

Attachment 7: Draft Conditions

Draft Conditions of Consent

General Conditions

1. The development shall be undertaken in general accordance with the information and plans submitted by the Consent Holder in support of application number RM220103 and officially received by Council on 21 December 2022 and further information received 1 March 2023 and 11 August 2023 except as amended by the conditions below.

Plans include:

- a. Updated Site Plan No. K completed by Aquila Capital and dated 26 June 2023.
- b. Landscape plan prepared by Simon Cocker (and overlain on Site Plan prepared by Aquila Capital No. E and dated 3 June 2022)

Copies of the approved plans are attached. In the case of inconsistency between the application and the conditions of this consent, the conditions of consent shall prevail.

Monitoring fees:

2. Pursuant to Section 36 of the Resource Management Act 1991 the Consent Holder must pay the actual and reasonable costs incurred by the South Wairarapa District Council when monitoring the conditions of this consent.

Duration of Consent:

3. This consent shall expire 35 years from the date of issue.
4. The consent holder must construct, operate and maintain the Solar Farm in general accordance with all management plans submitted to, and certified by, the Council in fulfilment of the conditions of this resource consent.
5. The solar panels and array tables must be constructed to have a maximum tilted height of no more than 4.5m.
6. The consent holder must ensure that all contractors engaged to undertake activities authorised by this resource consent are supplied with a copy of and made aware of the conditions and management plans that apply to this resource consent that are relevant to their work area and the measures required for compliance with the conditions.
7. The consent holder must notify the Council at least 20 working days before works on the Solar Farm site commence.

Works in relation to the Transmission Lines

General

8. The consent holder shall provide Transpower NZ Ltd 10 working days notice in writing prior to commencing the proposed works. Note: notification can be sent to transmission.corridor@transpower.co.nz

Building and Structures

9. No buildings or structures (except non-conductive fencing) shall be located within 12m of the centreline of the MST-UHT A National Grid transmission lines.
10. No buildings or structures shall be located within 12m of any outer visible edge of the foundation of National Grid support structures MST-UHT-A0192 to 0199; except for non-conductive fencing, which can be located 6m from any outer visible edge of the support structure foundation.

NZECP Compliance

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

Access

12. All buildings, structures and vegetation must be located to ensure vehicle access is maintained to the MST-UHT A National Grid transmission lines, and support structures MST-UHT-A0192 to 0199, 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 on 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.

Mobile Plant

13. All machinery and mobile plant operated in association with the works shall maintain a minimum clearance distance of 4 metres from the live overhead conductors (wires) of the MST-UHT A National Grid transmission lines at all times to avoid the potential of machinery striking the lines.
14. To ensure safe separation distances to the conductors (wires) of the National Grid transmission lines are maintained, all machinery, mobile plant and vehicles operating within 12m of the transmission lines, and traversing beneath the lines, shall be limited to a maximum reach height of 2.1 metres. This includes any loads being lifted or transported underneath the line.

Vegetation

15. Any proposed new trees or vegetation within 12 metres either side of the centreline of the MSTUHT A National Grid transmission line must not exceed 2 metres in height at full maturity and must comply with the Electricity (Hazards from Trees) Regulations 2003, or any subsequent revision of the regulations.
16. Any proposed new trees or vegetation outside of 12 metres either side of the centreline of the MST-UHT A National Grid transmission lines must be setback sufficiently to ensure the tree cannot fall within 4 metres of the National Grid transmission lines and must comply with the Electricity (Hazards from Trees) Regulations 2003, or any subsequent revision of the regulations.
17. The boundary screening planting plan shown on drawing titled "Far North Solar Farm Limited, Moroa Road, Greytown: Figure 2a: The Proposal" shall be implemented in the planting season (April to September) immediately prior to the installation of the solar arrays. The plants shall be planted and established prior to the solar farm being turned on.
18. The plants outside of 12 metres either side of the centreline of the MST-UHT A National Grid transmission lines shall be managed until they reach a minimum height of 4m and maintained at this height for the lifetime of the solar farm.
19. The plants and screening shelterbelt shall be maintained for the lifetime of the solar farm. Any plants that die shall be replaced.
20. The wire mesh security fence shall be a maximum height of 2.1m and positioned behind the boundary screen planting, so it is not visible from the road or adjacent properties once the shelterbelt is established to its minimum height of 4m.

Water Race

21. The Moroa Water Race runs through the proposed solar farm development and:
 - a. The Water Race must be maintained in its current location.
 - b. No buildings and or structures of any kind (including solar panels and electrical transformers / substations) shall be located within 5 m of either side (top of bank) of the Moroa Water Race.

Advice Note:

The existing scheme plan has not been approved by Wellington Water under the Moroa Water Race Bylaw 2007 and may require amendment to achieve a compliant design.

22. The site is not serviced for water or wastewater. It will be the consent holder's responsibility to provide the site with on-site water and wastewater appropriate for the nature of the development.

Advice Note:

- i. The water race water source is to be used principally for farming purposes and is not available as a water source for the solar farm.*

- ii. *The work to install the services at development shall be in accordance with the South Wairarapa District Council Code of Practice for Land Development and NZS 4404. All costs associated with this work will be borne by the developer.*

Prior to Construction

Water Race

23. The consent holder must obtain Engineering Approval from the Council for any works within 5 m of either side (top of bank) of the Moroa Water Race, including but not limited to:
- a. Any electrical services crossing of the Moroa Water Race,
 - b. Any new accesses crossing the Moroa Water Race.
24. All construction work within 5 m of the Moroa Water Race must be completed in accordance with the Engineering Approval obtained under condition (23).
25. Upon completion of the works and prior to the operation of the solar farm commencing, the consent holder must provide as-built plans at sufficient scale to demonstrate compliance with conditions (21), (23) and (24) above.
26. The consent holder / future owner(s) must be aware of and comply with their responsibilities under the Moroa Water Race Bylaw or its subsequent documents, in particular but not limited to;
- a. Maintaining Council access requirements,
 - b. Maintenance, cleaning and fencing responsibilities etc.
 - c. No installation of infrastructure over, in or under a water race without written authorisation of the Council
 - d. No planting, building or structures of any kind of any size within 5 m of either side of the water race without written authorisation of the Council.

Landscaping

27. At least 30 working days prior to the commencement of landscaping, the Consent Holder shall submit to the Council for certification a Landscape Management Plan (LMP). The objective of the LMP is to direct the details of planting around the external boundaries of the site such that, once established, the boundary planting is maintained to:
- a. a minimum of three (3) metres in height and three (3) metres in width, except within 12 m of the centreline of the MST-UHT A National Grid transmission line, where no trees or vegetation greater than 2m in height shall be proposed and along the eastern boundary of the Site between span MST-UHT-A0198 and 0199. Any proposed new trees or vegetation planted outside of 12 metres either side of the centreline of the transmission line must be setback sufficiently to ensure that trees cannot fall within 4 metres of the transmission lines.

- b. The boundary planting shall screen the solar array when viewed externally to the site; and prevent any glare from the solar array from escaping onto neighbouring properties or roads.
- c. The boundary planting shall include the implementation of 2m high specimens along the north and north-western boundary of 'PLOT 3' as identified on Figure 2a of the Landscape and Visual Assessment dated September 2023 to mitigate potential effects of glare on users of State Highway 2. All vegetation must comply with the Electricity (Hazards from Trees) Regulations 2003, or any subsequent revision of the regulations.

28. The LMP shall include (but not be limited to):

- a. Identification of planting zones in accordance with the approved Site Plan (under Condition 1), Figure 2a of the Landscape and Visual Assessment dated September 2023 and the recommendations in the Landscape Assessment (dated 28 August 2023) and to address Condition 27 above. For reference the planting zones are:
 - i. Areas of existing shelterbelt to be trimmed to 3m in height
 - ii. Proposed Planting with 60cm high plants at the time of planting
 - iii. Proposed Planting with 2m high plants at the time of planting,
 - iv. Proposed Planting with 1.5m high plants at the time of planting in locations underneath or within 12m of of the centreline of the MST-UHT A National Grid transmission line
 - v. Proposed planting of native screen planting not to exceed 2m in height;
- b. For each planting zone, details of layout, species, grades, numbers, spacing, heights and locations of planting at implementation, irrigation installation and maintenance and a programme and specification for implementation and maintenance of all plants.
- c. Details of the existing mature trees/existing vegetation at locations that are to remain, or are to be trimmed or removed (as shown on the approved plan under Condition 1).
- d. Timeline for planting works;
- e. Details of site preparation and maintenance required for plant establishment including the nature, duration and extent of irrigation;
- f. The location and design of fencing of the Site;
- g. Details of ongoing maintenance including weed control management and monitoring;
- h. Details of the method and frequency of monitoring the health of the plants to ensure their health and survival.

Fire and Emergency

29. Prior to the commencement of construction on site the consent holder shall submit to the Manager, South Wairarapa District Council detailed design drawings showing the following:

- a. Final location of all internal roads in general accordance with approved plan under Condition 1;
- b. Location of all water tanks and adjacent hard stand capable of accommodating a fire appliance;

- c. Details of water tanks including their size and appropriate couplings in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008;
 - d. Detailed design of all vehicle crossings over water races demonstrating they are able to withstand a laden weight of up to 25 tonnes with an axle load of 8 tonnes.
30. Prior to the operation of the solar farm commencing, the consent holder shall submit to the Manager, South Wairarapa District Council, an Emergency Response Plan (ERP) that has been developed in consultation with Fire and Emergency New Zealand. The following matters shall be addressed in the ERP:
- a. Identify any foreseeable on-site and off-site fire events and other emergency risks that could occur at the facility (e.g. fires involving solar panel arrays, bushfires in the immediate vicinity or potential hazardous materials incidents);
 - b. Provide details of appropriate risk control measures to be implemented to safely mitigate potential risks to the health and safety of firefighters and other first responders (including electrical hazards) from the events identified in Condition 30(a).

Such measures should include:
 - i. the level of personal protective clothing required to be worn,
 - ii. the minimum level of respiratory protection required, decontamination procedures,
 - iii. minimum excavation zone distances, and
 - iv. a safe method of shutting down and isolating the photovoltaic system (either in its entirety or partially, as determined by risk assessment).
 - c. Other risk control measures that may need to be implemented in a fire emergency due to any unique hazards specific to the site.

31. Two copies of the Emergency Response Plan shall be stored on site in a prominent 'Emergency Information Cabinet' located directly adjacent to the site's main entry point(s).

32. Prior to the solar farm becoming operational, the operator of the facility shall undertake an onsite meeting with Fire and Emergency New Zealand to familiarize emergency crews with the site and the Emergency Response Plan.

Vehicle Accessways

33. The consent holder shall obtain written approval for the engineering road designs from Ruamahunga Roads (South Wairarapa District Council Roading) prior construction work commencing.

34. Before the commencement of any construction on the site, the person responsible for obtaining consent must arrange a meeting with the development engineer from Ruamahunga Road. The purpose of this meeting is to discuss the Work Access

Permit, Traffic Management Plan, and any other necessary requirements to ensure that the work is carried out to the specified standards.

Advice Note:

A permit is required prior to commencing any work in the transport corridor (CAR) to be compliant with the two relevant codes of practice; the 'National Code of Practice for Utility Operators Access to Transport Corridors', and the 'Code of practice for temporary traffic management (COPTTM)'.

35. Prior to construction, the existing entranceways shall be assessed and up-graded as necessary to comply with the Wairarapa Combined District Plan Appendix 5 – Requirements for Roads, Access, Parking and Loading and NZS4404. The consent holder shall provide evidence of compliance to the condition.
36. Prior to construction of the solar farm, the new entranceways shall be formed and sealed from the edge of the road carriageway to the property boundary at the consent holder's expense and in compliance with the Wairarapa Combined District Plan Appendix 5 – Requirements for Roads, Access, Parking and Loading and in accordance with the plans to be approved by Council prior to construction starting.
37. Prior to completion, the applicant shall arrange for an inspection of the vehicle crossings and drain to this subdivision by the Development Engineer at SWDC and provide confirmation from them that the work has been completed to the appropriate standard and as per the conditions of this consent.

Construction Management Plan

38. Prior to the commencement of the solar farm works, the consent holder shall prepare and submit to the Council for certification a Construction Management Plan (CMP) to ensure the protection of the MST – UHT A National Grid transmission lines and support structures. The CMP must be given to Transpower NZ Ltd for its certification at least 20 working days prior to being submitted to the Council.

Advice Note:

*The CMP should be sent to Transpower via PATAI Form 5:
<https://transpower.patai.co.nz/new-enquiry>*

39. The CMP must include the following (but is not limited to):
 - a. The name, experience and qualifications of the person/s nominated by the consent holder to supervise the implementation of, and adherence to, the CMP.
 - b. Construction drawings, plans, procedures, methods and measures to demonstrate 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. Excavation and Construction near Towers (Section 2);

- ii. Building to conductor clearances (Section 3);
 - iii. Ground to conductor clearances (Section 4);
 - iv. Mobile Plant to conductor clearances (Section 5); and
 - v. People to conductor clearances (Section 9).
- c. Details of any areas that are “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.
 - d. Demonstrate how the existing transmission lines and support structures will remain accessible during and after construction activities;
 - e. 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;
 - f. Demonstrate how changes to the drainage patterns, runoff characteristics and stormwater will avoid adverse effects on the foundations of any support structure;
 - g. 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.
 - h. Details of proposed contractor training for those working near the transmission lines.

Traffic Management Plan

- 40. A Traffic Management Plan (TMP) including methods to ensure that appropriate measures are in place to avoid, remedy, or mitigate any potential traffic effects associated with the construction or commissioning of the works, including the following:
 - i. Six heavy vehicle trips (one-way) per day.
 - ii. All deliveries (pick up and drop off) are to occur wholly within the site.
 - iii. Methods to ensure that the appropriate erosion and sediment control measures are in place to avoid, remedy, or mitigate the potential effects of sediment runoff associated with the construction or commissioning of the works.
 - iv. Adjacent landowner and occupier liaison during the construction stage.
- 41. The TMP shall be submitted for certification by the South Wairarapa District Council’s Rooding Operations Engineer or nominee prior to the commencement of works.

Noise

- 42. The consent holder shall provide the Council with an acoustic assessment from a suitably qualified and experienced acoustic expert that demonstrates the proposed plant and layout will achieve compliance with the noise limits in Condition 51 and 57.

The report shall be provided to the Council a minimum of 6 weeks prior to construction of the solar farm.

43. A Construction Noise Management Plan (CNMP) shall be prepared and submitted to Council prior to the commencement of works. The CNMP shall identify any areas of piling on maps that are likely to breach the consented construction noise limits without further attenuation. The CNMP shall identify suitable methods of noise attenuation that should be used by the contractor to comply with the noise limits when piling within these zones and/or any procedures that should be carried out to identify these methods of noise attenuation prior to work beginning in these areas.

Within the first planting season following the issue of consent

44. The consent holder shall implement the landscape mitigation planting within the LMP within the first planting season (April/May, September/October) following the issue of consent. Photographic evidence of the established planting shall be provided to Manager, South Wairarapa District Council within one month of the planting being implemented along with evidence of a contract for the landscape planting services and maintenance for the following 12-month period.

During construction

45. All activities are to be undertaken in accordance with the certified CMP, TMP, and CNMP.
46. The consent holder must ensure that any debris tracked onto Moroa Road or Bidwills Cutting Road from construction traffic is cleared from the carriageway immediately.
47. All loading and unloading of trucks with excavation or fill material must be carried out within the Solar Farm site.
48. All disturbed ground surfaces must be adequately surfaced as soon as possible to limit dust, contaminant or sediment mobilisation.
49. In the event of any archaeological site or waahi tapu being discovered or disturbed while undertaking works to give effect to the conditions of this consent, the works in the area of the discovery shall cease immediately, and iwi and the South Wairarapa District Council shall notified within 48 hours. Works may recommence with the written approval of the South Wairarapa District Council. Such approval shall be given after the South Wairarapa District Council has considered:
 - a. Tangata Whenua interests and values;
 - b. the Consent Holder's interests; and
 - c. any archaeological or scientific evidence.
50. The existing entranceways shall be assessed and up-graded as necessary to comply with the Wairarapa Combined District Plan Appendix 5 – Requirements for Roads, Access, Parking and Loading and NZS4404.

Advice note:

Condition 50 is valid only if a new accessway is proposed.

Construction noise

51. The noise level from operation of the solar farm shall meet the following noise limits at the notional boundary of dwellings on any other site:

Daytime:	7:00am to 7:00pm 55 dB L _{A10}
Night-time:	7:00pm to 7:00pm 45 dB L _{A10}
	9:00pm to 7:00pm 75 dB L _{AFmax}

Noise levels shall be measured and assessed in accordance with NZS 6801:1999 Acoustics – Measurement of Environmental Sound and NZS 6802:1991 Acoustics – Environmental Noise.

Post construction

Landscape Management

52. All landscaping shall be implemented and maintained in accordance with the certified management plan required under Conditions 27 and 28.
53. All planting shall be irrigated (as required) for the entire time the solar farm is operating.
54. The Consent Holder shall retain all existing and proposed Site boundary shelterbelts and vegetation for the life of the solar farm.
55. All plantings as referred to in the application and LMP above shall be nurtured and maintained to ensure their long-term survival. Any plants that become diseased or die shall be replanted in the subsequent planting season (April – September) following their loss.
56. The perimeter security fencing shall be located internally and screened from outside views by the existing and proposed planting.

Operational noise

57. The noise level from operation of the solar farm shall meet the following noise limits at the notional boundary of dwellings on any other site:

Daytime:	7:00am to 7:00pm 55 dB L _{A10}
Night-time:	7:00pm to 7:00pm 45 dB L _{A10}
	9:00pm to 7:00pm 75 dB L _{AFmax}

Noise levels shall be measured and assessed in accordance with NZS 6801:1999 Acoustics – Measurement of Environmental Sound and NZS 6802:1991 Acoustics – Environmental Noise.

Decommissioning

58. At least three months prior to the commencement of decommissioning of the Solar Farm, the consent holder must submit a Decommissioning Plan to the Council for certification that it fulfils the requirements of conditions 59 and 60.
59. The Decommissioning Plan must be prepared by a suitably qualified and experienced person and meet the following objectives:
- a. Decommissioning of the solar panels and all associated infrastructure in a manner that complies with all legislative requirements;
 - b. Leaving the land in a condition that is safe and suitable for the subsequent land use; and
 - c. Ensuring that the components and infrastructure are disposed of in a way that maximises re-use and recycling. For any parts that cannot be reused or recycled, ensuring that they are disposed of in an environmentally responsible way in accordance with industry best practice.
60. The Decommissioning Plan must include but not be limited to:
- a. Details on all infrastructure to be decommissioned, including details, method and location of reuse, recycling or disposal and the reasons why the options have been chosen;
 - b. Details of specific infrastructure to remain on-site post-closure and reasons why it will remain on Solar Farm site;
 - c. Scheduling and timing for decommissioning; and
 - d. Details for finished ground cover at completion of decommissioning and future intended land use.
61. The consent holder must notify the Council at least 30 working days prior, of the commencement date for decommissioning the Solar Farm.
62. The consent holder must notify the Council at least ten (10) working days prior to completion of the decommissioning to allow Council staff to carry out site inspections to determine compliance with the certified Decommissioning Plan.
63. The consent holder must ensure that a Decommissioning Report is prepared and submitted to the Council following completion of the decommissioning of the Solar Farm and no later than twenty (20) working days after the decommissioning works have been completed. The report must detail evidence demonstrating that the Solar Farm site is left in a condition that is safe and suitable for the subsequent land use.

Review

64. The South Wairarapa District Council, under s128 of the Resource Management Act, may once per year, during July, serve notice of its intention to review all conditions of this resource consent 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 this resource consent to ensure adverse effects (including noise and dust) are appropriately mitigated; and/or
 - b. Addition of new conditions as necessary, to avoid, remedy or mitigate any unforeseen adverse effects on the environment.