

RESOURCE MANAGEMENT ACT 1991  
SELWYN DISTRICT COUNCIL

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**RESOURCE CONSENT APPLICATION – RC246059**

80 Struie Road, Hororata

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MINUTE 2 OF COMMISSIONER

Date: 28 May 2025

## 1.0 INTRODUCTION

- 1.1 I have been appointed by the Selwyn District Council (the **Council**) to make the notification and substantive decisions on the land use resource consent application by Ra Tuatahi No. 1 Limited (the **Applicant**) to construct and operate a 10 hectare solar array (solar farm), at 80 Struie Road, Hororata (the **Site**).
- 1.2 Pursuant to the s.95 of the Resource Management Act 1991 (the **Act**) notification decision made on the 25<sup>th</sup> February 2025, the application was limited notified to the following persons:
- 106 Struie Road
  - 132 Struie Road
  - Struie Road – Lot 7 DP 66179
  - Derretts Road – Lot 2 DP 78682
- 1.3 I record the written approval has been provided from the following persons and therefore any effects on these persons have been disregarded pursuant to s.95E(3)(a) and s.104(3)(a)(ii) of the Act:
- 66 Struie Road
  - 90 Struie Road
  - 134 Struie Road
- 1.4 Three submissions in opposition have been received. These submissions were from the following persons:
- 106 Struie Road
  - Struie Road – Lot 7 DP 66179 (requested to be heard)
  - Derretts Road – Lot 2 DP 78682 (requested to be heard)
- 1.5 I record that I have received the s.42A report (of the Act) which was prepared by Ms. Olivia Robertson (for Council) and the Applicant's pre-circulated evidence which was prepared by Ms. Isobel Stout. In addition, I am also in receipt of email correspondences from the two submitters who requested to be heard.
- 1.6 An email dated 14 May 2025 from the submitter at Derretts Road – Lot 2 DP 78682 confirms that provided specific additional conditions are included in the application, they withdraw their request to be heard; for the sake of completeness, I record that this submitter has not specifically withdrawn their submission, only their request to be heard. Similarly, an email dated 15 May 2025, the submitter at Struie Road – Lot 7 DP 66179, confirms they are happy to withdraw their submission, however, their withdrawal is also subject to four additional conditions being included in the application. These emails were received *after* Ms. Robertson circulated the s.42A report and therefore her evidence does not include this update information.
- 1.7 To clarify, the Ms. Stout's pre-circulated evidence includes the following statement:
- [a]dditional consent conditions are volunteered by RTL (the Applicant) to reflect the agreements reached with the two submitters who have withdrawn their wish to be heard. These conditions relate specifically to potential fire risk, boundary planting (species and locations that are not desired), a culvert and cable routing.*
- 1.8 The Applicant's evidence also includes updated/revised wording for the specific conditions relating to the additional matters raised by the two submitters noted in paragraph 1.6 above.
- 1.9 Given the emails and the updated/revised conditions were received following the circulation of the s.42A report, the Council has not had an opportunity to respond to them and I find that it is appropriate that Council be afforded that opportunity. In particular, I seek clarification as to whether the updated/revised conditions proposed by the Applicant are acceptable to the Council, who, should consent be granted, will be responsible for monitoring and enforcing those

conditions. I also seek confirmation as to whether the proposed revisions alter or otherwise affect the position set out in the Ms. Robertson's s.42A report.

1.10 Within this context I direct the following:

## **2.0 DIRECTION**

2.1 I direct Ms. Robertson (on behalf of Council) provide an addendum to the s.42A report which considers and confirms:

- Council's position in respect to the updated/revised consent conditions detailed in Ms. Stout's pre-circulated evidence; and
- whether the updated/revised consent conditions affect any of the technical advice that is relied on by Ms. Robertson in the s.42A report.

2.2 In addition, I direct that the addendum from Ms. Robertson include an updated suite of draft conditions, including the updated/revised consent conditions volunteered by the Applicant. This is to inform my deliberations. In respect to the draft conditions, Ms. Robertson is to liaise with the Ms. Stout and if possible, provide an agreed suite of draft conditions, otherwise, Ms. Robertson and the Ms. Stout are to clearly and thoroughly detail any areas of disagreement or contention.

2.3 I direct that Ms. Robertson provides the addendum to Council who will circulate it to all parties including me, on or before 5:00pm Friday 7 June 2025, or at an alternative pre-agreed time and day.

### *SITE VISIT*

2.4 As part of my deliberations, I intend to undertake a site visit on either Tuesday 3 June 2025 or Thursday 5 June 2025. I do not need to be accompanied on the site visit, but I will need access to the site.

2.5 I direct the Applicant to confirm:

- that I can access the site (i.e. is there locked gates etc);
- whether there are any known hazards that I should be aware of; and
- whether there is any reason why I cannot visit the site on either Tuesday 3 June 2025 or Thursday 5 June 2025.

2.6 The Applicant is to advise Council, who will inform me, of the matters in paragraph 2.5 by 5:00pm Wednesday 4 June 2025.

## **3.0 NEXT STEPS**

3.1 Once I have received the addendum from Ms. Robertson and have undertaken the site visit, I will provide further direction in respect to the next steps in the process.

3.2 For the sake of completeness, I record that I do not require any further information from the submitters at this time.

## **4.0 SERVICE**

4.1 A copy of this minute is to be served on the Council (Ms. Robertson), the Applicant (Ms. Stout), and the submitters.



Commissioner O'Connell

Date: 28 May 2025