Technical Advice – Planning by Nicola Sedgley

Date	23 June 2026
To	Mhairi Rademaker, Senior Environmental Policy and Planning Advisor, Genesis Energy Limited
From	Nicola Sedgley – Technical Director – Planning - SLR Consulting New Zealand Limited
Project advice provided for	Foxton Solar Farm – application for resource consents

Documents referred to	• Fast Track Approvals Act Application – Foxton Solar Farm (Assessment of Environmental Effects) (SLR reference 810.V14848.00001 Revision: Final Issue, dated 13 February 2026)
	• Technical Response to Comments – Ecology (Andrew Briggs, SLR)
	• Technical Response to Comments – Acoustics and Vibration (Lodewyk Jansen, SLR)
	• Comments received on Substantive Application under section 53 FTAA, specifically:
	  ○ Comments from Kerry Sketcher (relating to 181 Motuiti Road).
	  ○ Comments from R and M Calderbank (relating to 185 Motuiti Road).
	  ○ Comments from Te Tumu Paeroa Office of the Māori Trustee (Te Tumu Paeroa);
	  ○ Comments from Manawatū-Whanganui Regional Council (MWRC)
	  ○ Comments from Horowhenua District Council (HDC)
	  ○ Comments from Department of Conservation (DOC)

Qualifications	I hold a Bachelor of Resource Studies from Lincoln University (1997) and have been a full member of the New Zealand Planning Institute since 2002. I am a Technical Director in the Planning team at SLR Consulting and have over 25 years' experience in planning in New Zealand. My primary area of practice has been in the consenting of major projects. My experience includes: • managing the consent applications for three other large scale utility solar farms through the COVID Fast track consenting process • managing four applications through the FTAA consenting process engaged by the EPA • preparing Assessment of Environmental effects for a variety of major projects requiring consent under sections 9, 11 and 12-15 of the RMA. I have experience presenting expert evidence at both Council and Environment Court hearings.

Code of Conduct	As an expert witness I have read, and I am familiar with, the Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023. This memorandum has been prepared in compliance with that Code. In particular, unless I state otherwise, this response is within my area of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.
Signature	

1. I have read the comments and associated material received from all 18 parties that have commented on the application and confirm that nothing in my opinion as expressed in the application documents has changed. I continue to support the position expressed in the application documents and make the following brief comments on specific comments received and the following relevant aspects of the application:

    - Additional Appendices and Assessment matters of the District Plan
    - Suitability of "Industrial" Activity in the Rural Area
    - Stormwater Consenting requirements (Te Tumu Paeroa)
    - Dual Certification of Landscape Mitigation Plan (LMP)
    - Farm Drains.

2. As a result of this consideration and review, and after reviewing the memorandums written in response to the comments by the ecology and noise and vibration experts, I propose a number of minor amendments to the proposed consent conditions. These proposed amendments are shown as track changes in the updated full condition set attached as Attachment 1 to this planning memorandum. I list the key changes recommended to the conditions by issue below.

3. This memorandum then provides a discussion of other key matters raised in the comments that relate to planning issues that have not resulted in recommended changes to the conditions of consent.

Conditions

4. The key topics where the conditions have been amended relate to:

    - accidental discovery (A10), in response to comments made by Heritage New Zealand Pouhere Taonga, with additional amendments sought by Ngā Hapū o Himatangi
    - new community information conditions (A13, A14), as sought by Te Tumu Paeroa
    - a requirement to provide all certified management plans to Ngā Hapū o Himatangi (A23) and the addition of cultural induction detail to the Construction Environmental Management Plan (CEMP) (A25), as sought by Ngā Hapū o Himatangi

- contaminated soils (A30) and erosion and sediment control including the management of dust (C1-C5, C11, C23), in response to comments made by MWRC
- construction noise and vibration (B8-B11) and operational noise (B18, B20, B21), on the advice of Mr Jansen and as sought by Te Tumu Paeroa
- minor amendment to the detail of the Landscape Management Plan (B15), as sought by Te Tumu Paeroa
- new conditions requiring provision of an Avifauna Management Plan if thresholds are met (B28) and relating to accidental discovery of lizards (B29), as sought by MWRC and DOC
- the Emergency Response Plan (B30), including an addition to the CEMP (A25), as sought by Te Tumu Paeroa and on the advice of Mr Jansen
- decommissioning (B31, B32), as sought by Te Tumu Paeroa
- flood and drainage control requirements (C8-C10), as sought by MWRC
- winter works (C18-C19), in response to earlier comments from the panel regarding use of "approval"
- changes have also been made though out the proposed conditions for consistency and clarify, including capitalisation of defined terms.

Additional Appendices and Assessment matters of the District Plan

5. The comments from Horowhenua District Council (HDC) state that certain District Plan assessment matters were not explicitly referenced within the application documentation. The matters identified by HDC include: rural landscape assessment, rural zone consenting considerations, noise, vehicle access, and natural hazards. A comprehensive list of the relevant provisions is provided within HDC's comment. This is acknowledged.

6. However, detailed technical assessments were prepared for each of the relevant subject areas, including traffic, noise, landscape, and flooding and the Application incorporates a comprehensive evaluation of the project's effects based on the findings of these technical reports. Section 7 of the Application provides a thorough assessment of all relevant environmental effects, which collectively addresses the substance and intent of the District Plan's assessment matters, including those not specifically cited. In addition, as a Discretionary Activity the decision-maker can consider any matter relevant to the application, and while the assessment criteria in the District Plan provide guidance to this assessment these provisions do not necessarily need to be addressed specifically in an application.

7. It is further noted that HDC acknowledges that the identified omissions in explicit referencing do not give rise to any additional or unaddressed issues. This conclusion is supported. Appreciation is extended to HDC for its detailed and thorough review of the application documentation, including its careful consideration of the relevant District Plan provisions. I agree these provisions can provide guidance to the panel.

Suitability of "Industrial" Activity in the Rural Area

8. A theme in the comments received from the Shailers, Ms Sketcher and Calderbanks is that the proposed solar farm is an industrial activity and that the Rural Zone is not an

appropriate location for such development. This matter is addressed in the Application specifically within Section 7.14, which evaluates amenity effects, and Section 8.11, which considers the relevant objectives and policies of the District Plan.

9. Part 3.3 of the District Plan, within the description of the Rural Zone, recognises that the zone has historically accommodated, and continues to support, a wide range of activities that enable and sustain the Horowhenua community. It acknowledges that land use patterns within the Rural Zone have evolved over time. While the zone currently supports a diverse range of land-based primary production activities—including, in the case of the subject site, large-scale augmented dairy production—it is anticipated that these activities will continue to change. The District Plan also recognises that infrastructure and other industrial-type activities are present within the rural environment, and that the Rural Zone provides for a variety of land uses that contribute to the diversity and resilience of the District's economy.

10. The District Plan further recognises that rural landscape and character is derived from the interaction between human activities and the natural and physical resources of the area. The subject site is a large, relatively flat area with low ecological value because of its historic land use, with the National Grid passing through its centre. Consequently, it represents one of a limited number of locations capable of accommodating a utility-scale solar farm that can connect to the National Grid without need for transmission line extensions, while generating comparatively low environmental effects. The Rural Zone in Horowhenua is intended to respond to the evolving needs of the wider community, including the adoption of new and emerging technologies. In this context, the introduction of a solar farm is not inherently incompatible with the intentions for the Rural Zone.

11. While the Application acknowledges a degree of tension with objectives and policies that seek to maintain and enhance rural character and amenity values—recognising that maintaining the status quo inherently limits change—it is also important to note that the District Plan provides explicit support for the development of renewable energy infrastructure (refer Section 8.11.2.2 of the Application). The Plan requires that adverse effects associated with such developments that are more than minor are avoided, remedied, or mitigated (EIT-UE-P12) and the contribution of renewable energy use and development to the well-being of the District, Region and Nation is recognised (EIT-UE-P13).

12. The Application demonstrates that the design and layout of the project have appropriately responded to these considerations and have achieved a balanced outcome that addresses both potential adverse effects and the policy support for renewable energy development.

Stormwater Consenting requirements

13. The comment from Te Tumu Paeroa raises concerns regarding the potential for increased flooding on adjoining properties, particularly in relation to possible modifications to on-site drainage features, including those identified as Drain 1 and Drain 2. These comments are acknowledged as Te Tumu Paeroa property borders the site at a number of locations.

The comments request the imposition of additional consent conditions to avoid or mitigate potential future adverse flooding effects.

14. The project has been specifically designed to avoid any works in or changes to Drain 1 and 2 as these are the main drains identified as important to the draining of water away from the site (Section 7.11 of the Application and the Stormwater and Flood Risk Assessment attached as Appendix J). Minor vegetation removal and earthworks for cables and planting are proposed within 5m of these drains but these works will not alter the stormwater draining to nor the stormwater capacity of, these drainage channels. The flood risk assessment identified that these drains were important and had the potential to flood and therefore key infrastructure required for the project was designed to be located away from these drainage channels. The project does not propose any modification to these drains and in addition to the setbacks from these drains, planting is proposed alongside them to improve water quality and temperature.

15. The project does not require resource consent in relation to stormwater discharge or the modification of watercourses. The technical flood risk assessment submitted in support of the application concludes that the development will not increase flood risk either within the site or on adjoining properties.

16. Therefore, no additional conditions of consent are considered necessary. If as an outcome of detailed design, consequential resource consent is required for matters relating to stormwater, relevant stormwater management conditions would be applied to those consents if required to avoid, remedy or mitigate any adverse effects.

Dual Certification of Landscape Mitigation Plan

17. MWRC has requested that the consent holder be required to obtain certification of the LMP from both the Regional Council (MWRC) and the District Council (HDC).

18. This approach is not supported. The primary purpose of the LMP is to facilitate the integration of the project within the surrounding environment and to provide visual screening of adjacent properties and transport corridors, including the mitigation of potential glint and glare effects. The proposed wetland planting within the central portion of the site is intended to create visual relief within the solar arrays and to retain and reflect existing natural landscape elements (refer Sections 3.2 and 3.3 of the Assessment of Landscape Effects, Appendix H1 to the Application).

19. While the planting proposed along drain margins and within areas of low ecological value will provide ancillary ecological benefits, the LMP is not intended to function as ecological offsetting or compensation for adverse effects on wetlands or waterways. This position is supported by Mr Lambie, engaged on behalf of MWRC, who concludes that there are no significant residual adverse effects on wetlands requiring management. Mr Lambie further states that the proposed approach will result in a demonstrable gain in wetland quality.

20. On this basis, there is no clear nexus between the purpose of the LMP and the statutory functions and responsibilities of the MWRC. Accordingly, it is not considered appropriate or necessary for the LMP to be subject to certification by both Councils. In this instance, the imposition of an additional certification requirement by MWRC is not supported. It is therefore proposed that Condition B15 does not include a requirement for certification of the LMP by the MWRC.

Farm Drains

21. In 2024 I co-authored a Memorandum to the Regional Council with SLR ecologist Andrew Briggs on the applicability of the site having drains or rivers under the RMA. That report concluded: "The drains are not modified watercourses as our review of historic information has not shown any on the site and the high point of the small catchment is in the middle of the site making watercourses unlikely to have existed." A copy of the memorandum is attached at Attachment 2 along with a copy of the base aerial photo should it assist the panel.

Bird strike

22. The Department of Conservation has raised concerns regarding the potential risk posed by the proposed solar farm to rare and threatened indigenous bird species. This matter is addressed in the Technical Response to Comments – Ecology (Andrew Briggs, SLR). The Response reaffirms the earlier ecological assessment that the subject site does not provide suitable habitat for rare or threatened avifauna. While areas of more suitable habitat exist approximately 7 kilometres from the site, the presence of this does not indicate that such species are likely to traverse or utilise this site, given its limited habitat values.

23. There have been ongoing discussions with MWRC to refine the proposed consent conditions to more effectively address potential risks to threatened and at-risk bird species. These discussions are reflected in advice provided by Mr Lambie on behalf of MWRC and have informed the revised Condition B28 appended to this memorandum.

24. This condition proposes trigger levels of bird mortality, that if exceeded, will trigger the requirement for an Avifauna Management Plan. The condition requires that such a plan must include monitoring protocols, adaptive management techniques, and mitigation measures for the species that has triggered the threshold. While it is required that adaptive management techniques be outlined, it is not suggested that the techniques that will be required to be introduced are included in the condition. As outlined by Mr Brass, numerous adaptive management techniques are available and it is not necessary to list or restrict the consent holder to these now. It is considered more appropriate and practicable, in the unlikely event for this site that the morbidity thresholds are exceeded, for appropriate management techniques be identified at that time and for the specific species (for example differentiating between birds of prey, wading species, or insectivorous birds).

25. Given that appropriate management responses are available and can be implemented if required, the proposed Condition B28 is considered to appropriately address the low level of risk the solar farm poses to threatened and at-risk bird species.

Nicola Jayne Sedgley

23 June 2026

Attachment 1 – Updated conditions set (track changes)

Foxton Solar Farm: Proposed conditions of consent

Response to conditions version

26 June 2026

Changes in response to:

- Horizons (teal)
- Te Tumu Paeroa (green)
- Nga Hapū o Himatangi (yellow)
- Heritage NZ Pouhere Taonga (blue)
- Other comments from Genesis technical experts (orange)
- Minor / technical / consistency / clarity changes (no shading)

1. Index of Resource Consents

Table 1: Index of resource consents

Ref	Details	Local Authority	Conditions	Lapse Period	Expiry date
RC 1	Land use consent for the construction, operation, maintenance and decommissioning of a solar farm, substation and BESS	HDC	Parts A and B	10 years	Unlimited
RC 2	Land use consent for large scale land disturbance and vegetation clearance.	MWRC	Parts A and C	10 years	10 years
RC 3	Discharge permit for discharge of cleanfill to land	MWRC	Parts A and C	10 years	10 years
RC 4	Discharge permit for discharge of contaminated stormwater	MWRC	Parts A and C	10 years	10 years
RC 5	NESFW consent	MWRC	Parts A and C	10 years	10 years
RC 6	Subdivision Plan	HDC	Part D	10 years	Unlimited

2. Condition Structure

Conditions are structured as follows:

Table 2: Structure of conditions

Part A	Contains general conditions related to the construction, operation, maintenance, and decommissioning of the solar farm and BESS common to RC 1-6
Part B	Contains conditions related to the construction, operation, maintenance, and decommissioning of the solar farm and BESS related to the HDC land use consent (RC 1)
Part C	Contains construction conditions related to MWRC consents for large scale land disturbance, vegetation clearance, discharge of cleanfill and discharge of contaminated stormwater (RC 2-4) and activities in and within 100m of natural inland wetlands (RC 5)
Part D	Contains conditions related to subdivision (RC 6)

3. Abbreviations and definitions

The following abbreviations and definitions are relevant to all consent conditions.

Table 3: Abbreviations and definitions

Term	Definition
AMP	Avifauna Management Plan
Application	The information contained in the report prepared by SLR Consulting New Zealand, titled 'Fast Track Approvals Act Application Foxton Solar Farm', dated 13 February 2026, and the technical assessments and supporting reports submitted by the Consent Holder to the Environmental Protection Authority in support of its application for resource consents for the Project under the Fast-track Approvals Act 2024
ADP	Accidental discovery protocol
BESS	Battery Energy Storage System
CEMP	Construction Environmental Management Plan
Consent Holder	Means Genesis Energy Limited, its successor, or any person(s) acting under the prior written approval of Genesis Energy Limited or its successor
Construction	Refers to works associated with the development of the ~~p~~Project excluding E~~e~~nabling W~~w~~orks and commissioning works
Completion of C~~c~~onstruction	When construction of the ~~p~~Project (or the relevant part of the ~~p~~Project) is complete and available for use or commissioning.
CSMP	Contaminated Soil Management Plan
CTMP	Construction Traffic Management Plan
Enabling W~~w~~orks	Works that may be undertaken prior to construction including geotechnical investigations, piling tests, site surveys or testing, site establishment (such as construction and/or upgrade of accesses, construction of laydown areas, establishment of site accommodation)
ESCP	Erosion and Sediment Control Plan
ERP	Emergency Response Plan
~~**LMP**~~	~~Landscape Mitigation Plan~~
HDC	Horowhenua District Council
HDC's Engineering Standards	Horowhenua District Council Subdivision and Development Principles and Requirements 2014

HNZPT	Heritage New Zealand Pouhere Taonga
Identified Area	Area of land shown in Appendix B to these conditions where there may have been an old sheep dip.
LMP	Landscape Mitigation Plan
Māori Trustee	Has the meaning given in the Māori Trustee Act 1953
MWRC	Manawatū-Whanganui Regional Council
NZECP34:2001	New Zealand Electrical Code of Practice for Electrical Safe Distances 2001
NZTA	NZ Transport Agency Waka Kotahi
Operation/Operational	Means the period after which the ~~p~~Project is connected to the National Grid, fully commissioned, and generating power
~~**ERP**~~	~~Emergency Response Plan~~
Permanent Cessation	Means the point at which 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.
Project	The construction, operation, maintenance, and potential decommissioning of the Foxton Solar Farm
RMA	Resource Management Act 1991
Site	Means land within the site boundary as depicted on the General Layout plan ~~referenced in condition A1~~shown in Appendix A to these conditions at approximate map reference **NZTopo50 BM33 9831 2030**. For the avoidance of doubt, new lots created through the subdivision consent are considered to be internal to the site for the purposes of any condition relating to noise or dust emissions.
~~**SMP**~~	~~Site Management Plan~~
SSESCP	Site Specific Erosion and Sediment Control Plan
SQEP	Suitably Qualified and Experienced Practitioner
Transpower	Transpower New Zealand Limited
Works area	In relation to detection of a native lizard(s) means a part of the Site that is, at the time, subject to land disturbing activities

4. Proposed conditions on consent

Part A – General conditions common to all consents

General

A1. These resource consents authorise the construction, operation, maintenance, and decommissioning of a solar farm, substation and BESS on the ~~s~~Site ~~shown on the General Layout (hereafter referred to as the site) at approximate map reference NZTopo50 BM33 9831 2030~~.

~~A2.~~ The ~~consent holder must undertake the construction, operation, maintenance, and decommissioning of the solar farm~~activities authorised by these resource consents must be undertaken in general accordance with the ~~a~~Application. ~~and further information listed below:~~

~~[*List application, key drawings and appendices, relevant further information*]~~

Where there ~~may be~~is ~~inconsistencies~~ inconsistency between information provided ~~by the Applicant~~in the Application and these conditions ~~of the resource consents~~, these conditions of ~~the resource consents~~ will prevail.

~~A3.~~A2. A copy of these resource consents and relevant management plans must be kept onsite at all times that these resource consents are exercised. These copies must be produced on request by an agent of ~~the Horowhenua District Council~~HDC or a ~~Manawatū-Whanganui Regional Council~~MWRC officer.

Advice note: *A digital copy of this resource consent is acceptable.*

~~A4.~~A3. The ~~consent holder~~Consent Holder is responsible for all contracted operations related to the exercise of these resource consents. They must ensure contractors are made aware of the conditions of these resource consents and relevant management plans and ensure compliance with those conditions and relevant management plans.

Pre-construction conditions

~~A5.~~A4. The ~~consent holder~~Consent Holder must notify the ~~Horowhenua District Council~~HDC~~'s compliance monitoring officer~~, the MWRC~~Manawatū-Whanganui Regional Council~~'s Consents Monitoring Team, and Transpower ~~NZ Ltd of the commencement and completion of construction works. Notice must be provided~~ no less than **ten (10) working days** prior to the commencement of Construction~~construction activities (excluding enabling works that do not require soil disturbance) authorised by these resource consents, within **five (5) working days** of completing construction works, and within **five (5) working days** of completion of commissioning of the solar farm.~~

Advice note: *The MWRC~~Manawatū-Whanganui Regional Council~~'s Consents Monitoring Team can be contacted on Freephone 0508 800 800 or via email at consents.monitoring@horizons.govt.nz.*

~~A6.~~A5. The ~~consent holder~~Consent Holder must, at least **ten (10) working days** prior to commencing any activities authorised by these resource consents, appoint a representative(s) who ~~shall~~ will be ~~the~~ MWRC~~Manawatū-Whanganui Regional Council~~ and ~~Horowhenua District Council~~HDC's principal contact person(s) in regard to matters relating to these resource consents. The ~~consent holder~~Consent Holder ~~shall~~ must inform ~~the councils~~MWRC and HDC of the representative's name and how they can be contacted, prior to these resource consents being exercised. Should that person(s) change during the term of these resource consents, the ~~consent holder~~Consent Holder ~~shall~~ must immediately inform ~~the councils~~MWRC and HDC and must~~shall~~ also give written notice to ~~the councils~~MWRC and HDC of the new representative's name and how they can be contacted.

~~A7.~~A6. Prior to exercising these resource consents (excluding any E~~e~~nabling W~~w~~orks that do not require soil disturbance), the ~~consent holder~~Consent Holder must arrange and conduct a pre-~~c~~Construction site meeting and invite, with a minimum of **ten (10) working days'** notice Ngā Hapū o Himatangi, ~~the Horowhenua District Council~~HDC, MWRC's ~~Manawatū-Whanganui Regional Council~~ Consents Monitoring Team, the contractor, and any other party representing the ~~consent holder~~Consent Holder.

Advice note: *In the case that any of the invited parties do not attend this meeting, the ~~consent holder~~Consent Holder will have complied with this condition, provided the invitation requirement is met.*

~~A8.~~A7. Prior to exercising these resource consents (excluding any E~~e~~nabling W~~w~~orks), the ~~consent holder~~Consent Holder must invite ~~and if accepted give~~ Ngā Hapū o Himatangi, and if accepted give Ngā Hapū o Himatangi an opportunity, ~~an opportunity~~ to perform a karakia to bless the ~~project s~~Site.

Completion of Construction notification

A8. The Consent Holder must notify HDC, the MWRC's Consents Monitoring Team, and Transpower within **five (5) working days** of the Completion of Construction.

Notification of commissioning

A9. The Consent Holder must notify HDC, the MWRC's Consents Monitoring Team, and Transpower within **five (5) working days** of completion of commissioning of the solar farm.

Accidental discovery

~~A9.~~A10. In the event of a suspected archaeological site, wāhi tapu, taonga, or kōiwi tangata being discovered or disturbed during the exercise of this resource consent, the following will apply:

a. Work must cease immediately within 20m of the suspected site;

b. Ngā Hapū o Himatangi, the Heritage New Zealand Pouhere Taonga Regional Archaeologist, HDC, and MWRC's Consents Monitoring Team must be notified immediately;

c. If the site is of Māori origin, the Consent Holder must invite Ngā Hapū o Himatangi, and if accepted give Ngā Hapū o Himatangi an opportunity, to undertake appropriate tikanga, so long as all statutory requirements under the Heritage New Zealand Pouhere Taonga Act 2014 and the Protected Objects Act 1975 are met;

d. If kōiwi (human remains) are encountered, the New Zealand Police must also be advised immediately. No further work in the area may take place until future actions have been agreed between Ngā Hapū o Himatangi, the Consent Holder, and Heritage New Zealand Pouhere Taonga.

Further work at the site must not resume until Heritage New Zealand Pouhere Taonga gives written approval for work to continue. An application for an archaeological authority may be required.

Advice note: *The Heritage New Zealand Pouhere Taonga Regional Archaeologist can be contacted on (04) 494 8324*

~~In the event of an archaeological site, waahi tapu or kōoiwi being discovered or disturbed during the exercise of this resource consent, the consent holder must immediately cease further work within 20 metres of the discovery site and inform:~~

~~a. Ngā Hapū o Himatangi~~

~~b. Heritage New Zealand Pouhere Taonga~~

~~c. The Police, if the discovery is human remains or kōiwi~~

~~d. The Horowhenua District Council's Consent Monitoring Team~~

~~e. The Manawatū-Whanganui Regional Council's Consents Monitoring Team.~~

~~Further work at the site must be suspended while iwi carry out their procedures for removal of taonga. The Horowhenua District Council will advise the consent holder when work at the site may recommence.~~

~~***Advice note:*** *In the event that human remains (koiwi) are found the Police should be contacted immediately and all works must cease until advice is given that works can recommence. Heritage New Zealand Pouhere Taonga National Office can be contacted on (04) 472 4341.*~~

National Grid

~~A10.~~A11. The ~~consent holder~~Consent Holder must~~shall~~ ensure that access is maintained to the BPE-HAY-A and BPE-HAY-B National Grid transmission lines, including support structures, for maintenance at all reasonable times, and emergency works at all times.

Advice note*: Transpower ~~NZ Ltd~~ has a right to access its existing assets under s23 of the Electricity Act 1992. Any development must not preclude or obstruct this right of access. It is an offence under s163D of the Electricity Act 1992 to intentionally obstruct any person in the performance of any duty or in doing any work that the person has the lawful authority to do under s23 of the Electricity Act 1992.*

~~A11.~~A12. All activities, including the construction of new buildings/structures, earthworks, fences, any operation of mobile plant and/or persons working near exposed line parts must~~shall~~ comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) or any subsequent revision of the code.

Community Information / Project Website

A13. 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:

a. the status of the Project;

b. anticipated Construction timeframes and sequencing;

c. certified management plans;

d. contact details for enquiries, complaints and accesses during Construction; and

e. details regarding the complaints and response procedures pursuant to Conditions A15 and A16.

A14. The Consent Holder must notify adjoining landowners, the Māori Trustee, Ngā Hapū o Himatangi, HDC and MWRC as soon as reasonably practicable once the website, or equivalent virtual information source has been established.

Complaints

~~A12.~~A15. The ~~consent holder~~Consent Holder must maintain a complaints register of any complaints received regarding the exercise of these resource consents detailing:

a. the name and contact details (if supplied) of the complainant;

b. the nature and details of the complaint;

c. the location, date and time of the complaint and the alleged event giving rise to the complaint;

d. the weather conditions and wind direction at the time of the complaint, where relevant to the complaint;

e. other activities in the area, unrelated to the Project, that may have contributed to the complaint;

f. the outcome of the ~~consent holder~~Consent Holder's investigation into the complaint; and

g. a description of any measures taken to respond to the complaint.

The complaints register must be made available to ~~the councils~~MWRC and HDC on request.

~~A13.~~A16. The ~~consent holder~~Consent Holder must respond to any complaint as soon as reasonably practicable and within **five (5) working days** by advising ~~the councils~~MWRC and HDC and the complainant of the outcome of the ~~consent holder~~Consent Holder's investigation and all measures taken, or proposed to be taken, to respond to the complaint.

Management Plan Conditions

~~A14.~~A17. The ~~consent holder~~Consent Holder must prepare the management plans set out in Table 4 for certification in writing by the relevant council in a technical certification~~ying~~ capacity. The ~~consent holder~~Consent Holder must prepare the management plans in accordance with the requirements of the relevant conditions and in general accordance with the ~~application documents as detailed in Condition A1~~Application.

~~A15.~~A18. The certification process must be limited to confirming that the management plan adequately gives effect to the relevant condition(s) and is generally consistent with the Application ~~application documents detailed in Condition A1~~.

Table 4: Management plans

Management Plan	Regulatory Authority or 'Council'	Condition Reference	Documents to Council for Certification – Minimum Timeframe
Construction Environmental Management Plan (CEMP)	HDC & MWRC	A24	At least 20 ~~wds~~ working days before C~~c~~onstruction or any ~~soil~~ land disturbing activities commence
Construction Traffic Management Plan (CTMP)	HDC	B1	At least 20 working days~~wds~~ before ~~c~~Construction commences
Contaminated Soils Management Plan (CSMP)	HDC (for information) & MWRC (for certification)	A29	At least 20 working days before ~~Prior to~~ any land disturbing activities ~~soil disturbance~~ in the ~~i~~Identified A~~a~~rea and within 20 working days after any unexpected discovery of potentially contaminated soils
Landscape ~~Management~~ Mitigation Plan (LMP)	HDC	B15	At least 20 working days~~wds~~ before ~~c~~Construction commences
Erosion and Sediment Control Plan (ESCP)	MWRC	C1	At least 20 working days~~wds~~ before any ~~soil~~ land disturbing activities commence
Emergency Response Plan (ERP)	HDC	B30	20 working days~~wds~~ prior to the ~~site~~solar farm becoming operational
Avifauna Management Plan (AMP)	MWRC and HDC	B27	For information, within 6 weeks of exceeding a

			threshold trigger in Condition B27
Decommissioning Plan	HDC	B32	Within 6 months of Permanent Cessation~~3 months before decommissioning of site~~
~~Site Management Plan~~	~~MWRC~~	~~(Part C contaminated land conditions)~~	~~Within 20 wds after confirmation of contaminated soils~~

~~A16.~~A19. If the relevant council's response is that it ~~is not able to~~cannot certify a management plan, ~~it must provide the consent holder with reasons and recommendations for changes to the management plan. The consent holder~~the Consent Holder must consider any reasons provided by the relevant council for that position and any associated recommendations of the relevant council and must resubmit an amended management plan for certification.

~~A17.~~A20. Construction activities must not commence until the CEMP and CTMP have been certified. Soil disturbing activities must not commence until the CEMP and ESCP, and if relevant the CSMP, have been certified.

~~A18.~~A21. Any changes proposed to a management plan must be confirmed in writing by the ~~consent holder~~Consent Holder and certified in writing by the relevant c~~C~~ouncil acting in a technical certification capacity, prior to the implementation of any changes proposed. Any such amendment must be in accordance with the requirements of the relevant conditions and in general accordance with the application documents as detailed in Condition A1.

~~A19.~~A22. All activities must be undertaken in accordance with all relevant certified management plans.

A23. All certified management plans listed in Table 4, including any updates, must be provided to Ngā Hapū o Himatangi.

Construction Environmental Management Plan

~~A20.~~A24. At least **twenty (20) working days** prior to commencing activities authorised by this resource consent (excluding any E~~e~~nabling W~~w~~orks), the ~~consent holder~~Consent Holder must provide ~~the Horowhenua District Council~~HDC and MWRC's Consents Monitoring Team ~~Manawatū-Whanganui Regional Council~~ with a ~~Construction Environmental Management Plan (~~CEMP~~)~~ for technical certification.

~~A21.~~A25. The purpose of the CEMP is to develop measures and processes to manage and minimise the adverse effects of C~~c~~onstruction. The CEMP must include but not be limited to:

a. a final construction methodology including stages, duration, and overall project timeline;

b. identification of key personnel and contact details;

c. hours of operation;

d. proposed construction lighting;

e. a complaints management procedure in compliance with Conditions A15 and A16;

f. a methodology to achieve compliance with Conditions B8 to B10;

g. A Spill Management Plan including but not limited to the following information:

   i. Contact details of the person(s) responsible for responding to any spills;

ii. Potential sources of contaminants from the site and the proposed works; and

iii. The proposed response/remedial procedures and related timeframes;

h. emergency response controls and incident management specific to the construction phase of the project;

~~h.~~i. a copy of the ~~Construction Traffic Management Plan~~ CTMP required by Condition B1;

~~i.~~j. a copy of the ~~Erosion and Sediment Control Plan~~ESCP required by Condition C1;

~~j.~~k. a copy of the ~~Accidental Discovery Protocol~~ADP for the ~~p~~Project;

~~k.~~l. management controls to manage dust;

~~l.~~m. machinery wash-down protocols to ensure machinery is cleaned prior to entering the site to avoid spreading invasive species; and

n. detail of cultural awareness and cultural induction requirements for all contractors and project personnel working on the site.

~~A22.~~A26. In addition to the matters listed in Condition A25, for any works within the National Grid corridor the CEMP must:

a. d~~D~~emonstrate (using construction drawings/plans and descriptions of procedures, methods and measures) that all construction activities undertaken on the site will meet the safe distances within the ~~New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (~~NZECP-34: 2001~~)~~ or any subsequent revision of the code; including (but not limited to) those relating to:

i. e~~E~~xcavation and Construction near Towers (Section 2 NZECP34:2001);

ii. b~~B~~uilding to conductor clearances (Section 3 NZECP34:2001);

iii. g~~G~~round to conductor clearances (Section 4 NZECP34:2001);

iv. m~~M~~obile Plant to conductor clearances (Section 5 NZECP34:2001); and

v. p~~P~~eople to conductor clearances (Section 9 NZECP34:2001);

b. i~~I~~nclude details of any areas that may be "out of bounds" during construction and/or areas within which additional management measures are required, such as fencing off, entry and exit hurdles, maximum height limits, or where a safety observer may be required (a safety observer will be at the ~~consent holder~~Consent Holder's cost);

c. d~~D~~emonstrate (using either construction drawings/plans and/or descriptions of procedures, methods and measures) how the existing transmission lines and support structures will remain accessible during and after construction activities;

d. d~~D~~emonstrate how the effects of dust (including any other material potentially resulting from construction activities able to cause material damage beyond normal wear and tear) on the transmission lines will be managed;

e. d~~D~~emonstrate how changes to the drainage patterns, runoff characteristics and stormwater will avoid adverse effects on the foundations of any support structure;

f. d~~D~~emonstrate how construction activities that could result in ground vibrations and/or ground instability will be managed to avoid causing damage to the transmission lines, including support structures; and

g. p~~P~~rovide details of proposed contractor training for those working near the transmission lines.

~~A23.~~A27. The CEMP must be provided to Transpower ~~NZ~~ for comment in respect of the National Grid at least **ten (10) working days** prior to submission to ~~Horowhenua District Council~~HDC. The

CEMP must~~shall~~ be provided to Transpower via Patai Form 5 'Submit a Management Plan' – https://transpower.patai.co.nz. Any comments received within **ten (10) working days** must be documented along with a clear explanation of where any comments have not been incorporated and the reasons why.

~~A24.~~A28. The CEMP may be amended without the need for certification where the amendment is administrative, including changes to nominated personnel.

Contaminated soils

~~A25.~~A29. If soil disturbance is required within the Identified ~~a~~Area ~~of the former sheep dip area identified in Figure 2 of the Preliminary Site Investigation report submitted with the application~~, soil sampling and analysis must be completed in this area in accordance with Ministry for the Environment Contaminated Land Management Guidelines to identify if any contaminants are present in the soils at a level that could present a risk to human health or the environment.

~~A26.~~A30. If contaminants are found to be present in the soil at a level that could present a risk to human health or environmental risk, at least **twenty (20) working days** prior to commencing soil disturbing activities within the ~~former sheep dip area~~Identified Area, the ~~consent holder~~Consent Holder must provide the MWRC's~~Manawatū-Whanganui Regional Council~~ Consents Monitoring Team with a ~~Contaminated Soil Management Plan (~~CSMP~~)~~ for technical certification. The CSMP must also be provided to ~~Horowhenua District Council~~HDC for information. The CSMP must be prepared by a ~~Suitably Qualified and Experienced Practitioner (~~SQEP~~)~~ in accordance with the Ministry for the Environments Contaminated Land Management Guidelines. The CSMP~~and~~ must outline procedures for soil disturbance measures that will be put in place to manage risks to human health and the environment including, where relevant, ensuring potential contaminants in runoff from the ~~s~~Site during earthworks ~~etc~~ are below relevant Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG) criteria.

~~A27.~~A31. In the event of any unexpected discovery of potentially contaminated soils during earthworks, the ~~consent holder~~Consent Holder must:

a. inform ~~Horowhenua District Council~~HDC and the MWRC's Consents Monitoring Team ~~Manawatū-Whanganui Regional Council~~ of the unexpected discovery of contaminated soils as soon as reasonably practicable and within **five (5) working days**;

b. engage a SQEP to assess the nature of the material and provide recommendations as to how the contaminated material is to be managed; and

c. provide a CSMP (or updated CSMP if one has already been provided under Condition A30) prepared by the SQEP to MWRC's ~~Manawatū-Whanganui Regional Council~~ Consents Monitoring Team for technical certification prior to further disturbance in the contaminated area. The CSMP (or updated CSMP) must also be provided to HDC for information. The CSMP must outline any remediation or management procedures to be put in place to manage risks to human health and the environment.

~~A28.~~ ***Advice note**: Unexpected discovery of potentially contaminated soils ~~would~~ may be indicated by the presence of unnaturally discoloured soils, mal-odours, or buried anthropogenic materials including fibrous materials such as asbestos containing material.*

Administration and review

~~A29.~~A32. That pursuant to s36(1)(c) of the ~~resource Management Act~~RMA, the ~~consent holder~~Consent Holder must pay ~~Horowhenua District Council~~HDC and MWRC ~~Manawatū-Whanganui Regional Council~~ all actual and reasonable costs associated with monitoring conditions of the Resource Consent

~~A30.~~A33. ~~The Horowhenua District Council~~HDC and MWRC~~Manawatū Whanganui Regional Council~~, under s128 of the ~~Resource Management Act~~RMA, may on the first anniversary of the commencement of these resource consents and every two years thereafter serve notice of its intention to review all conditions of ~~this~~ these resource consents for the purpose of reviewing the effectiveness of these conditions in avoiding and mitigating any adverse effects on the environment. The review of conditions must~~shall~~ allow for:

a. deletion or amendments to any conditions of ~~this~~ these resource consents to ensure unforeseen adverse effects are appropriately mitigated; ~~and / or.~~

b. addition of new conditions as necessary, to avoid, remedy or mitigate any unforeseen adverse effects on the environment; and ~~/ or.~~

c. if necessary and appropriate, the adoption of the best practicable options to avoid, remedy or mitigate any adverse effects on the environment.

Part B – District Council Consent Conditions (construction and operation)

Traffic, roading and access

B1. At least **twenty (20) working days** prior to commencing activities authorised by this resource consent (excluding any E~~e~~nabling W~~w~~orks), the ~~consent holder~~Consent Holder must provide ~~the Horowhenua District Council~~HDC with a ~~Construction Traffic Management Plan (~~CTMP~~)~~ for technical certification. The purpose of the CTMP is to manage property access, construction traffic and safety for all road users associated with the C~~c~~onstruction of the ~~p~~Project. The CTMP must include but not be limited to:

a. s~~S~~ite access locations;

b. c~~C~~onstruction traffic routes including demonstrating that no construction traffic will turn right from State Highway 1 onto Wall Road, unless specifically authorised by the CTMP in consultation with ~~NZ Transport Agency Waka Kotahi~~NZTA;

c. n~~N~~ature and duration of any temporary traffic management proposed including temporary signage and overdimension and overweight transportation requirements (such as pilot vehicles);

d. a~~A~~ Traffic Management Diagram;

e. s~~S~~ite management requirements;

f. n~~N~~oise and dust management;

g. r~~R~~esponsibilities for mitigation management;

h. r~~R~~isk assessment requirements;

i. m~~M~~onitoring and review details including work site inspections recording and reporting;

j. i~~I~~ncident management;

k. c~~C~~ontingency plan;

l. m~~M~~ethods for minimising light vehicle traffic including use of shuttle buses for transporting project workforce if practicable;

m. d~~D~~river's code of conduct; and

n. c~~C~~ommunications strategy including measures for regular communication with residents on Wall Road, Motuiti Road, and Himatangi Block Road.

***Advice note**: This consent does not constitute authorisation to work on the road. Works affecting the road will require approval for access to the corridor. A separate Corridor Access Request will need to be made to ~~the Horowhenua District Council~~HDC and/or ~~NZ Transport Agency Waka Kotahi~~NZTA.*

B2. The CTMP must be provided to ~~the NZ Transport Agency Waka Kotahi~~NZTA for comment in respect of the state highway network at least **ten (10) working days** prior to submission to ~~Horowhenua District Council~~HDC. Any comments received **ten (10) working days** must be documented along with a clear explanation of where any comments have not been incorporated and the reasons why.

B3. At least **twenty (20) working days** prior to commencing construction of site access, carparking, loading and manoeuvring areas or internal access ways, the ~~consent holder~~Consent Holder must provide ~~the Horowhenua District Council~~HDC with the following plans for technical certification:

a. d~~D~~esign of new access A01 in general accordance with Diagram 6 in Appendix One of ~~Horowhenua District Council~~HDC's Engineering Standards;

b. d~~D~~esign of new access A02 in general accordance with Drawing 5 in Appendix One of ~~Horowhenua District Council~~HDC's Engineering Standards;

c. d~~D~~esign of carparking, loading and manoeuvring areas to a formed all-weather metalled surface;

d. l~~L~~ocation and design of main internal access ways to be formed and constructed to a minimum 4m width with an all-weather metalled surface;

e. d~~D~~etail of on-going access to the BPE-HAY-A and BPE-HAY-B National Grid transmission lines as required by Condition A26.c; and

f. t~~T~~he design is to be in accordance with HDC's Engineering Standards~~the Horowhenua District Council Land Development and Subdivision Principles and Requirements~~, unless otherwise agreed between the ~~consent holder~~Consent Holder and ~~Horowhenua District Council~~HDC.

***Advice note**: A vehicle crossing application needs to be completed, submitted to ~~Horowhenua District Council~~HDC and approved before construction of new vehicle crossings begins.*

B4. Before the commencement of the activities~~y~~ authorised by this consent (excluding any E~~e~~nabling W~~w~~orks), the ~~consent holder~~Consent Holder must construct new road crossings A01 and A02 in accordance with the design certified under Condition B3, unless otherwise agreed in writing with ~~Horowhenua District Council~~HDC.

B5. Before the commencement of the activities~~y~~ authorised by this consent (excluding any E~~e~~nabling W~~w~~orks), the ~~consent holder~~Consent Holder must undertake a visual inspection and record ~~of~~ the condition of the local road network route ~~condition~~ for the purposes of a dilapidation survey. A second inspection must be conducted and record taken after the ~~completion~~ Completion of ~~construction~~ Construction~~activities~~. The consent holder must invite both HDC and the Consent Holder's contractor to attend these inspections. ~~Both inspections shall be made by the consent holder's contractor and the Horowhenua District Council.~~

B6. The ~~consent holder~~Consent Holder must ensure that damage to the local road network attributable to construction traffic is repaired and reinstated to the original condition as

recorded by the visual inspections required by Condition B5 within three (3) months of the ~~completion~~ Completion of ~~construction~~ Construction ~~activities~~ at the cost of the ~~consent holder~~Consent Holder.

B7. Notwithstanding the requirements of Condition B6 any damage attributable to construction traffic that, in the reasonable view of ~~the Horowhenua District Council~~HDC (recorded in writing), has the potential to result in adverse traffic safety effects must be repaired and reinstated by the ~~consent holder~~Consent Holder as soon as practicable to the original condition as recorded by the visual inspections required by Condition B5.

Construction noise and vibration

B8. Noise arising from construction activities must~~ not,~~ as far as practicable comply~~, exceed~~ with, ~~the limits recommended in,~~ and be measured and assessed under, New Zealand Standard NZS 6803: 1999 "Acoustics – Construction Noise":

Table 5: Summary of Construction ~~n~~Noise ~~l~~Limits (Table 2 of ~~recommended on~~ New Zealand Standard NZS 6803: 1999 "Acoustics – Construction Noise")

Timeframe		Noise Limit at neighbouring dwellings	
		L_{Aeq}	L_{AFMax}
Weekday	6.30 am to 7.30 am	55dB	75dB
	7.30 am to 6.00 pm	70dB	85dB
	6.00 pm to 8.00 pm	65dB	80dB
	8.00 pm to 6.30 ~~p~~am	45dB	75dB
Saturdays	6.30 am to 7.30 am	45dB	75dB
	7.30 am to 6.00 pm	70dB	85dB
	6.00 pm to 8.00 pm	45dB	75dB
	8.00 pm to 6.30 ~~p~~am	45dB	75dB
Sundays and public holidays: No construction works to be undertaken			

B9. Impact piling must~~shall~~ only occur on Monday to Friday between 7.30am and 6.00pm

B10. The CEMP will include measures that can be utilised if required to reduce noise levels at sensitive receivers in line with New Zealand Standard NZS 6803:1999 "Acoustics – Construction Noise" so that compliance with this standard is achieved. The CEMP shall provide practical noise management and mitigation measures that can be implemented where required to address construction noise at sensitive receivers within 150m of the site boundary. ~~include measures to specifically address construction noise at dwellings located within 150m of the site.~~

B11. Vibration from construction activities must at all times comply with the vibration limits set out in German Standard DIN 4150:3:1999~~2016~~ "~~Vibrations in buildings~~Structural vibration – Part 3: Effects of vibration on structures".

Height of solar panels

B12. Solar panel height must not exceed a maximum of 3.5 metres above finished ground level.

Cleaning of solar panels

B13. Infrastructure within the ~~s~~Site (including but not limited to panels, inverters, transformers, and switchgear) must only be cleaned with water or a biodegradable cleaner or water softener.

Lighting

B14. Outdoor lighting must be designed and installed in accordance with the following requirements:

a. l~~L~~ights must be shielded to avoid upward light spill; and

b. l~~L~~ighting must not result in any greater than 1 lux at the façade of any residential dwelling beyond the ~~s~~Site.

Landscape

B15. At least **twenty (20) working days** prior to commencing activities authorised by this resource consent (excluding any E~~e~~nabling W~~w~~orks), the ~~consent holder~~Consent Holder must provide ~~the Horowhenua District Council~~HDC with a ~~Landscape Mitigation Plan (~~LMP~~)~~ for technical certification. The purpose of the LMP is to assist the ~~p~~Project to integrate into the surrounding area and to screen surrounding properties and roads from glint or glare. A draft of the LMP ~~shall~~ must 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) at least **ten (10) working days** prior to the plan being submitted to ~~Council~~HDC. The LMP must be based on the Proposed Mitigation & Enhancement plan included in the Application except that:

1. it must require planting of no more than 6 metres mature height on the boundary of Himatangi 5A 5C1, Himatangi 5A 5C 2A, and Himatangi 5A 5C 2B blocks; and

2. it must require up to 180m of planting on the boundary of Himatangi 4C3, unless the landowners agree that it is not necessary;

and include but not be limited to:

a. identification of planting zones;

b. 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);

c. 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~~.~~;

d. 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~~.~~;

e. 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~~ Transpower with access to the tower for operation and maintenance activities~~.~~;

f. 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 included in the Application;

g. the source, grade, and size at the time of planting and the number of plants;

h. 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;

i. a timeframe for planting that achieves the timeframes in condition B17 and prioritises planting along boundaries closest to neighbouring dwellings;

j. site preparation details including watering, weed control, mulching, and wind protection;

k. details of fencing;

l. 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; and

m. methods to manage pest animal species, including rabbits,

n. demonstration that the planting along Drain 3 as shown in Appendix C does not impede flood control and drainage scheme management access, and

o. a register of any comments received within **ten (10) working days** from neighbouring landowners or Transpower on the LMP along with a clear explanation of where any comments have not been incorporated and the reasons why.

B16. The LMP must be provided to Transpower NZ for comment in respect of the National Grid at least **ten (10) working days** prior to submission to Horowhenua District CouncilHDC. The LMP shall must be provided to Transpower via Patai Form 5 'Submit a Management Plan' – https://transpower.patai.co.nz.

B17. Unless otherwise agreed in writing with the Horowhenua District CouncilHDC, the planting outlined in the LMP must be commenced within the first planting season following the commencement of cConstruction (excluding any Eenabling Wworks) and be completed by the end of the second planting season following commencement of cConstruction.

Operational noise

B18. The rating noise rating level generated by the from allOperation of the solar farm operations must comply withmeet the following noise levelslimits when measured and assessed at or within the property boundary of surrounding properties:

Table 6: Operational noise limits

Period	Location	Noise level
Daytime: 7.00am – 7.00pm	Boundary of any adjoining site	55 dB $L_{Aeq\ (15min)}$
Evening: 7.00 pm – 10.00pm	Boundary of any adjoining site	50 dB $L_{Aeq\ (15min)}$
Nighttime: 10.00pm – 7.00am	Boundary of 449 Wall Road	45 dB $L_{Aeq\ (15min)}$ 65 dB L_{Amax}
	Boundary of any other adjoining site	40 dB $L_{Aeq\ (15min)}$ 65 dB L_{Amax}

Advice note: *Noise levels ~~shall~~ must be measured and assessed following NZS 6801:2008 "Acoustics – Measurement of Environmental Sound" and NZS 6802:2008 "Acoustics – Environmental Noise" (or any subsequent replacement standard).*

B19. Prior to the operation of the ~~site~~solar farm, including if any central inverters or transformers are to be located closer than 150m to any adjoining site boundary, an acoustic assessment of the equipment ~~shall~~ must be undertaken by a ~~suitably qualified independent acoustic expert~~SQEP to confirm compliance with the noise standards in Condition B18. A copy of this acoustic assessment must be provided to ~~Horowhenua District Council~~HDC upon request.

Advice note*: The 150m setback does not apply to string inverters or Smart Transformer Stations~~STS units~~; however, the noise levels in Condition B18 must still be met.*

B20. If a BESS ~~system~~ is installed on ~~s~~Site, then prior to operation of that BESS the ~~consent holder~~Consent Holder must either:

a. construct an ~~3m high~~ acoustic barrier with a minimum height of 3m ~~between the~~above BESS ground level between the BESS and substation as shown in Figure 3 of the Acoustics ~~report referred to in condition A1~~Assessment lodged with the Application, or

b. undertake an acoustic assessment to demonstrate that the noise standards in Condition B18 can be met without constructing the acoustic barrier or with ~~an~~ amended acoustic ~~barrier~~mitigation measures. A copy of this acoustic assessment must be provided to ~~Horowhenua District Council~~HDC upon request.

B21. Within the first ~~summer (~~period of October to March~~)~~ following completion of commissioning of the solar farm, the ~~consent holder~~Consent Holder must engage a ~~suitably qualified acoustic consultant~~SQEP to monitor noise emissions from the ~~s~~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:

a. subject to the approval of HDC, on Wall Road and 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~~at the boundary of 449 Wall Road~~; and

b. at two (2) other representative locations at~~on~~ the site boundary.

B22. A report detailing the monitoring outcome under Condition B21 must be provided to ~~the Horowhenua District Council~~HDC within **twenty (20) working days** of the monitoring period being completed.

B23. If the BESS is installed after the noise compliance monitoring required under Condition B21, the requirements of Condition B21 must be repeated during the ~~summer season (from~~period of October to March~~)~~ following the installation of the BESS.

Avifauna monitoring

B24. The ~~consent holder~~Consent Holder must maintain a record of any bird or bat species found dead at the ~~s~~Site including a photograph, the species, number, date, time, location, and description of injuries. If the species cannot be identified by site staff, the carcass should be stored in a freezer to allow an ecologist to assist with identification.

B25. If any dead Threatened or At-Risk species are discovered, the ~~consent holder~~Consent Holder must report the find to the Department of Conservation as soon as reasonably practicable.

B26. Information on any indigenous bird or bat species found dead at the S~~s~~ite must be kept by the ~~consent holder~~Consent Holder and, if requested, be provided to ~~Horowhenua District Council~~HDC ~~or~~, the Department of Conservation, and Ngā Hapū o Himatangi. ~~on request.~~

B27. No later than **three (3) years** following completion of commissioning of the solar farm and at **five (5) yearly** intervals thereafter, a report must be compiled by a ~~suitably qualified ecologist~~SQEP to analyse the impact on avifauna and make recommendations about on-going mitigation measures, if required. This report must be provided to MWRC~~Horizons regional Council~~, the Department of Conservation, and Ngā Hapū o Himatangi.

B28. If any of the thresholds in Table 7~~Table 7~~ below are triggered by the monitoring under Condition B24, the Consent Holder must submit to HDC and MWRC an Avifauna Management Plan (AMP), prepared by a SQEP, for information. The purpose of the AMP is to protect avifauna specified in Table 7~~Table 7~~ from bird strike caused by the Project. The AMP must outline monitoring protocols, adaptive management techniques, and mitigation measures for the species that has triggered the threshold in Table 7~~Table 7~~. The AMP must be provided to HDC and MWRC within 6 weeks of the threshold trigger being exceeded.

Table 7: Criteria for identification of more than low EIANZ assessment thresholds

Threat classification	Threshold to trigger management actions to mitigate against more than minor effects
Threatened - Nationally Critical and Nationally Endangered species	1 carcass detected at any time related to collision mortality caused by the Project
Threatened - Nationally Vulnerable Species	2 carcasses detected within any single survey related to collision mortality caused by the Project; or 5 carcasses cumulatively over an annual period related to collision mortality caused by the Project
Threatened - Nationally Increasing and At-Risk species	5 carcasses cumulatively over an annual period related to collision mortality caused by the Project
Non threatened indigenous species	5 carcasses detected within any single survey related to collision mortality caused by the Project; or 20 carcasses cumulatively over an annual period related to collision mortality caused by the Project

Accidental discovery of lizards

B29. If a native lizard is detected within a Works Area during Construction within that Works Area:

a. a SQEP must be contacted within 24 hours of detection;

b. 10m buffer within the Works Area must be established around the native lizard sighting and maintained until either:

i. the lizard moves outside the Works Area; or

ii. the plan in (c) is implemented;

c. if the lizard does not move outside the works area, the SQEP must develop a plan to restart works in the Works Area in a manner that does not adversely affect the lizard.

Emergency Response Plan

~~B28.~~B30. At least **twenty (20) working days** prior to operation of the solar farm, the ~~consent holder~~Consent Holder must provide ~~the Horowhenua District Council~~HDC with an ~~Emergency Response Plan (EMP)~~ERP for technical certification~~information~~. The ~~EMP~~ ERP must set out

procedures for management of hazardous substances, potentially hazardous waste, flood, and fire and include but not be limited to:

a. c~~C~~ontact details for a primary and alternate site contact who can be reached 24/7 in case of an emergency;

b. ~~Site~~ site layout including the location of hazardous substances, water supply or storage, ~~and~~ emergency access routes and other design and preventative controls;

c. a~~A~~ccess provisions for emergency services;

d. h~~H~~azardous substance containment and ~~spill response~~ spill response, spill monitoring, and spill remediation procedures;

e. p~~P~~rocedures for the storage and disposal of faulty or damaged solar panels or electrical equipment;

f. procedures specific to the ongoing monitoring and maintenance of BESS units;

~~f.~~g. c~~C~~ontrol measures, such as vegetation management and setback distances for BESS infrastructure, for minimisation of fire risk;

~~g.~~h. f~~F~~ire detection, containment, and response procedures;

i. the volume of water that must be available on site at all times to manage fire risk of site activities;

j. procedures for site staff for emergency response and incident management; and

~~h.~~k. e~~E~~mergency response training for site staff and Fire and Emergency New Zealand representatives.

Decommissioning

~~B29.~~B31. ~~At least **six (6) months** prior to the 35th anniversary of completion of commissioning of the solar farm, the consent holder must advise Horowhenua District Council whether the consent holder intends to decommission the solar farm.~~ If Permanent Cessation occurs, the Consent Holder must:

a. within 3 months provide notice of the Permanent Cessation to HDC; and

b. within 6 months submit a Decommissioning Plan to HDC for certification that meets the requirements of Condition B32.

~~B30.~~B32. ~~If the consent holder wishes to decommission the solar farm, then at least **three (3) months** prior to decommissioning of the solar farm it must provide the Horowhenua District Council with a Decommissioning Plan for approval.~~ The purpose of the Decommissioning Plan is to ~~demonstrate~~ ensure that decommissioning of the solar farm and associated infrastructure ~~is~~ will be completed in a 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 ~~be~~ 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, HDC and MWRC~~providing notice of the decommissioning to adjoining landowners~~.

~~B31.~~B33. The site decommissioning must be completed in accordance with the Decommissioning Plan certified under Condition B32.

~~B32.~~B34. The ~~consent holder~~Consent Holder must notify the ~~Horowhenua District Council~~HDC, at least **ten (10) working days** before completion of the decommissioning to allow Council staff to conduct site inspections to determine compliance with the Decommissioning Plan.

Advice note: *Decommissioning or repowering activities may require a variation to this resource consent and/or additional resource consent(s). It is the ~~consent holder~~Consent Holder's responsibility to obtain any consents required.*

Part C – Regional Council Consent Conditions (construction)

For the avoidance of doubt, the conditions in Part C only apply during construction.

Erosion and sediment control plan

C1. At least **twenty (20) working days** prior to commencing land disturbance activities authorised by this resource consent, the ~~consent holder~~Consent Holder must provide the MWRC's~~Manawatū-Whanganui Regional Council~~ Consents Monitoring Team with an ~~finalised~~ ESCP for technical certification. The ESCP must be prepared in accordance with the "*Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region*"~~"~~, dated February 2021. If the earthworks are to occur in stages across the ~~s~~Site, the ESCP may be prepared as an overarching plan with site-specific ESCPs (SSESCPs) prepared for each stage of works and submitted for certification. Any earthworks ~~undertaken~~ must be ~~done~~undertaken in accordance with the ~~approved~~ certified ESCP and, where applicable, the relevant certified SSESCP. The ~~finalised~~ certified ESCP, and where applicable the relevant SSESCPs, must include but not be limited to:

a. c~~C~~ontact details of persons undertaking works;

b. e~~E~~xpected dates for the establishment of erosion and sediment control measures, commencement and conclusion of earthworks, and decommissioning of erosion and sediment control measures;

c. a~~A~~ site plan or a series of site plans showing contours, areas to be disturbed, cut and fill areas, stockpile areas, erosion and sediment control structures, waterbodies and wetlands, and exclusion areas that are not to be disturbed (i.e. ecological features or contaminated areas);~~.~~

d. ~~t~~T~~T~~he type, locations and dimensions (including supporting calculations where relevant) of erosion and sediment control structures;

e. a methodology for stabilising disturbed soils;

~~e.~~f. a~~A~~ methodology for cleaning material tracked onto the surrounding local road network;

~~f.~~g. a~~A~~ methodology for minimising disturbance of identified natural inland wetland areas as required by ~~condition~~ Condition C6;

~~g.~~h. a~~A~~ methodology for the management of dust including a methodology for dust monitoring to be undertaken on the boundary of the site in the vicinity of residential properties in the event of ongoing complaints or incidents that are found to cause a nuisance beyond the Site bo~~i~~undary and be due to the construction of the Project;

~~h.~~i. i~~I~~nspection and maintenance measures on a regular frequency and in response to a rainfall trigger event

~~i.~~j. details on how and when the ESCP and/or SSESCPs will be reviewed or updated; and

j.k. iIf use of flocculation is proposed, the following information:

i. cContact details of the person(s) responsible for the operation and maintenance of the flocculation management system and reporting structure.;

ii. sSpecific design details of the proposed flocculation management system for each Sediment Retention Device;

iii. mMonitoring (including pH triggers), maintenance and systems for recording dosing and inspections; and

iv. pProcedures and actions when the performance targets have not been achieved.

C2. Prior to commissioning any Sediment Retention Pond or Decanting Earth Bund, tThe consent holderConsent Holder must engage a SQEP to provide the MWRC's Manawatū-Whanganui Regional Council Consents Monitoring Team with an 'as-built' forms for the Sediment Retention Pond or Decanting Earth Bundall erosion and sediment controls installed.

Advice note: *As-built forms for erosion and sediment control structures can be found on the Horizons website https://www.horizons.govt.nz/managing-natural-resources/consents-monitoring/earthworks.*

C3. At least **five (5) working days prior** to commencing land disturbance activities authorised by this resource consent, the consent holder must provide a copy of the final ESCP to the Manawatū-Whanganui Regional CouncilHDC for information.

C4. Any changes proposed to the ESCP or an SSESCP must be confirmed in writing by the consent holderConsent Holder and certified in writing by a MWRCManawatū-Whanganui Regional Council Officer acting in a technical certification capacity, prior to implementing any changes. The ESCP or SSESCP must be updated within **one (1) working day** of any amendments being certified.

C5. When exercising this resource consent, the consent holderConsent Holder must at all times comply with the erosion and sediment control methodologies outlined in the ESCP or SSESCPs, and subsequent amendments certified under Condition C4.

Natural inland wetlands

C6. Disturbance of identified natural inland wetlands must be minimised by:

a. mMarking out on Ssite of all identified natural inland wetlands prior to cConstruction commencing;

b. aAvoidance of tracking of machinery through natural inland wetland areas where practicable;

c. uUse of swamp/bog mats where tracking of machinery through natural inland wetland areas cannot be avoided; and

d. stabilising Ddisturbed natural inland wetland areas to be stabilised within **five (5) working days** of backfilling or, where this is not practicable, as soon as reasonably practicable.

C7. The consent holderConsent Holder may, at any time following cessation of irrigation, undertake a re-assessment of any natural inland wetland identified in the ecology report submitted with this the aApplication. If the outcome of that re-assessment is that an area(s) no longer meets the definition of natural inland wetland, including due to changes in hydrological regime caused by the cessation of irrigation, the consent holderConsent Holder may submit a request in writing to the to the MWRC's Consents Monitoring TeamManawatū-Whanganui Regional Council to

confirm that the requirements of Condition C6 no longer apply to that area. The request must be supported by a report from a ~~suitably qualified and experienced ecologist~~SQEP confirming that the area(s) no longer meets the definition of natural inland wetland as well as an amendment to the certified ESCP as set out in ~~under Condition C1~~ Condition C4.

Flood and drainage control

C8. A 6m corridor measured from the top of the bank along one side of 'Drain 3' as shown ~~on Figure 8 in the AEE~~in Appendix C must remain free of solar farm infrastructure and planting to ensure access is maintained for ~~Horizons Regional Council~~MWRC's ongoing maintenance of this flood control and drainage scheme drain. If a fence is retained or constructed along the bank of the drain, the 6m corridor must be measured from the fenceline. Any new fence constructed must be located no further from the bank than the existing fence existing prior to construction.

C9. The ~~consent holder~~Consent Holder must install signage at the location of any cabling under 'Drain 3' as shown ~~on Figure 8 of the AEE~~in Appendix C advising of the cabling and its depth. This signage is to ensure that any ~~parties~~ persons undertaking maintenance of the drain are aware of the location of cabling.

C10. The Consent Holder must ensure that access is maintained to Drain 3 for maintenance by MWRC at all reasonable times

Environmental standards

~~C10.~~C11. The ~~consent holder~~Consent Holder must ensure any discharge of sediment arising from the exercise of this resource consent is minimised. In this regard, all erosion and sediment control measures must be established, operated, and maintained in accordance with the ESCP, SSESCPs and the document titled "*Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region*"~~"~~, dated February 2021.

~~C11.~~C12. Any discharge of sediment from outlet structures arising from the exercise of this resource consent must have at least **100 millimetres (100mm) of visual clarity**, measured by Secchi disk or clarity tube, or alternative certified in writing by the MWRC's Consents Monitoring Team~~Manawatū-Whanganui Regional Council~~.

~~C12.~~C13. Where flocculant is used, erosion and sediment controls must be operated and maintained, such that any discharge from these measures/devices has:

a. a **pH not less than 5.5 or greater than 8.5**~~,~~; and

~~a.~~b. at least **100 millimetres (100mm) of visual clarity**, measured by Secchi disk or clarity tube, or alternative certified in writing by the MWRC's Consents Monitoring Team~~Manawatū-Whanganui Regional Council~~.

~~C13.~~C14. All earthmoving machinery, pumps, generators and ancillary equipment must~~shall~~ be operated in a manner that ensures spillages of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery servicing and maintenance. Refuelling and lubrication activities ~~shall~~ must be carried out away from any water body, ephemeral water body, or overland flow path, such that any spillage can be contained so that it does not enter surface water.

~~C14.~~C15. The ~~consent holder~~Consent Holder ~~shall~~ must ensure that, as far as practicable, all clean water run-off from stabilised surfaces including catchment areas above the ~~s~~Site is~~shall be~~ diverted away from the exposed areas via a stabilised system to prevent erosion. The ~~consent~~

~~holder~~Consent Holder ~~shall~~ must also ensure any outfall(s) of these systems are protected to minimise erosion.

~~C15.~~C16. The ~~consent holder~~Consent Holder must ensure there is no discharge of objectionable, noxious or offensive airborne dust beyond the ~~site boundary~~Site.

Advice note: *The Frequency, Intensity, Duration, Offensiveness, and Location of Exposure (FIDOL) of any discharge to air may be assessed to determine whether the discharge is objectionable. Definitions of these aspects are provided in Chapter RP-AIR of the One Plan (2024) Regional Plan, or any superseding Regional Plan*

Cleanfill discharge

~~C16.~~C17. The discharge of cleanfill must not include the following materials:

a. combustible, putrescible (except that cleanfill may contain up to 5% by weight putrescible matter), degradable or leachable components~~.~~;

b. household or industrial refuse, car bodies;

c. products or materials derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practices;

d. materials that may present a risk to human health, animals or plants;

~~e. materials that may present a risk to human health, animals or plants;~~

~~f.~~e. liquid waste~~,~~; and~~;~~

~~g.~~f. material that when buried or placed will not breakdown, decay, give rise to gas or leachates.

Advice note*: It is recommended that the ~~consent holder~~Consent Holder refers to '~~Technical Guidelines for Disposal to Land Revision 3.1~~~~A Guide to the Management of Cleanfills~~' (~~Waste Management Institute New Zealand, September 2023)~~~~Ministry for the Environment, 2002~~) for further information on the discharge of cleanfill.*

Winter works

~~C17.~~C18. Except for the first year of C~~c~~onstruction, the ~~consent holder~~Consent Holder must stabilise the ~~s~~Site by **30 April** of each year in accordance with the ESCP and the measures detailed in the document titled "*Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region*" dated February 2021 unless Condition C19(a) or (b) applies~~approved otherwise required under Condition C20 or otherwise certified in writing by the Manawatū-Whanganui Regional Council~~.

Advice note: *Stabilisation, under the "Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region", dated February 2021, means inherently resistant to erosion, or rendered resistant to erosion through the application of proven stabilisation methods (mulching, grass seeding with top soil, hydroseeding, turfing, geo-textiles, and erosion control blankets) specified in Section E3 of these guidelines. For seeding, grassing, or hydroseeding, a surface is considered stabilised once a minimum of 80% vegetative cover has been established over the entire surface.*

~~C18.~~C19. Except for the first year of C~~c~~onstruction and excluding necessary stabilisation works, earthworks and land disturbance works must not occur during the ~~winter~~ period **1 May to 30 September** (inclusive) ~~unless otherwise certified in writing by the Manawatū-Whanganui Regional Council.~~ except where:

a. a written request is made to the MWRC's Consents Monitoring Team to undertake earthworks and/or land disturbance works and the MWRC's Consents Monitoring Team provides written confirmation that the specified works can proceed; or

~~h.~~b. the earthworks and/or land disturbance works are explicitly described and managed as winter works by the certified ESCP (and where applicable the relevant SSESCP) required by Condition C1 or Condition C4 (as applicable).

***Advice note**: In considering a request under a) or during certification of a ESCP/SSESCP with respect to the management of winter works MWRC's Consents Monitoring Team will consider the following:*

a. The scope/nature of the proposed works;

b. Structural controls proposed, or existing, that will be/are installed;

c. Additional non-structural controls to be implemented (e.g. increased on site monitoring and staging);

d. Maintenance consideration of structural controls to ensure effective access can be achieved to undertake the maintenance and controls continue to work efficiently;

e. Compliance history and performance of the site, if available; and

f. Sensitivity of the receiving environment subject to the winter works

~~C19. Requests to undertake earthworks during the period **1 May to 30 September** (inclusive) for any year other than the first winter period (that is already covered by the consent) that this resource consent is current must be submitted to the MWRC'sManawatū-Whanganui Regional Council Consents Monitoring Team prior to **1 April**, unless otherwise agreed to in writing. These requests must be in the form of amendments to the ESCP under Condition C4. In considering a request received in accordance with this condition, MWRC'sManawatū-Whanganui Regional Council Consents Monitoring Team will consider the following:~~

~~a. tThe scope/nature of the proposed works;~~

~~b. sStructural controls proposed, or existing, that will be/are installed;~~

~~c. aAdditional non-structural controls to be implemented (e.g. increased on site monitoring and staging);~~

~~d. mMaintenance consideration of structural controls to ensure effective access can be achieved to undertake the maintenance and controls continue to work efficiently;~~

~~e. cCompliance history and performance of the sSite, if available; and~~

~~f. sSensitivity of the receiving environment subject to the winter works.~~

Monitoring

C20. The ~~consent holder~~Consent Holder must inspect all erosion and sediment control structures on a **weekly** basis and within **twenty four (24) hours** of a rainfall trigger event specified in the ESCP.

C21. The ~~consent holder~~Consent Holder must record the dates, times, and results of the inspections (including what maintenance was required, on which erosion and sediment control, and when the maintenance was completed) undertaken under Condition C20~~C21~~. These records must be provided to the MWRC's Consents Monitoring Team~~Manawatū-Whanganui Regional Council~~ within **three (3) working days** of a written request to do so.

C22. In the event of an incident occurring that causes, or is likely to cause, a non-compliance with Conditions C11 to C16 of this resource consent the ~~consent holder~~Consent Holder must notify

the MWRC's~~Manawatū-Whanganui Regional Council~~ Consents Monitoring Team within **twenty four (24) hours** of becoming aware of the incident.

C23. Within **ten (10) working days** of providing notice under Condition C22~~C23~~, the ~~consent holder~~Consent Holder must submit an incident report to the MWRC's~~Manawatū-Whanganui Regional Council~~ Consents Monitoring Team. The incident report must include but not be limited to:

a. details of the nature, timing, and cause of the incident;

b. an assessment of adverse effects of the incident on the environment; and

c. details of any remedial and/or mitigation measures that have, or will be, implemented to prevent the incident reoccurring in the future.

Advice note: *Proposed remedial and/or mitigation measures may require certified amendments to the ESCP or SSESCPs under Condition C4, to prevent an incident from reoccurring in the future.*

C24. The ~~consent holder~~Consent Holder must implement the remedial and/or mitigation measures detailed in the incident report under Condition C23~~C24~~ as soon as practicable and within **ten (10) working days** of the incident report being submitted to the MWRC's~~Manawatū-Whanganui Regional Council~~ Consents Monitoring Team.

Stabilisation and decommissioning of controls

C25. The ~~consent holder~~Consent Holder must consult and obtain written approval from the MWRC~~Manawatū-Whanganui Regional Council~~'s Consents Monitoring Team before decommissioning erosion and sediment control structures. In this respect, the main issues that will be considered by the MWRC's Consents Monitoring Team~~Manawatū-Whanganui Regional Council~~ include:

a. t~~T~~he adequacy of the soil stabilisation and/or covering vegetation;

b. t~~T~~he quality of the water discharged from the rehabilitated land; and

c. t~~T~~he quality of the receiving water.

C26. The ~~consent holder~~Consent Holder must stabilise the ~~s~~Site as soon as practicable and within **ten (10) days working days** of the completion of land disturbance activities in accordance with ESCP and the document titled "*Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region*" dated February 2021. The ~~consent holder~~Consent Holder must~~shall~~ monitor and maintain the ~~s~~Site until vegetation is established to such an extent that it prevents erosion and prevents sediment from entering any water body.

Part D – Subdivision Consent Conditions (District Council)

Prior to requesting approval under s~~ection~~ 223 of the ~~Resource Management Act~~RMA

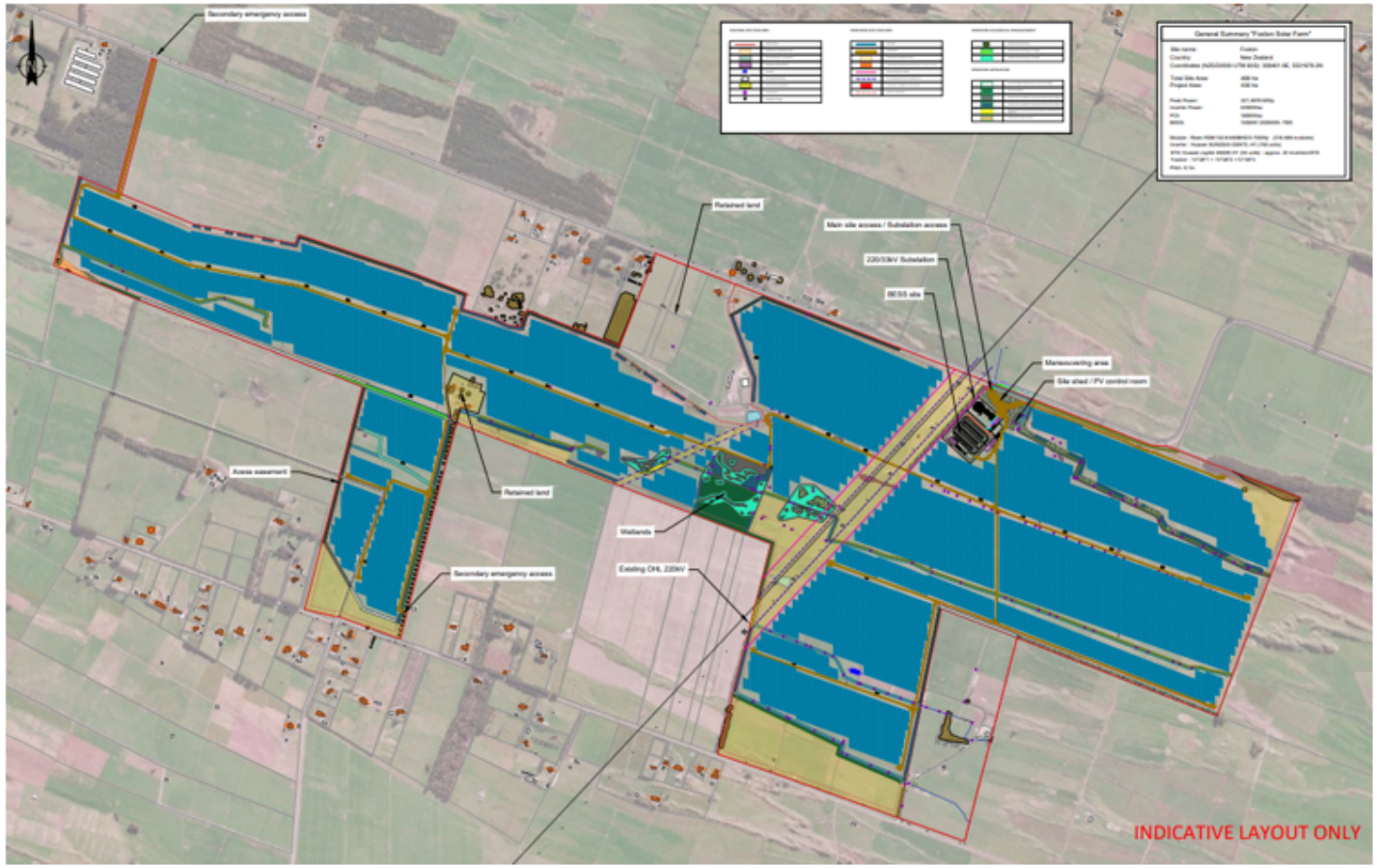
D1 Prior to requesting approval under s~~ection~~ 223 of the ~~Act~~RMA, the ~~consent holder~~Consent Holder must provide a written statement and L~~l~~and Transfer Plan prepared by a professional surveyor to the Chief Executive of ~~Horowhenua District Council~~HDC confirming that all services are confined to their respective lots or provision has been made for suitable easements to be granted and reserved and endorsed on the Land Transfer Plan. Any such easement ~~shall~~ must be subject to s~~ection~~ 243 of the ~~Resource Management Act 1991~~RMA and must, therefore be shown on the Land Transfer Plan in a Memorandum of Easements.

Prior to approval under s~~Section~~ 224 of the ~~Resource Management Act~~RMA

D2 Prior to requesting approval under s~~ection~~ 224 of the ~~Act~~ RMA the ~~consent holder~~Consent Holder must provide written confirmation to the ~~Horowhenua District Council~~HDC from the electricity network supplier that provision of electric supply has been made available to lot 3 and all the network suppliers requirements for making such means of supply available have been met or satisfactory arrangements have been concluded with the ~~consent holder~~Consent Holder to complete the provision of the supply.

Appendix A

Figure 15: Overview plan of proposal

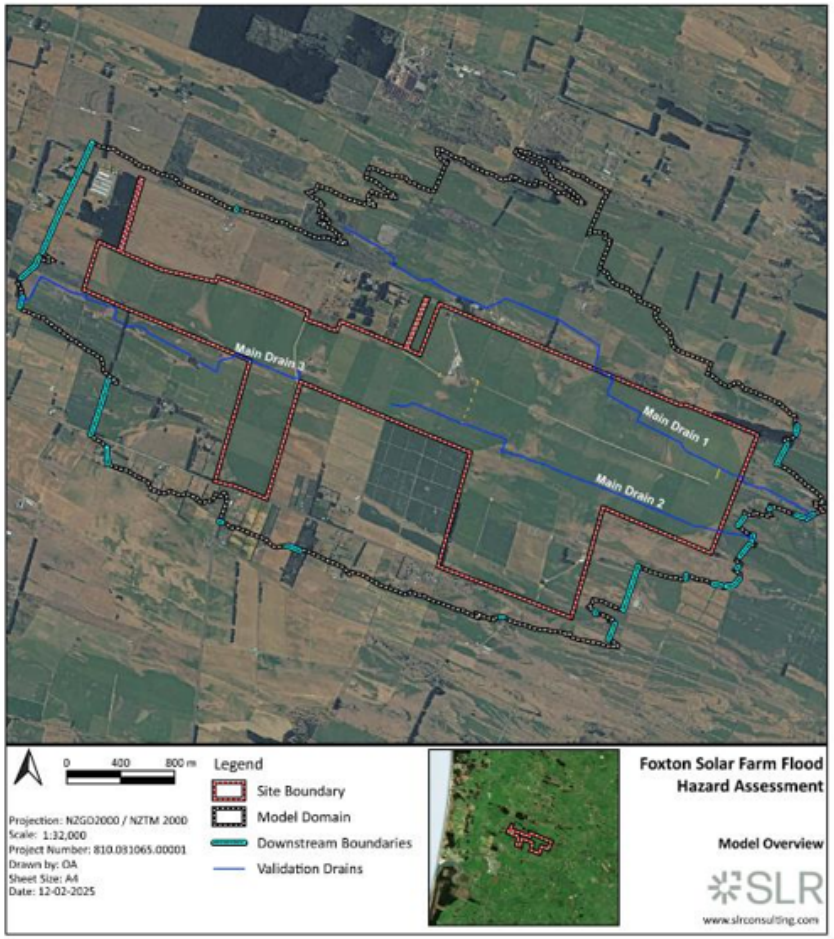


Appendix B

Figure 2 Potential Former Sheep Dip Location

Appendix C

Figure 8: Location of main site drains



Attachment 1 – Updated conditions set (clean)

Foxton Solar Farm: Proposed conditions of consent

Response to conditions version

26 June 2026

Changes in response to:

- Horizons (teal)
- Te Tumu Paeroa (green)
- Nga Hapū o Himatangi (yellow)
- Heritage NZ Pouhere Taonga (blue)
- Other comments from Genesis technical experts (orange)
- Minor / technical / consistency / clarity changes (no shading)

1. Index of Resource Consents

Table 1: Index of resource consents

Ref	Details	Local Authority	Conditions	Lapse Period	Expiry date
RC 1	Land use consent for the construction, operation, maintenance and decommissioning of a solar farm, substation and BESS	HDC	Parts A and B	10 years	Unlimited
RC 2	Land use consent for large scale land disturbance and vegetation clearance.	MWRC	Parts A and C	10 years	10 years
RC 3	Discharge permit for discharge of cleanfill to land	MWRC	Parts A and C	10 years	10 years
RC 4	Discharge permit for discharge of contaminated stormwater	MWRC	Parts A and C	10 years	10 years
RC 5	NESFW consent	MWRC	Parts A and C	10 years	10 years
RC 6	Subdivision Plan	HDC	Part D	10 years	Unlimited

2. Condition Structure

Conditions are structured as follows:

Table 2: Structure of conditions

Part A	Contains general conditions related to the construction, operation, maintenance, and decommissioning of the solar farm and BESS common to RC 1-6
Part B	Contains conditions related to the construction, operation, maintenance, and decommissioning of the solar farm and BESS related to the HDC land use consent (RC 1)
Part C	Contains construction conditions related to MWRC consents for large scale land disturbance, vegetation clearance, discharge of cleanfill and discharge of contaminated stormwater (RC 2-4) and activities in and within 100m of natural inland wetlands (RC 5)
Part D	Contains conditions related to subdivision (RC 6)

3. Abbreviations and definitions

The following abbreviations and definitions are relevant to all consent conditions.

Table 3: Abbreviations and definitions

Term	Definition
AMP	Avifauna Management Plan
Application	The information contained in the report prepared by SLR Consulting New Zealand, titled 'Fast Track Approvals Act Application Foxton Solar Farm', dated 13 February 2026, and the technical assessments and supporting reports submitted by the Consent Holder to the Environmental Protection Authority in support of its application for resource consents for the Project under the Fast-track Approvals Act 2024
ADP	Accidental discovery protocol
BESS	Battery Energy Storage System
CEMP	Construction Environmental Management Plan
Consent Holder	Means Genesis Energy Limited, its successor, or any person(s) acting under the prior written approval of Genesis Energy Limited or its successor
Construction	Refers to works associated with the development of the Project excluding Enabling Works and commissioning works
Completion of Construction	When construction of the Project (or the relevant part of the Project) is complete and available for use or commissioning.
CSMP	Contaminated Soil Management Plan
CTMP	Construction Traffic Management Plan
Enabling Works	Works that may be undertaken prior to construction including geotechnical investigations, piling tests, site surveys or testing, site establishment (such as construction and/or upgrade of accesses, construction of laydown areas, establishment of site accommodation)
ESCP	Erosion and Sediment Control Plan
ERP	Emergency Response Plan
HDC	Horowhenua District Council
HDC's Engineering Standards	Horowhenua District Council Subdivision and Development Principles and Requirements 2014
HNZPT	Heritage New Zealand Pouhere Taonga

Identified Area	Area of land shown in Appendix B to these conditions where there may have been an old sheep dip.
LMP	Landscape Mitigation Plan
Māori Trustee	Has the meaning given in the Māori Trustee Act 1953
MWRC	Manawatū-Whanganui Regional Council
NZECP34:2001	New Zealand Electrical Code of Practice for Electrical Safe Distances 2001
NZTA	NZ Transport Agency Waka Kotahi
Operation/Operational	Means the period after which the Project is connected to the National Grid, fully commissioned, and generating power
Permanent Cessation	Means the point at which 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.
Project	The construction, operation, maintenance, and potential decommissioning of the Foxton Solar Farm
RMA	Resource Management Act 1991
Site	Means land within the site boundary as depicted on the General Layout plan shown in Appendix A to these conditions at approximate map reference **NZTopo50 BM33 9831 2030**. For the avoidance of doubt, new lots created through the subdivision consent are considered to be internal to the site for the purposes of any condition relating to noise or dust emissions.
SSESCP	Site Specific Erosion and Sediment Control Plan
SQEP	Suitably Qualified and Experienced Practitioner
Transpower	Transpower New Zealand Limited
Works area	In relation to detection of a native lizard(s) means a part of the Site that is, at the time, subject to land disturbing activities

4. Proposed conditions on consent

Part A – General conditions common to all consents

General

A1. These resource consents authorise the construction, operation, maintenance, and decommissioning of a solar farm, substation and BESS on the Site.

The activities authorised by these resource consents must be undertaken in general accordance with the Application.

Where there is inconsistency between information provided in the Application and these conditions, these conditions of will prevail.

A2. A copy of these resource consents and relevant management plans must be kept onsite at all times that these resource consents are exercised. These copies must be produced on request by an agent of HDC or a MWRC officer.

Advice note: *A digital copy of this resource consent is acceptable.*

A3. The Consent Holder is responsible for all contracted operations related to the exercise of these resource consents. They must ensure contractors are made aware of the conditions of these

resource consents and relevant management plans and ensure compliance with those conditions and relevant management plans.

Pre-construction conditions

A4. The Consent Holder must notify the HDC, the MWRC's Consents Monitoring Team, and Transpower no less than **ten (10) working days** prior to the commencement of Construction

Advice note: *The MWRC's Consents Monitoring Team can be contacted on Freephone 0508 800 800 or via email at consents.monitoring@horizons.govt.nz.*

A5. The Consent Holder must, at least **ten (10) working days** prior to commencing any activities authorised by these resource consents, appoint a representative(s) who will be MWRC and HDC's principal contact person(s) in regard to matters relating to these resource consents. The Consent Holder must inform MWRC and HDC of the representative's name and how they can be contacted, prior to these resource consents being exercised. Should that person(s) change during the term of these resource consents, the Consent Holder must immediately inform MWRC and HDC and must also give written notice to MWRC and HDC of the new representative's name and how they can be contacted.

A6. Prior to exercising these resource consents (excluding any Enabling Works that do not require soil disturbance), the Consent Holder must arrange and conduct a pre-Construction site meeting and invite, with a minimum of **ten (10) working days'** notice Ngā Hapū o Himatangi, HDC, MWRC's Consents Monitoring Team, the contractor, and any other party representing the Consent Holder.

Advice note: *In the case that any of the invited parties do not attend this meeting, the Consent Holder will have complied with this condition, provided the invitation requirement is met.*

A7. Prior to exercising these resource consents (excluding any Enabling Works), the Consent Holder must invite Ngā Hapū o Himatangi, and if accepted give Ngā Hapū o Himatangi an opportunity, to perform a karakia to bless the Site.

Completion of Construction notification

A8. The Consent Holder must notify HDC, the MWRC's Consents Monitoring Team, and Transpower within **five (5) working days** of the Completion of Construction.

Notification of commissioning

A9. The Consent Holder must notify HDC, the MWRC's Consents Monitoring Team, and Transpower within **five (5) working days** of completion of commissioning of the solar farm.

Accidental discovery

A10. In the event of a suspected archaeological site, wāhi tapu, taonga, or kōiwi tangata being discovered or disturbed during the exercise of this resource consent, the following will apply:

a. Work must cease immediately within 20m of the suspected site;

b. Ngā Hapū o Himatangi, the Heritage New Zealand Pouhere Taonga Regional Archaeologist, HDC, and MWRC's Consents Monitoring Team must be notified immediately;

c. If the site is of Māori origin, the Consent Holder must invite Ngā Hapū o Himatangi, and if accepted give Ngā Hapū o Himatangi an opportunity, to undertake appropriate tikanga,

so long as all statutory requirements under the Heritage New Zealand Pouhere Taonga Act 2014 and the Protected Objects Act 1975 are met;

d. If kōiwi (human remains) are encountered, the New Zealand Police must also be advised immediately. No further work in the area may take place until future actions have been agreed between Ngā Hapū o Himatangi, the Consent Holder, and Heritage New Zealand Pouhere Taonga.

Further work at the site must not resume until Heritage New Zealand Pouhere Taonga gives written approval for work to continue. An application for an archaeological authority may be required.

Advice note: *The Heritage New Zealand Pouhere Taonga Regional Archaeologist can be contacted on (04) 494 8324*

National Grid

A11. The Consent Holder must ensure that access is maintained to the BPE-HAY-A and BPE-HAY-B National Grid transmission lines, including support structures, for maintenance at all reasonable times, and emergency works at all times.

Advice note*: Transpower has a right to access its existing assets under s23 of the Electricity Act 1992. Any development must not preclude or obstruct this right of access. It is an offence under s163D of the Electricity Act 1992 to intentionally obstruct any person in the performance of any duty or in doing any work that the person has the lawful authority to do under s23 of the Electricity Act 1992.*

A12. All activities, including the construction of new buildings/structures, earthworks, fences, any operation of mobile plant and/or persons working near exposed line parts must comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) or any subsequent revision of the code.

Community Information / Project Website

A13. 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:

a. the status of the Project;

b. anticipated Construction timeframes and sequencing;

c. certified management plans;

d. contact details for enquiries, complaints and accesses during Construction; and

e. details regarding the complaints and response procedures pursuant to Conditions A15 and A16.

A14. The Consent Holder must notify adjoining landowners, the Māori Trustee, Ngā Hapū o Himatangi, HDC and MWRC as soon as reasonably practicable once the website, or equivalent virtual information source has been established.

Complaints

A15. The Consent Holder must maintain a complaints register of any complaints received regarding the exercise of these resource consents detailing:

a. the name and contact details (if supplied) of the complainant;

b. the nature and details of the complaint;

c. the location, date and time of the complaint and the alleged event giving rise to the complaint;

d. the weather conditions and wind direction at the time of the complaint, where relevant to the complaint;

e. other activities in the area, unrelated to the Project, that may have contributed to the complaint;

f. the outcome of the Consent Holder's investigation into the complaint; and

g. a description of any measures taken to respond to the complaint.

The complaints register must be made available to MWRC and HDC on request.

A16. The Consent Holder must respond to any complaint as soon as reasonably practicable and within **five (5) working days** by advising MWRC and HDC and the complainant of the outcome of the Consent Holder's investigation and all measures taken, or proposed to be taken, to respond to the complaint.

Management Plan Conditions

A17. The Consent Holder must prepare the management plans set out in Table 4 for certification in writing by the relevant council in a technical certification capacity. The Consent Holder must prepare the management plans in accordance with the requirements of the relevant conditions and in general accordance with the Application.

A18. The certification process must be limited to confirming that the management plan adequately gives effect to the relevant condition(s) and is generally consistent with the Application.

Table 4: Management plans

Management Plan	Regulatory Authority or 'Council'	Condition Reference	Documents to Council for Certification – Minimum Timeframe
Construction Environmental Management Plan (CEMP)	HDC & MWRC	A24	At least 20 working days before Construction or any land disturbing activities commence
Construction Traffic Management Plan (CTMP)	HDC	B1	At least 20 working days before Construction commences
Contaminated Soils Management Plan (CSMP)	HDC (for information) & MWRC (for certification)	A29	At least 20 working days before any land disturbing activities in the Identified Area and within 20 working days after any unexpected discovery of potentially contaminated soils

Landscape Mitigation Plan (LMP)	HDC	B15	At least 20 working days before Construction commences
Erosion and Sediment Control Plan (ESCP)	MWRC	C1	At least 20 working days before any land disturbing activities commence
Emergency Response Plan (ERP)	HDC	B30	20 working days prior to the solar farm becoming operational
Avifauna Management Plan (AMP)	MWRC and HDC	B27	For information, within 6 weeks of exceeding a threshold trigger in Condition B27
Decommissioning Plan	HDC	B32	Within 6 months of Permanent Cessation

A19. If the relevant council's response is that it cannot certify a management plan, the Consent Holder must consider any reasons provided by the relevant council for that position and any associated recommendations of the relevant council and must resubmit an amended management plan for certification.

A20. Construction activities must not commence until the CEMP and CTMP have been certified. Soil disturbing activities must not commence until the CEMP and ESCP, and if relevant the CSMP, have been certified.

A21. Any changes proposed to a management plan must be confirmed in writing by the Consent Holder and certified in writing by the relevant council acting in a technical certification capacity, prior to the implementation of any changes proposed. Any such amendment must be in accordance with the requirements of the relevant conditions and in general accordance with the application documents as detailed in Condition A1.

A22. All activities must be undertaken in accordance with all relevant certified management plans.

A23. All certified management plans listed in Table 4, including any updates, must be provided to Ngā Hapū o Himatangi.

Construction Environmental Management Plan

A24. At least **twenty (20) working days** prior to commencing activities authorised by this resource consent (excluding any Enabling Works), the Consent Holder must provide HDC and MWRC's Consents Monitoring Team with a CEMP for technical certification.

A25. The purpose of the CEMP is to develop measures and processes to manage and minimise the adverse effects of Construction. The CEMP must include but not be limited to:

a. a final construction methodology including stages, duration, and overall project timeline;

b. identification of key personnel and contact details;

c. hours of operation;

d. proposed construction lighting;

e. a complaints management procedure in compliance with Conditions A15 and A16;

f. a methodology to achieve compliance with Conditions B8 to B10;

g. A Spill Management Plan including but not limited to the following information:

i. Contact details of the person(s) responsible for responding to any spills;

ii. Potential sources of contaminants from the site and the proposed works; and

iii. The proposed response/remedial procedures and related timeframes;

h. emergency response controls and incident management specific to the construction phase of the project;

i. a copy of the CTMP required by Condition B1;

j. a copy of the ESCP required by Condition C1;

k. a copy of the ADP for the Project;

l. management controls to manage dust;

m. machinery wash-down protocols to ensure machinery is cleaned prior to entering the site to avoid spreading invasive species; and

n. detail of cultural awareness and cultural induction requirements for all contractors and project personnel working on the site.

A26. In addition to the matters listed in Condition A25, for any works within the National Grid corridor the CEMP must:

a. demonstrate (using construction drawings/plans and descriptions of procedures, methods and measures) that all construction activities undertaken on the site will meet the safe distances within the NZECP34: 2001 or any subsequent revision of the code; including (but not limited to) those relating to:

i. excavation and Construction near Towers (Section 2 NZECP34:2001);

ii. building to conductor clearances (Section 3 NZECP34:2001);

iii. ground to conductor clearances (Section 4 NZECP34:2001);

iv. mobile Plant to conductor clearances (Section 5 NZECP34:2001); and

v. people to conductor clearances (Section 9 NZECP34:2001);

b. include details of any areas that may be "out of bounds" during construction and/or areas within which additional management measures are required, such as fencing off, entry and exit hurdles, maximum height limits, or where a safety observer may be required (a safety observer will be at the Consent Holder's cost);

c. demonstrate (using either construction drawings/plans and/or descriptions of procedures, methods and measures) how the existing transmission lines and support structures will remain accessible during and after construction activities;

d. demonstrate how the effects of dust (including any other material potentially resulting from construction activities able to cause material damage beyond normal wear and tear) on the transmission lines will be managed;

e. demonstrate how changes to the drainage patterns, runoff characteristics and stormwater will avoid adverse effects on the foundations of any support structure;

f. demonstrate how construction activities that could result in ground vibrations and/or ground instability will be managed to avoid causing damage to the transmission lines, including support structures; and

g. provide details of proposed contractor training for those working near the transmission lines.

A27. The CEMP must be provided to Transpower for comment in respect of the National Grid at least **ten (10) working days** prior to submission to HDC. The CEMP must be provided to Transpower via Patai Form 5 'Submit a Management Plan' – https://transpower.patai.co.nz. Any comments received within **ten (10) working days** must be documented along with a clear explanation of where any comments have not been incorporated and the reasons why.

A28. The CEMP may be amended without the need for certification where the amendment is administrative, including changes to nominated personnel.

Contaminated soils

A29. If soil disturbance is required within the Identified Area, soil sampling and analysis must be completed in this area in accordance with Ministry for the Environment Contaminated Land Management Guidelines to identify if any contaminants are present in the soils at a level that could present a risk to human health or the environment.

A30. If contaminants are found to be present in the soil at a level that could present a risk to human health or environmental risk, at least **twenty (20) working days** prior to commencing soil disturbing activities within the Identified Area, the Consent Holder must provide the MWRC's Consents Monitoring Team with a CSMP for technical certification. The CSMP must also be provided to HDC for information. The CSMP must be prepared by a SQEP in accordance with the Ministry for the Environments Contaminated Land Management Guidelines. The CSMP must outline procedures for soil disturbance measures that will be put in place to manage risks to human health and the environment including, where relevant, ensuring potential contaminants in runoff from the Site during earthworks are below relevant Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG) criteria.

A31. In the event of any unexpected discovery of potentially contaminated soils during earthworks, the Consent Holder must:

a. inform HDC and the MWRC's Consents Monitoring Team of the unexpected discovery of contaminated soils as soon as reasonably practicable and within **five (5) working days**;

b. engage a SQEP to assess the nature of the material and provide recommendations as to how the contaminated material is to be managed; and

c. provide a CSMP (or updated CSMP if one has already been provided under Condition A30) prepared by the SQEP to MWRC's Consents Monitoring Team for technical certification prior to further disturbance in the contaminated area. The CSMP (or updated CSMP) must also be provided to HDC for information. The CSMP must outline any remediation or management procedures to be put in place to manage risks to human health and the environment.

***Advice note**: Unexpected discovery of potentially contaminated soils may be indicated by the presence of unnaturally discoloured soils, mal-odours, or buried anthropogenic materials including fibrous materials such as asbestos containing material.*

Administration and review

A32. That pursuant to s36(1)(c) of the RMA, the Consent Holder must pay HDC and MWRC all actual and reasonable costs associated with monitoring conditions of the Resource Consent

A33. HDC and MWRC, under s128 of the RMA, may on the first anniversary of the commencement of these resource consents and every two years thereafter serve notice of its intention to review

all conditions of these resource consents for the purpose of reviewing the effectiveness of these conditions in avoiding and mitigating any adverse effects on the environment. The review of conditions must allow for:

a. deletion or amendments to any conditions of these resource consents to ensure unforeseen adverse effects are appropriately mitigated;

b. addition of new conditions as necessary, to avoid, remedy or mitigate any unforeseen adverse effects on the environment; and

c. if necessary and appropriate, the adoption of the best practicable options to avoid, remedy or mitigate any adverse effects on the environment.

Part B – District Council Consent Conditions (construction and operation)

Traffic, roading and access

B1. At least **twenty (20) working days** prior to commencing activities authorised by this resource consent (excluding any Enabling Works), the Consent Holder must provide HDC with a CTMP for technical certification. The purpose of the CTMP is to manage property access, construction traffic and safety for all road users associated with the Construction of the Project. The CTMP must include but not be limited to:

a. site access locations;

b. construction traffic routes including demonstrating that no construction traffic will turn right from State Highway 1 onto Wall Road, unless specifically authorised by the CTMP in consultation with NZTA;

c. nature and duration of any temporary traffic management proposed including temporary signage and overdimension and overweight transportation requirements (such as pilot vehicles);

d. a Traffic Management Diagram;

e. site management requirements;

f. noise and dust management;

g. responsibilities for mitigation management;

h. risk assessment requirements;

i. monitoring and review details including work site inspections recording and reporting;

j. incident management;

k. contingency plan;

l. methods for minimising light vehicle traffic including use of shuttle buses for transporting project workforce if practicable;

m. driver's code of conduct; and

n. communications strategy including measures for regular communication with residents on Wall Road, Motuiti Road, and Himatangi Block Road.

***Advice note**: This consent does not constitute authorisation to work on the road. Works affecting the road will require approval for access to the corridor. A separate Corridor Access Request will need to be made to HDC and/or NZTA.*

B2. The CTMP must be provided to NZTA for comment in respect of the state highway network at least **ten (10) working days** prior to submission to HDC. Any comments received **ten (10)**

working days must be documented along with a clear explanation of where any comments have not been incorporated and the reasons why.

B3. At least **twenty (20) working days** prior to commencing construction of site access, carparking, loading and manoeuvring areas or internal access ways, the Consent Holder must provide HDC with the following plans for technical certification:

a. design of new access A01 in general accordance with Diagram 6 in Appendix One of HDC's Engineering Standards;

b. design of new access A02 in general accordance with Drawing 5 in Appendix One of HDC's Engineering Standards;

c. design of carparking, loading and manoeuvring areas to a formed all-weather metalled surface;

d. location and design of main internal access ways to be formed and constructed to a minimum 4m width with an all-weather metalled surface;

e. detail of on-going access to the BPE-HAY-A and BPE-HAY-B National Grid transmission lines as required by Condition A26.c; and

f. the design is to be in accordance with HDC's Engineering Standards, unless otherwise agreed between the Consent Holder and HDC.

***Advice note**: A vehicle crossing application needs to be completed, submitted to HDC and approved before construction of new vehicle crossings begins.*

B4. Before the commencement of the activities authorised by this consent (excluding any Enabling Works), the Consent Holder must construct new road crossings A01 and A02 in accordance with the design certified under Condition B3, unless otherwise agreed in writing with HDC.

B5. Before the commencement of the activities authorised by this consent (excluding any Enabling Works), the Consent Holder must undertake a visual inspection and record the condition of the local road network route for the purposes of a dilapidation survey. A second inspection must be conducted and record taken after the Completion of Construction. The consent holder must invite both HDC and the Consent Holder's contractor to attend these inspections.

B6. The Consent Holder must ensure that damage to the local road network attributable to construction traffic is repaired and reinstated to the original condition as recorded by the visual inspections required by Condition B5 within three (3) months of the Completion of Construction at the cost of the Consent Holder.

B7. Notwithstanding the requirements of Condition B6 any damage attributable to construction traffic that, in the reasonable view of HDC (recorded in writing), has the potential to result in adverse traffic safety effects must be repaired and reinstated by the Consent Holder as soon as practicable to the original condition as recorded by the visual inspections required by Condition B5.

Construction noise and vibration

B8. Noise arising from construction activities must as far as practicable comply with, and be measured and assessed under, New Zealand Standard NZS 6803: 1999 "Acoustics – Construction Noise":

Table 5: Summary of Construction Noise Limits (Table 2 of New Zealand Standard NZS 6803: 1999 "Acoustics – Construction Noise")

Timeframe		Noise Limit at neighbouring dwellings	
		L_{Aeq}	L_{AFMax}
Weekday	6.30 am to 7.30 am	55dB	75dB
	7.30 am to 6.00 pm	70dB	85dB
	6.00 pm to 8.00 pm	65dB	80dB
	8.00 pm to 6.30 am	45dB	75dB
Saturdays	6.30 am to 7.30 am	45dB	75dB
	7.30 am to 6.00 pm	70dB	85dB
	6.00 pm to 8.00 pm	45dB	75dB
	8.00 pm to 6.30 am	45dB	75dB
Sundays and public holidays: No construction works to be undertaken			

B9. Impact piling must only occur on Monday to Friday between 7.30am and 6.00pm

B10. The CEMP will include measures that can be utilised if required to reduce noise levels at sensitive receivers in line with New Zealand Standard NZS 6803:1999 "Acoustics – Construction Noise" so that compliance with this standard is achieved. The CEMP shall provide practical noise management and mitigation measures that can be implemented where required to address construction noise at sensitive receivers within 150m of the site boundary.

B11. Vibration from construction activities must at all times comply with the vibration limits set out in German Standard DIN 4150:3:1999 "Structural vibration – Part 3: Effects of vibration on structures".

Height of solar panels

B12. Solar panel height must not exceed a maximum of 3.5 metres above finished ground level.

Cleaning of solar panels

B13. Infrastructure within the Site (including but not limited to panels, inverters, transformers, and switchgear) must only be cleaned with water or a biodegradable cleaner or water softener.

Lighting

B14. Outdoor lighting must be designed and installed in accordance with the following requirements:

a. lights must be shielded to avoid upward light spill; and

b. lighting must not result in any greater than 1 lux at the façade of any residential dwelling beyond the Site.

Landscape

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 HDC with a LMP for technical certification. The purpose of the LMP is to assist the Project to integrate into the surrounding area and to screen surrounding properties and roads from glint or glare. A draft of the LMP must 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) at least **ten (10) working days** prior to the plan being submitted to HDC. The LMP must be based on the Proposed Mitigation & Enhancement plan included in the Application except that:

1. it must require planting of no more than 6 metres mature height on the boundary of Himatangi 5A 5C1, Himatangi 5A 5C 2A, and Himatangi 5A 5C 2B blocks; and
2. it must require up to 180m of planting on the boundary of Himatangi 4C3, unless the landowners agree that it is not necessary;

and include but not be limited to:

a. identification of planting zones;
b. 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);
c. 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;
d. 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;
e. 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 Transpower with access to the tower for operation and maintenance activities;
f. 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 included in the Application;
g. the source, grade, and size at the time of planting and the number of plants;
h. 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;
i. a timeframe for planting that achieves the timeframes in condition B17 and prioritises planting along boundaries closest to neighbouring dwellings;
j. site preparation details including watering, weed control, mulching, and wind protection;
k. details of fencing;
l. 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;
m. methods to manage pest animal species, including rabbits,

n. demonstration that the planting along Drain 3 as shown in Appendix C does not impede flood control and drainage scheme management access, and

o. a register of any comments received within **ten (10) working days** from neighbouring landowners or Transpower on the LMP along with a clear explanation of where any comments have not been incorporated and the reasons why.

B16. The LMP must be provided to Transpower for comment in respect of the National Grid at least **ten (10) working days** prior to submission to HDC. The LMP must be provided to Transpower via Patai Form 5 'Submit a Management Plan' – https://transpower.patai.co.nz.

B17. Unless otherwise agreed in writing with HDC, the planting outlined in the LMP must be commenced within the first planting season following the commencement of Construction (excluding any Enabling Works) and be completed by the end of the second planting season following commencement of Construction.

Operational noise

B18. The noise rating level generated by the operation of the solar farm must comply with the following noise limits when measured and assessed at or within the property boundary of surrounding properties:

Table 6: Operational noise limits

Period	Location	Noise level
Daytime: 7.00am – 7.00pm	Boundary of any adjoining site	55 dB $L_{Aeq\ (15min)}$
Evening: 7.00 pm – 10.00pm	Boundary of any adjoining site	50 dB $L_{Aeq\ (15min)}$
Nighttime: 10.00pm – 7.00am	Boundary of 449 Wall Road	45 dB $L_{Aeq\ (15min)}$ 65 dB L_{Amax}
	Boundary of any other adjoining site	40 dB $L_{Aeq\ (15min)}$ 65 dB L_{Amax}

Advice note: *Noise levels must be measured and assessed following NZS 6801:2008 "Acoustics – Measurement of Environmental Sound" and NZS 6802:2008 "Acoustics – Environmental Noise" (or any subsequent replacement standard).*

B19. Prior to the operation of the solar farm, including if any central inverters or transformers are to be located closer than 150m to any adjoining site boundary, an acoustic assessment of the equipment must be undertaken by a SQEP to confirm compliance with the noise standards in Condition B18. A copy of this acoustic assessment must be provided to HDC upon request.

Advice note*: The 150m setback does not apply to string inverters or Smart Transformer Stations; however, the noise levels in Condition B18 must still be met.*

B20. If a BESS is installed on Site, then prior to operation of that BESS the Consent Holder must either:

a. construct an acoustic barrier with a minimum height of 3m above BESS ground level between the BESS and substation as shown in Figure 3 of the Acoustics Assessment lodged with the Application, or

b. undertake an acoustic assessment to demonstrate that the noise standards in Condition B18 can be met without constructing the acoustic barrier or with amended acoustic mitigation measures. A copy of this acoustic assessment must be provided to HDC upon request.

B21. Within the first period of October to March following completion of commissioning of the solar farm, the Consent Holder must engage a SQEP 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:

a. subject to the approval of HDC, on Wall Road and 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

b. at two (2) other representative locations at the site boundary.

B22. A report detailing the monitoring outcome under Condition B21 must be provided to HDC within **twenty (20) working days** of the monitoring period being completed.

B23. If the BESS is installed after the noise compliance monitoring required under Condition B21, the requirements of Condition B21 must be repeated during the period of October to March following the installation of the BESS.

Avifauna monitoring

B24. The Consent Holder must maintain a record of any bird or bat species found dead at the Site including a photograph, the species, number, date, time, location, and description of injuries. If the species cannot be identified by site staff, the carcass should be stored in a freezer to allow an ecologist to assist with identification.

B25. If any dead Threatened or At-Risk species are discovered, the Consent Holder must report the find to the Department of Conservation as soon as reasonably practicable.

B26. Information on any indigenous bird or bat species found dead at the Site must be kept by the Consent Holder and, if requested, be provided to HDC, the Department of Conservation, and Ngā Hapū o Himatangi.

B27. No later than **three (3) years** following completion of commissioning of the solar farm and at **five (5) yearly** intervals thereafter, a report must be compiled by a SQEP to analyse the impact on avifauna and make recommendations about on-going mitigation measures, if required. This report must be provided to MWRC, the Department of Conservation, and Ngā Hapū o Himatangi.

B28. If any of the thresholds in Table 7 below are triggered by the monitoring under Condition B24, the Consent Holder must submit to HDC and MWRC an Avifauna Management Plan (AMP), prepared by a SQEP, for information. The purpose of the AMP is to protect avifauna specified in Table 7 from bird strike caused by the Project. The AMP must outline monitoring protocols, adaptive management techniques, and mitigation measures for the species that has triggered the threshold in Table 7. The AMP must be provided to HDC and MWRC within 6 weeks of the threshold trigger being exceeded.

Table 7: Criteria for identification of more than low EIANZ assessment thresholds

Threat classification	Threshold to trigger management actions to mitigate against more than minor effects
Threatened - Nationally Critical and Nationally Endangered species	1 carcass detected at any time related to collision mortality caused by the Project
Threatened - Nationally Vulnerable Species	2 carcasses detected within any single survey related to collision mortality caused by the Project; or 5 carcasses cumulatively over an annual period related to collision mortality caused by the Project

Threatened - Nationally Increasing and At-Risk species	5 carcasses cumulatively over an annual period related to collision mortality caused by the Project
Non threatened indigenous species	5 carcasses detected within any single survey related to collision mortality caused by the Project; or 20 carcasses cumulatively over an annual period related to collision mortality caused by the Project

Accidental discovery of lizards

B29. If a native lizard is detected within a Works Area during Construction within that Works Area:

a. a SQEP must be contacted within 24 hours of detection;

b. 10m buffer within the Works Area must be established around the native lizard sighting and maintained until either:

i. the lizard moves outside the Works Area; or

ii. the plan in (c) is implemented;

c. if the lizard does not move outside the works area, the SQEP must develop a plan to restart works in the Works Area in a manner that does not adversely affect the lizard.

Emergency Response Plan

B30. At least **twenty (20) working days** prior to operation of the solar farm, the Consent Holder must provide HDC with an ERP for technical certification. The ERP 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, emergency access routes and other design and preventative controls;

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. procedures specific to the ongoing monitoring and maintenance of BESS units;

g. control measures, such as vegetation management and setback distances for BESS infrastructure, for minimisation of fire risk;

h. fire detection, containment, and response procedures;

i. the volume of water that must be available on site at all times to manage fire risk of site activities;

j. procedures for site staff for emergency response and incident management; and

k. emergency response training for site staff and Fire and Emergency New Zealand representatives.

Decommissioning

B31. If Permanent Cessation occurs, the Consent Holder must:

a. within 3 months provide notice of the Permanent Cessation to HDC; and

b. within 6 months submit a Decommissioning Plan to HDC for certification that meets the requirements of Condition B32.

B32. The purpose of the Decommissioning Plan is to ensure that decommissioning of the solar farm and associated infrastructure will be completed in a 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, HDC and MWRC.

B33. The site decommissioning must be completed in accordance with the Decommissioning Plan certified under Condition B32.

B34. The Consent Holder must notify the HDC, at least **ten (10) working days** before completion of the decommissioning to allow Council staff to conduct site inspections to determine compliance with the Decommissioning Plan.

Advice note: *Decommissioning or repowering activities may require a variation to this resource consent and/or additional resource consent(s). It is the Consent Holder's responsibility to obtain any consents required.*

Part C – Regional Council Consent Conditions (construction)

For the avoidance of doubt, the conditions in Part C only apply during construction.

Erosion and sediment control plan

C1. At least **twenty (20) working days** prior to commencing land disturbance activities authorised by this resource consent, the Consent Holder must provide the MWRC's Consents Monitoring Team with an ESCP for technical certification. The ESCP must be prepared in accordance with the "*Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region*", dated February 2021. If the earthworks are to occur in stages across the Site, the ESCP may be prepared as an overarching plan with site-specific ESCPs (SSESCPs) prepared for each stage of works and submitted for certification. Any earthworks must be undertaken in accordance with the certified ESCP and, where applicable, the relevant certified SSESCP. The certified ESCP, and where applicable the relevant SSESCPs, must include but not be limited to:

a. contact details of persons undertaking works;

b. expected dates for the establishment of erosion and sediment control measures, commencement and conclusion of earthworks, and decommissioning of erosion and sediment control measures;

c. a site plan or a series of site plans showing contours, areas to be disturbed, cut and fill areas, stockpile areas, erosion and sediment control structures, waterbodies and wetlands, and exclusion areas that are not to be disturbed (i.e. ecological features or contaminated areas);

d. The type, locations and dimensions (including supporting calculations where relevant) of erosion and sediment control structures;

e. a methodology for stabilising disturbed soils;

f. a methodology for cleaning material tracked onto the surrounding local road network;

g. a methodology for minimising disturbance of identified natural inland wetland areas as required by Condition C6;

h. a methodology for the management of dust including a methodology for dust monitoring to be undertaken on the boundary of the site in the vicinity of residential properties in the event of ongoing complaints or incidents that are found to cause a nuisance beyond the Site boundary and be due to the construction of the Project;

i. inspection and maintenance measures on a regular frequency and in response to a rainfall trigger event

j. details on how and when the ESCP and/or SSESCPs will be reviewed or updated; and

k. if use of flocculation is proposed, the following information:

   i. contact details of the person(s) responsible for the operation and maintenance of the flocculation management system and reporting structure;

   ii. specific design details of the proposed flocculation management system for each Sediment Retention Device;

   iii. monitoring (including pH triggers), maintenance and systems for recording dosing and inspections; and

   iv. procedures and actions when the performance targets have not been achieved.

C2. The Consent Holder must engage a SQEP to provide the MWRC's Consents Monitoring Team with an 'as-built' forms for all erosion and sediment controls installed.

Advice note: *As-built forms for erosion and sediment control structures can be found on the Horizons website https://www.horizons.govt.nz/managing-natural-resources/consents-monitoring/earthworks.*

C3. At least **five (5) working days prior** to commencing land disturbance activities authorised by this resource consent, the consent holder must provide a copy of the final ESCP to HDC for information.

C4. Any changes proposed to the ESCP or an SSESCP must be confirmed in writing by the Consent Holder and certified in writing by a MWRC Officer acting in a technical certification capacity, prior to implementing any changes. The ESCP or SSESCP must be updated within **one (1) working day** of any amendments being certified.

C5. When exercising this resource consent, the Consent Holder must at all times comply with the erosion and sediment control methodologies outlined in the ESCP or SSESCPs, and subsequent amendments certified under Condition C4.

Natural inland wetlands

C6. Disturbance of identified natural inland wetlands must be minimised by:

a. marking out on Site of all identified natural inland wetlands prior to Construction commencing;

b. avoidance of tracking of machinery through natural inland wetland areas where practicable;

c. use of swamp/bog mats where tracking of machinery through natural inland wetland areas cannot be avoided; and

d. stabilising disturbed natural inland wetland areas within **five (5) working days** of backfilling.

C7. The Consent Holder may, at any time following cessation of irrigation, undertake a re-assessment of any natural inland wetland identified in the ecology report submitted with the Application. If the outcome of that re-assessment is that an area(s) no longer meets the definition of natural inland wetland, the Consent Holder may submit a request in writing to the to the MWRC's Consents Monitoring Team to confirm that the requirements of Condition C6 no longer apply to that area. The request must be supported by a report from a SQEP confirming that the area(s) no longer meets the definition of natural inland wetland as well as an amendment to the certified ESCP as set out in Condition C4.

Flood and drainage control

C8. A 6m corridor measured from the top of the bank along one side of 'Drain 3' as shown in Appendix C must remain free of solar farm infrastructure and planting to ensure access is maintained for MWRC's ongoing maintenance of this flood control and drainage scheme drain. If a fence is retained or constructed along the bank of the drain, the 6m corridor must be measured from the fenceline. Any new fence constructed must be located no further from the bank than the existing fence existing prior to construction.

C9. The Consent Holder must install signage at the location of any cabling under 'Drain 3' as shown in Appendix C advising of the cabling and its depth. This signage is to ensure that any persons undertaking maintenance of the drain are aware of the location of cabling.

C10. The Consent Holder must ensure that access is maintained to Drain 3 for maintenance by MWRC at all reasonable times

Environmental standards

C11. The Consent Holder must ensure any discharge of sediment arising from the exercise of this resource consent is minimised. In this regard, all erosion and sediment control measures must be established, operated, and maintained in accordance with the ESCP, SSESCPs and the document titled "*Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region*", dated February 2021.

C12. Any discharge of sediment from outlet structures arising from the exercise of this resource consent must have at least **100 millimetres (100mm) of visual clarity**, measured by Secchi disk or clarity tube, or alternative certified in writing by the MWRC's Consents Monitoring Team.

C13. Where flocculant is used, erosion and sediment controls must be operated and maintained, such that any discharge from these measures/devices has:

a. a **pH not less than 5.5 or greater than 8.5**; and

b. at least **100 millimetres (100mm) of visual clarity**, measured by Secchi disk or clarity tube, or alternative certified in writing by the MWRC's Consents Monitoring Team.

C14. All earthmoving machinery, pumps, generators and ancillary equipment must be operated in a manner that ensures spillages of fuel, oil and similar contaminants are prevented, particularly during refuelling and machinery servicing and maintenance. Refuelling and lubrication activities

must be carried out away from any water body, ephemeral water body, or overland flow path, such that any spillage can be contained so that it does not enter surface water.

C15. The Consent Holder must ensure that, as far as practicable, all clean water run-off from stabilised surfaces including catchment areas above the Site is diverted away from the exposed areas via a stabilised system to prevent erosion. The Consent Holder must also ensure any outfall(s) of these systems are protected to minimise erosion.

C16. The Consent Holder must ensure there is no discharge of objectionable, noxious or offensive airborne dust beyond the Site.

Advice note: *The Frequency, Intensity, Duration, Offensiveness, and Location of Exposure (FIDOL) of any discharge to air may be assessed to determine whether the discharge is objectionable. Definitions of these aspects are provided in Chapter RP-AIR of the One Plan (2024) Regional Plan, or any superseding Regional Plan*

Cleanfill discharge

C17. The discharge of cleanfill must not include the following materials:

a. combustible, putrescible (except that cleanfill may contain up to 5% by weight putrescible matter), degradable or leachable components;

b. household or industrial refuse, car bodies;

c. products or materials derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practices;

d. materials that may present a risk to human health, animals or plants;

e. liquid waste; and

f. material that when buried or placed will not breakdown, decay, give rise to gas or leachates.

Advice note*: It is recommended that the Consent Holder refers to 'Technical Guidelines for Disposal to Land Revision 3.1' (Waste Management Institute New Zealand, September 2023)) for further information on the discharge of cleanfill.*

Winter works

C18. Except for the first year of Construction, the Consent Holder must stabilise the Site by **30 April** of each year in accordance with the ESCP and the measures detailed in the document titled "*Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region*" dated February 2021 unless Condition C19(a) or (b) applies.

Advice note: *Stabilisation, under the "Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region", dated February 2021, means inherently resistant to erosion, or rendered resistant to erosion through the application of proven stabilisation methods (mulching, grass seeding with top soil, hydroseeding, turfing, geo-textiles, and erosion control blankets) specified in Section E3 of these guidelines. For seeding, grassing, or hydroseeding, a surface is considered stabilised once a minimum of 80% vegetative cover has been established over the entire surface.*

C19. Except for the first year of Construction and excluding necessary stabilisation works, earthworks and land disturbance works must not occur during the period **1 May to 30 September** (inclusive) except where:

a. a written request is made to the MWRC's Consents Monitoring Team to undertake earthworks and/or land disturbance works and the MWRC's Consents Monitoring Team provides written confirmation that the specified works can proceed; or

b. the earthworks and/or land disturbance works are explicitly described and managed as winter works by the certified ESCP (and where applicable the relevant SSESCP) required by Condition C1 or Condition C4 (as applicable).

Advice note*: In considering a request under a) or during certification of a ESCP/SSESCP with respect to the management of winter works MWRC's Consents Monitoring Team will consider the following:*

a. The scope/nature of the proposed works;

b. Structural controls proposed, or existing, that will be/are installed;

c. Additional non-structural controls to be implemented (e.g. increased on site monitoring and staging);

d. Maintenance consideration of structural controls to ensure effective access can be achieved to undertake the maintenance and controls continue to work efficiently;

e. Compliance history and performance of the site, if available; and

f. Sensitivity of the receiving environment subject to the winter works

Monitoring

C20. The Consent Holder must inspect all erosion and sediment control structures on a **weekly** basis and within **twenty four (24) hours** of a rainfall trigger event specified in the ESCP.

C21. The Consent Holder must record the dates, times, and results of the inspections (including what maintenance was required, on which erosion and sediment control, and when the maintenance was completed) undertaken under Condition C20. These records must be provided to the MWRC's Consents Monitoring Team within **three (3) working days** of a written request to do so.

C22. In the event of an incident occurring that causes, or is likely to cause, a non-compliance with Conditions C11 to C16 of this resource consent the Consent Holder must notify the MWRC's Consents Monitoring Team within **twenty four (24) hours** of becoming aware of the incident.

C23. Within **ten (10) working days** of providing notice under Condition C22, the Consent Holder must submit an incident report to the MWRC's Consents Monitoring Team. The incident report must include but not be limited to:

a. details of the nature, timing, and cause of the incident;

b. an assessment of adverse effects of the incident on the environment; and

c. details of any remedial and/or mitigation measures that have, or will be, implemented to prevent the incident reoccurring in the future.

Advice note: *Proposed remedial and/or mitigation measures may require certified amendments to the ESCP or SSESCPs under Condition C4, to prevent an incident from reoccurring in the future.*

C24. The Consent Holder must implement the remedial and/or mitigation measures detailed in the incident report under Condition C23 as soon as practicable and within **ten (10) working days** of the incident report being submitted to the MWRC's Consents Monitoring Team.

Stabilisation and decommissioning of controls

C25. The Consent Holder must consult and obtain written approval from the MWRC's Consents Monitoring Team before decommissioning erosion and sediment control structures. In this respect, the main issues that will be considered by the MWRC's Consents Monitoring Team include:

a. the adequacy of the soil stabilisation and/or covering vegetation;

b. the quality of the water discharged from the rehabilitated land; and

c. the quality of the receiving water.

C26. The Consent Holder must stabilise the Site as soon as practicable and within **ten (10) days working days** of the completion of land disturbance activities in accordance with ESCP and the document titled "*Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region*" dated February 2021. The Consent Holder must monitor and maintain the Site until vegetation is established to such an extent that it prevents erosion and prevents sediment from entering any water body.

Part D – Subdivision Consent Conditions (District Council)

Prior to requesting approval under s223 of the RMA

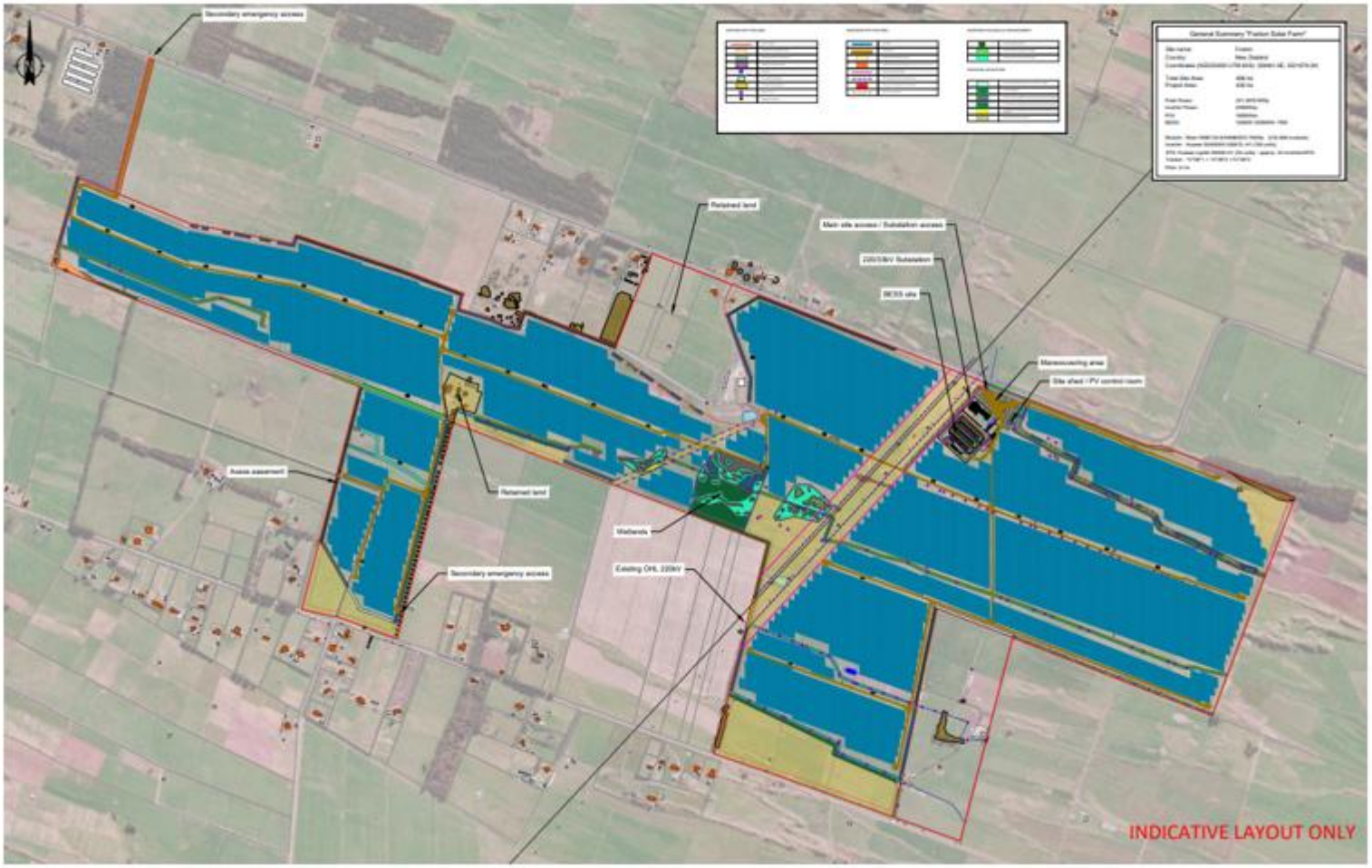
D1 Prior to requesting approval under s223 of the RMA, the Consent Holder must provide a written statement and Land Transfer Plan prepared by a professional surveyor to the Chief Executive of HDC confirming that all services are confined to their respective lots or provision has been made for suitable easements to be granted and reserved and endorsed on the Land Transfer Plan. Any such easement must be subject to s243 of the RMA and must, therefore be shown on the Land Transfer Plan in a Memorandum of Easements.

Prior to approval under s224 of the RMA

D2 Prior to requesting approval under s224 of the RMA the Consent Holder must provide written confirmation to the HDC from the electricity network supplier that provision of electric supply has been made available to lot 3 and all the network suppliers requirements for making such means of supply available have been met or satisfactory arrangements have been concluded with the Consent Holder to complete the provision of the supply.

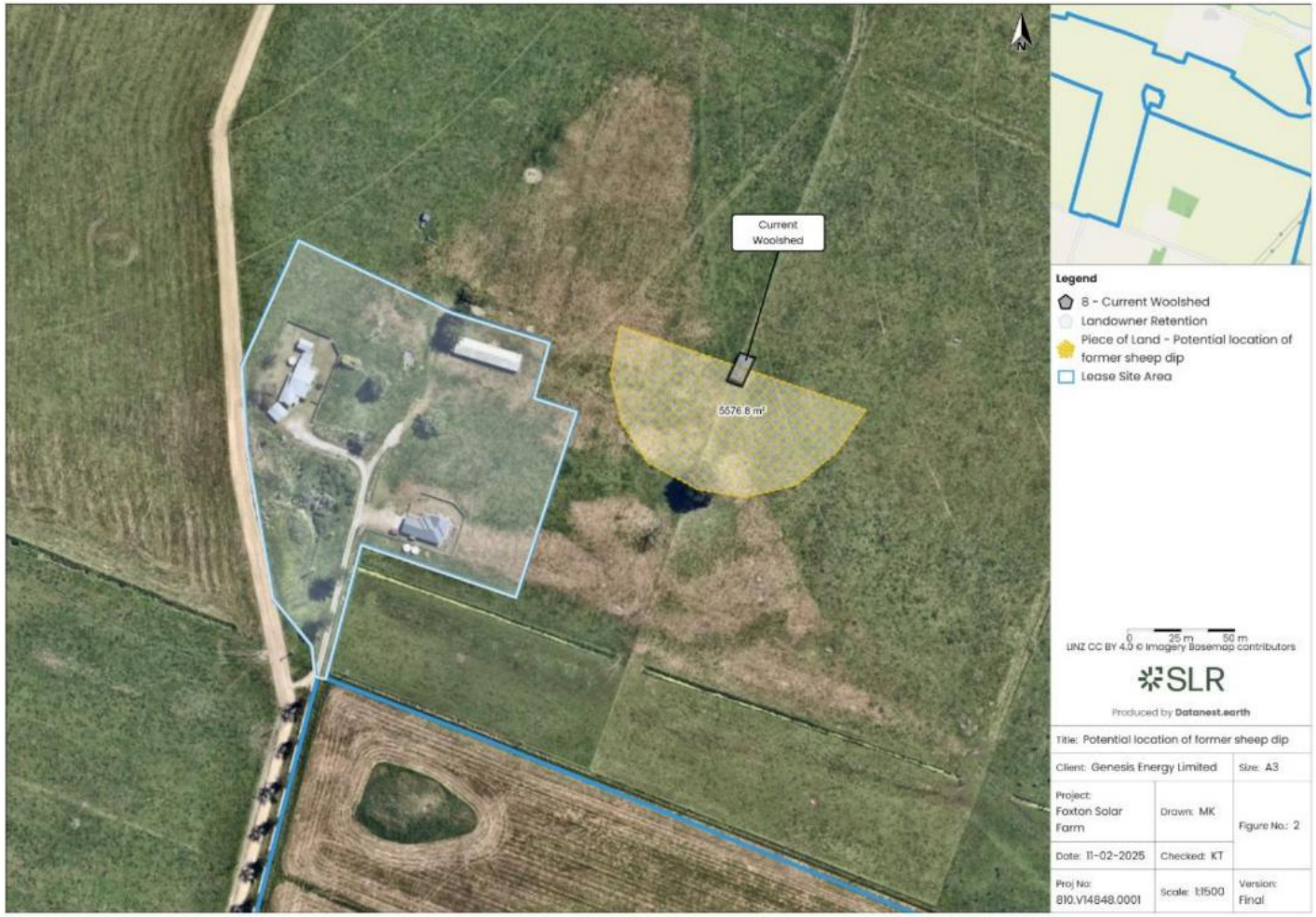
Appendix A

Figure 15: Overview plan of proposal



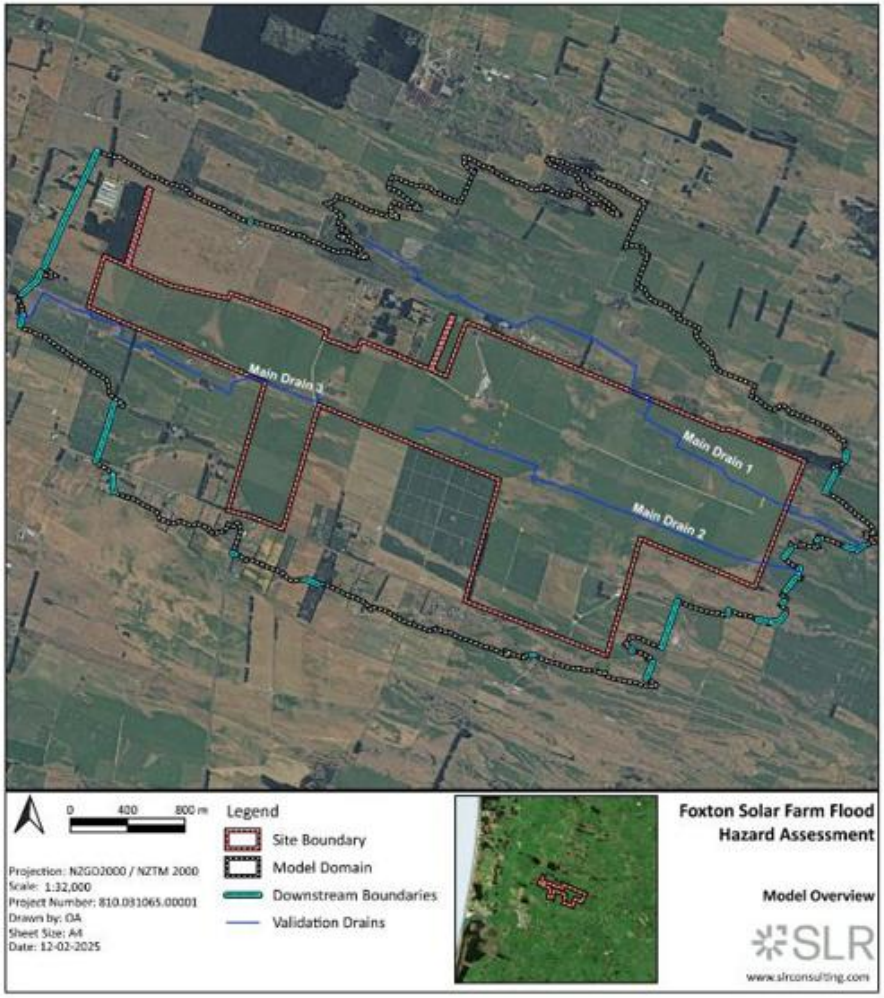
Appendix B

Figure 2 Potential Former Sheep Dip Location



Appendix C

Figure 8: Location of main site drains



Attachment 2 – 2024 memorandum

Technical Memorandum

To:	Sara Westcott – Team Leader Resource Consents	**From:**	Nicola Sedgley
Company:	Horizons Regional Council	**SLR Consulting New Zealand**	
:		**Date:**	11 July 2024
		Project No.	810.V14848.00001

RE: Confirmation of Streams and Drains - Regional Plan Definitions
Proposed Solar Farm – Wall Road and Motuiti Road, Foxton

Confidentiality
This document is confidential and may contain legally privileged information. If you are not a named or authorised recipient, you must not read, copy, distribute or act in reliance on it. If you have received this document in error, please notify us immediately and return the document by mail.

We are in the early design stages of applying for resource consent to establish a solar farm on Wall Road and Motuiti Road in Foxton.

- The proposed site is an existing dairy farm of some 400ha.
- The site has been highly modified with extensive earthworks occurring to level the site for dairying operations and to enable pivot irrigators to pass over most of the site.
- There are several low value wetlands and farm drainage networks on the site.

We have had ecologists undertake detailed site investigations and because of this it has been concluded that none of the farm drains on the site would fall within the definition of a “stream” under the Horizons Regional Plan.

We would appreciate the opportunity to confirm these definitions with you now, as if an alternative decision is reached at this early stage, this can be designed around. If left until the consent determination stage, an alternative definition of these drains becomes very problematic for the project as it will have significant design implications.

We outline the definitions, the key features of the waterways that traverse the site and how we have reached our assessment below. We appreciate meeting with you and appropriate technical members of your team to go over this information to confirm this interpretation before we proceed with final design.

1.0 The Site

Figure 1 below shows the proposed site boundaries and all of the drains that were identified by our hydrologists and ecologists during their recent site walk overs. Figure 2 shows the topographical map of the site and area and the watercourses located on this.

Figure 1: Proposed site with drains and wetlands identified from site walk over

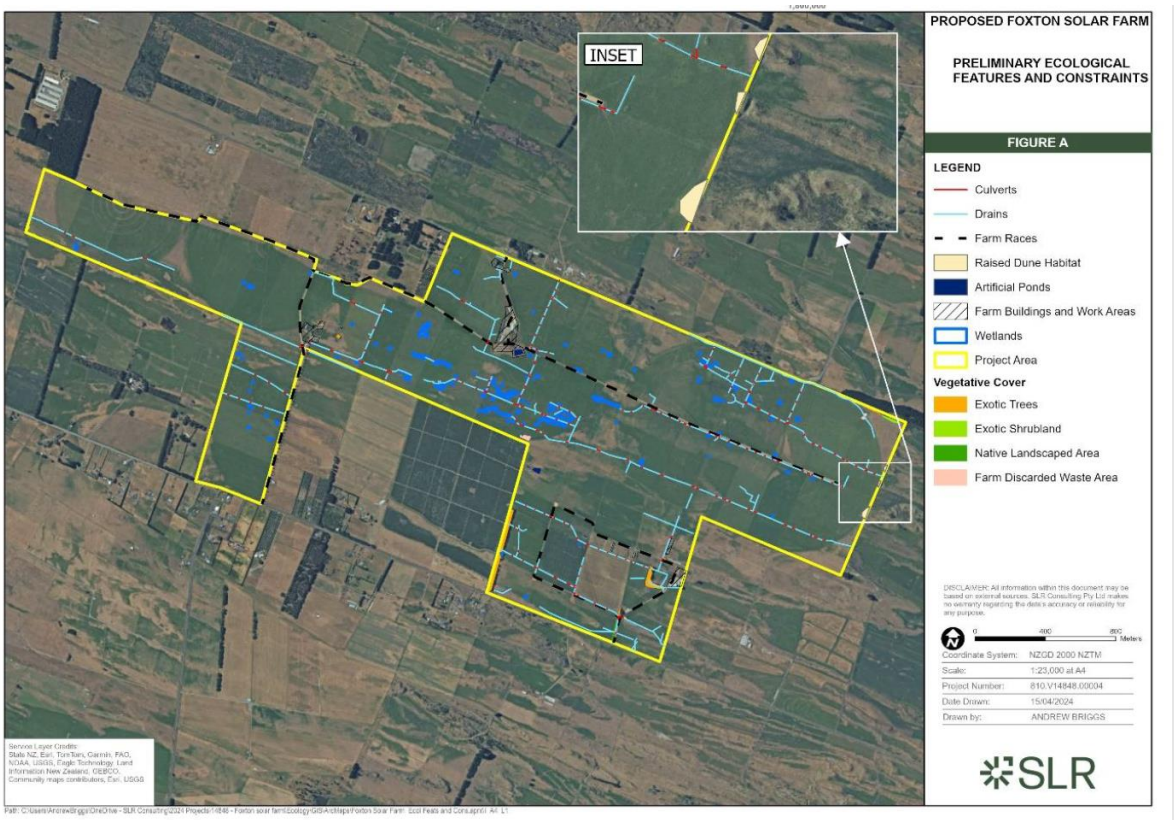


Figure 2:Togographical map or area showing boundaries and watercourses

2.0 Regional Plan Maps

The site as shown on the Horizons Regional Council Website – Horizons Map viewer, are shown below in Figure 3 and 4. These maps show the site has the following surface water management values:

- Flood control drainage (watercourse is southern site area – see below image).

- Life Supporting Capacity – Lowland Mixed (over whole site).

The red line is a “surface water management value”. The value of this watercourse is described in Schedule B as - Flood Control Drainage. The map snips below shows where this flood control drain flows to. The land area around the flood control drain is identified as Life supporting capacity - Lowland mixed)

None of the other drains on the site are identified in the Horizons Map viewer.

Figure 3: Identified Regional Council surface water value of flood control drainage

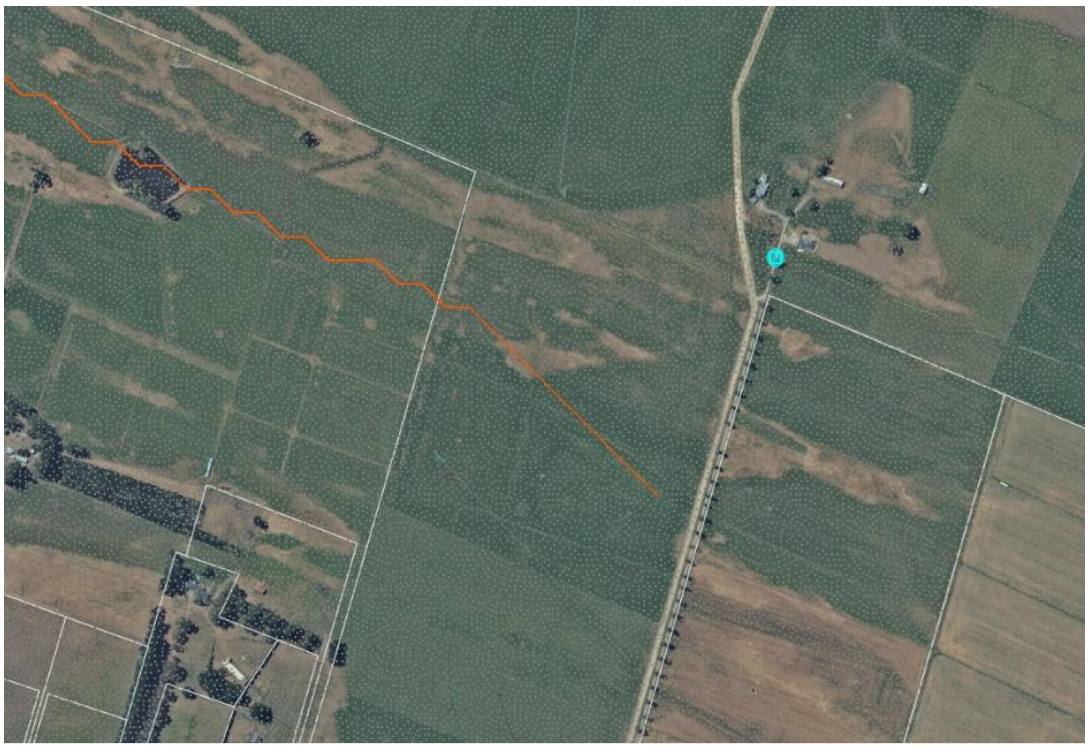
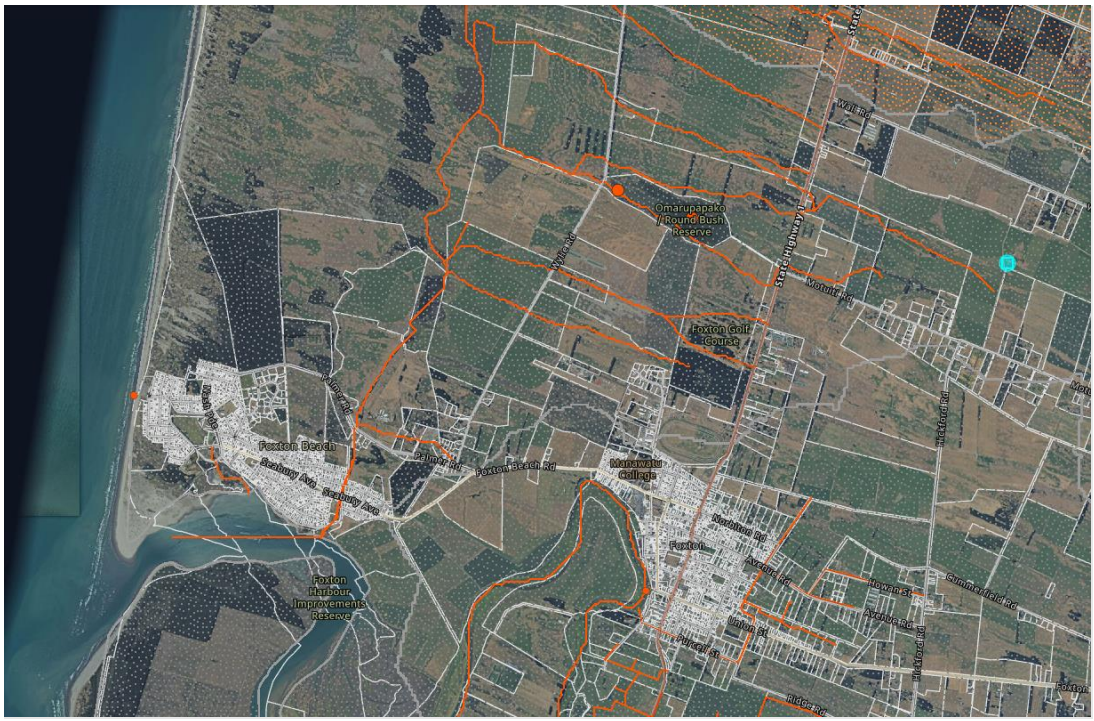


Figure 4: Passage of Flood Control Drains - Horizons Map Viewer



3.0 Definition of Stream

The Horizons One Plan contains the following definitions that relate to this interpretation issue;

***Artificial watercourse**; Means a continually or intermittently flowing body of freshwater that does not meet the definition of river in s2 of the RMA. For the purposes of the Plan it includes an irrigation canal, water supply race, canal for the supply of water for hydroelectricity power generation and farm drainage canal; but excludes a non – natural lake.*

- A farm drainage canal is therefore an artificial watercourse under the Horizons Plan. If it meets the definition of River under the RMA it will not be an artificial watercourse.

RMA definition of River

- *Means a continually flowing or intermittently flowing body of freshwater, and includes a stream and modified watercourse, but does not include an artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal.*
- The RMA definition excludes artificial water courses (including farm drainage canals) from the definition of river. The Horizons One plan specifically includes farm drainage canals as an Artificial watercourse, therefore it is clear that these farm drainage canals are excluded from the definition of River under the RMA (and is therefore not a stream).
- There is no definition of ephemeral or perennial water course or stream under the Horizons One Plan.
- There is a possibility that a modified watercourse could be considered to be included in the definition of river. Our view is that being included in the definition of “artificial watercourse’ means an investigation of this is not required. However, for the avoidance of doubt we have undertaken this assessment to ascertain whether the drains could be considered to be a modified watercourse.

Figure 5: 2001 Aerial Photo[1]

Modified Watercourse

To determine if any of the farm drains that pass through the site could be a watercourse that has been modified, we undertook a review of past aerial photographs and topographical maps to assess if the site once contained watercourses in the locations of the drains. We have not found any evidence of this. Our review concludes that the drains are artificial water courses (farm drainage canals) and not modified water courses for the following reasons;

- aerial imagery for the site taken in 2001 before the site was earth worked for dairy farming (see Figure 5) does not show any streams on the site,
- historic topographical maps from 1959 do not show any watercourses within the site extent (see Figure 6), despite clearly annotating streams and drains in nearby areas (see Figure 7a,b).
- No natural headwater sections appear to be located within the site. The middle reaches of the site represent a local high point within the area, with flows draining in both a general westerly and easterly direction from this point. It is possible that there were wetlands historically within the low points of the dune landscape, which may have lost water to evaporation and interflow instead of through channelised outflows.
- The drains on the site are most likely to exist to drain the wetlands, surface water and irrigation water from the site. This and the flat topography, with the highpoint being in

[1] Retrolens 2024. https://retrolens.nz and licensed by LINZ CC-BY 3.0. Accessed 8th April 2024.

the middle of the site, creates a very small catchment for any stream, making the likelihood of one having existed being small.

Please see below copies of the various aerial photographs and maps we have reviewed.

Figure 6: 1959 Topographical Map[2]

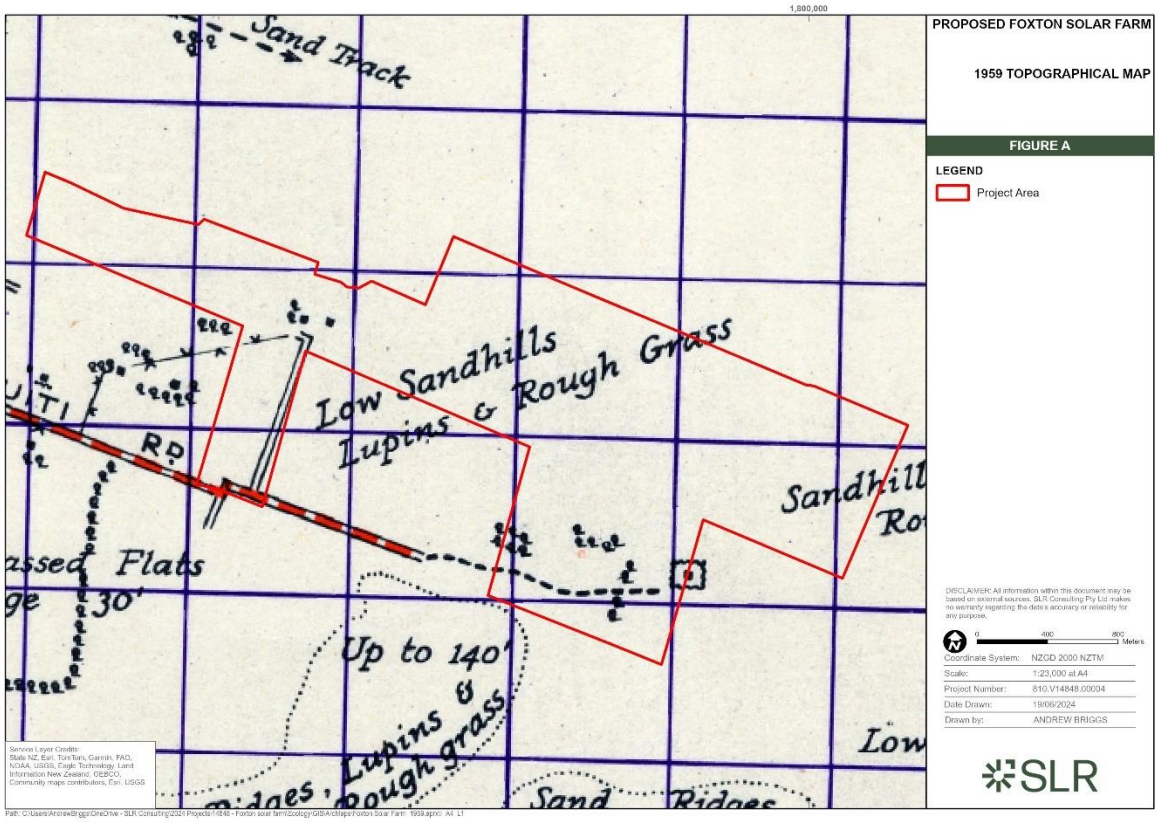
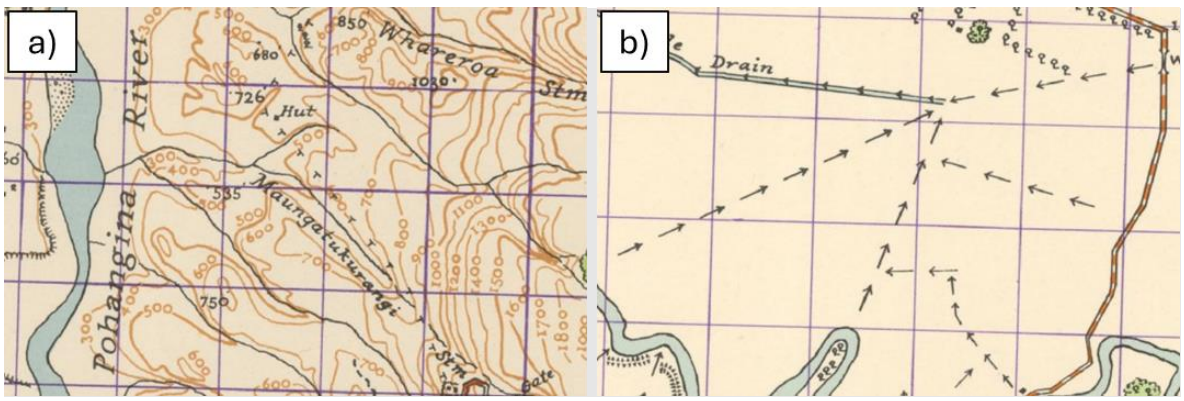


Figure 7: 1959 Topographical Map showing an example of how streams (a) and drains (b) are portrayed.



Below are photographs of the various drains that currently exist on the site. These were taken during our ecologists site walk over in March 2024, included as Photo Set 1, with locations included in Figure 8. Photograph a) is the drain shown on the topographic map.

[2] Topographical Map of New Zealand. 1959. Available at: http://www.mapspast.org.nz/ Accessed: 19th June 2024.

Figure 8: Drain photograph locations

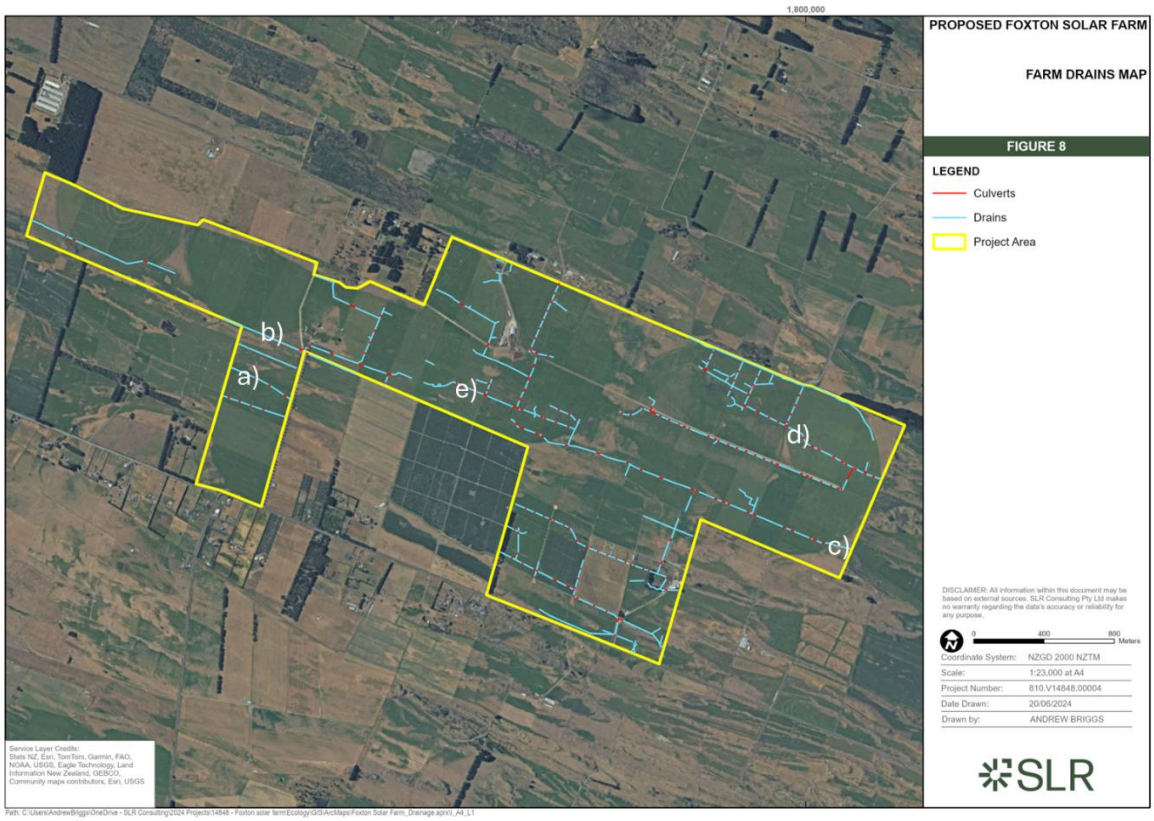


Photo Set 1

a) View of the ‘south western’ drain (see Figure 3) looking east;

b) View of westward flowing drain looking from east to west.;

c) View of eastward flowing drain looking from east to west at the eastern extent of the site.

d) An example of a generally eastward flowing drain which passes under Wall Road.;

e) An example of the structure of drains generally encountered on site.

4.0 Closure

It is our determination that all watercourses on the farm are drains or artificial water courses and are not streams or natural watercourses.

The drains are not modified watercourses as our review of historic information has not shown any on the site and the high point of the small catchment is in the middle of the site making watercourses unlikely to have existed.

The key drain on the property seems to be that located in the south-western leg of the farm that drains west to the coast at photo point a).. This is identified on the Regional maps as a drain for surface water management values - ”Flood drainage” as pictured in Figures 3 and 4 above. The location of this drain appears to have shifted north on the site to photo point b). None of the other drains feature in the regional maps. A photo of this is shown in photo a) and is clearly not a stream.

It is therefore considered most likely that the other drains were put in place at or around the time the earthworks were undertaken on the site to level the area to convert to dairying and enable pivot irrigators to traverse the site. The drains may have been required due to the more level nature of the land and the introduction of water to the site through irrigation, whereas the previous more undulating sand dune nature of the land may not have required drainage canals.

The definitions of these farm drains are important in the shaping of this project in terms of determining where panels are located, the location of access roads and crossings and what aquatic values of the site will be affected.

We would appreciate your confirmation that this view is correct our view the watercourses on the site are farm drainage channels, and are not considered to be streams or modified watercourses in terms of the Horizons One Plan definitions.

Regards,

SLR Consulting New Zealand

Nicola Sedgley
Technical Director; Planning

Andrew Briggs
Associate Consultant – Ecology and Marine Science

Attachment 2 – copy of the base aerial photo in the 2024 memorandum

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