

BEFORE THE SELWYN DISTRICT COUNCIL

RC225180

In the matter of      the Resource Management Act 1991  
   *Sections 88-120, Resource Management Act 1991*

Between                      **Party**      KeaX Limited

   Role      Applicant

And                              **Party**      Robyn Casey, Clark and Elizabeth Casey and Dave  
   and Donna Kewish ("Joint Submitters")

   Role      Submitter

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EVIDENCE OF ROBYN CASEY

Date 28 February 2023

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J M van der Wal  
Barrister  
40 Walker Street Chambers  
Christchurch  
Also at 14 Queen Street  
Blenheim

- 1        My full name is Robyn Lynnette Anne Casey.
- 2        I provide this evidence on behalf of myself, Robyn Casey, Clark and Elizabeth Casey and David and Donna Kewish (joint submitters), who have made a joint submission and an individual submission in opposition to Application RC225180 (the Application).
- 3        I live at 265 Branch Drain Road, and I have resided here since December 2002, when I moved back to Brookside from Wellington very much over city life. Only there for just under 6 years and commuted home most weekends.
- 4        I own 8.9030 hectares at my home residence 265 Branch Drain Road, and on Caldwell's Road 41.4920 hectares (opposite the proposed southeast area of the solar farm). The family has owned this farm since 1962, I am the 3<sup>rd</sup> generation to hold this land, and it is currently leased to my brother, Clark Casey.
- 5        I am working as a General Manager for a national non-profit organization in Christchurch. I commute 98kms a day (return trip) to work and home again.
- 6        I chose to come back to Christchurch from Wellington for the lifestyle - peace and quiet, and rural views. I stay here versus the city, and like others and sacrifice time and money in a commute for tranquility and lifestyle. The economic versus lifestyle cost if you were to put it in simple dollar terms say at the current IRD rate .83 cents mileage rate x 98kms, that's \$81.34 per day, \$406.70 per week or \$21,148.40 pa.
- 7        Four and a half years ago, I renovated my house, I spent \$250,000 on an extension, including a new master bedroom. Those plans were altered so from my bed I could have a view across the farm land.
- 8        At my stage of life, I am very concerned at losing or having damaged my lifestyle on a development that shouldn't be going where it is – in terms of loss of views, glint and glare, acoustics, type of soils and flooding.

- 9 The views I enjoy are also enjoyed by many – there is quite a few people who ride horses, walk and cycle on our road – they do the block from Leeston, these roads are not little rural roads. There are two school buses using that roads in the morning and afternoon and one bus drives in the Dunsandel to Leeston direction.
- 10 I work hard, I am involved in the community- 5 different community groups so when I go home my place I want peace and quiet, it is a place of solace, refuge and down time. I put a very high price on my down time – peace and quiet and views.
- 11 My home block is a working site – Clarks uses my sheds, to store equipment at times, contractors are in and out, as are trucks out of my drive, the road in front of me is 100 km speed limit. The glint and glare will be a concern from my drive.







## COMMUNITY AND CONSULTATION

- 12 I am concerned with the lack of consultation. For the record Mr. McMath in his submission pg10 6.10 said he met with the Casey's in July 2021. For the record, I am a Casey and he never met me, to discuss anything.
- 13 Eventually when Clark told me of this project I was concerned and I know Clark (Casey) was also concerned at the persistent requests to keep this quiet. I am Clark's sister and part owner of farmland associated with the family farm – and he is getting told to keep it quiet. Clark knows if Mr McMath had contacted me I would have told him due to the impacts of my land on him.
- 14 It concerns me that Clark was asked to sign off on behalf of everyone. Clark's repeated requests for information were stone walled by the council. I recall calling in to see Clark one morning on the way to work and he was on the phone to the Selwyn District Council for information and he repeated himself several times, eventually ending the call frustrated.
- 15 Once we received the notification of application for this, and this solar farm became very public Clark gathered signatures from the Neighborhood and the amount of people upset at the lack of consultation is concerning. The Brookside side community is furious with this. I am frankly over this – my phone has rung non-stop with people angry and concerned. A business person in Leeston challenged me on signing this off , and stated it shouldn't be going there, it should be on different soils, and if things go wrong what about the lake?

- 16 While we don't want this to go ahead – we have made a point of having a balanced point of view and searching and reading information, we have shared this information, because people have wanted to know. How would it impact them – views, glint, glare, unsightly industrial park, increased traffic on our roads, hazards such as leachates? We contacted our local councilor on the limited notification who was surprised at the number of people that turned up for a meeting, he went and spoke to the Selwyn District Council CEO – who directed our councilor not to engage with us and direct everything through him the CEO – and to what purpose? Is this transparent from the council. Copies of emails attached. I thought the whole point of having an elected representative was to seek assistance on process and where to go to. I note from Mr Math's notes handed out on Thursday that he talks about (reference page 5 – attached) under the community consultation section and references talking to the local councilors and then again under employment section he refers meeting with councilors again and having several meetings, I note this time he has deleted this reference on my copy.
- 17 On this attachment Mr McMath comments on "meeting with multiple people shown in approvals for the project" while I stand to be corrected; this is the leasers, their workers and/or tenants of the farms he will be leasing.
- 18 I am concerned with the inconsistency of information provided, sitting down, with the other Casey's and the Kewish's this has become evident. There are inconsistencies with the application, the applicant's response document and what we were told. My concern is if this gets the green light to go ahead what will actually get delivered and what checks and balances will be in place to ensure it is up to standard, and that all conditions are met.
- 19 This project is bigger than the size of Leeston our nearest town, when you speak to people they have no idea on the size of this, or the potential risks of fire or things such as leachates or glint and glare.

20 We are not anti-solar and, but we do not want this solar farm to go where it is proposed to be sited – Brookside is a settlement with families choosing to live here, with in a 3km radius there is quite a number of houses, and that is evident by the petition with our submission. I was part of a development in Leeston and pushed for solar on the roof of the community house. I know the landowner from the Lauriston solar farm, and I rang him, whilst he is bound by a confidentiality agreement, - I did learn this - it is in a rural environment, there are only 4/5 other Neighbor's, everyone was consulted with and the plantings are consistent, (utilizing bigger trees that are existing and they are planting underneath 3-4 metres out all away around), complete opposite of this development.

#### **WEATHER**

21 This district has had its share of fires, hailstorms, windstorms, snow, flooding and earthquakes. I am no expert, what I know is from a lifetime of living in this area of Brookside. The 1975 windstorm took out trees that were in the ground for 50+ years, the 1992 snowstorm was followed by rain. I saw the farms neighboring us and our farm go under a foot or more of water right across them. At the time Dad had an old Bedford truck and we drove around to help people if required. There is nothing that really addresses our concerns around this – a builder has to submit all plans, why is it we can't see management plans even in draft form to address our concerns.

22 We are in a flood zone, see attached, marked "C".

23 While the ECAN report was prior to this hearing it is worth mentioning in regards to soils, these soils have a bearing in wet seasons.

24 The ECAN discharge operational phase storm-water to land. Condition 2 – says storm water shall only be discharged onto and into land within the boundary of the site.

25 Point 2 – storm water shall not pond for longer than 48 hours.

- 26 On the map "B" - I have marked my well X, and where water settles and ponds.
- 27 On this map I have marked a drain and direction of flow. It is important to note run off and any contaminants will run in these places into creeks that flow into Lake Ellesmere.
- 28 We have just had a major event in the north island. How would we fair with an event like Gabrielle. In more recent years we have had flooding events and multiple road closes around this area. In 2021 there was major flooding that saw bridges closed cutting us off, and roads closed in Brookside. Basic science says electricity and water don't mix.



Robyn Casey



**From:** Cr Shane Epiha <CrShane.Epiha@selwyn.govt.nz>  
**Subject:** Fwd: KeaX Limited for a resource consent (RC225180).  
**To:** Robyn Casey <robyncasey@farmside.co.nz>, David Ward <David.Ward@selwyn.govt.nz>  
**Date:** Monday, 07/11/2022 9:03 PM  
**Show:** [raw text html](#)

Images have been disabled [allow images this time](#), [always allow from this sender](#)

Hi David,

I am connecting you to Robyn Casey on this matter. She is a notifiable resident.

Kiaora

**Cr Shane Epiha**

COUNCILLOR

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**From:** Cr Shane Epiha  
**Sent:** Monday, November 7, 2022 2:51:35 PM  
**To:** David Ward <David.Ward@selwyn.govt.nz>; Sam Broughton <sam.broughton@selwyn.govt.nz>; Councillors <Councillors@selwyn.govt.nz>  
**Cc:** Tim Harris <tim.harris@selwyn.govt.nz>  
**Subject:** RE: KeaX Limited for a resource consent (RC225180).

Nga mihi David.

**From:** David Ward <David.Ward@selwyn.govt.nz>  
**Sent:** Monday, 7 November 2022 2:20 pm  
**To:** Cr Shane Epiha <CrShane.Epiha@selwyn.govt.nz>; Sam Broughton <sam.broughton@selwyn.govt.nz>; Councillors <Councillors@selwyn.govt.nz>  
**Cc:** Tim Harris <tim.harris@selwyn.govt.nz>  
**Subject:** RE: KeaX Limited for a resource consent (RC225180).

Kia ora Shane

The application has just been notified on a limited basis meaning that the directly-affected neighbours have been given the opportunity to lodge a submission to the process.

Submissions close at the end of this month, and the hearing will likely occur early next year.

If the parties wish to raise some issues with Council staff, and / or seek further advice about the process, can they do so directly with myself in the first instance.

Ngā mihi  
David

**From:** Cr Shane Epiha <[CrShane.Epiha@selwyn.govt.nz](mailto:CrShane.Epiha@selwyn.govt.nz)>  
**Sent:** Sunday, 6 November 2022 5:07 PM  
**To:** David Ward <[David.Ward@selwyn.govt.nz](mailto:David.Ward@selwyn.govt.nz)>; Sam Broughton <[sam.broughton@selwyn.govt.nz](mailto:sam.broughton@selwyn.govt.nz)>; Councillors <[Councillors@selwyn.govt.nz](mailto:Councillors@selwyn.govt.nz)>  
**Subject:** KeaX Limited for a resource consent (RC225180).

Kiaora David,

Hoping you can help me here.

This afternoon I was asked to attend a hui at 324 Branch Drain RD with effected parties of the proposed 200ha Solar farm development requested by the applicant above. 2 of the notified parties are against both of which were in attendance and another 18 non notifiable but bordering residents also against.

I actually didn't realise there was going to so many people in attendance.

They would like to have a meeting with council staff to discuss a number of questions they feel need answered.

I believe there is enough numbers to warrant this. 20 in total and all very upset.

I was told the information the notifiable residents received was Wednesday last week and they have until the end of the month to submit. They wish to delay until a discussion with council.

Hoping we can at least facilitate this either Doyleston Hall or Leeston.

Hoping staff can run something similar to the process we did with the quarry.

As an aside the same residents are still gutted they don't have a corner light on this 6 finger intersection and an improvement to the general area.

Accidents are increasing on a regular basis. A farmer pulled someone out last night. The picture above was from sometime ago I believe. Forwarded onto me while I was there.

Thanks.

**Cr Shane Epiha**

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**Cr Shane Epiha**  
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**From:** Emma Larsen <Emma.Larsen@selwyn.govt.nz>  
**Sender Lookup:** 40.107.108.71 - mail-me3aus01on2071.outbound.protection.outlook\_com  
**Subject:** FW: Brookside Solar Farm - RC225180  
**To:** robyncasey@farmside.co.nz <robyncasey@farmside.co.nz>  
**Cc:** Tim Harris <tim.harris@selwyn.govt.nz>, David Ward <David.Ward@selwyn.govt.nz>, Sam Broughton <sam.broughton@selwyn.govt.nz>  
**Date:** Wednesday, 21/12/2022 12:50 PM  
**1 attachment:** [225180- Final Notification report.pdf](#) 590 KB  
**Show:** [raw text](#)  
Kia ora Robyn

Thanks for your email. I appreciate that the prospect of a large solar array being developed in this area represents a big change to the site and is of concern to you.

The reasons for the notification decision are outlined in the notification report (attached). As you will see from the report, the Resource Management Act prescribes a structured process for Council's to decide how a resource consent application should be treated in terms of notification. The test for directly notifying an adjoining/adjacent property owner is essentially that the environmental effects on that property must be assessed as at least being minor. The test for public notification is that environmental effects on the environment, beyond the immediately adjoining/adjacent land must be more than minor.

A change in land use, in and of itself, is not an effect on the environment and in order to consider a particular person or the wider environment to be affected there must be a demonstrable effect on that person or the environment supported by expert evidence. Evidence from a range of experts, including landscape architects, acoustic engineers and in terms of glare has been commissioned by the applicant and the council to make the carry out the effects assessment. We always endeavour to take a great deal of care with these assessments and in this case we were aware that there would be a high degree of interest from the community.

If you feel we have this decision wrong, the only means of challenge is by way of a judicial review in the High Court. Your lawyer would be best placed to advise you more on this course of action.

Please let me know if you have any further questions.

Ngā mihi

Emma Larsen  
027 243 0676

-----Original Message-----

**From:** robyncasey@farmside.co.nz <robyncasey@farmside.co.nz>  
**Sent:** Tuesday, 20 December 2022 11:47 AM  
**To:** Tim Harris <tim.harris@selwyn.govt.nz>; Sam Broughton <sam.broughton@selwyn.govt.nz>; David Ward <David.Ward@selwyn.govt.nz>  
**Subject:** Brookside Solar Farm - RC225180



Dear Sirs

I am writing to express my deep concern at the limited notification period of the Brookside solar farm, plus the fact that the wider Brookside community, including some people who should have been notified as they boundary the properties, have not been contacted.

I am also concerned at the significant land use change, and have grave concerns at the impact of the soils and wider environment.

I would like a please explain and consideration of these issues, urgently.

Regards

Robyn Casey  
0274-740-048

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Tina Van Der Velde

Operational Support

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Emma Larsen

Head of Resource Consents



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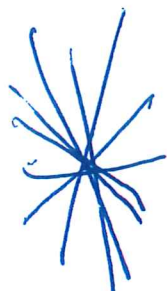
*fairly targeted, not a blanket approach*" and the article mentions "Federated Farmers President Andrew Hoggard is relaxed about the prospect of large-scale solar farms." Evidence 8.13

- Kea are happy with the amount of dry matter being farmed from under and around the panels, the ground receives enough sun and water for what Kea needs,
- The boundary plant maintenance will be contracted to Ventia and/or Fowler, both are experienced in vegetation around infrastructure.

#### Water quality

- Nitrates in evidence in section 8.10 ECAN interpretation and statement.
  - "Nitrate-nitrogen concentrations near the farm on 115 Buckleys Road are relatively high and (very) likely increasing based on groundwater quality in our wells database"
- As the Brookside project does not have the need for nitrogen, it would be logical to assume if less nitrogen is put on the land there would be less nitrogen in the groundwater feeding the streams. Helping clean our streams and lakes.
- Our farming method is more sustainable, less intense and aligning to ECAN and the NPS-FW.

#### Community consultation



- Originally contacted local councillors in August 2021, all assisted and were positive. ←
- Consultation with neighbours evidence 6.9
  - Ward went round to talk to some neighbours.
  - Meeting with multiple people shown in approvals for project.
  - Caseys July '21
  - Kewishs Mach '22
- Other groups or people since notification then always answered their concerns and offered to meet anyone who wanted to, including unaffected parties who .
- Discussion with bee keepers, on bee friendly plants and potential for bee hives on the solar farm as done in Europe and the States.

*Confirmation  
other than the farmers  
leasing are the others are  
tenants  
of farmers?*

#### Employment



- There are jobs on the farm and off the farm evidence 6.13 and 6.14 shows post construction approx. 5 FTE on site and 10 FTE off site call centres, sales, Control room, manager, trader. Remember 21,000 houses of power.
- ~~Since then, Kea have had several meetings discussing the project with councillors and the feeling continued that they were very positive and supportive.~~

#### Benefits / Summary

The community Kea and I am part of has community Pride:

The Brookside project:

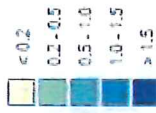
- is trying to reduce nitrates to help our rivers and streams
- is contributing towards decarbonisation.



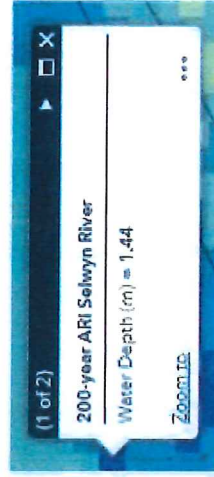
Show search results for 185 Brookside...  
**How to use this map**

Click the three dots for further options.

☒ Water Depth (m above ground) ...

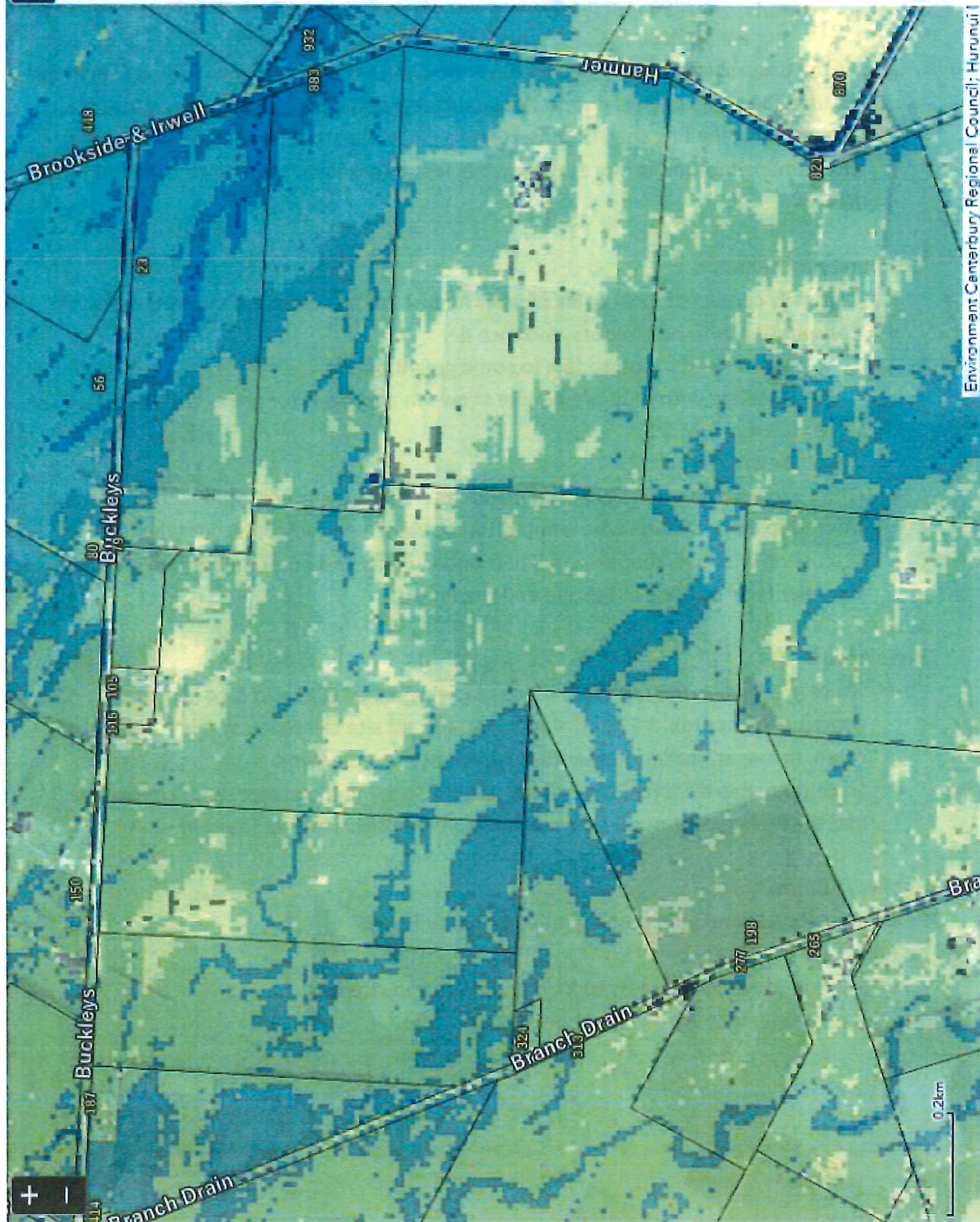


Click the map if you want to see the depth of water that the flood models have predicted for a particular area of land. Once you click on the area, a pop up box will give you information about the exact water depth predicted. If more than one layer is displayed, click the small arrow in the pop-up header to see values for the other layer(s).



Use the **Swipe** widget to show/hide selected layers.

If you require assistance to use this map please [contact us](#).



Environment Canterbury Regional Council: Hurunui

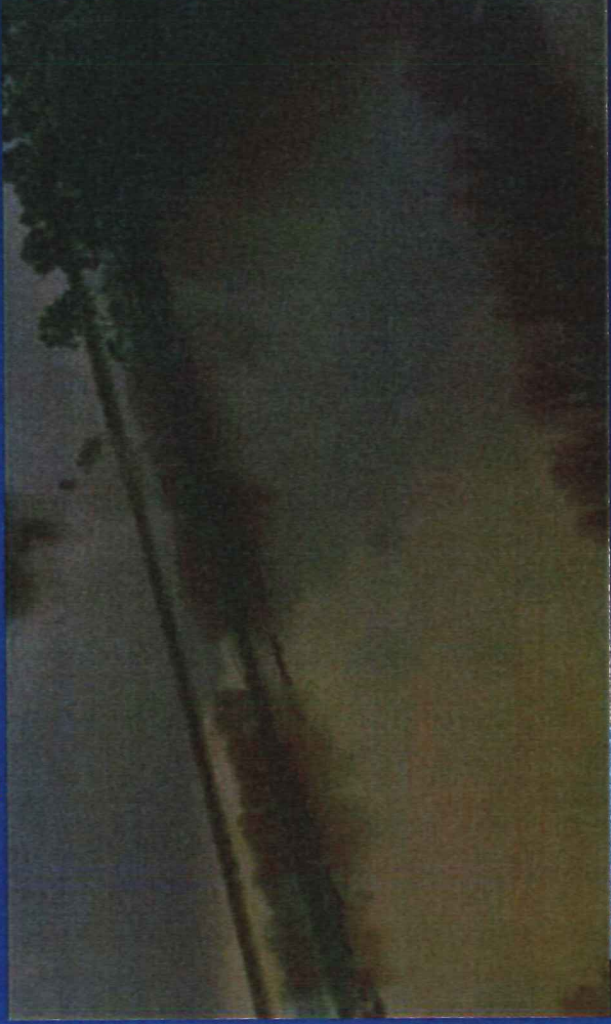
11C11







# Flooding in and around Brookside & Doyleston during the last 35 years



1986



1988



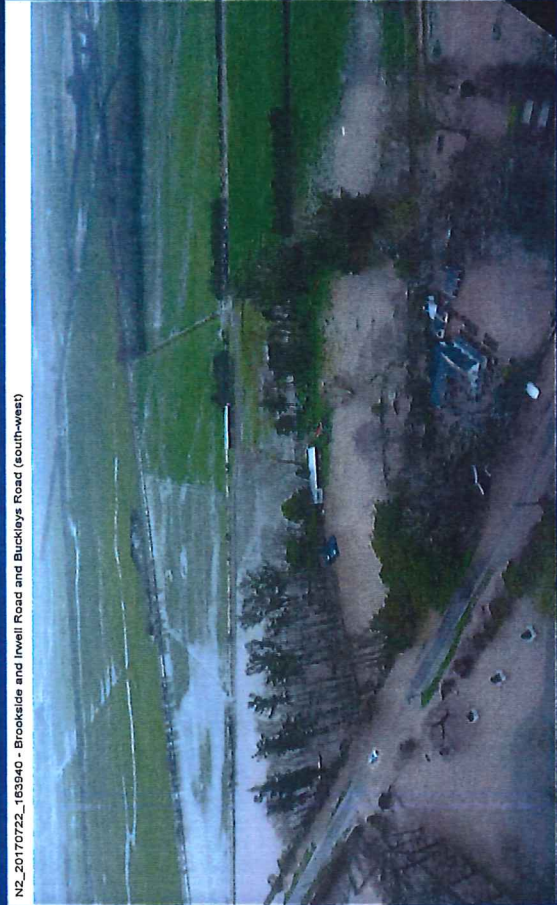


# Flooding in and around Brookside & Doyleston in the last 35 years



1992

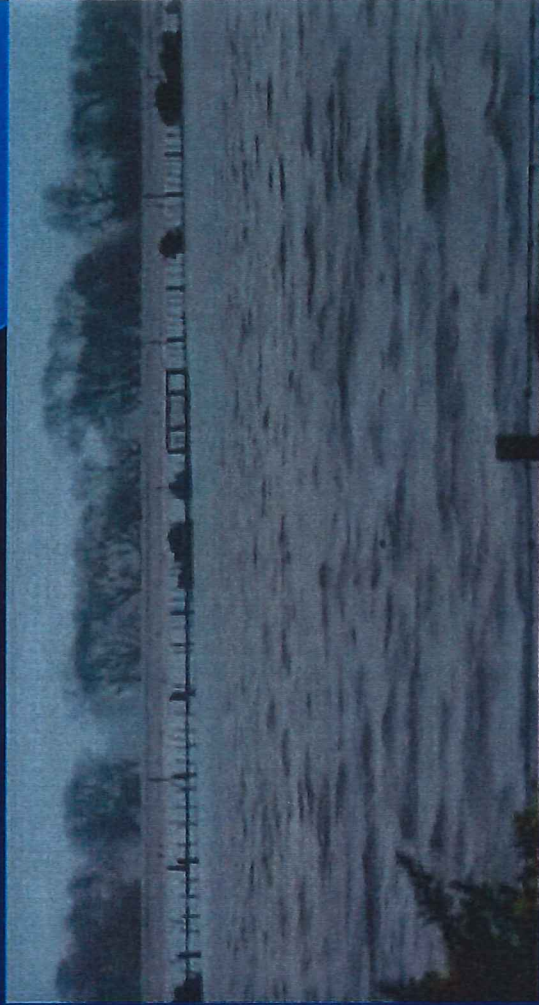
N2\_20170722\_183940 - Brookside and Jewell Road and Buckleys Road (south-west)



2017



2013



2021

