

Under the Resource Management Act 1991

IN THE MATTER OF an application from KeaX Limited to construct and operate a 111ha solar array at 115 and 187 Buckleys Road, Leeston.

SECOND MINUTE OF THE HEARING COMMISSIONER – PRELIMINARY MATTERS

- [1] I am in receipt of a request from the 'Brookside Submitters Group'¹ as dated 15 February 2024.
- [2] The request as filed by Legal Counsel, seeks two matters:
- a. Requests for site visits; and
 - b. Clarification of the application pursuant to s91 of the Resource Management Act 1991 (**the Act**) with regard to the Brookside Substation (Designation ORION-5 Brookside Zone Substation).
- [3] With regard to the first matter, I acknowledge the request for individual site visits. I note that I have undertaken an exterior visit of the site and surrounds. I also intend to undertake both a visit to the site, and submitter properties as invited during or immediately after the Hearing. I will discuss with the submitters, Counsel and the applicant appropriate times to undertake on-site visits during the Hearing.
- [4] Regarding the second matter, being leave and a specific instruction for the applicant to provide further information as to potential upgrades associated with the designated Brookside Substation, **the request is respectfully declined.**
- [5] Legal counsel will no doubt be aware that s91 affords a discretion '*a consent authority may determine...*' and relates specifically to the regulatory regime relating to resource consents. The Brookside Substation as noted in the request, is the subject of Designation in the Partially Operative Selwyn District Plan and is the subject of the separate regulatory regime in Part 8 of the Act, should either outline plan (s176A) or alteration (s181) be required.

¹ Understood to consist of Clark and Elizabeth Casey, Dave and Donna Kewish, Michael and Anneka Dalley, Corey Krygsman, Anne and Donald Green, Simon Robinson and Donna Irons.

[6] Any further submitter enquires relating to the Hearing should be directed to the Council Planner.

A handwritten signature in blue ink, appearing to read 'Matt Bonis', with a long horizontal flourish underneath.

Matt Bonis

Independent Hearing Commissioner

19 February 2024