

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	RESOURCE MANAGEMENT ACT 1991
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	MERIDIAN ENERGY LIMITED Applicant

JOINT STATEMENT OF THE TERRESTRIAL ECOLOGY EXPERTS

1 August 2024

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 technical experts attending the conference were:
 - (a) James Lambie (**JL**) for the Consent Authorities (Manawatū-Whanganui Regional Council, Wellington Regional Council, Tararua District Council, and Masterton District Council)
 - (b) Dr Leigh Bull (**LB**) for Meridian Energy Limited (**MEL**).
3. The conference took place remotely via Microsoft Teams on 1 August 2024.

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.

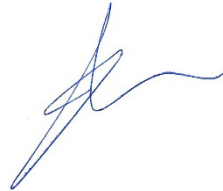
AGREED ISSUES

9. Refer to Annexure A.

DISAGREEMENT AND REASONS

10. Refer to Annexure A.

Date: 1 August 2024

A handwritten signature in blue ink, appearing to be 'J. Lambie', with a stylized, cursive script.

James Lambie

A handwritten signature in blue ink, appearing to be 'Leigh Bull', with a stylized, cursive script.

Dr Leigh Bull

ANNEXURE A

In the matter of the Mt Munro windfarm application

Expert conferencing – Terrestrial Ecology – JL and LB

Issue	Agreed position with reasons	Disagreements with reasons
<i>Topic: Methodology and Assessment of Effects</i>		
1. Appropriateness of methodology	<p>Bird Survey methodology (section 3.5 of Ecology Report): Bird survey methodology including desktop and repeated field investigation using point counts and flight path monitoring. Appropriate - uses standard bird monitoring approach and is repeatable.</p> <p>Lizard survey methodology (section 3.3 of Ecology Report): including desktop and repeated field investigation using ACO, spotlighting, and manual searches. Appropriate – uses standard lizard discovery approaches, thorough coverage, and at active time of year.</p> <p>Terrestrial vegetation survey methodology (section 3.1 of the Ecology Report): including desktop review of potentially significant areas. Repeated field investigation to map areas of indigenous vegetation. Appropriate – characterises the vegetation well enough to assess types against relevant policy frameworks and able to conclude potentially significant areas are avoided.</p> <p>Expert agreement that the vegetation being cleared is unlikely to be habitat of threatened invertebrates.</p>	

Issue	Agreed position with reasons	Disagreements with reasons
2. Appropriateness of assessment of level of effect	<p>The level of effect assessment follows EclA guidelines. This is a recognised tool for assessing ecological value, magnitude of effect and overall level of effect scaled to ecosystem threat / vulnerability.</p> <p>No disagreement with the characterisation of effects on vegetation, birds, or lizards - both have reached the same conclusion following the same protocol. The tool has also been used appropriately (e.g. the level of effects has not been used to determine significance).</p>	
Topic: Post-construction avifaunal monitoring		
3. Consider the possibility for a very rare but significant event (eg: loss of high number of birds at once) and the appropriate response. Is this a credible occurrence? Is it covered by condition EC13? If not, should it be covered by a condition, and if so, what is an appropriate condition approach for this event?	<p>For clarification this is the consent condition that forms this statement point:</p> <p>EC11 General Response to Bird and Bat Carcasses</p> <p>a. Notwithstanding any monitoring and reporting requirements required by Conditions EC9 and EC10, the Consent Holder must record and report in writing any evidence of bird and bat strikes identified during any visit by staff or authorised consultant(s) and contractor(s) of Meridian Energy Limited, a SQEP in avian ecology or the relevant councils. Should a bird or bat species that is nationally Threatened or At-Risk as listed in the New Zealand Threat Classification System (https://nztcs.org.nz/home) be found injured or dead at the site, the Department of Conservation (Operations Manager, Manawatū) is to be notified immediately. The bird or bat must be photographed as found and the</p>	

Issue	Agreed position with reasons	Disagreements with reasons
	<p>location noted on a map of the site. All injured birds or bats must be transported to the nearest veterinarian and all deceased animals must be bagged, labelled, frozen and transported to the Massey University Veterinary Teaching Hospital for identification and autopsy.</p> <p>We agree that the inclusion of the following sentence into EC11 will address the concern/issue raised in this point:</p> <p>If any mortalities of At Risk or Threatened species are detected, a review will be undertaken to determine if further monitoring is required, and any remedial, mitigation or offsetting actions need to be implemented.</p>	
<p>4. In relation to the pipit specifically, is it appropriate to mitigate potential increases in predation arising from the project? If so, how can this be identified and/or monitored? What are the condition requirements (if any)?</p>	<p>After discussing the issues more thoroughly we agree that there is no additional risk to pipit associated with predation as a result from the project. So there are not any conditional requirements on this matter.</p>	
Topic: Monitoring		
<p>5. Refer to paragraph 21 of Janet McIlraith Statement of Evidence in relation to monitoring predators – confirm whether use of cameras is appropriate as monitoring tool.</p>	<ul style="list-style-type: none"> - It is only a selection of turbines that will have lighting which will be red as a requirement of CAA regulations. - Literature shows that red lighting is on the lower scale of attractiveness to invertebrates therefore very few invertebrates will be attracted to said lights. - The cascade predatory effect as described is unlikely. 	

Issue	Agreed position with reasons	Disagreements with reasons
	<ul style="list-style-type: none"> - One of the three components of a post construction study is to determine bird carcass removal rates and that methodology could include the use of cameras. However, consent conditions should not specifically state that cameras are a requirement of the post construction study as they might not be the most appropriate method. 	
Topic: Conditions		
<p>6. Address questions from planning experts:</p> <p>Condition EC8 – What period of post-construction bird strike monitoring is appropriate at this site?</p> <p>Condition EC8 – Is there potential for increases in predation? If so, would a strategy to mitigate be appropriate?</p>	<p>EC8 Bird Strike Monitoring</p> <p>a. Post-construction bird strike monitoring of the wind farm and transmission line should be conducted by a SQEP for five one (15) years immediately after the wind farm becomes fully operational. If any mortalities of At Risk or Threatened species are detected, a review will be undertaken to determine if further monitoring is required, and any remedial, mitigation or offsetting actions need to be implemented.</p> <p>b. Reports of the monitoring required by (a) must be produced annually as part of the Annual Reporting under Condition GA8 and copies must be provided to the Councils.</p> <p>We agree that one year is appropriate, but the condition requires additional information regarding the preparation of a bird strike management plan by an SQEP.</p> <p>One of the three components of a post construction study is to determine bird carcass removal rates, including from predation. The method for this will be included in the proposed bird strike</p>	

Issue	Agreed position with reasons	Disagreements with reasons
	management plan under condition EC8. It is unnecessary to specifically condition for a strategy for changes in predation rates.	
Topic: Other matters		
7. Lizards	We agree with the amendment to EC7 to remove subclause (f) that identified a translocation site. The translocation site will be decided through the Wildlife Act authorisation process.	
8. Poroporo	We agree with the inclusion of EC3.	
9. Biosecurity	We agree with the inclusion of EC6.	
10. Dust	We agree that dust is not a significant issue to terrestrial ecology in this instance.	
11. Pipit	We agree with the inclusion of EC5.	