



SOUTH WAIRARAPA DISTRICT COUNCIL

Application for Resource Consent under Section 88 of the Resource Management Act 1991

Sections 95A to 95F Resource Management Act 1991

Decision whether an application for resource consent should be processed as publicly notified, limited notified or non-notified

Consent Number	RM220103
Applicant	Far North Solar Farm Limited
Lodgement date	21 December 2022
Description of Activity	Land use consent for a 175-megawatt peak solar farm
Site Address	415 Moroa Road, Greytown; 312 Bidwills Cutting Road, Greytown; 1942 State Highway 2, Greytown; 18 Pharazyns Road, Featherston
Legal Description of Site	Pt LOT 6 DP 8803 (WN391/56) Pt LOT 7 DP 8803 (WN391/56) Pt LOT 10 DP 3106 (WN583/131, WN583/132) SECTION 27 MOROA SETT (WNE1/330) LOT 1 DP 52574 BLKS IV WAIRARAPA SD BLK (WN22A/575) PT SEC 122 MOROA DISTRICT (WN36B/542) LOT 1 DP 76478 (WN43B/286)
Valuation number/s	1823010500 1823009903 1823020800 1825018800
Zone	Rural (Primary Production)
Type of Consent Sought	Land Use
District Plan rule/s	<i>Rural (Primary Production) Zone Rules - Chapter 4 4.5.5 Restricted Discretionary Activities The following are Restricted Discretionary Activities: (c) Any activity that is not required for primary production and residential purposes that requires either: (a) the construction or use of a building over 25m² in gross floor area; or (b) the external storage of goods, products or vehicles (including contractors yards); and is not otherwise listed as controlled, restricted discretionary, discretionary or non-complying activity.</i>

	<p>4.5.5 <i>Restricted Discretionary Activities</i> <i>The following are Restricted Discretionary Activities:</i></p> <p>(e) <i>Any activity that does not meet one or more of the standards for permitted or controlled activities.</i> <i>Discretion is restricted to the following matters:</i></p> <p>(i) <i>Avoiding, remedying or mitigating of any effects deriving from non-compliance with the particular standard(s) that is not met.</i></p> <p><i>District Wide Land Use Rules</i> 21.6 <i>Discretionary Activities</i> <i>The following are Discretionary Activities:</i></p> <p>(a) <i>Any activity that does not comply with the standards for permitted activities or is otherwise not specified as a controlled or restricted discretionary activity.</i></p>
Activity Status	Discretionary Activity under the Wairarapa Combined District Plan
Site visit undertaken	Yes - 6 March 2023
Pre-application meeting held with Council	Yes - 15 June 2022
Further information requested	<p>Yes - 2 February 2023</p> <p>Matters for which further information sought included:</p> <ul style="list-style-type: none"> - Assessment of Effects on the Environment - Landscape Mitigation Pan - Features Worthy of Conservation - Works in Proximity to High Voltage Transmission Lines - Construction Effects - Vehicular Access - Operational Activities - Buildings and Other Structures - Visual stimulations - Planning Assessment - Other Consents and Approvals Required - Glare Effects - National Policy Statement for Highly Productive Land - National Policy Statement on Electricity Transmission - Mitigation of reverse sensitivity
Related Resource Consents	N/A

Further information/additional reports received	Cover letter responding to requested information Glint and Glare Effects and Mitigation Plan Landscape Mitigation Plan Land Use Capability Map Planting Plan Site Plans (Amended)
Peer Reviews	Assessment of Landscape Effects – Emma McRae, Landscape planner, Boffa Miskell Limited, dated 7 March 2023

Preamble

This report has been prepared on the matter of determination as to whether the application for resource consent should be processed as publicly notified, limited notified or non-notified in accordance with Sections 95A – 95F of the Resource Management Act 1991 (RMA).

1. Proposal

- 1.1 Far North Solar Farm Ltd lodged a revised application for a land use resource consent with South Wairarapa District Council (Council), prepared by Williamson Water and Land Advisory, for a 175-megawatt peak solar farm located at 415 Moroa Road, Greytown, on 21 December 2022. The solar farm will comprise 321,160 175 MWp photovoltaic solar panels mounted on tracking tables, with a maximum height of 4.5m above the ground. Plans of the proposed solar farm, including a Site Plan and Planting Plan, were included with the application.
- 1.2 The application states that Far North Solar Farm Ltd are developing this farm for utility-scale renewable energy generation, which will be connected to the local substation for supply into the local and wider area electricity network.
- 1.3 Council sought further information from the applicant, pursuant to section 92 of the RMA, on 2 February 2023. A response to the further information request was received on 1 March 2023, which included a covering letter, amended Site Plan, Screening Plan, LUC Soil Map, Landscape Mitigation Plan, and a Glint and Glare Plan. The response included a change to the original application through the addition of proposed solar arrays on a parcel of land at 18 Pharazyns Road, Featherston, as well as some additional land near the Transpower substation, resulting in an increased scale of activity and an increased output of energy. The total proposed site is 235 hectares, involving 321,160 solar panels, with 32 panels per table. The revised resource consent application (page 1) stated that 33 inverters are proposed to take the electricity from the arrays of panels; however, the more detailed plans submitted in response to the further information request indicate up to 40 inverters are proposed.

2. Site Description and Surrounding Environment

Subject site

- 2.1 The site is located at 415 Moroa Road, 312 Bidwills Cutting Road, 1942 State Highway 2, Greytown, and 18 Pharazyns Road, Featherston (Figure 1). The site comprises a total of

235 hectares. The site is currently used for primary production purposes, principally pastoral grazing, as is the surrounding area. There are no HAIL activities associated with the site: however, Transpower's Masterton – Upper Hutt A (MST-UHT A) 110kV transmission line and associated support structures traverse the southern portion of the northern parcel, running parallel with Moroa Road. The line feeds a distribution substation located on the corner of Moroa and Bidwills Cutting Road. Water races are present throughout the site, which currently provide drinking water to stock. There are no other waterbodies or wetlands located on the site.



Figure 1: Site location with approximate boundary shown in red.

2.2 The site has five vehicle access points, all located off Moroa Road. The site is relatively flat, sloping gently from north to south, with several water races traversing the land. The site contains some existing mature shelterbelts, but the majority of the site is open and grassed.

2.3 The site is legally described as:

LOT 6 DP 8803 (WN391/56)
Pt LOT 7 DP 8803 (WN391/56)
Pt LOT 10 DP 3106 (WN583/131, WN583/132)
SECTION 27 MOROA SETT (WNE1/330)
LOT 1 DP 52574 BLKS IV WAIRARAPA SD BLK (WN22A/575)
PT SEC 122 MOROA DISTRICT (WN36B/542), and
LOT 1 DP 76478 (WN43B/286).

- 2.4 While there are interests registered against most of these Records of Titles, these are unrelated to the development of a solar farm.
- 2.5 The site is zoned Rural (Primary Production) under the Wairarapa Combined District Plan (WCDP). There are no other District Plan notations, overlays, or management areas relevant to the site.
- 2.6 The surrounding sites located along Moroa Road, Bidwills Cutting Road, and Battersea Road are primary production in nature, with some residential houses in the area.
- 2.7 State Highway 2 is located approximately 550m from the site at its closest point.

Topography	The site is relatively flat, sloping gently from north to south, with water races present throughout.	
Vegetation	The site is predominantly pasture. The site contains a patchwork of shelterbelts/hedging on parts of the road frontage and internally within the site, a pattern characteristic of the surrounding landscape.	
Existing uses	The site is currently used for primary production purposes, principally pastoral grazing of livestock.	
Existing built environment	Existing built structures on the site consist of a few agricultural sheds: from an aerial photograph, three buildings are present on the northern parcel of a variety of sizes. There is no existing dwelling on the site.	
Relevant historic resource consents	18 Pharazyns Road (SWDC Ref. No. 220129): 12 lot subdivision granted in 2022 312 Bidwills Cutting Road (SWDC Ref. No. 50): Subdivision granted in 1980 1942 State Highway 2 (SWDC Ref. No. 220087): 3 lot subdivision and amalgamation granted in 2022	
Relevant legal interests	Pt LOT 6 DP 8803 (WN391/56)	N/A
	Pt LOT 7 DP 8803 (WN391/56)	N/A
	Pt LOT 10 DP 3106 (WN583/131, WN583/132)	N/A
	SECTION 27 MOROA SETT (WNE1/330)	N/A
	LOT 1 DP 52574 BLKS IV WAIRARAPA SD BLK (WN22A/575)	N/A
	PT SEC 122 MOROA DISTRICT (WN36B/542)	N/A
	LOT 1 DP 76478 (WN43B/286)	N/A
Reserves and esplanades	Nil.	
Natural features and waterways	Water races are present throughout the site, which currently provides drinking water to stock. No other waterbodies, or wetlands, are located on the site.	
Known natural hazards	Nil.	
Heritage features	Nil.	
Designations	Nil.	

Unique aspects	Nil.
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Surrounding area

The surrounding environment of the proposed site is used for Rural Primary Production purposes.

Topography	The surrounding environment is flat.
Vegetation	The surrounding environment is characterised by patchwork of shelterbelts (typically pine), both within and marking the perimeter properties. The area is dominated by exotic species, particularly pasture.
Significant road/transport corridors	While State Highway 2 is present to the northwest of the site, there is no direct access to the site from that road. The main access is off Moroa Road, a local largely unsealed road. Other local roads include Bidwills Cutting Road, Battersea Road, and Pharazyns Road.
Existing uses	Surrounding properties are used for Rural Primary Production purposes, with residential houses present throughout.
Reserves and esplanades	N/A
Natural features and waterways	The Tauherenikau River is located approximately 2.5km west of the subject site and runs into Lake Wairarapa to the south. Ruamahanga River is approximately 3km to the east of the site.
Known natural hazards	Nil.
Heritage features	There is a cottage at the eastern end of Moroa Road, east of the site, which is a scheduled heritage site (Hs009).
Notable Trees	There are no notable trees on the site. Several scheduled notable trees are located in the surrounding area, with the closest being approximately 1km from the subject site. <ul style="list-style-type: none"> - Tsg14 - Tsg69mlt - Tsg49a - Tsg49b - Tsg71a - Tsg71b
Resource consents	N/A

1. Wairarapa Combined District Plan Assessment

- 2.8 The Wairarapa Combined District Plan (WCDP) became operative in March 2011. There are no outstanding Plan Changes relevant to this proposal. As the Operative Plan was prepared over ten years ago, it is currently undergoing a review, but no proposed provisions have yet been notified.
- 2.9 The relevant zones, overlays, and district plan features are outlined above.
- 2.10 The District Plan rule framework is constructed in a manner which requires the consideration of District Wide land use rules prior to consideration of zone provisions. The following is an assessment of the proposal undertaken in that manner.

Rule	Description	Compliance
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<p>21.1.11 Outdoor Artificial Light</p>	<p>(a) The emission of outdoor artificial light (including glare) meets the following standard:</p> <ul style="list-style-type: none"> (i) A maximum artificial light level of 8 lux (lumens per square metre) measured at 1.5m above ground level at the site boundary. (ii) Within the Dark Sky Management Area identified within Appendix 16, all outdoor lighting shall have a colour temperature of light emitted of 3000K Kelvin or lower. (iii) Within the Dark Sky Management Area identified within Appendix 16, all outdoor lighting with a light output of 500 lamp lumens or greater shall be shielded or titled so as to not emit any light at or above a horizontal plane measured at the light source. <p>Exceptions:</p> <ul style="list-style-type: none"> (iv) Lighting controlled by motion-activated switches limiting the duration of illumination to less than five (5) minutes after activation are exempt from complying with standards (ii) and (iii) above. (v) Night-time works for the construction, maintenance and upgrading of network utilities and energy generation facilities undertaken by a network utility operator or wind energy facility operator are exempt from complying with standards (ii) and (iii) above. (vi) Lighting on existing buildings or structures erected or maintained pursuant to civil aviation or maritime transport legislation are exempt from complying with standards (ii) and (iii) above. (vii) Lighting from or mounted to movable vehicles. 	<p>Complies</p> <p>Complies</p> <p>Complies</p>
<p>21.1.13 Noise</p>	<p>(a) Noise Emission Levels shall be subject to zone rules for noise, and shall comply with the standards below.</p> <p>(b) General</p> <ul style="list-style-type: none"> (i) Sound levels shall be measured in accordance with NZS 6801:1999 "<i>Acoustics – Measurement of Sound</i>", and assessed in accordance with NZS 6802:1991 "<i>Assessment of Environmental Sound</i>". <p>(c) Construction Noise</p> <ul style="list-style-type: none"> (i) Construction noise shall be measured and assessed in accordance with NZS 6803:1999 "<i>Acoustics – Construction Noise</i>" and shall not exceed the noise limits set out in Table 2 of that Standard for the timeframes stated. (ii) Provided that the provisions of the standard related to the duration of construction events and the more or less stringent noise limits applicable in such circumstances shall apply. 	<p>Complies</p> <p>Complies</p> <p>Complies</p>

21.1.15 Access to Premises	(a) No fortifications shall be placed on any property so as to preclude or inhibit entry by the Police or any authorised officer.	N/A
21.1.24 Network Utilities and Energy Generation Facilities	(a) The construction, maintenance and upgrading of network utilities and energy generation facilities which meets the following standards: <ul style="list-style-type: none"> Maximum height and setbacks [for all above ground network utility and meteorological structures] Antennas Buildings [for network utility purposes] Radiofrequency exposure High voltage electricity transmission lines Water supplies Wastewater and stormwater Traffic management Existing network utilities Existing energy generation facilities Undergrounding of lines and pipes Reinstatement Noise limits 	N/A (Maximum height and setback requirements refer to network utilities. Under Rule 21.1.24(a)(x), standards relate to 'existing' energy generating facilities. Therefore, 'new' energy generating facilities are not subject to Rule 21.1.24). Also, all undergrounding cabling within the solar farm, the solar farm switchyard and cable connecting to the National Grid (Transpower substation) would be considered part of an 'energy generation facility' and not a network utility.
21.1.25 Roads, Access, Parking & Loading Areas	(a) All new roads, intersections, access, parking and loading areas shall be provided in accordance with the provisions of Appendix 5 – Requirements for Roads, Access, Parking and Loading. (b) Access (i) All sites and activities shall have safe and practicable vehicle access from a public road. All vehicle crossings and intersections shall be positioned and constructed in accordance with the standards in Appendix 5.	Complies Complies
	(c) Parking and Loading (i) Provision of On-Site Parking and Loading (1) Every activity shall provide off-street parking and loading for vehicles associated with the activity and vehicles expected to visit or be stored on the site in connection with the activity, in accordance with Table 21.1.25.1. (2) Where any activity is changes or any building erected or altered, sufficient vehicle parking	Complies Complies

	<p>and loading shall be provided to meet the demands generated by the altered activity or building, in accordance with Table 21.1.25.1.</p> <p>(3) On sites where there are multiple activities, and each activity requires vehicle parking in terms of this Plan, the total parking required shall be the combined total requirement for all activities. The Council will consider reducing parking requirements, where it is demonstrable that parking demands generated by each activity to not occur simultaneously and that operational hours or arrangements of those activities means shared parking will occur.</p> <p>(4) Loading bays and spaces may be counted as parking space(s) according to the number of parking spaces able to be accommodated.</p> <p>(iv) Vehicle Access and Manoeuvring Space</p> <p>(1) Each required vehicle park shall have practical access from a public road. Sufficient manoeuvring space shall be provided to enable vehicles to enter and exit the site in a forward direction. Exception: The requirement to exit and enter a site in a forward direction shall not apply to a front lot in the Residential Zone where a garage is attached to a dwelling and that obtains access to a District Arterial, Collector or Local Road. This exception does not apply where access is obtained directly from the State Highway or a Strategic Arterial Road. Note: The hierarchy of roads is identified in Volume 2 of the Plan: Maps.</p> <p>(v) Vehicle Parking Spaces and Access Aisles to Remain Clear</p> <p>(1) Dedicated vehicle parking space and access shall remain unobstructed by other activities and shall not be diminished by storage of goods or erection of any structure.</p> <p>(vi) Design of Vehicle Parking and Loading Spaces</p> <p>(1) Every parking space shall be designed and constructed in accordance with AS/NZS 2890.1:2004 <i>Parking Facilities</i></p> <p>(2) Each required loading space shall be of usable shape and have a minimum length of 7.5 metres, minimum width of 3.5 metres, and minimum clear height of 4.5 metres. Sufficient manoeuvring space shall be provided to accommodate a 90 percentile two-axle truck. In the Commercial and Industrial Zones where articulated vehicles</p>	<p>Complies</p> <p>Complies</p> <p>Complies</p> <p>Complies</p> <p>Complies</p> <p>Complies</p> <p>Complies</p>
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	<p>are to be used, the layout shall be designed to accommodate such vehicles.</p> <p>(vii) Standards of Construction of Vehicle Parking Spaces</p> <p>(1) All required vehicle parking spaces and access aisles shall be formed, sealed and marked, and shall be provided with surface water drainage.</p>	Complies
21.2.1 Network Utilities	<p>(a) Network utility structures (other than masts and poles) above ground not exceeding 4m² in gross floor area and/or 2m in height within legal road reserve.</p> <p>The matters over which control is reserved are:</p> <p>(i) Height and design;</p> <p>(ii) Siting;</p> <p>(iii) Screening and landscape treatment;</p> <p>(iv) Safe and efficient operation of the road network.</p>	N/A Does not refer to energy generation facilities.
21.4.9 Buildings within 20m of a High Voltage Transmission Line	<p>(a) Any building within 20 metres if the centre line of a high voltage (110kV or more) transmission line (as shown on the Planning Maps).</p> <p>Discretion is restricted to the following matters:</p> <p>(i) The design or location of buildings to enable the transmission line to be efficiently used, operated and accessed;</p> <p>(ii) Building orientation with regard to the location and visual impacts of the transmission lines;</p> <p>(iii) Measures necessary to ensure the transmission line's security;</p> <p>(iv) Compliance with the New Zealand Electrical Code of Practice for Electrical Safety Distances: NZECP: 34:2001;</p> <p>(v) Any consultation with the owners of the transmission lines; and</p> <p>(vi) The manners in which adverse effects associated with reverse sensitivity are avoided, remedied or mitigated.</p>	<p>No structures to be developed within 20m of the centre line of a high voltage transmission line.</p> <p>Complies</p>
21 – Other district wide activity provisions	<p>21.1.1 – Notable Trees and Street Trees</p> <p>21.1.2 – Sites of Historic Heritage Value</p> <p>21.1.3 – Historic Heritage Precincts</p> <p>21.1.4 – Outstanding Landscapes</p> <p>21.1.5 – Significant Natural Areas</p> <p>21.1.6 – Indigenous Vegetation and Habitats</p> <p>21.1.7 – Wetland Restoration and Enhancement</p> <p>21.1.8 – Reserves</p> <p>21.1.9 – Significant Waterbodies</p> <p>21.1.10 – Activities on the Surface of Freshwater</p> <p>21.1.12 – Dust and Odour</p> <p>21.1.14 – Derelict Vehicles</p> <p>21.1.16 – Temporary Activities</p> <p>21.1.17 – Coastal Environment Management Area</p> <p>21.1.18 – Foreshore Protection Area</p> <p>21.1.19 – Faultline Hazard Area</p>	N/A

	<p>21.1.20 – Flood Hazard Area and Erosion Hazard Area</p> <p>21.1.21 – Soil Conservation and River Control Works</p> <p>21.1.22 – Hazardous Substances and Facilities</p> <p>21.1.23 – Activities within Contaminated Land</p> <p>21.1.26 – Water Supply, Wastewater and Stormwater</p> <p>21.1.27 – Financial Contributions</p> <p>21.1.28 – Aerodrome Protection</p>	
21.2 Controlled Activities	<p>21.2.2 – Hazardous Facilities</p> <p>21.2.3 – Wetland Restoration and Enhancement</p> <p>21.2.4 – Meteorological Structures</p>	N/A
21.3 Standards for Controlled Activities	21.3(a) – Meteorological structures	N/A
21.4 Restricted Discretionary Activities	<p>21.4.1 – Work Undertaken on a Notable Tree or Street Tree</p> <p>21.4.2 – Indigenous Vegetation</p> <p>21.4.3 – Structures in the Coastal Environment Management Area</p> <p>21.4.4 – Earthworks in the Coastal Environmental Management Area</p> <p>21.4.5 – Significant Waterbodies</p> <p>21.4.6 – Motorised commercial recreation on the surface of freshwater</p> <p>21.4.7 – Flood Hazard Area and Erosion Hazard Area</p> <p>21.4.8 – Network Utility Structures within Road Reserve</p> <p>21.4.10 – Activities within Contaminated Land</p> <p>21.4.11 – Noise Sensitive Activities within Outer Air Noise Boundary</p> <p>21.4.12 – Goat Farming</p> <p>21.4.13 – Financial Contributions</p> <p>21.4.14 – Roads, Access, Parking and Loading Areas</p> <p>21.4.15 – Meteorological Structures</p> <p>21.4.16 – Helicopter Landing Areas</p> <p>21.4.17 – Water Supply, Wastewater and Stormwater</p>	N/A
21.5 Standards for Restricted Discretionary Activities	21.5(a) – Helicopter Landing Area	N/A
21.6 Discretionary Activities	<p>The following are Discretionary Activities:</p> <p>(a) Any activity that does not comply with the standards for permitted activities or is otherwise not specified as a controlled, or restricted discretionary activity.</p> <p>(b) Any earthworks or structures not complying with the permitted activity standards in any outstanding landscape listed in Appendix 1.1 Outstanding Landscapes.</p>	Solar farms are not otherwise specified in Chapter 21 and therefore Rule 21.6(a) applies. Consent required. See paragraph 3.4 below.

	<ul style="list-style-type: none"> (c) Any modification, alteration, disturbance or destruction of any outstanding natural feature listed in Appendix 1.2 Outstanding Natural Features. (d) Modification or damage to, or destruction of, or within, any Significant Natural Areas listed in Appendix 1.3. (e) Any modification, alteration, disturbance or destruction of any archaeological site, geological site, waahi tapu, or area of significance to tangata whenua listed in Appendix 1.5 Archaeological and Geological Sites and Appendix 1.6 Sites of Significance to Tangata Whenua. (f) Any alteration, addition, relocation, reconstruction, partial demolition or total demolition not complying with the permitted activity standards for any heritage item listed in Appendix 1.7 Heritage Items, except for relocation and demolition of a Category 1 item under Rule 21.7(a). (g) The following activities within the Historic Heritage Precincts listed in Appendix 1.8: <ul style="list-style-type: none"> (i) New buildings, including accessory buildings and the premises; (ii) Alteration, addition or reconstruction of any buildings; (iii) Signs within the Residential Zone; (iv) Demolition, removal or relocation of structures and buildings. (h) Any repairs and maintenance in any Historic Heritage Precinct listed in Appendix 1.8 and located in the Masterton District. (i) Boarding kennels and catteries. (j) Wind energy facilities. (k) Any activity within the Greytown Future Development Area that is not consistent with the Structure Plan for this area. (l) Any activity involving the disturbance, removal, damage or destruction (“modification”) of a wetland, except for planting restoration and enhancement work provided for in Rules 21.1.7 and 21.2.3. (m) Development Concept Plan in a Future Development Area. (n) Any hazardous facility where the total quantity of hazardous substances of any hazard classification on the site is in the range of the quantities for the relevant zone specified as a Discretionary Activity in the Hazardous Facilities Consent Status Table (Appendix 2), and the activity complies with the permitted activity performance standards in Rule 21.1.22 above. 	
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	<p>(o) Any activity within a Future Development Area for which there is no approved Development Concept Plan and which is not otherwise a permitted activity in the Rural Zone.</p> <p>(p) Any helicopter landing area that does not comply with the standards for a restricted discretionary activity in Rule 21.5(a)(i).</p> <p>(q) Earthworks within the Foreshore Protection Area (except as provided for in Rule 21.1.18(a)(iv)).</p> <p>(r) The erection, placement, or conversion of a building for habitable use within the Flood Hazard Area or Erosion Hazard Area.</p>	
21.7 Non-Complying Activities	<p>The following are Non-Complying Activities:</p> <p>(a) Relocation or demolition of any structure or building listed as a Category 1 item in Appendix 1.7 Heritage Items.</p>	N/A
4.5.1 Permitted Activities	<p>(a) Any activity listed as a District Wide Permitted Activity in the rules in Section 21.1, and which complies with the relevant standards in those rules and Section 4.5.2, and which is not otherwise specified as a controlled, restricted discretionary, discretionary or non-complying activity under Sections 4.5 or 21.</p> <p>(b) Any activity not listed as a District Wide Permitted Activity in the rules in Section 21.1, and which complies with the relevant standards in Section 4.5.2, and which is not otherwise specified as a controlled, restricted discretionary, discretionary or noncomplying activity under Sections 4.5 or 21.</p>	N/A – Solar farm is not specified as a District-Wide Permitted Activity. Specified as Restricted Discretionary Activity in Section 4.5 – see paragraph 3.5 below
4.5.2 Standards for Permitted Activities	<p>(a) Maximum Building Height</p> <p>(i) Dwellings: 10 metres.</p> <p>(ii) Other Buildings: 15 metres.</p> <p>(iii) Within the Dark Sky Management Area identified within Appendix 16, Outdoor Sports Lighting Poles at Recreational Facilities: 18 metres</p>	Complies
	<p>(b) Maximum Height to Boundary</p> <p>(i) 3 metres height at the boundary with a 45° recession plane.</p>	Complies
	<p>(c) Minimum Building Setback (excluding dwellings)</p> <p>(i) 10 metres from the front road boundary of sealed roads.</p> <p>(ii) 25 metres from the front road boundary of unsealed roads.</p> <p>(iii) 5 metres from all other boundaries.</p> <p>(iv) 25 metres from any Significant Waterbody listed in Appendix 1.9.</p> <p>(v) 5 metres from any other waterbody.</p> <p>(vi) In the South Wairarapa District, 20 metres of the banks of any river and stream whose bed which has an average width of 3 metres or more. (Note: For the purpose of this rule, 'bed' is the definition applied in Section 2 of the Resource</p>	Complies

	<p>Management Act for a 'bed' in relation to any river for the purposes of esplanade reserves</p> <p>Exception:</p> <p>(vii) For sites of less than 4,500m², an accessory building may be located up to 1.5 metres from side and rear boundaries.</p> <p>(viii) Bridges are excluded from complying with setback standards in relation to a waterbody.</p>	
	<p>(d) Minimum Dwelling Setback</p> <p>(i) 10 metres from the front road boundary of sealed roads.</p> <p>(ii) 25 metres from the front boundary of unsealed roads.</p> <p>(iii) 25 metres from all other boundaries except, (that if the Certificate of Title for the site was issued before 29 March 2008, or resource consent to subdivide was granted for the site before 29 March 2008 then the setback can be 10 metres).</p> <p>(iv) 25 metres from any significant waterbody listed in Appendix 1.9.</p> <p>(v) In the South Wairarapa District, 20 metres from the banks of any river and stream whose bed which has an average width of 3 metres or more. (Note: for the the purposes of this rule "bed" is the definition applied in section 2 of the Resource Management Act for a "bed" in relation to any river for the purposes of esplanade reserves).</p> <p>(vi) 5 metres from any other waterbody.</p> <p>(vii) 35 metres from the edge of a plantation forest under separate ownership.</p> <p>(viii) 300 metres from a boundary with untreated agricultural effluent disposal areas.</p> <p>(ix) 300 metres from an oxidation pond.</p> <p>(x) 150 metres from the perimeter of a spray disposal area with ecoli concentrations of less than a median of 2,000cfu/100ml.</p> <p>(xi) 75 metres from the perimeter of a surface disposal area with ecoli concentrations of less than a median of 2,000cfu/100ml.</p> <p>(xii) 75 metres from the perimeter of a surface disposal area with ecoli concentrations of less than a median of 100cfu/100ml using low pressure (<1.4bar), low boom (<1.52 metres) sprinkler systems without end guns, at a wind speed of 4 metres per second (14.4km per hour) including sustained gusts.</p> <p>(xiii) 25 metres from the perimeter of a surface disposal area with ecoli concentrations of less than a median of 100cfu/100ml.</p>	<p>N/A</p>

	(xiv) 500 metres from an intensive farming activity under separate ownership.										
	<p>(e) Number of Dwellings (including Minor Dwellings)</p> <p>(i) In the Rural (Primary Production) Zone, one dwelling per Certificate of Title under 4 hectares, two dwellings per Certificate of Title between 4 – 100 hectares, and three dwellings per Certificate of Title over 100 hectares in size.</p> <p>(ii) In the Rural (Special) Zone, one dwelling per Certificate of Title.</p> <p>(iii) In the Coastal Environment Management Area within the Rural (Primary Production) Zone, one dwelling per Certificate of Title.</p> <p>(iv) One minor dwelling (additional to the number of dwellings permitted by Rule 4.5.2€) shall be permitted per Certificate of Title provided that it complies with the following standards:</p> <ol style="list-style-type: none"> (1) The site is not within the Coastal Environment Management Area and is not zoned Rural (Special); (2) The number of existing dwellings does not already exceed that permitted under Rule 4.5.2(i) and; (3) The minor dwelling is a maximum of 5m high and under 60m² total gross floor area and; (4) The minor dwelling is no further than 30m away from the main dwelling at the minor dwelling's most distant point. 	N/A									
	<p>(f) Noise Limits</p> <p>(i) The sound level from activities within any site, excluding mobile sources associated with primary production (e.g. tractors, harvesters), shall not exceed the following limits within any measurement time interval in the stated time-frames, when assessed at any point within the notional boundary of any dwelling on any site within the Rural Zone but excluding any dwelling on the property where the sound levels are generated, and at any point within the boundary of any site within the Residential Zone:</p> <table border="1" data-bbox="475 1599 1114 1711"> <tr> <td>Daytime</td> <td>7.00am-7.00pm</td> <td>55dBA L10</td> </tr> <tr> <td>Nighttime</td> <td>7.00pm-7.00am</td> <td>45dBA L10</td> </tr> <tr> <td></td> <td>9.00pm-7.00am</td> <td>75dBA Lmax</td> </tr> </table> <p>(ii) All sound levels shall be measured in accordance with NZS 6801:1999 "<i>Acoustics - Measurement of Environmental Sound</i>", and assessed in accordance with NZS 6802:1991 "<i>Assessment of Environmental Sound</i>".</p> <p>Exceptions:</p>	Daytime	7.00am-7.00pm	55dBA L10	Nighttime	7.00pm-7.00am	45dBA L10		9.00pm-7.00am	75dBA Lmax	<p>Complies</p> <p>Complies</p>
Daytime	7.00am-7.00pm	55dBA L10									
Nighttime	7.00pm-7.00am	45dBA L10									
	9.00pm-7.00am	75dBA Lmax									

	<p>(c) Dwellings for farm worker accommodation purposes which are in addition to the number of dwellings permitted under Rule 4.5.2(e), provided they comply with the standards in Rule 4.5.4(a). The matters over which control is reserved are:</p> <ul style="list-style-type: none"> (i) Location, scale, design and appearance of buildings; (ii) Access and parking; (iii) Requirements for infrastructure and servicing; (iv) The use of the building. 	N/A
4.5.4 Standards for Controlled Activities	<p>(a) Farm Worker Accommodation</p> <ul style="list-style-type: none"> (i) The site is over 500 hectares in size (ii) One dwelling for farm worker accommodation purposes per 500 hectares. 	N/A
4.5.5 Restricted Discretionary Activities	<p>The following are Restricted Discretionary Activities:</p> <p>(a) Any bird-scaring device that is not operated in accordance with the standards for permitted activities (4.5.2(f) Exception (i)). Discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) Restrictions on the operation of the device, including hours and circumstances of operation and setback distances; (ii) Noise mitigation measures; (iii) Bonds. <p>(b) Any frost protection device that is not operated in accordance with the standards for permitted activities (4.5.2(f) Exception (ii)). Discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) Restrictions on the operation of the device, including hours and circumstances of operation and setback distances; (ii) Noise mitigation measures; (iii) Bonds <p>(c) Any activity that is not required for primary production and residential purposes that requires either: (a) the construction or use of a building over 25m² in gross floor area; or (b) the external storage of goods, products or vehicles (including contractors yards); and is not otherwise listed as a controlled, restricted discretionary, discretionary or non-complying activity. Discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) Siting of any building; (ii) Design and location of the access; (iii) Location, size and effects of any signage; (iv) Amenity and visual effects; (v) Landscaping and screening; (vi) Noise generated by the activity; (vii) Changes in the type and amount of traffic; (viii) Effects of retail activities in the Rural Zone on the viability and vitality of the existing town 	<p>N/A</p> <p>N/A</p> <p>Consent required – see paragraph 3.5 below</p>

“(b) any activity not listed as a District Wide Permitted Activity in the rules in Section 21.1, and which complies with the relevant standards in Section 4.5.2, and which is not otherwise specified as a controlled, restricted discretionary, discretionary or non-complying activity under Section 4.5 and 21”.

- 2.13 The construction of a solar farm is not an activity listed as a District Wide Permitted Activity in the rules in Section 21.1. It is also not specified as a controlled, discretionary or non-complying activity under Sections 4.5 or 21. However, it is included as a Restricted Discretionary activity under Rule 4.5.5(c), as a solar farm is not required for primary production or residential purposes and requires construction over 25m² in gross floor area and the external storage of goods, products and vehicles. The proposed staff office and data room exceeds 25m² (30m²). Therefore, the proposal is a restricted discretionary activity under Rule 4.5.5(c).
- 2.14 Overall, under the bundling principle, the proposal must be considered as a **Discretionary** activity under the above provisions of the Wairarapa Combined District Plan.

3. Reasons for the Application

- 3.1 Land use consent is required under District-Wide Land Use Rule 21.6(a) as a Discretionary Activity and Rural (Primary Production) Zone Restricted Discretionary Activity Rule 4.5.5 (c) and 4.5.5 (e)(i) of the WCDP as follows:

21.6 *Discretionary Activities*
(a) Any activity that does not comply with the standards for permitted activities or is otherwise not specified as a controlled, or restricted discretionary activity.

4.5.5 *Restricted Discretionary Activities*
The following are Restricted Discretionary Activities:
(c) Any activity that is not required for primary production and residential purposes that requires either: (a) the construction or use of a building over 25m² in gross floor area; or (b) the external storage of goods, products or vehicles (including contractors yards); and is not otherwise listed as controlled, restricted discretionary, discretionary or non-complying activity.

Discretion is restricted to the following matters:

- (i) *Siting of any building;*
- (ii) *Design and location of the access;*
- (iii) *Location, size and effects of any signage;*
- (iv) *Amenity and visual effects;*
- (v) *Landscaping and screening;*
- (vi) *Noise generated by the activity;*
- (vii) *Changes in the type and amount of traffic;*
- (viii) *Effects of retail activities in the Rural Zone on the viability and vitality of the existing town centres of Masterton, Carterton Greytown, Martinborough and Featherston;*
- (ix) *Servicing and infrastructure requirements.*

3.2 The proposal for a solar farm is not listed in the District Wide rules and is not required for primary production or residential purposes.

3.3 Overall, the proposal is to be assessed as a **Discretionary Activity**. This activity status is different from the overall activity status assessment provided in the application which concluded it is a restricted discretionary activity under Rule 4.5.5 only.

4. National Environmental Standards/Regulations

4.1 Resource Management Act (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

The Resource Management Act (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health)(NESCS) Regulations (2011) applies to assessing and managing the actual or potential adverse effects of contaminants in soil of human health from a range of activities. This only applies to land which is listed on the HAIL register. No HAIL activities have been identified as taking place on this site, and therefore the NESCS does not apply to this proposal.

4.2 Resource Management (National Environmental Standards for Freshwater) Regulations 2020

The National Environmental Standards for Freshwater (NES-F) sets out requirements for carrying out certain activities that pose risks to freshwater and freshwater ecosystems. While the proposed works involve the development of crossings over existing water races on the property, this activity does not meet the definition of the installation of culverts over or in a river or any other in-stream structures. In addition, there are no wetlands present within 100m of the proposal site. Therefore, the NES-F does not apply to this proposal.

4.3 National Environmental Standards for Electricity Transmission Activities 2009

The National Environmental Standards for Electricity Transmission Activities (NES-ETA) sets out a national framework for activities on existing electricity transmission lines. It does not apply to the construction of new transmission lines or renewable electricity generation, and therefore does not apply to this proposal.

5. National Policy Statements

5.1 National Policy Statement for Renewable Electricity Generation 2011

The National Policy Statement for Renewable Electricity Generation (NPS-REG) recognises the importance of renewable energy in helping New Zealand achieve the Government's target of 90 percent electricity from renewable sources by 2050. The NPS-REG has a single objective, which sets out to provide for the development, operation, maintenance, and upgrading of new and existing renewable electricity generation activities. The proposed solar farm will provide a source of renewable electricity to the South Wairarapa District, supporting the objective of the NPS-REG.

5.2 National Policy Statement for Highly Productive Land 2022

The National Policy Statement for Highly Productive Land (NPS-HPL) provides direction for ensuring the availability of New Zealand's most favourable soils for food and fibre production. Under the NPS-HPL, land classified under the Land Use Capability system as LUC 1, 2 or 3 is defined as highly productive land. The site proposed for the solar farm is predominantly located on Land Use Capability Class 4 soil, which has significant limitation for arable use or cultivation. This land is therefore not considered Highly Productive Land. Therefore, the proposal is considered consistent with the objective of the NPS-HPL that "highly productive land is protected for use in land-based primary production, both now and for future generations".

6. Notification Assessment

6.1 In deciding public or limited notification of an application the consent authority must consider the matters set out in s95A to 95E of the Act. This includes consideration of adverse effects (s95D).

Public Notification

6.2 Section 95A of the Act provides 4 steps to determine whether an application is publicly notified:

6.3 Step 1 (S95A(3))

The criteria for step 1 are as follows:

(a) the applicant has requested that the application be notified:

Not applicable, as the applicant has not requested public notification.

(b) public notification is required under S95C: after request for further information

As stated above, a request for further information was made and information and amended plans have been provided to Council. No further information is therefore considered necessary to make a notification assessment.

(c) the application is made jointly with an application to exchange recreation reserves land

Not applicable, as the application is not made jointly to exchange recreation reserve land.

6.4 Step 2 (S95A(5))

The public notification of the application is not precluded by Step 2, as there is no rule or National Environmental Standard (NES) for the activity that precludes public notification, therefore Step 3 applies.

6.5 Step 3 (S95A(8)(b))

This step requires consideration of whether the activity will or is likely to have adverse or potential effects on the environment that are more than minor. Sections 95D(b) and (c) provide that, when determining the extent of the adverse effects of an activity or the effects on a person respectively, a council 'may disregard an adverse effect if a rule or NES permits an activity with that effect'.

There is no rule or national standard that permits such an activity (i.e. a solar farm). Therefore, no permitted baseline has been applied to the solar farm itself. However, elements of the proposal would be permitted. For example, removal of the existing shelterbelts and planting of new shelter/screen planting as part of a primary production activity would be permitted under Rule 4.5.1. Similarly, the installation of above ground electricity lines and underground cables as part of a network utility would be permitted under Rule 21.1.24 if they complied with the standards in this rule. The permitted baseline has been applied to these elements of the proposal in assessing the adverse or potential effects on the environment below.

Also, under S95D(a) any effects on the people within the site or adjacent to it are not to be considered for the purposes of public notification.

It is considered that the proposal could have the following adverse effects on the wider environment:

- Landscape and visual effects, including rural character
- Traffic safety and efficiency, particularly during construction

Landscape and visual qualities of the existing environment form a key component of the existing rural character of the area. The removal of existing shelterbelts and trees, introduction of solar panels and associated structures over hectares of land, and new screen planting would have landscape and visual effects.

The applicant provided a Landscape and Visual Impacts Assessment with their application, which outlines the short and long-term effects of the proposal on public spaces in the surrounding environment. The short-term effects relate to the construction period and establishment of new screen planting, which is estimated to take 3-5 years. The moderate to long-term effects relate to the period following construction and once the screen planting has grown where by it effectively screens the site and solar farm. These effects are estimated to be 5+ years following construction.

The applicant's landscape and visual effects assessment evaluates the effects from various public locations as summarised below:

Location	Proximity and Views	Short-Term Effects	Moderate to Long-Term Effects
Bidwills Cutting Road	Approximately 440m at the southern end and 800m at the northern end from the development.	Low	Nil
Battersea Road	Approximately 800m from the development.	Very low	Nil
Settlement Road	Approximately 345m from the development.	Very low	Nil
Moroa Road	Travelling from the west, the road corridor is open and	Low to Moderate	Low

	affords long views across the landscape to the north and south. Travelling from the east, views of the northern parcel of the site are constrained until the junction with Battersea Road. Views of the southeastern parcel are not available until passing the western (shelterbelt) boundary of 28 Battersea Road.		
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This assessment concluded that the resulting landscape effect of the proposal will be low, particularly once the mitigation planting has become established.

No assessment was provided from Pharazyns Road: however, as this is adjoining Moroa Road it is assumed that the potential effects would be the same or similar.

Landscape Architect at Boffa Miskell, Emma McRae, provided a review¹ of the Landscape and Visual Impacts Assessment provided by the applicant, and who noted the following points:

Removing existing shelterbelts and planting the entire site boundary with Japanese cedar is a permitted activity. However, this will erode the existing smaller scale patchwork landscape pattern which is characteristic of the area. The site itself will also change from an open, rural pastoral landscape to a built landscape of energy infrastructure. These visual effects are expected to be low for the users of State Highway 2, given the speed of the traffic, distance from the site, and angle of view towards the site. From Moroa Road, the effects are expected to be low to moderate initially, diminishing to low within five years once screen planting has established. This review concluded that the landscape effects of the proposal would be moderately adverse, due to the scale of change in the existing landscape pattern of the area and the introduction of built electricity infrastructure into a currently open pastoral landscape. The scale below shows how the Landscape assessment terminology of 'moderate' applies to the RMA framework for assessing effects (scale from: Te Tangi a te Manu – Aotearoa New Zealand Landscape Assessment Guidelines).

VERY LOW	LOW	LOW-MOD	MODERATE	MOD-HIGH	HIGH	VERY HIGH
LESS THAN MINOR		MINOR		MORE THAN MINOR		
						SIGNIFICANT

¹ Memorandum from Emma McRae, Landscape Architect, Boffa Miskell called Review of Landscape and Visual Impacts Assessment for Far North Solar Farm, 415 Moroa Road, Greytown dated 7 March 2023

Based on this advice, I consider that it is finely balanced whether the landscape and visual effects would be or likely to be more than minor. In the short-term, for at least five years until the edge planting has become fully established and matured to the point of being effective in screening (notwithstanding that relatively mature plants are proposed to be used in the planting), the assessment indicates that the introduction of built electricity infrastructure into a currently open pastoral landscape will be a potentially moderate effect: that is, more than minor.

In terms of traffic safety and efficiency, during the construction period, the proposal will result in significant additional traffic down Moroa Road with the majority coming north from Wellington via State Highway 2. Construction traffic will result in up to three truck deliveries per day, with all plant and equipment goods unloading within the site. Construction staff will park on a temporary compound area onsite, and all turning and manoeuvring of vehicles will be limited to the site. Over the short-term, the effects of construction would be more than minor. Once construction is completed, site maintenance will be limited and staff arriving will do so in small vans, and therefore will be less than minor.

Objectives and Policies

The Objectives and Policies of the WCDP may assist in framing what are 'adverse effects' for the purpose of s95A and B. The following assessment are for that purpose and not for s104 or 104B and as such are not balanced against each other. However, conflicts will be pointed out amongst Objectives and Policies.

Rural (Primary Production) Zone

4.3.1 Objective Rur1 – Protection of Rural Character & Amenity

To maintain and enhance the amenity values of the Rural Zone, including natural character, as appropriate to the predominant land use and consequential environmental quality of different rural character areas within the Wairarapa.

4.3.2 Rur1 Policies

(a) Identify areas within the Rural Zone where the predominant land use is primary production, which needs to operate and develop effectively – Rural (Primary Production) Zone.

(b) Identify areas within the Rural Zone where the predominant land use is conservation management, and which are primarily managed by public agencies – Rural (Conservation) Zone.

(c) Identify areas within the Rural Zone in which there are particular land use issues that require specific management approaches, including urban growth, flood hazards, and the operational requirements of key infrastructural facilities and intensive primary production activities – Rural (Special) Zone.

(d) Maintain and enhance the amenity values, including natural character, of the differing Rural character areas through appropriate controls over subdivision and the bulk, location and nature of activities and buildings, to ensure activities and buildings are consistent with the rural character, including an appropriate scale, density and level of environmental effects.

(e) Manage subdivision, use and development in a manner which recognises the attributes that contribute to rural character, including:

- (i) Openness and predominance of vegetation*
- (ii) Productive working landscape*

- (iii) Varying forms, scale and separation of structures associated with primary production activities*
- (iv) Ancillary living environment, with an overall low population density*
- (v) Self-serviced allotments.*

Comment:

The site is proposed to be planted around the periphery in Japanese cedar hedges, to reduce the impact on visual amenity of the solar panels. This will change the character of the rural environment by removing the patchwork shelterbelt pattern that is currently present, and the largely open pastoral vistas.

In addition, the introduction of solar panels and associated structures would significantly alter the existing rural landscape, although elements of ongoing primary production activity would be maintained (that is, the land would generally remain grassed and grazed). The local rural landscape would change to be dominated by hectares of structures, albeit low in height, and screened once the hedging is mature.

The development of a solar farm on this site will not impact on the operation and development of rural primary production activities on neighbouring and surrounding properties. These activities will be able to continue operations. The proposed solar farm is unlikely to introduce reverse sensitivity effects.

Energy Generation and Efficiency

16.3.4 Objective NUE2 – Energy Generation and Efficiency

To move the Wairarapa towards a sustainable energy future by encouraging energy efficiency and the generation of energy from renewable sources.

16.3.5 NUE2 Policies

(b) Recognise the local, regional and national benefits to be derived from renewable energy generation.

(c) Recognise and manage appropriate development of the Wairarapa's significant potential renewable energy resource.

(d) Provide for renewable energy generation while, as far as practicable, avoiding, remedying or mitigating the adverse effects, particularly of large scale and/or prominent facilities.

(e) Recognise and promote the use of environmental management codes of practice and best practice methods in energy generation, distribution and use.

(f) Recognise the technical and operational requirements of energy generation and distribution and its benefits to the wellbeing of the Wairarapa when setting and implementing appropriate environmental standards to avoid, remedy or mitigate the adverse effects on the environment and when assessing applications for resource consent.

Comment:

The proposed solar farm will be providing electricity to the National Grid, which is beneficial at a national, regional and local level providing resilience to the supply of electricity.

The proposed site for the development of the solar farm does have a transmission line running parallel along the southern boundary of the northern parcel (that is, the northern side of Moroa Road). However, development will be setback a minimum of 20m from the centreline of these assets. No works will take place in the National Grid Yard, therefore posing no impact on the efficient operation of these lines.

The amenity and character of the Wairarapa environment will be subject to change. While the solar panels themselves may not necessarily be evidently visible to those in the area, the vegetation planted at the perimeter of the site will be inconsistent with the patchwork shelterbelt landscape pattern present throughout the rural environment.

General Amenity

19.3.1 Objective GAV1 – General Amenity Values

To maintain and enhance those general amenity values which make the Wairarapa a pleasant place in which to live and work, or visit.

19.3.2 GAV1 Policies

(a) Recognise that temporary activities generally have a minor effect on amenity due to their short duration, provided that some limitations are imposed as necessary to avoid significant, albeit short-term, effects.

(b) Control the levels of noise, based on existing ambient noise and accepted standards for noise generation and receipt.

(c) Manage the interface of different environmental zones to protect the sensitive zones from more noisy areas.

(d) Ensure vibrations occurring through the use of equipment or machinery does not cause adverse effects on the comfort of occupants of adjacent properties.

(e) Manage the intensity, location and direction of artificial lighting to avoid light spill and glare into adjoining sites and roads, and to protect the clarity and brightness of the night sky.

(f) Within the Dark Sky Management Area, manage the light colour temperature, shielding and hours of operation of outdoor artificial lighting to mitigate skyglow to protect the clarity and brightness of the night sky.

(g) Manage activities with unacceptable visual effects on amenity values, in accordance with the qualities of each environmental zone. As a guide to determining if an activity has unacceptable visual effects, consideration will be given to other policies relevant to a particular activity or environmental zone.

(h) Manage the levels of odour and dust by avoiding inappropriate odours and dust from adversely affecting sensitive activities on adjoining properties.

(i) Avoid, remedy or mitigate the potential effects of subdivision and development on street trees.

(j) Allow for activities undertaken on either reserve land which are consistent with the Reserve Management Plan for that reserve where one exists, or on public land dedicated for community recreational, sporting, educational, cultural, festive, and ceremonial or gala/market day purposes.

Comment:

The proposed solar farm is inconsistent with the other activities taking place in the Rural (Primary Production) zone, and as such the amenity values of the rural environment would be adversely impacted. The site will be significantly modified through the addition of hectares of structures that would change the existing character of the site and its immediate surrounds. The patchwork style of shelterbelts and planting would be removed, replaced by one uniform and long hedge along all boundaries. While the visual effect of this planting would be less than the visual effect of the development without planting, it would alter the existing character and amenity.

During the construction phase of this development, some noise will be generated, although this is expected to comply with the requirements determined in the noise chapter of the WCDP: once construction is finished will reduce significantly. Once

constructed, the noise from the inverter units are anticipated to comply with the maximum noise levels at the boundary of the site.

No artificial light will be produced on the site, so the development will not have an impact on the Dark Sky Management Area. While there is potential for some glare effects, the solar panels would be coated in low-reflectivity material to reduce the reflection of light. In addition to this, they are set at low angles which reduces the effect of any potential glare on those offsite. From an aircraft, the solar panels appear as a dark grey colour with limited reflectivity.

Dust generation would be low, with the most amount produced during the construction phase. Approximately three trucks will arrive on site during this period, which would create dust from travelling along the gravel roads. In addition, minor earthworks are likely to produce a small amount of dust. However, once the construction period is finished, maintenance staff would visit the site only periodically in small vans which is unlikely to have effects that would not otherwise be expected in the area.

Effects analysis

Analysis of effects	Level of Effect
<i>Landform/contour/topography</i> The site is flat and significant changes to contour is not required.	<i>No effect</i>
<i>Landscape values</i> The proposal will alter the landscape features which are characteristic of the area.	<i>More than minor</i>
<i>Biodiversity</i> In terms of indigenous biodiversity, the proposal will not have an	<i>No effect</i>
<i>Watercourse/riparian management</i> Water races are present throughout the site. Eight crossings will be developed over the water races within the site with 400mm by 5m RCC pipe with compacted earth fill to cover the top. There will be no obstruction to water flow.	<i>Less than minor</i>
<i>Natural hazards</i> There are no known natural hazards on or around the site.	<i>No effect</i>
<i>Noise and vibration</i> It is expected that there will be temporary construction noise associated with the development of the solar farm. This will meet all relevant standards. Post construction, the substation units will make a low hum which will not be heard from the boundary of the site.	<i>More than minor during construction: less than minor post-construction</i>
<i>Lighting/glare/night sky</i> No artificial lighting will be installed at the site. The solar panels will be coated in a low-reflectivity material to reduce the reflection of light and are set at low angles to reduce glare effects offsite.	<i>Less than minor</i>
<i>Electromagnetic radiation</i> Electromagnetic radiation is associated with some utility services and electricity generation and transmission. The New Zealand Ministry of Health recommends the use of guidelines published by the International Committee on Non-Ionising Radiation Protection (ICNIRP) Guidelines. The ICNIRP Guidelines set limits for exposure to electric and magnetic fields. These limits are also set out in New Zealand Standard for Radiofrequency Fields Part 1: Maximum	<i>Less than minor</i>

Exposure Levels 3 kHz to 300GHz (NZS2772.1:1999). It is anticipated the solar farm can comply with these levels given the technology of the solar panels and setback of equipment from property boundaries.	
<i>Dust</i> During construction minor earthworks will take place. Dust generation will be low, and the applicant has proposed a range of dust control measures to mitigate the effects. Post construction, vehicles travelling along Moroa Road to access the site will generate some dust, however this is expected for the environment.	<i>Less than minor</i>
<i>Privacy</i> The proposal will not result in any effects on the privacy of surrounding residential dwellings.	<i>No effect</i>
<i>Reverse sensitivity</i> The proposal is not considered sensitive to the effect of surrounding uses.	<i>No effect</i>
<i>Three waters servicing and network capacity and funding</i> There are no additional water or sewer requirements arising from this proposal Crossings will be developed over the water races present throughout the site, but will not result in obstruction to water flow. The solar panels themselves are impermeable, however will be mounted with a minimum 6.4m gap between each solar table. The ground underneath will remain vegetated and permeable to be free draining alluvial soil. Stormwater will run off the panels and soak into the ground beneath.	<i>Less than minor</i>
<i>Māori cultural heritage and values</i> There are no known sites or matters of significance to Māori relating to the subject site.	<i>No effect</i>
<i>Built heritage/heritage character</i> There are no known built heritage or heritage character areas relating to the subject site.	<i>No effect</i>
<i>Soil contamination</i> There is no record of HAIL activities occurring on the subject site previously. In addition, the activity proposed is generally not sensitive to contaminated land.	<i>No effect</i>
<i>Transport</i> There will be additional traffic during the construction phase of the proposal, with trucks delivering solar panels. Once construction is completed, maintenance will be limited and carried out by staff arriving in small vans.	<i>Less than minor</i>
<i>Crime prevention through environmental design</i> The proposal will not create any significant effects relative to the creation of unsafe spaces for people.	<i>No effect</i>
<i>Network utilities</i> Solar panels and all associated structures are proposed to be placed a minimum distance of 20m from the centreline of the transmission lines. No works will occur within the National Grid Yard and access to Transpower's support structures will be maintained at all times. The proposal is unlikely to adversely affect any other network utilities.	<i>Less than minor</i>
<i>Urban land supply</i>	<i>No effect</i>

<p>The proposal will not have an effect on the supply of urban land. The site is located in the Rural (Primary Production) zone, at some distance from the nearest urban area (Greytown over 2km north), and is unlikely to be used for residential development in the foreseeable future.</p>	
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Overall, it is concluded the adverse or potential effects on the environment will be or likely to be no more than minor.

The key aspects of the proposal where the effects would be more than minor are the short-term construction effects, particularly through traffic, noise and vibration, and the visual effects, particularly the change from the existing open pastoral landscape and its rural character and amenity values.

6.6 Step 4 (S95A(9))

This step requires the consideration of whether special circumstances exist that warrant the application being publicly notified. Consideration of whether special circumstances exist is mandatory if the criteria for step 2 are met or if public notification is not required under step 3.

Council is satisfied that the adverse effects associated with the proposal are "...more than minor" and that public notification is required under Step 3. However, it is acknowledged that the issue of adverse effects is finely balanced, so for the avoidance of doubt, consideration has also been given to whether there are Special Circumstances that would warrant notification.

The term 'special circumstances' is not defined in the RMA. However, it is generally accepted by the courts in RMA proceedings that a special circumstance is something which is exceptional, abnormal or unusual but less than extraordinary or unique. The decision as to whether special circumstances exist involves the exercise of a discretion based on the Council's assessment of the factual position and use of its expertise and judgment.

The Operative Combined District Plan was originally prepared over 17 years ago, with hearings into submissions occurring in 2007. It was made operative in 2011 once the final appeals were resolved. At the time of preparing and determining the Operative District Plans, solar farms were not an anticipated activity, but were a distant possibility of an unknown scale and nature.

The WCDP includes several trigger thresholds in the Rural Zone to capture "out-of-scale, out-of-character" proposals as full discretionary activities. While individually the structures involved with a solar farm are relatively small (for example, compared with wind turbines), collectively, the scale of the proposal, involving 321,160 panels, installed on over 10,000 tables, over the majority of the 235ha site, together with 33 inverters structures, would be established on otherwise open pastoral land.

In addition, this application is the first received for a solar farm in the Wairarapa. The nature and scale of this proposal is relatively large, and introduces a new type of land use in the Wairarapa into its rural environment.

This combination of factors are considered to be special circumstances.

7. Notification Decision

7.1 Having assessed the relevant provisions of Section 95A-95F of the RMA, the application shall be **publicly notified**.

8. Section 95B Assessment for the Purpose of Limited Notification

8.1 A decision to limited notify an application (or not) must also pass through the necessary stepwise process, this time outlines in Section 95B of the Resource Management Act. However, as the proposal has been deemed to have effects which are more than minor and special circumstances, there need not be any consideration of the matters in s95B, which seeks to assess only which particular parties need to be notified, if any.

Report prepared by:



**Robert Schofield
Consultant Planner for South Wairarapa District Council
Date: 18 April 2023**

Decision approved by:



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**Date: 28 April 2023
James R. Witham – Planning Manager
South Wairarapa District Council**