

KEAX RESOURCE CONSENT APPLICATION FOR PROPOSED SOLAR FARM

SUMMARY STATEMENT OF STEWART FLETCHER

5 MARCH 2024

- 1 I have previously provided planning evidence with regards to the limited notified resource consent application by KeaX Ltd to establish a 111 hectare solar farm. I have been able to listen to parts of the hearing on Monday including parts of Ms Amanda Dewars legal submissions, Ms Claire Kellys summary of evidence including questions and the legal submissions of Ms Jessica Ottawa.
- 2 The below provides a brief summary of my evidence and where possible I will provide my opinion, where relevant, on matters raised during the hearing.
- 3 It is my understanding that a resource consent application should be assessed on the basis of those rules which were applicable at the time of lodgement of an application but also consideration is required to be given to the objectives and policies of a proposed plan. I fully appreciate that it makes sense, in this instance, to give consideration to the rules of the Partially Operative Plan and not ignore any potential changes. That said, this does not negate the need for consideration to still be given to the operative provisions.
- 4 I have questioned the impacts on the amenity values of the area. The landscape assessment of Mr Andrew Craig states that the solar array will not maintain or enhance amenity – but will instead diminish or subtract from it. He then reaches the opinion that this effect will be avoided, remedied or mitigated to a point that effects will be less than minor. A key reason for this is the enclosing of the site through planting. To take this approach suggests that those people in the local area will not perceive that the amenity of the area has changed, even though they will have an awareness or knowledge of what is there. In my opinion the enclosing of the site in itself creates an awareness that there is something different occurring on the site.
- 5 Across the resource consent process for this proposal there has been a growing emphasis on the applicant's ability to operate the property in such a manner as to enable the continued productive use of the application site. In my opinion an ability to use the site for productive purposes will be potentially retained, and various experts have advised as such, but this is not what resource consent is sought for. Resource consent is sought to utilise the site as a solar farm and any operation of stock is simply to control grass growth. If resource consent is granted, I question whether this will impact an ability to use the site for productive purposes simply because this is not what is proposed. This is quite different when compared to a proposal for a dual use or agrivoltaic proposal.
- 6 I agree that the proposal falls within the classification of being specified infrastructure. I do not agree that the proposal falls within the 'exceptions' in Rule 3.9(2)(j). This is based on the October 2023 Ministry for the Environment discussion paper regarding potential amendments to the NPS-HPL.
- 7 I remain interested in the fact that Council have again elected to process this application on a limited notified basis. In my opinion it is a valid concern that the resource consent application should have been processed on a fully publicly notified basis. The primary reasons for this are effects on amenity and effects on highly productive land.