

## DRAFT CONDITIONS OF CONSENT – 10 November 2021

### GENERAL

- (1) The construction, operation and maintenance of the Kapuni Green Hydrogen Project shall be undertaken in general accordance with the information provided in “Kapuni Green Hydrogen Project Resource Consent Application and Assessment of Environmental Effects” dated July 2021 and any other documentation relevant to the resource consent applications. In the event of any conflict or discrepancy between these documents and the conditions of this resource consent, the conditions shall be determinative.
- (2) Pursuant to Clause 37 (7) and (8) of Schedule 6 of the COVID-19 Recovery (Fast-track Consenting) Act 2020, this resource consent shall lapse if not given effect to within 2 years of the commencement of this resource consent.
- (3) Pursuant to section 134(1) of the Resource Management Act 1991, this resource consent may only be exercised by the consent holder, its successor, or any person acting under the prior written approval of the consent holder.
- (4) The consent holder shall ensure that all contractors engaged to undertake activities authorised by this resource consent are made aware of the conditions and management plans that apply to this resource consent that are relevant to their work area and the measures required for compliance with the conditions.
- (5) The consent holder shall notify the Group Manager – Environmental Services, South Taranaki District Council and the Chief Executive, Taranaki Regional Council as to the commencement date of earthworks authorised as part of this resource consent, at least 20 working days before such works commence.
- (6) The consent holder shall at all times construct, operate and maintain the Kapuni Green Hydrogen Project in general accordance with all management plans submitted to, and certified by, the Group Manager – Environmental Services, South Taranaki District Council or the Chief Executive, Taranaki Regional Council as part of the conditions of this resource consent.
- (7) A copy of this consent and all certified management plans (including any certified amendments) shall be readily available and shall be produced without unreasonable delay upon request from a servant or agent of the South Taranaki District Council or the Taranaki Regional Council. The management plans include:
  - (a) An Erosion and Sediment Control Plan.
  - (b) A Revegetation and Landscape Management Plan.
  - (c) Emergency Response Plan.
  - (d) Construction Noise Management Plan.
  - (e) Construction Traffic Management Plan.
  - (f) Transport Plan.
  - (g) Contaminated Site Management Plan.

- (h) Landscape Plan.
- (i) Lizard Management Plan
- (j) Fire Management Plan.
- (k) Contaminant Spill Contingency Management Plan.
- (l) Decommissioning Plan.

## **WIND TURBINE CHARACTERISTICS**

- (8) The maximum number of wind turbines that may be installed on the Wind Turbine Site (Sections 66, 67 and 68 Block III Waimate SD) shall not exceed 4.
- (9) The maximum wind turbine height (to the vertically extended blade tip) shall be no greater than 206 metres above the finished level of the foundation.
- (10) The minimum height of the vertically extended blade tip of any wind turbine shall not be less than 43 metres above finished ground level.
- (11) All wind turbines utilised within the Kapuni Green Hydrogen Project (including any replacement wind turbines that are installed during the term of the consent) shall be of a similar size and type and have three blades.
- (12) Lattice style pylon towers shall not be used for the wind turbine structures.
- (13) The turbine towers, nacelle and rotors shall be painted off-white / light grey (RAL 7035).
- (14) The wind turbines shall be located anywhere within their individual Foundation Envelope Areas outlined in BTW Company drawing 191149-02 Sheet 1 Rev B.
- (15) Within 3 months of completion of construction of the turbines, the Consent Holder shall submit a certificate from a Licensed Cadastral Surveyor to the Group Manager – Environmental Services, South Taranaki District Council confirming the final location and height of the turbines.

## **PLANS**

- (16) At least 40 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall provide the Group Manager – Environmental Services, South Taranaki District Council with a set of final design drawings for the Kapuni Green Hydrogen Project. The final design drawings shall, as a minimum, include:
  - (a) The location and spacing of the wind turbines;
  - (b) The specifications of the wind turbines, turbine platforms, foundations and hard stand areas;
  - (c) The location and specifications of the power cable and all supporting infrastructure;
  - (d) The layout, heights and specifications of all buildings and structures associated with the hydrogen facilities at the Ballance Plant;

- (e) The location of all fill disposal sites.
- (17) Within 40 working days of construction of the Kapuni Green Hydrogen Project being completed (or after each stage, if the project is constructed in stages), the consent holder shall provide the Group Manager – Environmental Services, South Taranaki District Council with a set of as-built plans for the following:
- (a) All wind turbines, turbine platforms and foundation areas;
  - (b) The internal access road network on the Wind Turbine Site;
  - (c) All fill disposal sites;
  - (d) All above ground, permanent supporting infrastructure; and
  - (e) All fixed, above ground structures that form part of the hydrogen facilities at the Ballance Plant.

#### **EARTHWORKS AND CONSTRUCTION**

- (18) At least 20 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall submit an Erosion and Sediment Control Plan (ESCP) to the Chief Executive, Taranaki Regional Council which shall be prepared generally in accordance with the Waikato Erosion and Sediment Control Guidelines for Soil Disturbing Activities 2009. The ESCP shall be prepared by an experienced and appropriately qualified person and shall provide for the following objectives:
- (a) Minimise the volume of earthworks required for the construction of the Kapuni Green Hydrogen Project to the extent practicable;
  - (b) Maximise the effectiveness of erosion and sediment control measures associated with earthworks by minimising sediment generation and sediment laden runoff;
  - (c) Minimise the overall area of disturbance so as to reduce the potential impact on any vegetation, streams, wetlands and potential archaeological features within the project site boundaries;
  - (d) Ensure control and / or mitigation of the adverse effects of any dust emissions;
  - (e) Minimise the effects, and introduction, of weeds;
  - (f) Ensure that fill disposal sites are contoured to reflect the surrounding landforms; and
  - (g) Rehabilitate and re-vegetate worked areas that are not covered in hardstanding so that they are returned to pasture or their existing vegetative cover.
- (19) In order to achieve the objectives established in Condition 18 above, the ESCP shall, as a minimum, address the following matters:
- (a) An explanation of how the ESCP shall be implemented and the associated roles, responsibilities and contact details for the principal persons responsible for management during the construction period;
  - (b) A clear description of the planned staging and timing of works and the description

- of earthworks in each stage, including detailed site plans;
  - (c) Detailed measures for groundwater control and subsoil drainage;
  - (d) Confirmation of the volumes of cut, fill and unsuitable material;
  - (e) The location and design of fill disposal sites;
  - (f) The engineering controls, supervision and certification that will be applied to each stage of development;
  - (g) The specific erosion and sediment control measures that will be applied to each stage of earthworks;
  - (h) The engineering and management procedures for material sources, use, disposal and treatment, stockpiling, fill placement and disposal of unsuitable materials;
  - (i) The specific dust control measures that will be applied to each stage of earthworks and fill disposal sites;
  - (j) The measures to ensure that worked areas are rehabilitated and re-vegetated as soon as practicable following earthworks;
  - (k) The identification of the vegetation or pasture types and re-vegetation material and techniques to be used for rehabilitation purposes;
  - (l) The programme and timing of re-vegetation and maintenance activities so that stabilised surface coverage of 80% is achieved;
  - (m) The retention of surface cover in order to reduce the effects from sediment-laden stormwater runoff;
  - (n) The identification of weed management activities to be undertaken; and
  - (o) Details on the frequency of inspections and monitoring of all stormwater, dust, erosion and sediment control measures throughout each stage of construction works, including details of the experienced and appropriately qualified person responsible for inspections and monitoring.
- (20) The ESCP shall be certified in writing by the Taranaki Regional Council acting in a technical certification capacity prior to any earthworks activities authorised by this resource consent commencing and the Consent Holder shall undertake all earthworks authorised by this consent in accordance with the certified ESCP.
- (21) Any changes proposed to the ESCP shall be confirmed in writing by the Consent Holder and certified in writing by the Chief Executive, Taranaki Regional Council acting in a technical certification capacity, prior to the implementation of any changes proposed.
- (22) When the consent holder notifies the Chief Executive of Taranaki Regional Council of the commencement of earthworks; the notification shall include the consent number, a brief description of the work, and the intended commencement and completion date. Unless the Chief Executive advises that an alternative electronic method is required, this notice shall be served by completing and submitting the 'Notification of work' form on the Taranaki Regional Council's website <https://onlineservices/new/worknotification-online-form/step/1>.

- (23) Before commencing any earthworks, the consent holder shall ensure that they (or their representative) meet on site with a Taranaki Regional Council officer who is directly responsible for monitoring compliance with the conditions of this consent. The purpose of this meeting shall be for the consent holder to detail the measures proposed to ensure compliance with the conditions of this consent in relation to the stormwater discharge during earthworks.
- (24) All earthwork areas shall be stabilised vegetatively or otherwise as soon as is practicable and no longer than 6 months after completion of soil disturbance activities.
- (25) Any discharge from the sites that reaches surface water shall have a suspended solids concentration no greater than 100 g/m<sup>3</sup>.
- (26) The consent holder shall at all times adopt the best practicable option, as defined in section 2 of the Resource Management Act 1991, to prevent or minimise any actual or likely adverse effect on the environment associated with discharge of contaminants from the sites during earthworks.

#### **CONTAMINATED SOIL**

- (27) All earthworks at the Ballance Plant associated with the hydrogen facilities shall be undertaken in accordance with the Contaminated Site Management Plan (CSMP) provided in “Kapuni Green Hydrogen Project – Resource Consent Application and Assessment of Environmental Effects” dated 18/08/2021.
- (28) A copy of the CSMP shall be kept on site at all times during construction and the consent holder shall ensure the CSMP is distributed to the Project Manager and all earthworks contractors working on the hydrogen facilities at the Ballance Plant.
- (29) On completion of earthworks for the hydrogen facilities at the Ballance Plant the consent holder shall provide a Works Completion Letter to the Group Manager – Environmental Services, South Taranaki District Council confirming all earthworks have been undertaken in accordance with the CSMP. The letter shall be accompanied by soil disposal evidence and shall detail any complaints, health and safety or environmental incidents and unexpected discoveries that occurred during site earthworks with regards to soil contamination and detail how these matters were managed.

#### **CULVERTS**

- (30) The culvert shall be constructed in accordance with drawing number 191149-05, dated 07/07/2021 and provided with the “Kapuni Green Hydrogen Project – Resource Consent Application and Assessment of Environmental Effects” dated 18/08/2021. In the case of any contradiction between the drawing(s) and the conditions of this consent, the conditions of this consent shall prevail.
- (31) The culvert pipe shall have a diameter no less than 1650 mm.
- (32) The fill over the top of the culvert pipe shall be comprised of suitable soils free of wood, humus and other organic matter. The embankment shall be well compacted in uniform layers not exceeding 300 mm loose depth to achieve a compaction of at least 95% of maximum dry density.

- (33) The fill over the top of the culvert pipe shall be no deeper than 1300 mm.
- (34) Any work carried out in the river bed shall be separated from running water, by a temporary coffer-dam and/or diversion using sand bags or some other form of contained of fill.
- (35) No less than 2 and no more than 20 working days before commencing work the consent holder shall notify the Chief Executive, Taranaki Regional Council ('the Chief Executive'). Notification shall include the consent number, a brief description of the work, and the intended commencement date. Unless the Chief Executive advises that an alternative method is required this notice shall be served by completing and submitting the 'Notification of work' form on the Council's website (<http://bit.ly/TRCWorkNotificationForm>).
- (36) Within 20 working days after completion of the installation of the culvert on the Wind Turbine Site, the consent holder shall collect and provide the following information, together with the time and date of its collection, to the Chief Executive of the Taranaki Regional Council:
- a) the type of the structure;
  - b) the geographical co-ordinates of the structure;
  - c) the flow of the river or connected area (whether none, low, normal, or high);
  - d) at the structures location,-
    - i. the width of the river or connected area at the water's surface; and
    - ii. the width of the bed of the river or connected area;
  - e) whether there are any improvements to the structure to mitigate any effects the structure may have on the passage of fish;
  - f) whether the structure protects particular species, or prevents access by particular species to protect other species;
  - g) the likelihood that the structure will impede the passage of fish;
  - h) visual evidence (for example, photographs) that shows both ends of the structure, viewed upstream and downstream.
  - i) the culvert's asset identification number, if known:
  - j) whether the culvert's ownership is—
    - (i) held by the Crown (for example, the Department of Conservation), a regional council, a territorial authority, the New Zealand Transport Agency, or KiwiRail Holdings Limited; or
    - (ii) held publicly by another person or organisation; or
    - (iii) held privately; or
    - (iv) unknown:
  - k) the number of barrels that make up the culvert:

- l) the culvert's shape:
  - m) the culvert's length:
  - n) the culvert's diameter or its width and height:
  - o) the height of the drop (if any) from the culvert's outlet:
  - p) the length of the undercut or erosion (if any) from the culvert's outlet:
  - q) the material from which the culvert is made:
  - r) the mean depth of the water through the culvert:
  - s) the mean water velocity in the culvert:
  - t) whether there are low-velocity zones downstream of the culvert:
  - u) the type of bed substrate that is in most of the culvert:
  - v) whether there are any remediation features (for example, baffles or spat rope) in the culvert:
  - w) whether the culvert has wetted margins:
  - x) the slope of the culvert:
  - y) the alignment of the culvert:
  - z) the numbers of each other type of structure to which this subpart applies, or of wingwalls or screens, on the culvert
- (37) Between 15 May and 31 October no work shall be undertaken on any part of the stream bed that is covered by water.
- (38) The consent holder shall take all practicable steps to minimise stream bed disturbance, sedimentation and increased turbidity during installation of the culvert, including by:
- (a) completing all works in the minimum time practicable;
  - (b) avoiding placement of excavated material in the flowing channel;
  - (c) keeping machinery out of the actively flowing channel, as far as practicable; and
  - (d) reinstating any disturbed areas as far as practicable.
- (39) A layer of rock riprap 1.150 m thick shall be installed in the stream bed. The riprap shall extend 4 metres downstream of the culvert outlet and 4 metres upstream of the culvert inlet and up the banks on both sides of the stream. The rock shall have the following grading:
- (a) 100% less than 600 mm diameter;
  - (b) 50% greater than 450 mm diameter;
  - (c) 90% greater than 250 mm diameter.
- (40) The culvert shall not restrict fish passage.

- (41) The invert of the culvert shall be set below the existing stream bed by 330 mm so that it fills with bed material and simulates the natural bed.
- (42) The gradient of the culvert shall be no steeper than the natural gradient of the stream bed at the site.
- (43) On completion of works, the banks of the channel upstream and downstream of the culvert shall be no steeper than the existing natural banks. Where the bank consists of fill, the fill must be well compacted with batter slopes no steeper than 2 horizontal to 1 vertical.
- (44) The culvert shall remain the responsibility of the consent holder and be maintained so that:
- (a) it does not become blocked, and at all times allows the free flow of water through it; and
  - (b) the consent holder repairs any erosion, scour or instability of the stream bed or banks that the culvert causes.
- (45) The consent holder must ensure that a plan is implemented to monitor and maintain the culvert so that fish passage is maintained and does not reduce over time. Unless the Chief Executive, Taranaki Regional Council agrees to another plan that ensures appropriate monitoring and maintenance, the consent holder shall prepare a plan for that monitoring and maintenance that includes:
- a) how the monitoring and maintenance will be done;
    - i. the steps taken to avoid any adverse effects on the passage of fish;
    - ii. the steps to be taken to ensure that the structures provision for the passage of fish does not reduce over its lifetime;
    - iii. how often, as specified by the Taranaki Regional Council, the information must be provided under paragraph (b) (for the purpose of reassessing the structures effect on the passage of fish);
    - iv. a process for providing that information.
  - b) require an updated version of the information relating to the structure that was required for the original resource consent to be provided to the Taranaki Regional Council at the following times;
    - i. at the intervals required by the plan;
    - ii. each time a significant natural hazard affects the structure.

## **RISK MANAGEMENT**

- (46) Prior to the operation of the hydrogen facilities, the consent holder shall provide the following documentation which demonstrates that the facilities comply with the Health and Safety at Work (Hazardous Substances) Regulations 2017 (HSR), the Health and Safety in Employment (Pressure Equipment, Cranes, and Passenger Ropeways) Regulations 1999 (PECPR) and the Electricity (Safety) Regulations 2010 (ESR):



- (a) A Location Compliance Certificate under the HSR;
- (b) A Certificate of Inspection under the PECPR; and
- (c) A Certificate of Compliance and a Record of Inspection under the ESR.

A copy of the above documentation must be submitted to the Group Manager – Environmental Services, South Taranaki District Council within 20 working days of completion of the works.

- (47) The consent holder must report to the Group Manager – Environmental Services, South Taranaki District Council and the Chief Executive, Taranaki Regional Council, any significant incidents resulting in the discharge of hazardous substances to the environment within 24 hours of the incident occurring.
- (48) The consent holder must prepare a copy of an Emergency Response Plan for all new hydrogen facilities for the Kapuni Green Hydrogen Project. The Plan shall be provided to the Group Manager – Environmental Services, South Taranaki District Council prior to operation of the hydrogen facilities and any subsequent updates to the Plan shall also be provided.
- (49) At least 20 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall submit a Fire Management Plan to the Group Manager – Environmental Services, South Taranaki District Council to certify that the plan meets the objective below. The Fire Management Plan shall be prepared by a suitably qualified and experienced person and provide for the following objective:
  - (a) Ensure measures are implemented on the Wind Turbine Site in order to minimise the potential risk, and effects, of fire.
- (50) In order to achieve the objective established in Condition 49 above, the Fire Management Plan shall, as a minimum, address the following matters:
  - (a) The identification of potential sources of combustion and fire during the construction, operation and maintenance of the Kapuni Green Hydrogen Project;
  - (b) Measures to minimise or prevent the potential for fire during the construction, operation and maintenance of the Kapuni Green Hydrogen Project;
  - (c) Sources of water for fire-fighting purposes and / or fire retardants across the site of the Kapuni Green Hydrogen Project;
  - (d) Protocols for the management of different fire events (e.g. grass fires, mechanical fires) across the site of the Kapuni Green Hydrogen Project; and
  - (e) Training procedures for all site staff and contractors.

## NOISE

### Construction and Maintenance Noise

- (51) Noise from all construction and maintenance works associated with the Kapuni Green Hydrogen Project shall be measured and assessed in accordance with the requirements and limits of “NZS6803:1999 Acoustics – Construction Noise.”
- (52) At least 20 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall submit a Construction Noise Management Plan (CNMP) to the Group Manager – Environmental Services, South Taranaki District Council to certify that the CNMP meets the objectives in this Condition 52 (a), (b) and (c). The CNMP shall be prepared by an appropriately qualified and experienced acoustical consultant. The CNMP shall be generally in accordance with Section 8 and the relevant annexures of “NZS6803:1999 Acoustics – Construction Noise”, which detail the relevant types of construction to which the CNMP is to apply, and the procedures that will be carried out to ensure compliance with the Standard. The objectives of the CNMP shall be to ensure construction works are:
- (a) Designed and implemented to comply with the requirements of “NZS6803:1999 Acoustics – Construction Noise”, as measured and assessed in accordance with the long-term noise limits set out in the Standard;
  - (b) Implemented in accordance with the requirements of Section 16 of the Resource Management Act 1991, so as to adopt the best practicable option to ensure the emission of noise from the Wind Turbine Site does not exceed a reasonable level; and
  - (c) Implemented so that, where practicable, heavy vehicle movements do not occur between the site and State Highway 3 or 45 between 10 pm and 7 am (unless necessary for the completion of delivery of project components or over-sized loads to the site).
- (53) In order to achieve the objectives established in Condition 52 above, the CNMP shall include those matters set out in Section 8 and Annex E of “NZS 6803:1999 Acoustics – Construction Noise” and shall, as a minimum, address the following matters:
- (a) The operating hours for the construction works and any time restrictions on the operation of heavy vehicles, machinery and equipment;
  - (b) Details on the machinery and equipment to be utilised during the construction works, and any required mitigation measures associated with the operation of the machinery and equipment;
  - (c) Predictions of sound levels from the machinery and equipment to be utilised during the construction works;
  - (d) Details on the noise monitoring programme to be undertaken during the construction works;
  - (e) The procedure for the reporting of any exceedances of “NZS6803:1999 Acoustics – Construction Noise” to the Group Manager - Environmental Services, South Taranaki

District Council; and

- (f) The procedures for the reporting and logging of noise related complaints, including the need for additional monitoring following the receipt of noise complaints.

### **Operational Noise (Wind Turbines)**

- (54) The wind turbines shall be designed, constructed, operated and maintained so that sound levels from the Wind Turbine Site comply with the requirements of “NZS6808:2010 Acoustics – Wind Farm Noise.” For the avoidance of doubt, this condition shall require the wind turbines to be designed, constructed, operated and maintained so that the Wind Turbine Site sound levels shall not exceed the background sound (LA90 (10 min)), plus 5 dB or a level of 40 dB (LA90 (10 min)), whichever is the greater.
- (55) For the purpose of demonstrating compliance with Condition 54 above, wind farm sound shall be measured and assessed in accordance with “NZS6808:2010 Acoustics Wind Farm Noise” within the notional boundary of any residential dwelling in existence or authorised by a resource consent or building consent at the date of notice of the decision on the “Kapuni Green Hydrogen Project – Resource Consent Application and Assessment of Environmental Effects” dated 18/08/2021. under s 114 of the Resource Management Act (excluding dwellings on properties on which wind turbines are to be located, or where the property owner provided written approval to that application and where this approval has been provided to the Group Manager – Environmental Services, South Taranaki District Council).

*Note: For the avoidance of doubt, and for the purpose of compliance with Conditions 54 and 55, the “Reference Test Method” shall be adopted for testing whether the Wind Turbine Site has tonal special audible characteristics, as prescribed as Annex C to ISO 1996-2:2007, in accordance with Appendix B of “NZS6808:2010 Acoustics – Wind Farm Noise.”*

- (56) Noise monitoring of the wind turbines must be undertaken by the consent holder if reasonably requested by the Group Manager – Environmental Services, South Taranaki District Council and the results provided to Council within 2 weeks of the monitoring being undertaken.

### **Compliance Testing**

- (57) A compliance assessment report shall be prepared in accordance with Section 8.4.1 of “NZS6808:2010 Acoustics – Wind Farm Noise” by an appropriately qualified and experienced acoustical consultant and shall be submitted to the Group Manager – Environmental Services, South Taranaki District Council for certification within three months following the date any wind turbine first generates electricity and again within three months of electricity being generated from the last turbine to be commissioned. Measurement positions used for compliance testing shall include (but not be limited to):

Site #17 – 492 Manaia Road

Site #30 – 1291 Skeet Road

Site #4 – 232 Kokiri Road

Site #108 – 69 Thomas Road

Alternative positions shall be selected if the owner / occupiers do not allow noise monitoring to take place at any of these sites. Any alternative position shall be agreed to by the Group Manager- Environmental Services, South Taranaki District Council, prior to undertaking the noise monitoring.

## **TRAFFIC**

- (58) The routes, vehicle types, traffic movements and traffic generation related to the Kapuni Green Hydrogen Project shall be in general accordance with those described in the Traffic Impact Assessment by BTW Company appended to “Kapuni Green Hydrogen Project – Resource Consent Application and Assessment of Environmental Effects” dated 18/08/2021.

### **Construction Traffic Management Plan**

- (59) At least 30 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall submit a Construction Traffic Management Plan (CTMP) to the Group Manager - Environmental Services, South Taranaki District Council to certify that the plan meets the objectives in this Condition 59 (a) to (g). The objectives of the CTMP shall be to:
- (a) Ensure all specific legislative requirements (e.g. statutes, regulations and / or bylaws) and consent conditions in relation to construction traffic are adhered to;
  - (b) Encourage a culture of road safety awareness and commitment;
  - (c) Ensure best practice in transport safety;
  - (d) Ensure emergency services are not obstructed;
  - (e) Minimise disruption to the surrounding community, farming operations, rural services and rail operations;
  - (f) Minimise traffic generation; and
  - (g) Encourage the participation of the surrounding community in maximising safety and minimising disruption.
- (60) In order to achieve the objectives established in Condition 59 above, the CTMP shall, as a minimum, address the following matters:
- (a) The construction programme and the associated traffic volumes estimated for each construction phase;
  - (b) Driver protocols aimed at ensuring safe driving practices and full compliance with the law, including speed limits, appropriate following distances, observing engine braking restrictions, and affording priority to other traffic;
  - (c) The details of the intended traffic arrangements and provision for the delivery of over-dimensionand over-weight loads to the project sites;
  - (d) The nature and timing of road / intersection improvements to be implemented;

- (e) The traffic management measures to be implemented at intersections, level crossings, stock crossings and access points to local properties;
  - (f) The timing of construction traffic to minimise disruption to, and potential safety issues for, the operation of school bus services;
  - (g) Requirements for the monitoring of construction traffic;
  - (h) Signage to warn drivers approaching the Wind Turbine Site;
  - (i) Communication arrangements with affected residents, South Taranaki District Council, Waka Kotahi / New Zealand Transport Agency (Waka Kotahi/NZTA), KiwiRail, schools, emergency services and other key stakeholders, including provision of prior notice of traffic arrangements and any road closures; and
  - (j) The ongoing review and evaluation of the contents of the CTMP throughout the period of construction works.
- (61) The CTMP shall be prepared by a suitably experienced and qualified traffic engineer and in consultation with Waka Kotahi/NZTA and the Group Manager – Engineering Services, South Taranaki District Council.
- (62) The consent holder shall distribute copies of the CTMP certified by the Group Manager - Environmental Services, South Taranaki District Council to emergency services and landowners / occupiers with access to the local construction traffic routes at least 10 working days prior to the commencement of construction works authorised as part of this resource consent.
- (63) At least 30 working days prior to the commencement of transportation of the wind turbine components to site, the consent holder shall submit a Transport Plan for the transportation of the wind turbine components to the Group Manager – Environmental Services, South Taranaki District Council to certify that the plan meets the objectives in Condition 59 (a) to (g).
- (64) The Transport Plan shall, as a minimum, address the following matters:
- (a) Scheduling of traffic loads including component types, configuration and timing;
  - (b) Traffic demand management – scheduling to minimise effects on the road network;
  - (c) Detailed route planning including swept paths, components and truck/trailer configurations, passing bays, bridge capacities, use of adjacent road network and specifically Kokiri Road;
  - (d) Details of a trial run over road network mimicking the actual loads, prior to the actual transport of the wind turbine components;
  - (e) Nature and timing of any road improvement works required with the objective that any physical works will be undertaken proactively prior to the relevant activity commencing with contingency to amend or improve road improvements once the activity commences;
  - (f) Road safety including minimising effects on existing activities including school buses;
  - (g) Temporary Traffic Management including any specific plans;
  - (h) Operational requirements;

- (i) Communication with stakeholders including relevant Road Authorities, Emergency Services, the community and road users generally;
- (j) Feedback received from STDC, NPDC, Port Taranaki and Waka Kotahi/NZTA and how this feedback will be addressed;
- (k) Permits – all necessary permits be obtained for overmass and overdimension loads from the respective Road Controlling Authorities;
- (l) Contingency planning; and
- (m) Continuous improvement – ongoing review of activities including receiving feedback.

### **Vehicle Access**

- (65) The entrance to the Wind Turbine Site off Kokiri Road and the entrances to the hydrogen storage and refuelling facilities off Palmer Road shall be designed and constructed to Type H Standard in accordance with Land Development and Subdivision Infrastructure Standard (Local Amendments Version 3) based on NZS 4404:2010 prior to any other construction works on the sites taking place.

### **Physical Road Improvements**

- (66) Prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall complete any upgrades of roads and intersections that have been identified as being required in the certified CTMP and/or Transport Plan. Any upgrades to intersections shall be undertaken in accordance with Austroads Design Guidelines (Austroads Part 4A: Unsignalised and Signalised Intersections) and the CTMP and to the satisfaction of the Group Manager - Environmental Services, South Taranaki District Council. Any upgrades to state highways shall also be undertaken to the satisfaction of Waka Kotahi/NZTA.
- (67) Prior to commencement of any earthworks associated with the installation of the hydrogen pipeline at the Ballance Site, the consent holder shall provide evidence to the Group Manager – Environmental Services, South Taranaki District Council that a Pipeline Easement Permit has been obtained from FirstGas.
- (68) The consent holder shall, in consultation with the Group Manager – Engineering Services, South Taranaki District Council, undertake and agree the results of a baseline survey of the condition of all local roads to be used for construction traffic prior to the commencement of construction works authorised as part of this resource consent.
- (69) The consent holder shall:
  - (a) Maintain the roads to be used by construction traffic in accordance with the South Taranaki District Council’s Local Amendments to “NZS 4404 Land Development and Subdivision Infrastructure” and to the design approval of the Group Manager – Engineering Services, South Taranaki District Council;
  - (b) Ensure that on completion of construction activities for the Kapuni Green Hydrogen Project, the roads used by construction traffic are in no worse condition to that which existed prior to the commencement of construction as documented in the baseline survey conducted as a requirement of Condition 68;

and

- (c) Prior to the commencement of the construction works authorised as part of this resource consent, the consent holder will enter into a road maintenance agreement with the South Taranaki District Council (as Road Controlling Authority) for any roads that are expected to experience an increase in traffic volumes of 150% or more and continue for the period of that increase in traffic volumes.
- (70) Prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall obtain an over-dimension and / or over-weight load permit from the relevant issuing authority(s) for any over-dimension or over-weight loads travelling to the projectsites. The consent holder shall abide by the requirements of any such permit issued. The consentholder shall also provide the Group Manager – Environmental Services, South Taranaki District Council with a copy of any over-dimension and / or over-weight load permits issued.

#### **ECOLOGICAL MANAGEMENT / MITIGATION**

- (71) At least 20 working days prior to the commencement of construction works on the Wind Turbine Site authorised as part of this resource consent, the consent holder shall submit a Revegetation and Landscape Management Plan to the Group Manager – Environmental Services, South Taranaki District Council for certification that the Plan meets the objective of this Condition 71. The Revegetation and Landscape Management Plan shall be prepared by a suitably experienced and qualified person and shall provide for the following objective:
- (a) Restore the ecological values of the riparian habitat disturbed as a result of the access track construction works at a 1:2 ratio with a similar 'like for like' habitat as per the Freshwater Ecology Assessment by BTW Company Limited appended to "Kapuni Green Hydrogen Project – Resource Consent Application and Assessment of Environmental Effects" dated 18/08/2021.
- (72) In order to achieve the objective established in Condition 71 above, the Revegetation and Landscape Management Plan shall, as a minimum, address the following matters:
- (a) A clear description of the timing of any restoration works proposed;
  - (b) The detailed measures proposed to restore the ecological and amenity values of the riparian habitat;
  - (c) A planting plan for the riparian margins, which includes details on the proposed indigenous plantspecies to be planted and intended planting densities; and
  - (d) Requirements for monitoring, and annual reporting, of on-site enhancement works (including riparian revegetation and plant survival rates).

#### **Lizard survey**

- (73) Upon finalisation of infrastructure plans and associated extents and locations of hedgerow and riparian planting clearance (including associated grassland), a lizard survey must be conducted in these clearance areas by a suitably qualified and experienced ecologist prior to works commencing.

- (74) If indigenous lizards are detected during the lizard survey outlined in Condition 73, then a Lizard Management Plan (LMP) must be prepared by a suitably qualified and experienced herpetologist to minimise effects of the project on indigenous lizards. The LMP must include (but is not restricted to) the following:
- (a) An assessment of indigenous lizards present within the site;
  - (b) Methods and timing for lizard salvage and relocation, or a description of alternative mitigation measures if the project herpetologist considers salvage to be unsuitable. This should be determined in consultation with the Department of Conservation;
  - (c) Identification of an appropriate relocation site/s (if lizard salvage and relocation is being conducted) and measures to enhance the habitat quality of the relocation site (or sites) for lizards prior to relocation, such as habitat enhancement or pest control; and
  - (d) Any ongoing management requirements, such as post-release monitoring or pest control.

*Advice note: To survey, capture, relocate, or otherwise disturb lizards, a Wildlife Act Authority ("permit") must be obtained from the Department of Conservation.*

#### **LANDSCAPE MITIGATION**

- (75) At least 40 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall write to the owner(s) of the dwellings at the following addresses, informing them of their entitlement to landscape mitigation at the cost of the consent holder:

DWELLING ID	ADDRESS
4	232 Kokiri Road
6	168 Kokiri Road
70	425 Inaha Road

*Note: Conditions 75 to 78 of this resource consent shall not apply if an alternative mitigation agreement is entered into between the consent holder and the property owner or if the property owner provided their written approval to the "Kapuni Green Hydrogen Project – Resource Consent Application and Assessment of Environmental Effects" dated 18/08/2021 or a letter of support for the Kapuni Green Hydrogen Project and where this approval / letter of support has been provided to the Group Manager – Environmental Services, South Taranaki District Council.*

- (76) The written offer required by Condition 75 above shall inform the owner(s) of the dwelling that they may request the consent holder to undertake and maintain landscape mitigation relating to views from dwellings on the property prior to, or after, construction of the Kapuni Green Hydrogen Project.
- (77) Within 40 working days of the date any wind turbine first generates electricity, the consent holder shall repeat the offer required by Condition 75 above to the owner(s) of



any dwelling who have not already accepted the offer. The consent holder shall expressly state that the offer shall remain valid for 24 months following the date any wind turbine first generates electricity.

- (78) Where requested by the owner(s), the consent holder shall undertake on-site mitigation planting on those properties. The mitigation planting shall be set out in a property specific concept plan that is provided in draft form for approval by the owner(s) within 60 working days of the owner requesting mitigation planting. The concept plan will typically consist of trees or other planting planted within the general vicinity of a dwelling on those properties to intercept views towards the four wind turbines and lessen any adverse visual impacts.
- (79) Following approval of the concept plan by the owner(s), the consent holder shall implement the concept plan at a practicable time agreed between the consent holder and the owner(s), but preferably during the first planting season (May – September) following the approval of the concept plan.
- (80) Subject to Condition 81 below, the consent holder shall maintain the planting for 12 months following the completion of the planting. The maintenance of the planting shall include the consent holder replacing any trees that die within the first 12 months following the completion of the planting.
- (81) In the event that any owner(s) advises the consent holder that they wish to maintain the planting themselves, the consent holder shall pay the owner(s) the sum of money allocated in the cost estimate for maintenance set out in the approved concept plan.
- (82) In the event that any owner(s) advise the consent holder that they wish to implement the concept plan themselves, the consent holder shall pay the owner(s) the sum of money allocated in the approved concept plan on the agreement that the owner(s) shall carry out the planting themselves.
- (83) A copy of each concept plan, and confirmation that the works have been implemented and maintained (or that arrangements have been made for the owner(s) to implement and / or maintain the planting themselves in accordance with Conditions 81 and 82 above), shall be provided to the Group Manager – Environmental Services, South Taranaki District Council within 20 working days of the completion of such works or arrangements.
- (84) At least 20 working days prior to the commencement of construction works at the Ballance Plant authorised as part of this resource consent, the consent holder shall submit a Landscape Plan to the Group Manager - Environmental Services, South Taranaki District Council for certification that the Plan meets the objective in Condition 85(a). The Landscape Plan shall be prepared by a suitably experienced and qualified person and shall provide for the following objective:
- (a) To provide part screening of the hydrogen storage and refuelling facilities and mitigate the visual effects of the facilities when viewed from Palmer Road.

- (85) In order to achieve the objective established in Condition 84 above, the Landscape Plan shall, as a minimum, address the following matters:
- (a) A clear description of the timing for the landscaping planting proposed;
  - (b) Planting species, location, quantity and size at time of planting;
- (86) All planting identified in the Landscape Plan shall be in place to the satisfaction of the Group Manager – Environmental Services, South Taranaki District Council within 12 months of commencement of operation of the hydrogen facilities.
- (87) The landscaping must be maintained including replacing plants where necessary to provide effective visual screening, for the duration of the consented activity to the satisfaction of the Group Manager – Environmental Services, South Taranaki District Council.

#### **ARCHAEOLOGY**

- (88) The Archaeological Discovery Protocol will apply to the unexpected recovery of artefacts or archaeological material encountered during earthworks undertaken as part of this project. The following procedure will be adopted if archaeological evidence is discovered, or is reasonably suspected to have been discovered during earthworks involved in this project:
- (a) If a contractor observes potential archaeological material or artefacts, the contractor must cease works. The project supervisor should be called to the location of the find. Construction work at the site will cease in the area of the discovery, for a reasonable period of time, to allow a site inspection by a qualified archaeologist.
  - (b) The project supervisor will contact the project archaeologist to confirm the find. The project archaeologist must inform the Heritage New Zealand Pouhere Taonga (HNZPT) regional archaeologist as soon as a find is confirmed. The relevant Iwi representatives should be advised of the find at this time, if not prior.
  - (c) The site must be secured in a way that protects the site as far as possible from further damage. Temporary fencing with a 5m buffer around the find is recommended.
  - (d) If kōiwi tangata (human remains) are encountered during earthworks or erosion, no further modification of the site concerned shall occur until the project archaeologist, local Iwi, HNZPT and the NZ Police have been advised and their responses received.
  - (e) The conditions of any authority under the Heritage New Zealand Pouhere Taonga Act 2014, any resource consent under the Resource Management Act 1991, COVID-19 Recovery (Fast-track Consenting) Act 2020, Protected Objects Act 1975, Coroners Act 2006, or any equivalent replacement legislation that may result from an archaeological discovery, are to be observed. Kaumātua will be given the opportunity to conduct karakia and such other religious or cultural ceremonies, as required.
  - (f) Earthworks activity on-site can recommence as soon as the archaeologist and other relevant parties have given approval (this may include the HNZPT, local Iwi and the

New Zealand Police, depending on their involvement). Works may recommence in another area on-site away from the find at the discretion of the project archaeologist.

*Archaeology advice note:*

*All archaeological sites are protected under the Heritage New Zealand Pouhere Taonga Act 2014. An archaeological site is defined as a place associated with pre-1900 human activity, where there may be evidence relating to the history of New Zealand. This includes pre-1900 sites associated with Māori and non-Māori activity.*

*The Heritage New Zealand Pouhere Taonga Act 2014 makes it unlawful to modify, damage or destroy any archaeological site, where an archaeological assessment has indicated potential for archaeological material and whether the site is recorded or not. Application must be made to Heritage New Zealand Pouhere Taonga for an Authority to modify, damage or destroy an archaeological site.*

*The Act provides for substantial penalties for unauthorised destruction or modification. In the event that archaeological material is encountered during this project the archaeological evidence will most likely relate to prehistoric Māori occupation. Such evidence is expected to take the form of shell; bone; charcoal or cracked rock; artefacts including intact or partial stone implements; flaked stone; and obsidian; or in-filled pits and/or earthworks.*

## **CULTURAL**

- (89) The consent holder shall ensure that site inductions for all contractors working on the Kapuni Green Hydrogen Project include a cultural component which provides details of mana whenua iwi and hapū for the project area, the cultural significance of the project area to mana whenua and the protocols in place related to earthworks monitoring and archaeological discovery.
- (90) The consent holder shall provide Ngāti Tu and Ngāti Manuhiakai hapū an opportunity to perform a karakia to bless the project site/s prior to works commencing.
- (91) The consent holder shall provide an opportunity for a representative of Ngāti Tu and Ngāti Manuhiakai hapū to be present on site during any earthworks for the Kapuni Green Hydrogen Project.

## **COMMUNICATION SERVICES**

- (92) The consent holder shall undertake an independent assessment, prepared by a person qualified in communication reception, of television reception at any residential dwelling either existing or consented at the date of notice of the decision on the “Kapuni Green Hydrogen Project – Resource Consent Application and Assessment of Environmental Effects” dated 18/08/2021 under s 114 of the Resource Management Act located within the intended coverage area, if it receives any complaints (within 12 months of the first wind turbine as part of the Kapuni Green Hydrogen Project being commissioned) from occupants of that dwelling that post construction television reception is impaired. If the television reception quality is found to be impaired as a result of the operation of the

Kapuni Green Hydrogen Project, the consent holder shall undertake the best practicable measures to provide reasonable television reception.

- (93) The consent holder shall undertake an independent assessment, prepared by a person qualified in radio reception and transmission, of radio reception if it receives any complaints (within 12 months of the first wind turbine as part of the Kapuni Green Hydrogen Project being commissioned) from users of radio transmitters that post construction radio reception or transmission is impaired. If the radio transmission quality is found to be impaired as a result of the operation of the Kapuni Green Hydrogen Project, the consent holder shall undertake the best practicable measures to provide reasonable radio reception.

#### **AIR TRAFFIC SAFETY**

- (94) The consent holder shall advise the Civil Aviation Authority at least 6 months prior to the date any wind turbine first generates electricity, of the finalised geographical co-ordinates of the sites where the wind turbines are to be installed.
- (95) All 4 wind turbines of the Kapuni Green Hydrogen Project shall be lit with aviation obstacle lighting as follows:
- (a) All aviation obstacle lighting will have an intensity of not less than 1,600 candela of red light as defined in Civil Aviation Rule Part 77, Appendix B10;
  - (b) All aviation obstacle lighting must flash between 20 and 60 times per minute; and
  - (c) All aviation obstacle lighting must be located on, or above, the top of the nacelle of the wind turbine and shall be visible from all directions but must be shielded below the horizontal plane.
- (96) No later than 5 working days after the construction of all wind turbines is completed (or after each stage, if the Kapuni Green Hydrogen Wind Farm is constructed in stages), the consent holder shall submit a registered surveyor's determination of the height and position of the wind turbines to the Civil Aviation Authority. The consent holder shall also submit proof of compliance with the aviation obstacle lighting standards set out in Condition 95 above. All correspondence to the Civil Aviation Authority in relation to this condition shall be copied to the General Manager – Environmental Services, South Taranaki District Council.
- (97) Should the consent holder decide not to proceed with the Kapuni Green Hydrogen Wind Farm, the consent holder shall notify the Civil Aviation Authority within 5 working days of its decision.

#### **SHADOW FLICKER**

- (98) The consent holder shall ensure that shadow flicker effects at any residential dwelling existing or consented at the date of notice of the decision on "Kapuni Green Hydrogen Project – Resource Consent Application and Assessment of Environmental Effects" dated 18/08/2021 under s 114 of the Resource Management Act (excluding dwellings on properties on which wind turbines are to be located, or where the property owner has provided their written approval to the Kapuni Green Hydrogen Project including the effects of the shadow flicker and where this approval has been provided to the Group

Manager – Environmental Services, South Taranaki District Council) shall be no greater than 30 minutes per day, and a total of 30 hours per year.

#### **HAZARDOUS SUBSTANCES / CONTAMINANTS**

- (99) At least 20 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall submit a Contaminant Spill Contingency Management Plan to the Group Manager – Environmental Services, South Taranaki District Council for endorsement acting in a technical certification capacity to certify that the plan meets the objectives in this Condition 99 (a) and (b). The Contaminant Spill Contingency Management Plan shall be prepared by a suitably qualified and experienced person and provide for the following objectives:
- (a) Ensure measures are implemented on the site of the Kapuni Green Hydrogen Project in order to minimise the potential risk, and effects, of a spill of hazardous substances, fuels or other contaminants; and
  - (b) The use, handling or storage of hazardous substances during the construction, operation and maintenance of the Kapuni Green Hydrogen Project complies with the requirements of the Health and Safety at Work Act and its associated regulations.
- (100) In order to achieve the objectives established in Condition 99 above, the Contaminant Spill Contingency Management Plan shall, as a minimum, address the following matters:
- (a) The identification of designated bulk fuel storage, contaminant storage facilities and re-fuelling locations;
  - (b) Measures to ensure that all contaminant storage or designated re-fuelling areas are bunded or contained in such a manner so as to prevent the discharge of contaminants;
  - (c) Requirements for all mobile fuel tankers to carry spill kits;
  - (d) Details on the contents of the spill kits;
  - (e) Records of the names of operators trained in spill response and remediation;
  - (f) Measures to ensure that all machinery is regularly maintained in such a manner so as to minimise the potential for leakage of contaminants;
  - (g) Measures to ensure that no machinery is cleaned, stored or refueled within 20 metres of the bed of any waterbody;
  - (h) Measures to ensure that all contaminants are removed from the site at the end of the construction works, except for those required for the on-going maintenance and operational activities at the Kapuni Green Hydrogen Project;
  - (i) Details of an internal and external notification procedure in the event of a spill of contaminants; and
  - (j) The identification of measures to be undertaken to remediate a contaminant spill, including instructions for removing and disposing of contaminated material in a manner suitable to ensure no further contamination occurs.

## COMMUNITY CONSULTATION/COMMUNICATION

- (101) The consent holder shall establish and publicise a web page and email so that members of the public may raise matters with, or make an enquiry of, the consent holder during the construction of the Kapuni Green Hydrogen Project. The web page and email shall be established at least 10 working days prior to the commencement of construction works authorised as part of this resource consent, and shall be maintained until the completion of construction works. The web page and email addresses shall be publicised by the following means:
- (a) Via the consent holder's website or social media;
  - (b) Via an advertisement in the South Taranaki Star and the Taranaki Daily News;
  - (c) Via the site signage at the entrance to the Kapuni Green Hydrogen Project on Kokiri Road; and
  - (d) As part of the Construction Traffic Management Plan distributed to landowners / occupiers with access to the local construction traffic routes.
- (102) At least 40 working days prior to the commencement of construction works authorised as part of this resource consent, the consent holder shall establish and co-ordinate a Consultative Group for the Kapuni Green Hydrogen Project. Subject to the conditions below, this group is to be consulted, as a minimum, at least six monthly during the construction phase and over the first two years of the operation of the Kapuni Green Hydrogen Project. Thereafter, the frequency of consultation is to be determined by a majority of the Consultative Group itself. Individual Consultative Group members may, with the agreement of the Group Manager – Environmental Services, South Taranaki District Council, call meetings at shorter intervals to deal with any interim matters that need to be addressed before the next scheduled meeting.
- (103) The objective of the Consultative Group will be to facilitate information flow between the consent holder's management team and the community and will be an on-going point of contact between the consent holder and the community. The functions of the Consultative Group shall also include acting as a forum for relaying community concerns about the construction and on-going operation of the Kapuni Green Hydrogen Project to the consent holder's on-site management team, developing acceptable means of addressing (where possible) and managing those concerns, and reviewing the implementation of measures to resolve and manage community concerns.
- (104) The consent holder shall be responsible for convening the meetings of the Consultative Group and shall cover the direct costs associated with the establishment and operation of the meetings. The consent holder shall be responsible for the keeping and distribution of the Consultative Group's minutes to all participants in the Consultative Group. A person independent of the consent holder shall chair the meeting. The chair of the Consultative Group shall be appointed by the Group Manager – Environmental Services, South Taranaki District Council.

- (105) The consent holder shall notify its intention to establish a Consultative Group for the Kapuni Green Hydrogen Project by public notice. The consent holder shall invite, as a minimum, the following parties to participate in the Consultative Group:
- (a) A representative of property owners and occupiers on local roads surrounding the Wind Turbine Site identified for use by construction traffic;
  - (b) A representative of property owners who own land adjacent to the site as identified in BTWdrawing 191149 – GIS – 105 Sheet 1 Rev 5;
  - (c) An elected representative of the South Taranaki District Council; and
  - (d) A representative each from Ngāti Tu and Ngāti Manuhiakai hapū.
- (106) No owner or occupier of any property on which the Kapuni Green Hydrogen Project is located may be a member of the Consultative Group. The consent holder shall not be in breach of this condition if any one or more of the parties specified above do not wish to be members of the Consultative Group or to attend any particular meeting.
- (107) The Consultative Group shall cease to exist when a 75% majority of the Consultative Group vote that it is no longer necessary.
- (108) The consent holder shall maintain and keep a Complaints Register to record any complaints about construction works and operation of the Kapuni Green Hydrogen Project received by the consent holder in relation to traffic, noise, dust, television or radio reception interference, shadow flicker or any other environmental effects. The register shall record, where this information is available, the following:
- (a) The date, time and duration of the incident that resulted in the 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 the timing of the corrective action.
- (109) The Complaints Register shall be available to staff and authorised agents of the South Taranaki District Council and to members of the Consultative Group at all reasonable times upon request. Complaints received by the consent holder that may infer non-compliance with the conditions of this resource consent shall be forwarded to the Group Manager – Environmental Services, South Taranaki District Council within 48 hours of the complaint being received.

#### **DECOMMISSIONING AND SITE REHABILITATION**

- (110) The wind turbines shall be removed from the site, either at the end of their useful life or the end of the term of this consent, whichever occurs earliest, in accordance with a certified Decommissioning Plan as per Conditions 111-113.

*Advice Note: For the purposes of this consent, “useful life” means the period of time that the wind turbines remain fit for purpose and structurally sound. For the avoidance of doubt,*

*structurally sound means free from flaw, defect or deterioration to the extent that the turbines remain capable of adequately and safely accommodating the wind turbine blades and motors. (When the turbines are rendered obsolete and uneconomic to modify or repair or when a period of 35 years has passed, they are to be decommissioned from the site in accordance with the conditions of this consent).*

- (111) At least 80 working days prior to the commencement of decommissioning of the wind turbines authorised as part of this resource consent, the consent holder shall submit a Decommissioning Plan to the Group Manager – Environmental Services, South Taranaki District Council for endorsement acting in a technical certification capacity to certify that the plan meets the objectives in this Condition 111 (a) – (c). The Decommissioning Plan shall be prepared by a suitably qualified and experienced person and provide for the following objectives:
- (a) Decommissioning of the wind turbines and associated infrastructure in a manner that complies with all legislative requirements;
  - (b) Leaving the land in a condition that is safe and suitable for the subsequent land use (as agreed with the landowner); and
  - (c) Ensuring that the components and infrastructure are disposed of in a way that maximises re-use and recycling. For any parts that cannot be reused or recycled, ensuring that they are not sent to landfill but are disposed of in an environmentally responsible way in accordance with industry best practice.
- (112) The Decommissioning Plan shall include but not be limited to:
- (a) Details on all infrastructure to be decommissioned, including details, method and location of reuse, recycling or disposal and the reasons why the options have been chosen;
  - (b) Details of specific infrastructure to remain on-site post-closure and reasons why it will remain on site;
  - (c) Scheduling and timing for decommissioning;
  - (d) Details for finished ground cover at completion of decommissioning and future intended land use;
  - (e) A Transport Plan for the transport of wind turbine components and any other infrastructure offsite addressing the matters in Condition 64 (a) – (m);
- (113) Details of management, any ongoing maintenance, monitoring and reporting proposed by the consent holder to ensure post-closure activities are carried out in accordance with the conditions of this resource consent. The Decommissioning Plan shall be prepared in collaboration with Te Korowai o Ngāruahine Trust, Ngāti Tu and Ngāti Manuhiakai, and evidence of this shall be submitted to the Group Manager – Environmental Services, South Taranaki District Council. If hydrogen production associated with the Project is to continue at the Ballance site after the duration of the consent, the Decommissioning Plan shall also include an Alternative Site Plan that is to be prepared in collaboration with Ngāti Tu and Ngāti Manuhiakai. The Alternative Site Plan shall, as a minimum contain, a



process to identify an alternative site, or sites, situated coastward of SH45 to locate any replacement wind turbines on.

## **REVIEW**

- (114) Pursuant to Sections 128 to 131 of the Resource Management Act 1991, the South Taranaki District Council or the Taranaki Regional Council may, 1 year after the commencement of this resource consent, and at 5 yearly intervals thereafter, serve notice on the consent holder of its intention to review any or all of the conditions of this resource consent for any of the following purposes:
- (a) To review the effectiveness of the conditions of this resource consent in avoiding, remedying or mitigating any adverse effects on the environment that may arise from the exercise of this resource consent (in particular, the potential adverse environmental effects in relation to ecology, archaeology, noise, hazardous substances, earthworks, traffic and roading, visual, landscape and amenity effects);
  - (b) To address any adverse effects on the environment which have arisen as a result of the exercise of this resource consent that were not anticipated at the time of commencement of this resource consent, including addressing any issues arising out of complaints; and
  - (c) To review the adequacy of, and necessity for, any of the monitoring programmes or management plans that are part of the conditions of this resource consent.

## **Transition From Urea Production**

- (115) On the dates specified below, the consent holder shall provide a written report to the South Taranaki District Council as to progress in achieving the transition of green hydrogen production from utilisation entirely for the purposes of urea production to utilisation in the transport market over a five year period.
- (116) The dates specified for the purposes of Condition 115:
- (a) By 30 June 2023, and
  - (b) Each anniversary thereafter until 30 June 2028.
- (117) Pursuant to s 128(1)(a)(iii) of the Resource Management Act 1991, the South Taranaki District Council may review this condition at any time after 30 June 2028 for the purpose of assessing progress of the transition referred to in Condition 115 above, and/or to propose new conditions to ensure that that transition progresses or continues.

## **Peer Review**

- (118) The consent holder shall provide the results of long-term monitoring undertaken in accordance with this resource consent to the Group Manager – Environmental Services, South Taranaki District Council in the event that this is required for the peer review of any of the management plans or reports identified in the above conditions. The Group Manager – Environmental Services, South Taranaki District Council may have any plan or report reviewed by an independent expert at the consent holder's cost. In addition, the results of the long-term monitoring shall be provided to Te Korowai o Ngāruahine Trust and Ngāti Tu and Ngāti Manuhiakai hapū.