

Excerpts BOI Turitea Windfarm Decision

Chapter 14

[20] Mr Galloway advised that around 90% of this construction traffic would use the northern access and 10% the southern access.

[53] As we have also noted, many residents who live along Kahuterawa Road have considerable concerns over the potential impact of construction traffic on other road users. Several indicated that even now it was impossible for vehicles to pass in some places and with no berm available for safety, those riding bicycles or horses or walking could well be forced into the ditch to avoid the passing construction traffic.

[54] Some residents also claimed that the school bus, which collects children at the intersection of Kahuterawa Road and SH57, does not travel along Kahuterawa Road because of safety concerns. In response, Mr Galloway advised that he had checked with the Ministry of Education's local service agent for school transport who had advised that not using Kahuterawa Road was not an issue of safety but rather one of efficiency.

Conditions of Consent

[86] At the time of completing our Draft Report, Schedule 3, Conditions 39 to 46 of the MRP's 28 March 2010 Resource Consent Conditions were the proposed conditions relating to the use of Kahuterawa Road and Greens Road (referred to as Greens Road) by construction traffic. These conditions included the proposed content of the CTMP which is to be agreed with the relevant road authority/ies.

[87] With respect to construction traffic on Greens Road the conditions included:

- a general requirement that trucks shall use Greens Road only where it is impractical to use the northern access with potential reasons given for this being times during the initial stages of construction when the central portion of the water catchment access road is being upgraded or excavated or when a crane is travelling along this road or erecting a turbine from the road;
- a limit of 5,800 truck movements on Greens Road during construction;
- a requirement that truck movements on Greens Road and Kahuterawa Road be prohibited between the hours of 6:00pm and 7:00am daily; between the hours of 7:30am and 8:15am and 3:15pm and 4:30pm on schooldays; between the hours of 7:00am and 6:00pm on Sundays and statutory holidays and when particular events notified through community consultation are held and which involve a peak in the presence of vulnerable road users such as equestrian or cycling events;
- the prohibition of the transport of turbine components on Greens Road;
- the development of agreed driver protocols including the prohibition of engine braking on Kahuterawa Road and the flat portion of Greens Road and 'one in one out' arrangements on Kahuterawa Road on days when more than 40 truck movements per day are envisaged. [88] The Board was concerned that a number of the agreements recorded in the Further Joint Statement of the Traffic Experts dated 16 July 2009 had not been carried through to the Resource Consent Conditions. In particular, using information

from this Joint Statement, it had prepared the table at [21] Southern Access: Kahuterawa and Greens Road: Daily Maximum Vehicle Movements. [89] It noted in the paragraphs which follow this table:

- that a maximum of 34 truck movements per day were forecast to use the southern access over the first three-to-four months and that, depending on the finally agreed working hours per day, this would equate to an average of say four truck movements per hour.
- for this southern access, the maximum construction vehicle usage over the first three-to-four months including light vehicles (50) and trucks (34) was forecast at 84 movements per day; also, after the first three-to-four months, the forecast use of this southern access would be primarily for light vehicles to a maximum of around 100 movements per day; and that it was not clear why the number of light vehicles was forecast to double from the end of the fourth month.

[90] Further, attached to the Joint Statement was a document titled 'Submitter Questions and Requests' which included a letter dated 21 May 2009 from MRP to those who attended an independent 'Turitea Wind Farm-Traffic and Transport Meeting' on 4 May 2009. At Item 10 of the meeting record the following question and answer was set out: Question: Could Mighty River Power limit the traffic on Kahuterawa and Greens Road once a certain milestone was reached such as the Brown's Flat substation? Answer: Mighty River Power's intention is to limit truck traffic as soon as the steep and winding central portion of the internal loop road within the Reserve is complete. This is expected to occur within the first three to four months of construction. From that point onwards the only reason for trucks to use the Greens Road access is if the loop road is occupied (such as if the crawler crane is being moved some considerable distance) or for emergency or unforeseen reasons.

[91] We accepted that if the wind farm was to proceed then some construction traffic must use the Kahuterawa Road and Greens Road access. However, the residents of these roads needed to be given much more certainty that this traffic will be substantially limited to the maximum volumes over the three- to four-month period indicated in the 16 July 2009 Further Joint Statement of the Traffic Experts.

[92] We were also concerned that the conditions as drafted did not restrict construction traffic on Saturdays when there are likely to be weekend recreational users of Kahuterawa Road, many of whom will be visitors and therefore unaware of the hazards posed by construction traffic. In this context, we noted that on the rural access roads to some other wind farms, Saturday construction traffic has been restricted to light vehicles transporting construction workers for short periods at the start and end of the day. It was our view that a similar restriction should apply to Turitea.

[93] We supported the consent conditions restricting construction traffic at other times including during the school commuting windows in the mornings and afternoons. We noted that we would have no objection to the overnight restriction finishing at 6:30am rather than 7:00am provided that this was offset by a limitation on the time period that construction traffic was allowed to use the two roads. A 6:30am start would provide a one-hour window for construction traffic before the start of the school commuting restriction at 7:30am.

[94] On another matter, as noted above, it was not clear to us as to why the number of light vehicles using Greens Road was forecast to double from 50 per day over the first three-to-four months to 100 per day thereafter. [95] Also we were unable to find supporting reasons for the proposed 5,800 truck limit contained in the proposed conditions when this is compared with the 34 maximum truck

movements per day contained in the Joint Statement of the Experts. Based on six days per week over four months this 34 truck limit would total around 3,500 movements.

[96] To take account of the above concerns, MRP was requested to develop, in consultation with PNCC and the local residents, for our approval, a revised schedule of restrictions for the use of Kahuterawa Road and Greens Road by construction traffic to include:

- the restrictions already included in the 28 March 2010 Resource Consent Conditions with the possibility that the night-time restriction could finish at 6:30am instead of 7:00am;
- the carry forward of the agreements reached in the 16 July 2009 Further Joint Statement of Traffic Experts, namely a limit of 34 for the maximum number of daily truck movements, with this restriction to be limited to one defined period of four months' duration except where truck access is required at times when the internal loop road is closed by the turbine erection crane either travelling along the loop road or obstructing this road during the erection of a turbine;
- the restriction of construction traffic on Saturdays to a set number of light vehicles for the transportation of construction workers over two short defined periods in the morning and the afternoon.

[97] Turning to the CTMP, Mr Galloway told us that the purpose of the CTMP is to ensure that all stakeholders understand the full extent of the works and are kept up to date with such matters as the project timing, temporary traffic control measures, driver protocols, communication procedures, access upgrades, travel routes, traffic flows, hours when each of the accesses will be used, road improvements and project contacts.

[98] He also told us that it is proposed that the initial CTMP will be prepared at the detailed design stage and circulated to all stakeholders for their input, including the residents of Kahuterawa, Greens and South Range Roads. It will then be submitted for approval to the PNCC and TDC.⁷

[99] The CTMP will then be progressively updated as a living document to incorporate schedule changes with all stakeholders being sent these as and when changes occur or are anticipated.

100] The CTMP will include a sub-set of provisions for over-dimension and overweight loads which require permits from the New Zealand Transport Agency and/or the relevant road controlling authorities, under the Land Transport Rule – Vehicle Dimensions and Mass 2002. These will include a detailed schedule of dates, times and routes for oversize loads; detail of all locations where traffic will be required to stop, including bridges and narrow winding portions of road; proposed piloting and other traffic management arrangements; details of how overtaking opportunities will be provided for other road users; monitoring arrangements including queue lengths and delay times; contingency plans for breakdowns, accidents or severe weather; and arrangements for advice to New Zealand Police, emergency services, local authorities, affected land owners, and the rail authority, On Track

[101] We accept the concept of the CTMP as proposed by Mr Galloway and as included in the 28 March 2010 Resource Consent Conditions. We also acknowledge that final approval of the CTMP must lie with the relevant road controlling authority or authorities.

Board Consideration of Comments on Draft Report

[102] Comments on the traffic chapter of the Draft Report and MRP's May 2011 revised traffic conditions were received from MRP, PNCC and a number of submitters, primarily residents of Kahuterawa Road and Greens Road.

[103] In our Draft Report we had requested MRP, PNCC and the residents of Kahuterawa and Greens Road to meet to discuss the proposed amendments. We were most disappointed to learn that this meeting did not take place until near to the end of the comments period, that PNCC chose not to attend, and that, as a result, the meeting did not move much beyond the expression of residents' concerns at what they saw as being only a perfunctory attempt by MRP (and PNCC) for any meaningful consultation on the traffic conditions.

[104] As a result, the essence of the submitter comments was frustration at the lack of consultation on the traffic conditions and a general view from those who responded at what they considered to be the inappropriate use of Greens Road and Kahuterawa Road by construction vehicles.

[105] In her comments Mrs Harker, a submitter, was very critical that the Board was prepared to accept MRP's proposal for a peak of 220 daily vehicle movements including 120 trucks on Kahuterawa Road and Greens Road.⁸ Unfortunately, Mrs Harker does not appear to have read the qualification that these movements are the total for both the northern and southern accesses to the wind farm and that only 10% of these totals would use the southern access. This is confirmed in Schedule 3 in the table at Condition 42 of the March 2010 Resource Consent Conditions, which limits trucks to 34 vehicles per day except for four occasions when this limit is lifted to 60 trucks per day, with these provisions being restricted to the first five months of construction.

[106] In response to a matter raised by a submitter, Mr Shilton, the Beca drawing for the widening of Greens Road has been modified to include the detail of the proposed road cross-section including a sealed width of 6.2 metres.

[107] We note also from Mr Love's comments over the extent of local resident concerns that attendance at the residents' traffic meeting was limited to about 25 households from Kahuterawa Road and Greens Road out of a total of about 60 affected households.

[108] In its comments, PNCC advised that its traffic engineer had reached agreement with MRP's traffic engineer on the May 2011 traffic conditions, although we note that Mr Baker, who signed the PNCC 'Comments' letter, expressed reservations (presumably personal) on the safe use of Kahuterawa Road and Greens Road for construction traffic, these reservations being supported by a number of submitters.

Findings

[109] Having taken account of all comments received, the Board requested MRP to make a number of amendments to further tighten up the 11 May 2011 traffic conditions as outlined in the following paragraphs.

[110] Provision be made for a number of options for construction access from Kahuterawa Road and Greens Road to respond to MRP's indication of the possible staging of the wind farm construction and, in particular, the development of the northern turbines ahead of the development of the southern turbines.

[111] If the northern turbines are constructed as a first stage, then all construction access to be from the Pahiatua Track with access from Kahuterawa Road and Greens Road to be limited to the construction of the internal transmission line and the Browns Flat substation (if MRP includes these in this stage).

[112] Truck access from Kahuterawa Road and Greens Road to be allowed for emergencies at any time but access for site security staff, for health and safety or for environmental monitoring, to be restricted to light vehicles only.

[113] In addition to the above, for the construction of the southern turbines, truck and light vehicle access from Kahuterawa Road and Greens Road to be limited to the maximum number of vehicle movements specified in the table at Condition 67 of Schedule 3 of the final Resource Consent Conditions noting that light vehicle access is to be restricted to a maximum of 60 movements per day.

[114] For the avoidance of doubt, 'traffic movement' is defined as being a oneway journey along Kahuterawa Road and Greens Road as opposed to a return journey.

[115] We have noted¹¹ that, in addition to normal residential traffic, at weekends and on statutory holidays, Kahuterawa Road is used by recreational users, many of whom will be visitors and therefore unaware of the hazards posed by construction traffic. While this has been acknowledged by MRP in the restrictions on the use of these roads by construction traffic, the provision for additional light vehicle traffic between the hours of 12:30pm and 1:30pm to be removed and covered by the 10 light vehicle movements per day exception.

[116] These amendments, itemised in detail at paragraph 7 of Chapter 20, have all been incorporated in the final set of approved Resource Consent Conditions attached to this Final Report.

Chapter 15 Noise

[16] The effect of construction traffic was another issue raised. It was considered that this would cause noise (as well as dust) and would also inconvenience residents (the safety effects of traffic are discussed elsewhere). One submitter considered that the noise effects of construction traffic would affect her ability to sleep during the day if she had been on midwife duties at night; and that this could lead on to long-term effects on her health.

Findings

[94] Starting with construction noise, Mr Hegley advised that the wind farm can be constructed in compliance with NZS6803:Acoustics – Construction Noise. This was not disputed and we accept his findings on this. We also accept the provisions on Acoustic Matters – Construction Noise contained in the MRP 28 March 2010 Resource Consent Conditions.