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Fast Track Team
Environmental Protection Authority
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Tēnā koe

Feedback on Fast Track Approvals Application: Foxton Solar Farm Draft Conditions of Consent

The Māori Trustee thanks the Expert Panel for the invitation to comment on the Panel's Draft Conditions of Consent for the Foxton Solar Farm.

The Māori Trustee is the Responsible Trustee of Himatangi 3A 3E, Himatangi 4C3, Himatangi 5A 2B, Himatangi 5A 5C1, Himatangi 5A 5C 2A, Himatangi 5A 5C 2B, Himatangi 5A 5B and Himatangi 5A 9C2 - being whenua Māori owned by 529 beneficial owners adjacent to the land to which the application relates. The Māori Trustee's comments are made in that capacity.

Background on the Māori Trustee

The Māori Trustee administers, as trustee or agent, around 78,000 hectares of Māori freehold land on behalf of approximately 100,000 individual Māori landowners. Te Tumu Paeroa is the organisation that supports the Māori Trustee to carry out her functions, roles and responsibilities. Additional information can be found on Te Tumu Paeroa's website, www.tetumupaeroa.co.nz.

Position

The Māori Trustee is pleased that almost all the amendments that Te Tumu Paeroa worked collaboratively with Genesis on, and proposed in her previous response, have been incorporated into the Panel's Draft Conditions of Consent.

The Māori Trustee notes the Panel's position on consent conditions relating to Stormwater and Flood Risk. However, the Māori Trustee remains concerned that final design could result in changes in landforms in and around drains 1 and 2 affecting water flows into the adjoining land, particularly Himatangi 4C3, resulting in flooding or drainage issues.

The proposed consent conditions set out below in Appendix A would only be triggered if detailed design results in works in or near the drains and would only require assessment and management of risk to neighbouring landowners. The Māori Trustee considers the proposed conditions are no more onerous than necessary to address the flooding and water drainage risks to neighbouring land and would not require changes to design if no increased risk is present.



For the reasons above, the Māori Trustee invites the Panel to reconsider adopting the proposed consent conditions on Stormwater and Flood Risk set out in Appendix A.

Ngā manaakitanga,

Greg Shaw

Deputy Māori Trustee



Appendix A

Stormwater Management and Flood Risk:

New proposed consent conditions

Conditions XX

No earthworks or land disturbance will occur in or within 5 metres of the drains identified on Plan LAO6 unless the requirements of condition XY are met.

Condition XY

- a. If detailed design requires work within or within 5 metres of the drains identified on Plan xx, then stormwater design must demonstrate no increase in discharge rates, volume, or flood levels at any boundary, for up to the 1% AEP event; and
- b. Must maintain or improve existing secondary flow paths, ensuring no additional diversion of flows toward adjoining properties.