

Resource Consent 116241

Consent Type: Land use consent

Consent Subtype: Land – disturbance

Applicant: WEL Networks Limited
PO Box 925
HAMILTON

Activity authorised: Earthworks both within and outside of high risk erosion areas in association with development of a wind farm

Location: Wharauroa Plateau, 3km south of Te Uku

Map Reference: NZMS 260 R15:816-651

Consent Duration: Granted for a period of 10 years from the date of commencement in accordance with s116 of the Resource Management Act 1991

Conditions:

1. The exercise of this consent is subject to compliance with the conditions specified in Schedule ONE attached.

Resource Consent 116242

Consent Type:	Discharge permit
Consent Subtype:	Discharge to land
Applicant:	WEL Networks Limited PO Box 925 HAMILTON
Activity authorised:	Deposit overburden onto land associated with spoil material in association with the development of a wind farm
Location:	Wharauora Plateau, 3km south of Te Uku
Map Reference:	NZMS 260 R15:840-674
Consent Duration:	Granted for a period of 10 years from the date of commencement in accordance with s116 of the Resource Management Act 1991

Conditions:

1. The exercise of this consent is subject to compliance with the conditions specified in Schedule ONE attached and to those set out below.

Pakoka River Tributary Environmental Compensation Plan

2. The Consent Holder shall provide the Waikato Regional Council with a “**Pakoka River Tributary Environmental Compensation Plan**” at least 20 working days prior to the commencement of activities authorised by this consent within the area covered by this Plan. The objectives of this Plan will be to mitigate for the loss of that part of the Pakoka River tributary affected by overburden disposal (located approximately 5000m from the start of the primary access road). This Plan shall be developed by persons suitably qualified and experienced in ecological mitigation projects and submitted to the Waikato Regional Council for their written approval, acting in a technical certification capacity. This Plan shall provide for fencing to exclude stock and the planting of appropriately eco-sourced native vegetation of the tributary downstream from the fill area for a distance at least 1.5 times the length of the tributary affected by fill placement and associated works. The Plan shall include, but is not necessarily limited to, the following:
 - a. A location plan for the proposed revegetation and plantings including plant species identification, plant numbers and relevant eco-sourcing information,
 - b. Land and vegetation maintenance procedures including aftercare plans,
 - c. Proposed fencing and stock control,
 - d. Procedures for pest control and noxious weed control,
 - e. Timeframes for implementation, revegetation and related activities, and,
 - f. Any other relevant matter.

3. The Consent Holder shall implement the approved Pakoka River Tributary Environmental Compensation Plan as approved under condition 2. Any subsequent changes to the Pakoka River Tributary Environmental Compensation Plan shall only be made with the written approval of the Waikato Regional Council, acting in a technical certification capacity.
4. The Consent Holder shall ensure that a copy of the approved Pakoka River Tributary Environmental Compensation Plan including any approved amendments, is kept onsite at all times that works authorised by this consent are being undertaken. The onsite copy of the Pakoka River Tributary Environmental Compensation Plan shall be updated within 5 working days of any amendments being approved under condition 3 of this consent. The Pakoka River Tributary Environmental Compensation Plan shall be produced without unreasonable delay upon request from a servant or agent of the Waikato Regional Council.

Resource Consent 116689

Consent Type: Water permit

Consent Subtype: Diversion

Applicant: WEL Networks Limited
PO Box 925
HAMILTON

Activity authorised: Divert stormwater away from earthworks and overburden disposal sites in association with the development of a wind farm

Location: Wharaurua Plateau, 3km south of Te Uku

Map Reference: NZMS 260 R15:840-674

Consent Duration: Granted for a period of 10 years from the date of commencement in accordance with s116 of the Resource Management Act 1991

Conditions:

1. The exercise of this consent is subject to compliance with the conditions specified in Schedule ONE attached.

Resource Consent 116690

Consent Type:	Water permit
Consent Subtype:	Diversion
Applicant:	WEL Networks Limited PO Box 925 HAMILTON
Activity authorised:	Divert an unnamed stream, a tributary of the Pakoka River, around a gully fill in association with the development of a wind farm
Location:	Wharauora Plateau, 3km south of Te Uku
Map Reference:	NZMS 260 R15:817-651
Consent Duration:	Granted for a period of 10 years from the date of commencement in accordance with s116 of the Resource Management Act 1991

Conditions:

1. The exercise of this consent is subject to compliance with the conditions specified in Schedule ONE attached and to those set out below.

Diversion around the unnamed tributary of the Pakoka River

2. The consent holder shall design and construct the diversion channel and associated structures for a 1% AEP design flow capacity.

Schedule ONE

General Conditions Attached to Resource Consent No's 116241, 116242, 116689 and 116690

The granting of resource consent numbers 116241, 116242, 116689 and 116690 is subject to the following general conditions that shall apply to each individual consent.

General

1. The activities authorised by this resource consent shall be undertaken in accordance with the application for this resource consent "WEL Wind Farm Resource Consent Application", July 2007 and information provided in response to s92 requests "WEL Wind Park – s92 Response", 21 June 2007 and "Request for Further Information", 11 September 2007, except as otherwise identified in the resource consent conditions.
2. The Consent Holder shall be responsible for all contracted operations relating to the exercise of this resource consent, and shall ensure contractors are made aware of the conditions of this resource consent relevant to their work area and ensure compliance with those conditions.
3. A copy of this resource consent shall be kept onsite at all times that physical works authorised by this consent are being undertaken, and shall be produced without unreasonable delay upon request from a servant or agent of the Waikato Regional Council.
4. This resource consent is granted by the Waikato Regional Council subject to its servants or agents being granted access to the relevant parts of the site at all reasonable times for the purpose of carrying out inspections, surveys, investigations, tests, measurements, taking samples, and/or photographs.

Pre-construction

5. The Consent Holder shall appoint a representative(s) prior to the exercise of this resource consent, that shall be the Waikato Regional Council's principal contact person(s) in regard to matters relating to this resource consent. The Consent Holder shall inform the Waikato Regional Council of the representative's name and how they can be contacted at least 10 working days prior to the commencement of the works authorised by this resource consent. Should that person(s) change during the term of this resource consent, the Consent Holder shall immediately inform the Waikato Regional Council and shall also give written notice to the Waikato Regional Council of the new representatives name contact details.
6. Prior to undertaking works authorised by this consent the consent holder shall establish a "**Sediment Control Team**" which is to be managed by an appropriately qualified person experienced in erosion and sediment control. The "Sediment Control Team" shall consist of personnel that have clearly defined roles and responsibilities to monitor compliance with the consent conditions and will be available to meet with Waikato Regional Council monitoring personnel on a two weekly basis (unless otherwise agreed to in writing) to review erosion and sediment control issues.

7. The Consent Holder shall arrange and conduct a pre-construction site meeting between the “Sediment Control Team” as required by condition 6 of this schedule prior to any work authorised by this consent commencing on the site. The “Sediment Control Team” shall otherwise meet not less than two weekly, unless otherwise approved in writing by the Waikato Regional Council, to review and discuss erosion and sediment control at the site.

Earthworks and Construction

8. The consent holder shall prepare an “**Earthworks Design and Management Plan**” and submit this to the Waikato Regional Council for written approval no later than 3 months prior to the commencement of any earthworks on the site.

This plan shall include but not be limited to:

- a) The staging of works planned and the description of earthworks in each stage including general site plans;
- b) Outline the engineering controls, supervision and certification that will be applied to each stage;
- c) Outline the site specific design parameters and performance standards that will be applied to each stage, considering both static and seismic conditions;
- d) Outline stability analysis design procedures that will be used for each stage, including the method of determining turbine setback zones and stability of existing natural slopes loaded by the works;
- e) Outline engineering and management procedures for material sources, use, disposal and treatment, stockpiling, fill placement and disposal of unsuitable materials;
- f) Detail measures for groundwater control, including details of subsoil drainage, within disposal areas;
- g) Confirm volumes of cut, fill and unsuitable material (based on available information at the time);
- h) Detail measures for dealing with situations that do not conform at the time of construction with the design assumptions;
- i) Outline the methods of site assessment by suitably qualified persons that will be used to determine the need for the installation of sub soil drainage systems to all earthworks activities that will be required during construction;
- j) Such other procedures that will be employed to ensure land stability is not compromised by construction works.
- k) The format of Producer Statements to be adopted for Design (PS1), Design Review (PS2), Construction (PS3) and Construction Review (PS4).

9. Within 10 working days of the Earthworks Design and Management Plan being lodged with the Waikato Regional Council, a process for review leading to approval shall be agreed between the Consent Holder and Waikato Regional Council.

Advisory Note:

- (a) The Earthworks Design and Management Plan is required to be submitted to the Waikato Regional Council and to the Waikato District Council. In order to avoid duplication of process, it is anticipated that the two Councils will engage a common reviewer to the Earthworks Design and Management Plan to make recommendations to both Councils.
 - (b) The purpose of establishing a review process is to ensure that WEL Networks Limited and the Waikato Regional Council expedite the work leading to approval of the proposed Earthworks Design and Management Plan. A target date of approximately 1 month before commencement of site earthworks will be set for approval of the Earthworks Design and Management Plan based upon its submission at least 3 months prior to earthworks commencement. This is necessary to allow WEL Networks Limited adequate time to finalise pre-construction management issues arising from approval of the Earthworks Design and Management Plan. WEL Networks Limited will use its best endeavours to lodge the Earthworks Design and Management Plan earlier than 3 months prior to earthworks commencement. The Waikato Regional Council will use its best endeavours to provide the appropriate staff and internal process to facilitate approval.
10. The Consent Holder shall engage Chartered Professional Engineers with geotechnical and civil engineering experience to direct and supervise appropriate site investigations, and undertake design, peer review, supervision and certify the construction of all works in accordance with the procedures set out in the Earthworks Design and Management Plan. The peer review resources engaged by the consent holder shall be agreed in writing by the Waikato Regional Council.
 11. Producer Statements as detailed in condition 8 above for Design and Design Review shall be submitted to the Waikato Regional Council no later than 10 days prior to subject works commencing.

Advisory Note:

- (a) The consent holder may at any time and with notification to the Waikato Regional Council (but without written approval) undertake minor works such as are required to carry out site investigations for the purposes of design, including the formation of minor access required for the same. It is expected that these activities will be undertaken in accordance with the permitted activity rules and associated criteria of the Waikato Regional Council.
12. The consent holder shall ensure that all cut and fill batters associated with access roads, borrow areas, and turbine platforms and pads (and associated hard stand) shall be re-contoured to visually reintegrate into the natural landform, and within 3 months of earthworks being completed in each of these areas shall be re-vegetated to visually integrate with surrounding vegetation patterns. This re-contouring and re-vegetation shall occur in a progressive manner on the site as earthworks have been completed.
 13. The activities authorised by this resource consent shall not be undertaken during the period of 1 May to 30 September inclusive, of any year, apart from minor maintenance works, unless approved in writing by the Waikato Regional Council in accordance with condition 29.

14. The Consent Holder shall ensure that all machinery used in the exercising of this consent is cleaned prior to being transported to the construction site to ensure that all seed and/or plant matter has been removed.
15. The Consent Holder shall employ a suitably qualified geotechnical engineer to ensure that cut slopes and spoil disposal sites are individually and appropriately assessed for stability prior to, during and following individual cutting and filling operations, and to ensure that appropriate drainage is installed at each site.

Water Quality

16. The consent holder shall undertake the activities authorised by this consent in a manner which ensures that the concentration of suspended solids in the Pakoka River, Matakotea Stream, Okete Stream or Pakihi Stream downstream from the works shall not exceed 100 grams per cubic metre suspended solids concentration. This standard shall apply, except where the suspended solids concentration in the named water body, unaffected by the activity, is greater than the standard specified. When the concentration of suspended solids in the named water body, unaffected by the activity, exceeds 100 grams per cubic metre then there shall not be any increase in the suspended solids concentration in the named water body as a result of activities authorised by this consent.

Advisory Note:

- (a) When assessing compliance with condition 16, Waikato Regional Council will collect a minimum of three water samples: (a) upstream and unaffected by the activities authorised by this consent, (b) the point source discharge from the activities authorised by this consent, and, (c) downstream after reasonable mixing.

Erosion and Sediment Control Plan Development

17. The Consent Holder shall be responsible for the provision and maintenance of any erosion and sediment control works that become necessary as a result of the exercise of this resource consent.
18. The Consent Holder shall ensure that sediment losses to natural water arising from the exercise of this resource consent are minimised for the duration of the works and during the term of this consent. In this respect, Erosion and Sediment Control measures shall be established and maintained in accordance with the Waikato Regional Council document titled "Erosion and Sediment Control - Guidelines for Soil Disturbing Activities" (Technical Report No.2002/01 - dated May 2003), unless otherwise authorised in writing by the Waikato Regional Council in accordance with condition 29.
19. The Consent Holder shall provide the Waikato Regional Council with an "**Erosion and Sediment Control Plan**" at least 20 working days prior to the commencement of activities authorised by this consent and within the area covered by this Plan.

Advisory Note:

- (a) The Erosion and Sediment Control Plan will form part of the wider Environmental Management Plan as required through the Waikato District Council consent.
20. The "Erosion and Sediment Control Plan" required by condition 19 shall be based upon and include, those specific principles and practices which are appropriate for the activity authorised by this consent and contained within the Waikato Regional Council

document titled "Erosion and Sediment Control - Guidelines for Soil Disturbing Activities" (Technical Report No.2002/01 - dated May 2003) and shall include, but may not necessarily be limited to, the following:

- a) the principles, procedures and practices that will be implemented to undertake erosion and sediment control to minimise the potential for sediment discharge from the site, including flocculation;
- b) the design criteria and dimensions of all key erosion and sediment control structures;
- c) the boundaries and area of contributing catchments to all stormwater impoundment structures where the contributing catchments exceed 1000 square metres;
- d) a site plan of a suitable scale to identify the locations of waterways, the extent of earthworks and vegetation removal, any "no go" and/or buffer areas to be maintained undisturbed adjacent to watercourses, all key erosion and sediment control structures and any other relevant site information;
- e) construction timetable for the erosion and sediment control works and the bulk earthworks proposed;
- f) the location and extent of all spoil disposal areas on site;
- g) procedures for maximising the stability of spoil disposal sites;
- h) timetable and nature of progressive site rehabilitation and re-vegetation proposed;
- i) appropriate stock management and related measures to be implemented;
- j) identification of specific site responsibility for the operation and maintenance of all key erosion and sediment control structures;
- k) rainfall response and contingency measures including procedures to minimise adverse effects in the event of extreme rainfall events and/or the failure of any key erosion and sediment control structures;
- l) procedures and timing for review and/or amendment to the Erosion and Sediment Control Plan; and;
- m) maintenance, monitoring and reporting procedures.

Monitoring

21. For the purposes of monitoring, the consent holder shall establish in-stream monitoring sites in the following locations:
 - a) Pakoka River;
 - b) Okete Stream;
 - c) Matakotea Stream;
 - d) Pakihi Stream; and
 - e) a control site within the Makomako Stream.

The precise location of the monitoring sites shall be approved in writing by the Waikato Regional Council, acting in a technical certification capacity. Any subsequent relocation of these sites proposed by the Consent Holder from time to time to assess the effects of activities authorised by this consent shall be subject to the prior written approval of the Waikato Regional Council.

22. The parameters that shall be monitored at each site as detailed in condition 21 shall include as a minimum:
 - a) monitoring of invertebrate species presence and abundance, periphyton levels, and stream bed substrate size distribution,

- b) monitoring of suspended sediments and turbidity.

Advisory Note:

- (a) Monitoring of suspended sediments and turbidity should enable a correlation to be established between suspended sediments and turbidity so that monitoring of turbidity will also indicate levels of suspended sediments. This will enable more immediate reporting of any non-compliance.
23. Monitoring in each location identified in condition 21 above shall be undertaken 3 months before earthworks commences in that catchment to establish a baseline for the purpose of assessing the results of ongoing monitoring. Subsequent monitoring shall be undertaken as follows:
- (a) The monitoring referred to in clause 22 a) shall be undertaken quarterly during construction. Following completion of construction, that monitoring shall be undertaken annually during summer (January to March), for a period of two years.
 - (b) The monitoring referred to in clause 22 b) shall be undertaken at fortnightly intervals prior to and during construction. Following completion of construction, that monitoring shall be undertaken at quarterly intervals for a period of two years.
24. The Consent Holder shall engage a suitably qualified person to produce a stream monitoring report. As a minimum the report shall:
- a) include all data collected as required under condition 22 and to consider this data with respect to condition 16 of this consent;
 - b) evaluate the effects on stream health of activities authorised by this consent;
 - c) identify and comment on any emerging trends in stream health;
 - d) make recommendations on alterations or additions to the stream monitoring programme;
 - e) comment on any other issues considered important by the author.
25. During the construction period, the stream monitoring report shall be forwarded to the Waikato Regional Council annually. After the completion of construction, the stream monitoring report shall be forwarded to the Waikato Regional Council by 31 May in each of the two years following the completion of construction.
26. The consent holder shall notify the Waikato Regional Council within 1 working day of becoming aware of any non-compliance with condition 16.

Chemical Treatment

27. Prior to the Erosion and Sediment Control Plan being prepared, the consent holder shall carry out trials to determine sediment drop rates and the benefits, if any, of chemical treatment of sediment control ponds and other detention devices.

Advisory Note:

- (a) Chemical treatment is expected to be of benefit and is likely to be required for all earthworks areas but in particular those earthwork sites that have been identified as high risk.
28. If chemical treatment is proposed to be implemented, the Erosion and Sediment Control Plan shall include as a minimum:
- a) Specific design details of the flocculation system;
 - b) Monitoring, maintenance (including post-storm) and contingency programme (including a record keeping system);
 - c) Details of optimum dosage (including assumptions);
 - d) Results of the initial flocculation trial, if any;
 - e) A spill contingency plan;
 - f) Contact details of the person responsible for operation and maintenance of the flocculation treatment system and the organisational structure to which this person shall report.

Erosion and Sediment Control Plan Implementation

29. No works shall commence until the relevant Erosion and Sediment Control Plan required by condition 19 of this consent has been approved in writing by the Waikato Regional Council acting in a technical certification capacity.
30. The Consent Holder shall exercise this consent in accordance with the approved Erosion and Sediment Control Plan as detailed in condition 29 above. Any subsequent changes to the Erosion and Sediment Control Plan shall only be made with the written approval of the Waikato Regional Council, acting in a technical certification capacity.
31. The Consent Holder shall ensure that a copy of the approved Erosion and Sediment Control Plan including any approved amendments, is kept onsite at all times that physical works authorised by this consent are being undertaken and the onsite copy of the Erosion and Sediment Control Plan shall be updated within 5 working days of any amendments being approved. The Erosion and Sediment Control Plan shall be produced without unreasonable delay upon request from a servant or agent of the Waikato Regional Council.
32. The Consent Holder shall ensure that all sediment and erosion control structures are inspected on a weekly basis and within 24 hours of each rainstorm event that is likely to impair the function or performance of the controls. A record shall be maintained of the date and time of inspections undertaken, any maintenance requirements identified and of maintenance undertaken to all erosion and sediment control structures. Records associated with the maintenance of all erosion and sediment control structures shall be made available to the Waikato Regional Council at all reasonable times.
33. Where utilised or identified within the Erosion and Sediment Control Plan, Decanting Earth Bunds shall be sized at not less than two percent of the contributing catchment.
34. The consent holder shall provide a Producer Statement 3 for each erosion and sediment control structure to be prepared by an appropriately qualified person

experienced in sediment and erosion control prior to the sediment structures being used.

35. As soon as practicable after the completion of any of the works authorised by this resource consent, the Consent Holder shall progressively stabilise all disturbed areas to the satisfaction of the Waikato Regional Council acting in a technical certification capacity. The Consent Holder shall maintain the site until vegetation is established to such an extent that it prevents erosion and prevents sediment from entering any watercourse.

Advisory Note:

- (a) It is expected that to avoid erosion and to prevent sediment entering any watercourse a vegetative cover of a minimum of 80% will be required.
36. The Consent Holder shall hydroseed and mulch all exposed sites in accordance with condition 35 unless otherwise specified within an Erosion and Sediment Control Plan approved in accordance with condition 29 above.
 37. The removal of any erosion and sediment control measures from any area where soil has been disturbed as a result of the exercise of this consent shall only occur after the Waikato Regional Council, acting in a technical certification capacity, has given written approval to do so. In this regard, the main issues that will be considered by the Waikato Regional Council include:
 - a. The quality of the soil stabilisation and/or covering vegetation;
 - b. The quality of the water discharged from the rehabilitated land; and
 - c. The quality of the receiving water.
 38. The Consent Holder shall ensure that appropriate management practices and measures are implemented to exclude stock from all areas of work authorised by this consent where grazing, trampling or physical damage by stock may reduce the effectiveness of erosion and sediment controls.
 39. The consent holder shall stockpile all topsoil stripped from the site to which this consent relates and shall use this topsoil for rehabilitation purposes.

Advisory Note:

- (a) It is noted that the Erosion and Sediment Control Plan to be approved by Condition 29 of this consent will also need to include those areas where stockpiles will be located and the associated haul roads.

Selection of Fill Sites

40. Prior to the selection of fill sites in seepage areas (as identified on the Seepage Area Protection Plans as detailed in condition 42), the consent holder shall engage a suitably qualified person to undertake an assessment of the ecological values of the potential fill sites and shall file with the Waikato Regional Council a report addressing the ecological values of the seepage areas ("**Seepage Area Report**"). The assessment shall consider at least the following criteria:
 - a) Whether there is a continual flow of water at the site;
 - b) Whether the site has natural stable pools having an area of not less than 0.5m² present throughout the period commencing 1 February and ending 30 April of any year;
 - c) Has any native fish or crayfish at any time of the year,

- d) The criteria set out in Appendix 3 of the Waikato Regional Policy Statement updated November 2002.
41. The consent holder shall identify proposed fill sites having regard to:
- (a) the findings of the Seepage Area Report; and
 - (b) the reasonably practicable alternative fill sites.

The report and location of proposed fill sites shall be submitted to the Waikato Regional Council for written approval.

42. Notwithstanding conditions 40 and 41 above , the following sites shall not be filled in any way (as identified on the relevant plans below):
- a) The regionally significant seepage wetland near the Operation and Maintenance building, shown as “Seepage/Wetland Area to be Protected and Enhanced” as shown on drawing title Proposed Roding Layout Sheet 4 drawing number 135250/SK104 Rev C, Seepage Area Protection Plan A.
 - b) The seepage area near to the Turbine 28 site, shown as “Seepage Area Not to be Filled” as shown on drawing title Proposed Roding Layout Sheet 2 drawing number 135250/SK102 Rev C, Seepage Area Protection Plan B
 - c) The seepage area near to the Turbine 26 site, shown as “Seepage Area Not to be Filled” as shown on drawing title Proposed Roding Layout Sheet 7 drawing number 135250/SK107 Rev D, Seepage Area Protection Plan C.

Advisory Note:

- (a) It is noted that while the fill site adjacent to Turbine 11 identified within the consent holders application is not excluded as detailed within condition 42 above it is expected that through the criteria outlined in condition 40 above that this fill area will also be excluded from filling activities.
43. The consent holder shall protect the regionally significant seepage wetland identified in condition 42(a) above with appropriate fencing from construction activities and from stock and shall undertake enhancement planting at that site.

Hazardous Substances Spill Prevention and Response

44. All machinery shall be operated in a manner, which ensures that spillage's of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery servicing and maintenance. Refuelling and lubrication activities shall be carried out away from any surface water such that any spillage can be contained and does not enter any surface water.
45. The Consent Holder shall provide the Waikato Regional Council with a “**Spill Prevention and Response Plan**” at least 20 working days prior to the commencement of activities authorised by this consent. This Plan shall be submitted to the Waikato Regional Council for their written approval, acting in a technical certification capacity. The aim of the Plan shall be to minimise the possibility of contamination of water and the Spill Prevention and Response Plan shall address, but not necessarily be limited to, the following matters:
- a) a list of the hazardous materials and their quantities kept on site and their storage details;
 - b) the prevention measures that will be undertaken on site in order to avoid a spill of hazardous materials;

- c) the equipment available to contain and/or remove spills of hazardous materials;
 - d) specific procedures and measures that will be undertaken when machinery is operating within close proximity to waterbodies that are designed to minimise the risk of any spillages or significant leakages of hazardous materials entering the waterbody;
 - e) the training staff will receive in the use of hazardous materials spill prevention, containment and clean up measures and associated equipment;
 - f) how the disposal of any contaminated materials arising from spills or leakages of hazardous materials will be undertaken; and,
 - g) the procedures involved in reporting of any such incidents to the Waikato Regional Council.
46. The Consent Holder shall in exercising this consent comply with the approved "Spill Prevention and Response Plan". Any subsequent changes to the "Spill Prevention and Response Plan" shall only be made with the written approval of the Waikato Regional Council, acting in a technical certification capacity.
47. The Consent Holder shall notify the Waikato Regional Council as soon as is practicable, and as a minimum requirement within 12 hours, of the Consent Holder becoming aware of a spill of hazardous materials, fuel, oil, hydraulic fluid or other similar contaminants. The Consent Holder shall, within 7 days of the incident occurring, provide a written report to the Waikato Regional Council, identifying the possible causes, steps undertaken to remedy the effects of the incident and any additional measures that will be undertaken to avoid future spills.

Dust Emissions

48. All activities undertaken on site shall be conducted and managed in a manner that ensures that all dust emissions are kept to a practicable minimum. To this end there shall be no discharge of dust as a result of the activities authorised by this consent that causes an objectionable or offensive effect beyond the boundary of the property on which works are authorised by this consent.

Archaeological Remains

49. In the event that any archaeological remains are discovered, the works shall cease immediately in the vicinity of the discovery, and Tangata Whenua and the Waikato Regional Council shall be notified as soon as practicable. Works may recommence with the written approval of the Waikato Regional Council. Such approval shall only be given after the Waikato Regional Council has considered:
- a) Tangata Whenua interests and values,
 - b) the consent holder's interests, and
 - c) any archaeological or scientific evidence.

Contact and Complaints Procedure

50. The consent holder shall establish and publicise a local telephone number so that members of the public have a specified and known point of contact to raise any of the matters that may arise during construction and operation of the wind farm.
51. The consent holder shall maintain and keep a complaints register for any complaints about construction activities and operation of the wind farm received by the consent holder. The register shall record, where this information is available, the following:
- a) The date, time and duration of the incident that has resulted in a complaint;

- b) The location of the complainant when the incident was detected;
- c) The possible cause of the incident; and
- d) Any corrective action taken by the consent holder in response to the complaint, including timing of that corrective action.

The complaints register shall be available to the consent holder and the community liaison group at all reasonable times upon request. Complaints received by the consent holder that may infer non-compliance with the conditions of this consent shall be forwarded to the Waikato Regional Council within 48 hours of the complaint being received.

Community Liaison

52.1 The consent holder shall consult with representatives of the communities in Te Uku, Raglan and Aotea Harbour which may be affected by activities associated with the Te Uku Wind Park project authorised by this consent, and the related consents granted by Waikato Regional Council, including but not limited to representatives of:

- a) Nga Uri a Mahanga Trust (for Mahanga);
- b) Waikato Regional Council;
- c) Waikato District Council;
- d) Representatives of environmental groups, including Te Uku Interest Group;
- e) Te Mata School Committee;
- f) Waitetuna School Committee;
- g) Te Uku School Committee;
- h) Te Uku Hall Committee;
- i) Raglan Residents and Ratepayers Association;
- j) Raglan Community Board;
- k) Whaingaroa Harbour Care;

to facilitate the establishment and maintenance of a Community Liaison Group.

52.2 The purpose of the Community Liaison Group is to be a body which provides a forum:

- a) For the consent holder to provide information on the operation and environmental effects of the activities authorised by this consent and the other consents granted by Waikato Regional Council, and the related consent granted by Waikato District Council (including new information and studies relevant to such effects).
- b) To facilitate ongoing communication between the consent holder, the local community and interested parties in relation to the construction or operation of

the Te Uku Wind Park, including its effects on the environment and any concerns expressed in relation to human health and safety.

- c) To identify and discuss appropriate measures to address issues raised, including the provision of further information.
- 52.3 The consent holder shall provide reasonable administrative and logistical support to facilitate the functions of the Community Liaison Group including provision of an independent facilitator to chair Community Liaison Group meetings. The extent of the support to be provided is to be determined by the consent holder in consultation with the Waikato District Council and Waikato Regional Council.
- 52.4 The consent holder shall use its best endeavours to ensure that meetings of the Community Liaison Group are held for the duration of the consent from the commencement of the consent:
- a) At least once every six months during the construction period; and
 - b) At least annually pre and post the construction period (unless the Community Liaison Group determines that meetings should be held less frequently or are no longer required and advises the consent holder and Waikato District Council and Waikato Regional Council accordingly).
- 52.5 The consent holder shall inform the Waikato Regional Council and the Waikato District Council of any meeting of the Community Liaison Group a minimum of ten working days in advance of that meeting.
- 52.6 The consent holder shall ensure that the minutes of the Community Liaison Group meetings are forwarded to the Waikato Regional Council and the Waikato District Council within two weeks of any meeting being held.
- 52.7 The consent holder shall assist the Community Liaison Group to fulfil its purpose by, among other things:
- a) Arranging an appropriate venue in the local area for the meetings of the Community Liaison Group.
 - b) Appointing one of the consent holder's senior officers to represent it on the Community Liaison Group and ensuring at least one of its representatives attends all of the formal meetings of the Community Liaison Group (unless the Community Liaison Group determines that the consent holder should not be represented on the Group or does not need to attend a specific meeting and advises the consent holder and Waikato District Council and Waikato Regional Council accordingly).
 - c) Providing information to the Community Liaison Group about progress in relation to the project, including the environmental effects of the project and compliance with consent conditions.
 - d) Being prepared to discuss the environmental effects of the Te Uku Project, any concerns in relation to human health and safety, and any complaints from the local community, including provision of further information and identification of appropriate measures to address issues raised.

Advisory Note:

The Community Liaison Group shall have the objectives of:

- (a) Facilitating information flow between the consent holder and the community;
- (b) Operating in good faith;
- (c) Identifying any issues of concern that arise during the construction period; and
- (d) Making recommendations to the consent holder in relation to any issues identified in terms of (c) above.

Review

53. The Waikato Regional Council may, during the March to June period within any year that this consent is current, serve notice on the Consent Holder under section 128(1) of the Resource Management Act 1991, of its intention to review the conditions of this resource consent for the following purposes:

- a) to review the effectiveness of the conditions of this resource consent in avoiding or mitigating any adverse effects on the environment from the exercise of this resource consent and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions; or
- b) if necessary and appropriate, to require the holder of this resource consent to adopt the best practicable option to remove or reduce adverse effects on the surrounding environment; or
- c) to review the adequacy of and the necessity for monitoring undertaken by the consent holder.

Advisory Note:

Costs associated with any review of the conditions of this resource consent will be recovered from the Consent Holder in accordance with the provisions of section 36 of the Resource Management Act 1991.

Administration

54. The Consent Holder shall pay to the Waikato Regional Council any administrative charge fixed in accordance with section 36 of the Resource Management Act 1991, or any charge prescribed in accordance with regulations made under section 360 of the Resource Management Act.