

16 June 2026
Fast Track Team
Environmental Protection Authority
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Tēnā koe,

Feedback on Fast Track Approvals application: Foxton Solar Farm [FTAA-2510-1121]

The Māori Trustee thanks the panel for the invitation to comment on the above application by Genesis Energy Limited (**Genesis**) under the Fast Track Approvals Act 2024 (**FTAA**).

The Māori Trustee comments in her capacity as the Responsible Trustee of the following Māori freehold land blocks - Himatangi 3A 3E, Himatangi 4C3, Himatangi 5A 2B, Himatangi 5A 5C1, Himatangi 5A 5C 2A, Himatangi 5A 5C 2B, Himatangi 5A 5B (shown in Appendix C) and Himatangi 5A 9C2 - being land which is adjacent to the land to which the application relates.

There are 529 beneficial owners of these lands.

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 **conditionally supports** Genesis' application for consent of the Foxton Solar Farm under the FTAA, subject to the consent conditions set out or amended in these comments being accepted and incorporated into any consent granted.

Comments

Issues and proposed consent conditions that are agreed with Genesis Energy

Te Tumu Paeroa has engaged with Genesis on the proposed Solar Farm since 2024. During this time, a number of hui have been held with Genesis at which concerns have been raised, and the parties have worked collaboratively to address these matters and propose practical consent conditions for the Panels consideration. These are set out in Appendix A.

Operational noise:

- a. The beneficial owners aspire to develop their whenua with papakāinga or residential housing in the future. The Māori Trustee was initially concerned that operational noise from the Solar Farm and Battery Energy Storage System (**BESS**) could adversely affect any future papakāinga or residential development.



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- b. The Acoustic Assessment¹ models an acoustic barrier north of the BESS location to reduce noise effects on neighbours and predicts that noise levels will remain below limits on receiver boundaries. Proposed consent condition B21 generally addresses noise, with monitoring required on Wall Road once the Solar Farm is operation, and again if BESS becomes operational. However, it remained unclear where on Wall Road noise monitoring would take place. As a result, the Māori Trustee and Genesis worked to amend proposed consent condition B21 to prescribe a more precise monitoring site.

Fire risk:

- c. The Māori Trustee's analysis, together with feedback from several beneficial owners, raised concerns about the increased fire risk posed by the Solar Farm, particularly in relation to spills, contamination, BESS thermal runaway, and the adequacy of on-site water supply. Hazardous substances at the site include 194 tonnes of transformer oil and approximately 36 tonnes of ethylene glycol coolant, both of which exceed District Plan discretionary thresholds².
- d. The Emergency Response Plan (**EMP**) will address some of these concerns. However, consent condition B28 needs to be strengthened to specifically state how the EMP will address these risks. The Māori Trustee has worked collaboratively with Genesis to address these matters and propose amendments to consent condition B28 for the Panels consideration.

Decommissioning plan:

- e. Given the significant scale of infrastructure included within the proposed Solar Farm, unmanaged decommissioning poses a risk of contamination, abandoned materials, and landscape degradation affecting the adjoining Māori freehold land. Genesis has a private agreement with the landowner to restore the land back to pastoral use if decommissioned, and a Decommissioning Plan is required³. The Māori Trustee discussed with Genesis the need to provide certainty to adjoining landowners that residual infrastructure at the end of the solar/BESS lifetime will be appropriately managed.
- f. The Māori Trustee and Genesis have agreed these concerns can be addressed by amending proposed consent condition B30 and providing a replacement consent condition for B29.

Community engagement:

- g. The Māori Trustee understands that the Solar Farm will have a dedicated community liaison during construction and a permanent site manager during the operation of the Solar Farm. However, she considers that a forum of some sort should be established to ensure adjoining landowners can raise issues, engage with Genesis and its operator and access monitoring reports during the construction and operational phase of the Solar Farm. To address this, the Māori Trustee and Genesis have proposed new consent conditions in Appendix A to establish a dedicated project website.

Issues and proposed consent conditions that have not been agreed with Genesis Energy

While a majority of the Māori Trustee's concerns have been addressed in the amended proposed consent conditions agreed with Genesis included in Appendix A, she remains concerned about the

¹ [Appendix R – Acoustic Assessment](#)

² [Appendix N – Hazardous Substances Assessment](#), pg. 8.

³ Proposed consent condition B30, [Updated Appendix T - Proposed consent conditions](#)



potential impacts the Solar Farm may have on landscape matters and stormwater management and flood risk on land she administers. Consent conditions that would address these concerns are set out in Appendix B.

Landscape:

The Māori Trustee is currently in discussions with Genesis on landscape matters; however, agreement has not yet been reached on amendments to proposed consent condition B15.

- h. The Māori Trustee has concerns about appropriate screening and mitigations from the visual effects of the Solar Farm on the blocks administered by the Māori Trustee. In particular, she is concerned about the lack of screening along the eastern boundary of the Solar Farm site adjoining Himatangi 4C3 (see Point A on Appendix C). The sand dunes on this boundary provides some natural screening between the property and the Solar Farm, however, there is approximately 180m of the boundary which beneficial owners may wish to be planted in the future to reduce the visual effects of the Solar Farm.
- i. Additionally, four blocks administered by the Māori Trustee adjoin the southern boundary of the Solar Farm (see Point B in Appendix C). A portion of this boundary is proposed to be planted in native revegetation to a full mature height of 12-15m. There are currently no trees or other plantings along this boundary. Given these four blocks are located on the southern boundary of the Solar Farm, the proposed planting is likely to cast significant shade over these blocks, with some areas potentially shaded for the duration of the day during winter. As the land is currently utilised for horticultural purposes, this level of shading is likely to adversely affect productivity. The Māori Trustee has therefore requested that the proposed planting along this boundary be reduced to an anticipated mature height of 6m to ensure the Māori land blocks are not heavily shaded during the winter.

Stormwater and flood risk:

- j. The Stormwater and Flood Risk Assessment⁴ finds that modifying drain capacity or landform could cause adverse upstream or downstream effects, including directing water toward neighbouring properties⁵. The modelling warns that hydraulic neutrality may be required to prevent increased runoff affecting others.
- k. Genesis has confirmed that they do not currently propose to change landforms, including drainage, that would alter stormwater flow paths. However, this may change. The resource consents sought by Genesis take an 'envelope of effects' approach and would authorise earthworks and vegetation clearance across the site, subject to environmental performance conditions. Those earthworks may impact drainage if they occur in or around drains. Whether the earthworks will impact drainage, will not be known until final construction layout is decided in the detailed design⁶ phase. If earthworks will impact drainage, there are currently no conditions requiring consideration of downstream flood risk resulting from those earthworks, or requirements to manage that risk to avoid adverse effects on neighbouring landowners.

⁴ [Appendix J - Stormwater and Flood Risk Assessment](#)

⁵ [Appendix J - Stormwater and Flood Risk Assessment](#), pg. 20.

⁶ [Fast Track Approvals Act Application Foxton Solar Farm](#), pg. 45.



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- l. The Māori Trustee is concerned that final design may result in changes in landforms in and around drains 1 and 2 (see Appendix C) that could affect water flows into the adjoining land the Māori Trustee administers, particularly Himatangi 4C3, causing flooding or drainage issues.
 - m. The Māori Trustee understands that Genesis intends to rely on any future resource consenting process for stormwater to address any potential flooding or drainage issues. However, many activities in and around drains, and activities relating to stormwater are permitted activities in the relevant plans, and even if resource consent is required the Māori Trustee may or may not be considered an affected party.
 - n. The Māori Trustee seeks new consent conditions for Stormwater Management and Flood Risk set out in Appendix B to manage this potential future risk. The proposed conditions are only triggered if detailed design result in works in or near the drains and only requires an assessment and management of risk to neighbouring properties. These conditions are no more onerous than necessary to address the potential risk to neighbouring land, and do not require changes to design if no increased flooding risk is present.

The Māori Trustee hopes the Panel find these comments and the proposed amended consent conditions set out in the attached Appendices helpful.

Ngā manaakitanga,

Greg Shaw

Deputy Māori Trustee



Appendix A – Agreed amended proposed consent conditions with Genesis

Operational Noise:

Condition B21

Within the first summer (October to March) following completion of commissioning of the solar farm, the consent holder must engage a suitably qualified acoustic consultant to monitor noise emissions from the site to assess compliance under Condition B18. Compliance measurements must occur for a continuous monitoring period of no less than one (1) month. The measurements must be performed:

1. subject to the approval of Horowhenua District Council, on Wall Road within a 100 m radius of the location marked "45" on Appendix C-1 "Predicted Highest Operational Noise Level Scenario 1 – All Noise Sources" to Appendix R: Acoustic Assessment; and
2. at two (2) other representative locations at the site boundary.

Fire risk:

Condition B28

At least twenty (20) working days prior to operation of the solar farm, the consent holder must provide the Horowhenua District Council with an Emergency Response Plan (EMP) for information. The EMP must set out procedures for management of hazardous substances, potentially hazardous waste, flood, and fire and include but not be limited to:

- a. Contact details for a primary and alternate site contact who can be reached 24/7 in case of an emergency
- b. Site layout including the location of hazardous substances, water supply or storage, and emergency access routes
- c. Access provisions for emergency services
- d. Hazardous substance containment and spill response, spill monitoring, and spill remediation procedures
- e. Procedures for the storage and disposal of faulty or damaged solar panels or electrical equipment
- f. Control measures, such as vegetation management and setback distances of BESS infrastructure for minimisation of fire risk
- g. Fire detection, containment, and response procedures
- h. The volume of water that must be available on site at all times to manage fire risk of site activities
- i. Emergency response training for site staff and Fire and Emergency New Zealand representatives

Decommissioning:

Condition B29 (replace current B29 with the following)

If the solar farm has ceased exporting electricity to the distribution or transmission network and the consent holder does not intend to recommence operation, repower, repair, replace, or otherwise return the solar farm to operational use (Permanent Cessation), then it must:

1. within 3 months provide notice of the Permanent Cessation to Horowhenua District Council; and
2. within 6 months submit a Decommissioning Plan to Horowhenua District Council for certification that meets the requirements of Condition B30.



Condition B30

The purpose of the Decommissioning Plan is to ensure that decommissioning of the solar farm and associated infrastructure will be completed in a reasonable, but prompt, manner that leaves the land in a condition that is safe and suitable for rural land use. The Decommissioning Plan must include but is not limited to:

- a. a methodology, including reasonably prompt timeframes, for site decommissioning that includes removal of all above ground infrastructure and all underground infrastructure to a depth of 0.3m;*
- b. methods to ensure that all components are disposed of in an environmentally responsible way applying industry best practice; and*
- c. notice requirements to adjoining landowners, the Māori Trustee, Ngā Hapū o Himatangi, Horowhenua District Council and Manawatū-Whanganui Regional Council.*

Community Engagement:

New proposed consent conditions

Condition BXX

*The consent holder must establish a Project website, or equivalent virtual information source, at least **twenty (20) Working Days** prior to commencing activities authorised by this resource consent (excluding any enabling works), and must maintain it until completion of construction. The website or virtual information source must include a copy of these conditions and provide up-to-date information on:*

- 1. the status of the Project;*
- 2. anticipated construction timeframes and sequencing;*
- 3. certified management plans;*
- 4. contact details for enquiries and accesses during construction; and*
- 5. details regarding the complaints and response procedures pursuant to conditions [A12 and A13].*

Condition BXX

The Consent Holder must notify adjoining landowners, Te Tumu Paeroa, Ngā Hapū o Himatangi, Horowhenua District Council and Manawatū-Whanganui Regional Council as soon as reasonably practicable once the website, or equivalent virtual information source has been established.



Appendix B – Amended proposed consent conditions not agreed to with Genesis

Underline Red = Proposed wording Genesis

Underlined Blue = Proposed Māori Trustee

Landscape:

Condition B15

At least twenty (20) working days prior to commencing activities authorised by this resource consent (excluding any enabling works), the consent holder must provide the Horowhenua District Council with a Landscape Mitigation Plan (LMP) for technical certification. The purpose of the LMP is to assist the project integrate into the surrounding area and to screen surrounding properties and roads from glint or glare. A draft of the LMP shall be provided to the owners of 187 Motuiti Road and to the Māori Trustee for comment in relation to planting along their property boundary(s) prior to the plan being submitted to Council. The LMP must be based on the Proposed Mitigation & Enhancement plan except that;

1. it must require planting of no more than 6 metres mature height on the boundary with Himatangi 5A 5C1, Himatangi 5A 5C 2A, Himatangi 5A 5C 2B blocks, and
2. it must address planting on the boundary of Himatangi 4C3 property, in consultation with the Māori Trustee, unless the landowners agree that it is not necessary.

and include but not be limited to:

1. identification of planting zones.
2. a plant species list which must consist of predominantly low flammability, locally sourced species from the Manawatū Plains Ecological District and is in response to further inspection of site conditions to ensure the appropriate mix of species is used in each planting area (wet areas, for example).
3. confirmation that any new trees or vegetation within 12 metres either side of the centreline of the BPE-HAY-A and BPE-HAY-B National Grid transmission lines will not exceed 2 metres in height at full maturity and will comply with the Electricity (Hazards from Trees) Regulations 2003, or any subsequent revision of the regulations.
4. confirmation that any new trees or vegetation outside of the 12 metres either side of the centreline of the BPE-HAY-A and BPE-HAY-B National Grid transmission lines will either have a height at full maturity or be setback such that they cannot fall within 4 metres of the transmission lines.
5. demonstration that all trees or vegetation will be setback at least 2 metres from the outer edge of the visible foundation of any National Grid Support Structure and that a 6 metre corridor free from trees or planting will be provided on at least one side of any National Grid Support Structure in order to provide Transport with access to the tower for operation and maintenance activities.
6. confirmation of any sections of boundary planting that have been amended in consultation with the neighbouring landowner(s) including those affiliated with 187 Motuiti Road and the Māori Trustee, including where there is a change to plant type, species mix, or anticipated mature height from the Proposed Mitigation & Enhancement plan.
7. the source, grade, and size at the time of planting and the number of plants.



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8. *the plant spacing and how it will achieve proposed screening as soon as practicable. The LMP should clearly identify which areas of planting are primarily for visual screening (boundary planting) and which are primarily for wider landscape character or ecological betterment.*
 9. *a timeframe for planting that achieves the timeframes in condition B167 and prioritises planting along boundaries closest to neighbouring dwellings.*
 10. *site preparation details including watering, weed control, mulching, and wind protection.*
 11. *details of fencing.*
 12. *a maintenance plan including watering, weed control, mulching and replacement planting of dead, diseased, and dying plants for a period of 5 years after planting in that location. During and after the 5-year maintenance period, dead or diseased plants within the boundary planting must be replaced in the next planting season with new plantings appropriate to the planting area to maintain 90% coverage of the area identified for planting.*
 13. *methods to manage pest animal species, including rabbits.*

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 LAO6⁷ 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.](#)

⁷ [Appendix G2 - Proposed Mitigation & Enhancement](#)

Appendix C – Map of affected blocks administered by the Māori Trustee

