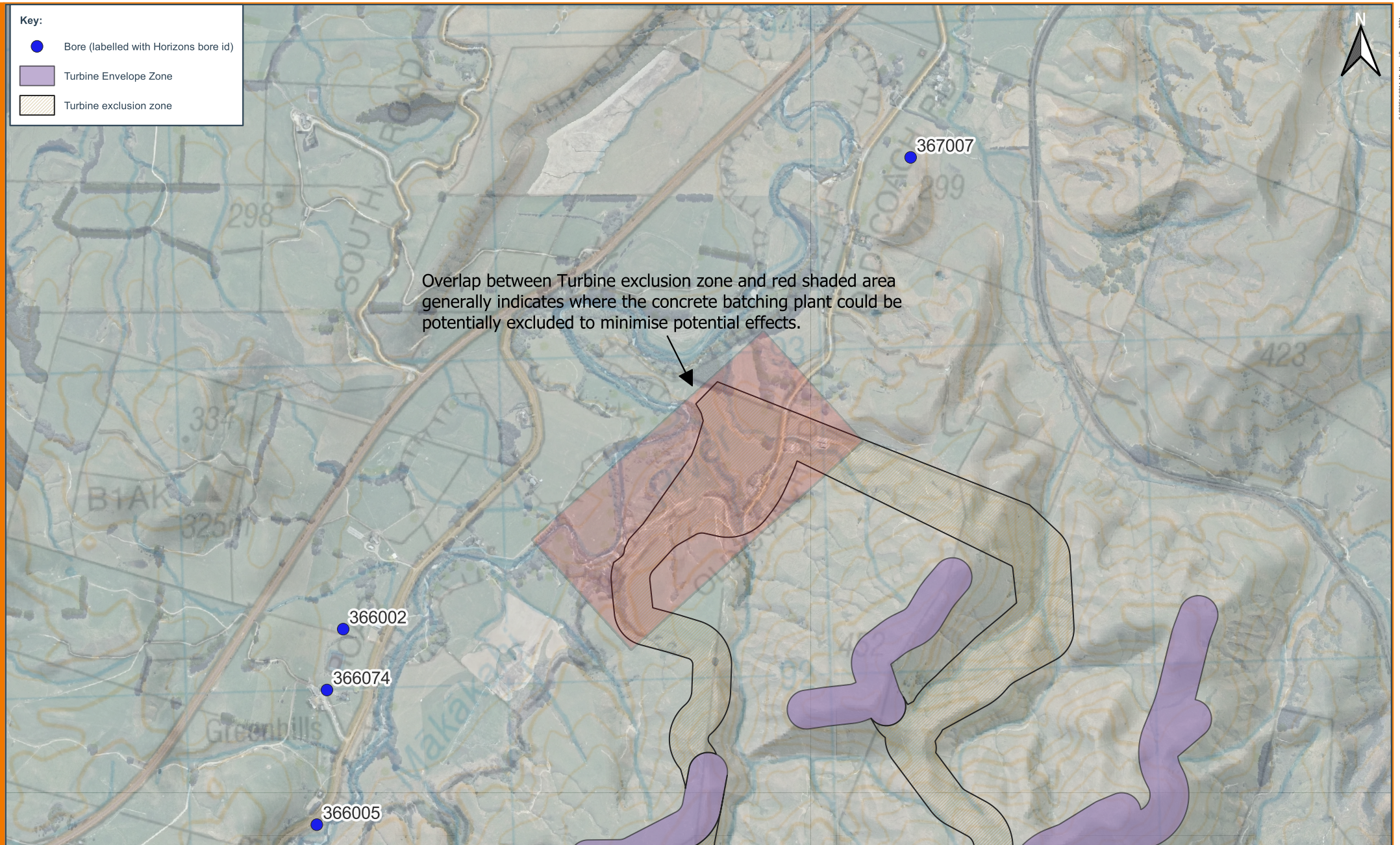
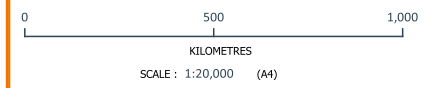


FIGURE 1: Turbine exclusion zone and turbine envelope zone

MGI NUTRIENT DISCHARGE APPLICATION

NOTES:  
 1. AERIAL IMAGERY SOURCED FROM THE LINZ DATA SERVICE (<https://data.linz.govt.nz>) AND LICENCED BY LINZ FOR RE-USE UNDER THE CREATIVE COMMONS ATTRIBUTION 4.0 INTERNATIONAL LICENCE.  
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 CLIENT: Horizons Regional Council

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## Attachment B

### **Proffered Conditions for Planning JWS**

#### *New Condition:*

#### VM1 Mitigation:

- a) Within twelve months of the commencement of construction activities, the Consent Holder must consult with the owners of the properties listed in Schedule 2 and offer, at the Consent Holder's cost, to appoint a SQEP to develop a landscape plan for mitigation of visual effects of the Project on the dwelling and curtilage area within that property.
- b) The objective for each landscape plan for mitigation required under (a) is to reduce the visual effects from the Project on the dwelling and curtilage area of each site as far as practicable.
- c) The Consent Holder has complied with Condition VM1 if:
  - i. The owner of the dwelling agrees to the offered mitigation, and the mitigation is implemented the next planting season after the agreement has been reached, or unless otherwise agreed; or
  - ii. The owner of the dwelling does not agree to the offered mitigation; or
  - iii. An alternate agreement for the mitigation of visual effects is reached between the Consent Holder and the dwelling owner.

#### Schedule 2

#### **Schedule B Properties who must be offered a landscape plan for mitigation of visual effects in accordance with VM1**

Property	Degree of Visual Effect <sup>1</sup>	Potential Mitigation <sup>2</sup>
48 Smiths Line	High	<ul style="list-style-type: none"><li>- Construction of new patio / deck to provide outdoor living area accessed from dwelling which refocuses available rural views away from direction of windfarm.</li><li>- Planting individual advanced grade specimen</li></ul>

<sup>1</sup> As determined in the Evidence of Mr Girvan, or as agreed through the Landscape and Visual Joint Witness Statement

<sup>2</sup> As agreed through the Landscape and Visual Joint Witness Statement

		tree(s) to foreshorten and refocus potential views in direction of individual turbines
72 Smiths Line	Moderate, increasing to Moderate-High in the event that the shelter belt to the northwest of the dwelling is removed as anticipated.	Planting individual advanced grade specimen tree(s) to help define the curtilage area and foreshorten and refocus potential views in directions of individual turbines.
2310 Opaki Kaiparoro Road	Moderate-High	
152 Opaki Kaiparoro Road	Moderate-High	
124 Opaki Kaiparoro Road	Moderate-High	
117 Opaki Kaiparoro Road	High	
136 Falkner Road	Moderate-High	
114 Falkner Road	Moderate-High	Planting additional individual advanced grade specimen tree(s) to foreshorten identified views in directions of individual turbines from curtilage area
51 Falkner Road	High	<ul style="list-style-type: none"> <li>- Construction of new deck / outdoor living area to refocus available rural views away from direction of windfarm</li> <li>- Planting individual advanced grade specimen tree(s) to foreshorten identified views in</li> </ul>

		directions of individual turbines from curtilage area
18 Hall Road	Moderate-High	Planting individual advanced grade specimen tree(s) to help define new curtilage area and foreshorten and refocus potential views in directions of individual turbines.
31 Hall Road	High	<ul style="list-style-type: none"> <li>- Construction /extension of patio /deck to provide outdoor living area accessed from dwelling which refocuses available rural views away from direction of windfarm</li> <li>- Planting individual advanced grade specimen tree(s) to help define new curtilage area and foreshorten and refocus potential views in directions of individual turbines</li> </ul>
18A Hall Road	Moderate-High	Planting individual advanced grade specimen tree(s) to help define new curtilage area and foreshorten and refocus potential views in directions of individual turbines.
18C Hall Road	Moderate-High	Planting individual advanced grade specimen tree(s) to help define new curtilage area and foreshorten and refocus potential views in

		directions of individual turbines.
No address Old Coach Road	Moderate-High	
No address Old Coach Road	Moderate-High	
340 North Road	Moderate-High	

#### *Amended Conditions*

**SF3** At least **20 working days prior** to the commencement of construction works authorised as part of this resource consent, the Consent Holder must submit for certification a Pre-Instalment Shadow Flicker Assessment to the District Councils. The Pre-Instalment Shadow Flicker Assessment must ~~be prepared by an SQEP and~~ take account of the design details of potentially impacted dwellings. ~~The Pre-Instalment Shadow Flicker Assessment must and~~ demonstrate that the proposed number, layout, type and operation of wind turbines (including the curtailment strategy for turbines if necessary) will be managed to comply with the shadow flicker limits specified in **Condition SF1**

**SF4** Following certification of the Pre-Instalment Shadow Flicker Assessment required under SF3, should the Consent Holder become aware of a change (or potential change) to any structures or vegetation at a modelled dwelling which would significantly change the shielding at that dwelling, an amended Shadow Flicker Assessment for the potentially impacted dwelling must be prepared. The amended Shadow Flicker Assessment must be submitted to the relevant District Council and recertified in accordance with MP2.

## **EC10** Long-tailed Bat Monitoring and Management Plan

- a) A Long-tailed At least forty (40) working days prior to the commissioning of the first wind turbine, the Consent Holder shall submit to the Manawatu-Wanganui and Greater Wellington Regional Councils for certification a Bat Monitoring and Management Plan (BMMP). The BMMP must be prepared by a SQEP bat ecologist.
- b) The BMMP shall include details of the five year post-construction



monitoring programme to be undertaken in accordance with condition (c), and its purpose shall be to provide further data on the abundance and distribution of bats within the Project area.

- c) The BMMP must include details of a five-year post-construction monitoring plan, and specifically include:
  - i. The survey method, based on best practice;
  - ii. The design and implementation of the acoustic bat surveys, including the sample site locations, must be determined by a SQEP in bat ecology;
  - iii. One acoustic bat survey per year must be undertaken to coincide with the peak period of activity for bats (being October to April), and must include at least fourteen survey nights.
- ~~c) The Consent Holder must submit the Long-Tailed Bat Monitoring and Management Plan, including all written comments provided by the Department of Conservation and the Consent Holder's response to those comments, to the Regional Councils. A copy of the BMMP must be submitted for certification by the Regional Councils at least **Forty (40) working days** prior to the turbines becoming fully operational.~~
- d) The results of the five-year post-construction bat monitoring shall be provided in writing annually to the Manawatu-Whanganui and Greater Wellington Regional Council, and must include an assessment by a SQEP in bat ecology as to whether regular bat activity near the turbines has been detected at levels which could result in a more than minor effect on long-tailed bats from blade strike.
- e) If an assessment within an annual report required under Condition (d) is that there could be a more than minor effect on bats from blade strike, then a Bat Curtailment Design Plan (BCDP) shall be submitted for certification to Manawatu-Whanganui Regional Council and Greater Wellington Regional Council.
  - i. The purpose of the BCDP would be to identify measures to reduce the risk of blade strike to bats so that effects are no more than minor.
  - ii. The BCDP would include specific timeframes and

conditions under which turbines will cease operation. These parameters would be selected based on site-specific data with input from a SQEP in biostatistics.