

**IN THE ENVIRONMENT COURT
AT WELLINGTON**

**I TE KŌTI TAIAO O AOTEAROA
KI TE WHANGANUI-A-TARA**

IN THE MATTER

of a direct referral of applications for resource consents s 87G of the Resource Management Act 1991 to establish and operate a 175-megawatt (peak) solar farm at 415 Moroa Road, Greytown, 312 Bidwills Cutting Road, Greytown; and 18 Pharazyns Road, Featherston

BY

FAR NORTH SOLAR FARM
LIMITED

(ENV-2023-WLG-000014)

Applicant

**MINUTE OF THE ENVIRONMENT COURT
(26 June 2024)**

[1] This Minute sets out various matters ahead of the hearing commencing on 1 July 2024.

[2] In the normal course of events all parties are expected to attend at the start of the hearing and record an appearance. If that causes any difficulties for any s274 party, please advise the Hearings Manager before the commencement of the hearing.

[3] An indicative timetable has been circulated and is attached at Appendix 1. Those Section 274 parties who have not yet done so are directed to contact the Hearings Manager, Mr Joseph Buckton at joseph.buckton@justice.govt.nz before 4pm on Thursday 27 June 2024 to schedule their appearance time.

FAR NORTH SOLAR FARM LIMITED

[4] It is understood that most if not all of the s274 parties intend to represent themselves in this hearing. There is no difficulty with that but it is important to be clear on the difference between submissions and evidence. Submissions are effectively your argument as to why consent should or should not be given and your evidence is a statement of facts or information known directly to you that you consider the Court should take into account in making its decision. It is not always easy to make that distinction and the Environment Court has some latitude in how it conducts a hearing to ensure it is undertaken without undue formality and that we get the best information we can on which to make our decision. In that regard, our intention is to have s274 parties give any submissions they wish to make and then be sworn in or affirmed to confirm their written evidence. Once that has occurred you may be asked questions about your evidence from the other parties or the members of the Court.

[5] The evidence of Mr Nicholas Logan (glint and glare) is to be provided by audio visual link at 2.15pm on Tuesday 2 July. Given the AVL requires additional technical assistance, that evidence will be given at that time even if we have to insert Mr Logan into the proceedings ahead of another scheduled witness.

[6] The timetable notes that updated conditions will be provided at the commencement of the hearing. The Court has asked the applicant and Council to provide those as soon as they are available and preferably prior to the commencement of the hearing however if this is not achievable, Counsel are directed to have sufficient printed copies available for the Court and the s274 parties on the day.

[7] Some s274 parties have asked the Court if they are able to ask questions of the witnesses. All s274 parties are entitled to question the witnesses called by the other parties. It would assist greatly in the management of the hearing if s274 parties could advise the Hearings Manager which witnesses they expect to ask questions of such that we can establish an order for questions. This does not

prevent any party from asking a question if something arises during the course of the evidence but simply serves to assist in the smooth running of the hearing.

[8] The Court does intend to undertake a site visit during the hearing. We will discuss the logistics of this at the hearing but it would be useful if parties could give prior consideration to particular vantage points they would like the Court to view the site from.

[9] In reviewing the evidence for the Applicant, the Court has noted several instances where the witnesses appear to be assessing different configurations of the proposal. It would be of assistance to the Court if Counsel could address those inconsistencies at the commencement of the hearing and ensure witnesses are appropriately briefed as to the proposal now being pursued such that any inconsistencies in evidence can be addressed with the witness. By way of example we note that:

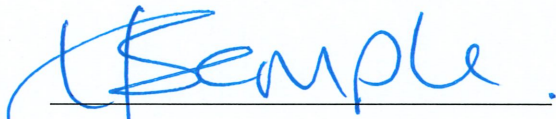
- Various 33 or 40 inverters are referred to depending on evidence and plans.
- The inverters while originally proposed to be central to the site now appear to be relocated to the edges of the site for firefighting reasons but this is unclear on plans(s) and it is unclear what arrangement has been relied upon in evidence.
- Inverters are described as equivalent to 40ft shipping containers by some and 20ft by others (no height is provided).
- Access arrangement appears to have been altered and there is no plan of these arrangements. What have the witnesses relied on?
- The photovoltaic panel tables have been described as having a maximum tilt at 60 degrees (height 4.5m) and in other places 55 degrees (Figure 2a and 1) and a height in the horizontal position of 2.2m by some and 2.45m by others.
- There is confusion over which Figure is to be used between witnesses. Figures appear to carry the same date and revision number but differing

specification/numeric information (Aquila Capital Sheet 41 101 Rev E).

- Planting is described by symbol and limited words. Sample cross sections ascribed to locations would be helpful. It is uncertain what assessment has relied on in this regard.

[10] In light of these changes, it may be that witnesses need to confirm their position at the hearing.

[11] The Court has had some difficulty in locating the most appropriate plan to use. There does not appear to be one comprehensive plan that outlines the current proposed location of the components, the landscaping proposed and the like. The Court would appreciate such a plan(s) being provided at the hearing and being directed to the most useful plan available now.



L J Semple
Environment Judge

Issued: 26 June 2024

Indicative Hearing Schedule			
Procedure	Party	Person	Time
Monday 1 July: 2.15pm start			
Enter appearances.	All		20 minutes.
Preliminary matters. Table: <ul style="list-style-type: none"> • Resource consent application. • Updated set of agreed draft conditions. 	Court Applicant & Council	Theresa Le Bas & Rachel Conner	30 minutes.
Opening Legal Submissions	Applicant	Theresa Le Bas	30 minutes.
Evidence	Applicant	John Andrews (Operations)	20 minutes.
		Ron Beatty (Solar Generation)	20 minutes.
		Richard Homewood (Electricity Network)	20 minutes.

		Greg Hay (Iwi and Community Engagement)	20 minutes.
Tuesday 2 July			
Evidence	Applicant	Paul Smith (Landscape)	60 minutes.
		Lily Tidwell (Ecology)	45 minutes.
		Peter Ibbotson (Acoustics)	45 minutes.
		Ian Hanmore (Soil)	30 minutes.
		Nicholas Logan (Glint & Glare) via AVL at 2:15pm	45 minutes.
		Laila Alkamil (Planning)	60 minutes.
Wednesday 3 July			
Evidence	Applicant	Martin Gledhill (Electromagnetic	45 minutes.

		Fields)	
Opening Legal Submissions	Council	Rachel Conner	20 minutes.
Evidence	Council	Emma McRae (Landscape)	45 minutes.
	Council	John Styles (Acoustics)	30 minutes.
	Council	Nicholas Pollard (Planning)	45 minutes.
Submissions and Evidence	s274 Parties		
Thursday 4 July			
Friday 5 July – 1pm intended finish time.			