

BEFORE THE

**INDEPENDENT HEARING
COMMISSIONER APPOINTED BY
SELWYN DISTRICT COUNCIL**

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of an application under section 88 of
the Resource Management Act 1991
for resource consent by **Rā Tuatahi
No. 1 Limited** for a solar array at 80
Struie Road, Hororata.

DATE

22 May 2025

Statement of Evidence of Isobel Stout on behalf of Rā Tuatahi No.1 Limited

EXECUTIVE SUMMARY

1. It is my opinion that the application to construct, operate and maintain an array of solar panels in approximately 10 hectares of rural land should be granted.
2. I generally agree with the conclusions of the s42a report author, and the evidence prepared by Mr. Chris Glasson of Glasson Huxtable Landscape Architects, Mr. Rudi Van der Velden of Velden Aviation Consulting Limited, and Mahaanui Kurataiao Limited.
3. Overall, I consider that while there is the potential for adverse visual and rural amenity effects from the rows of panels, these effects can be appropriately mitigated. In line with the recommendations of the technical experts and the s42A report author, I am confident having reviewed the proposed management and mitigation measures and proposed conditions that these effects can be effectively mitigated and/or managed.
4. I generally support the proposed conditions and provide additional volunteered conditions at the end of my evidence.

INTRODUCTION

5. My name is Isobel Louise Stout, and I am a Service Leader in the Environmental Planning Team at Pattle Delamore Partners (PDP). PDP is a specialist environmental consulting practice with offices across the country, including in Christchurch.
6. I hold Post Graduate qualifications in Public Health from the University of Otago and Environmental Health from Massey University. I have worked as a consultant for the past two years. Prior to this I was employed at Christchurch City Council for more than 30 years in a role that encompassed writing and presenting expert specialist evidence, particularly in the areas of environmental noise, contaminated land management and electromagnetic radiation. Relevant to this matter, I have experience in evaluating development projects, preparing resource consent applications and presenting evidence to both the Environment Court and the District Court.
7. PDP was engaged by Rā Tuatahi No. 1 Limited (RTL) to provide advice in relation to contaminated land matters at the site. Subsequently PDP was engaged to prepare the resource consent application and Assessment of Environmental Effects for the entire proposal.
8. I have read:
 - 8.1 The s42a Officer's Report prepared by Ms Olivia Robertson;
 - 8.2 The technical expert advice of Mr Chris Glasson, Glasson Huxtable Landscape Architects on landscape matters, Mr Rudi Van der Velden, Velden Aviation Consulting Limited on glare matters and Mahaanui Kurataiao on cultural matters.
 - 8.3 The submissions received, and email correspondence from submitters following further consultation.
9. I have also referred to the Resource Management Act, relevant National Policy Statements, National Environmental Standards and the relevant district plans, both operative and partially operative.

EXPERT WITNESS CODE OF CONDUCT

10. I have read the Environment Court's Code of Conduct for Expert Witnesses contained within the Environment Court Practice Note 2023 and I agree to comply with. My qualifications as an expert are set out above. I am satisfied that the matters which I

address in this brief of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

SCOPE OF EVIDENCE

11. I have structured my evidence to focus in particular on the matters raised and subsequently agreed to with the submitters who wished to be heard.

- 11.1 Relevant planning framework;
- 11.2 Notification and submissions;
- 11.3 Actual and potential environmental effects and comment on the proposed mitigation and submissions;
- 11.4 Relevant statutory documents
- 11.5 Recommended and volunteered conditions; and
- 11.6 Conclusions.

RELEVANT PLANNING FRAMEWORK

12. Within the Partially Operative Selwyn District Plan (Appeals Version) (Partially Operative Plan) the site is zoned General Rural Zone (GRUZ).

NOTIFICATION AND SUBMISSIONS

13. The application was limited notified as set out in the s42A Report. The limited notification drew four submissions from Mr Loo of Derretts Road, Mr Arnold of 106 Struie Road, Mr Irwin of Lot 7 DP 66179 and Mr Grayson of 30 Struie Road (a non-notified party) with the main focus of the submissions being concerns relating to the potential adverse effects of the proposal, including visual/amenity, fire risk, cable routes and stormwater drainage.

14. Following the limited notification, RTL undertook direct liaison with the two submitters who wished to be heard, to understand in more detail their concerns and explore a way to satisfy those concerns without holding a hearing.

15. The conversations led to the two submitters agreeing that they no longer wished to be heard, on condition of additional provisions to be made as consent conditions volunteered by RTL. Those volunteered conditions are listed at paragraph 23.

ACTUAL AND POTENTIAL ENVIRONMENTAL EFFECTS

Positive Effects

13. As set out in the s42A report¹ the proposal results in benefits to the community encompassing increasing security of electricity supply, particularly locally, and avoiding fossil fuel use, whilst also still being able to use the land for rural activities, such as stock grazing if desired.
14. I consider that the proposal will provide a positive contribution to the local area and make efficient use of access to the existing electricity distribution network.

Amenity Effects

15. I agree with the s42A report author that the key adverse effects resulting from the proposal on the submitters relate primarily to the potential effects of reduction in rural amenity and visual effects.
16. As identified in the AEE, there are dwellings in some neighbouring properties that have views towards the proposal. The screening proposed by planting has been reviewed as result of requests for further information, conversations with submitters and the Council's expert evidence.
17. The landscape experts are in agreement that with conditions the visual amenity of the environment will be acceptable. The submitters have agreed that with conditions their specific concerns regarding landscape have been addressed. Therefore, I consider the visual amenity will be appropriate.

Cultural Effects

18. At the end of Section 5.0 of the cultural advice sought from Mahaanui Kurataiao, provided the conditions proposed at Section 6.0 are included, *the Runanga will not consider themselves to be an adversely affected party*. From this statement I conclude that the level of effect is acceptable and should not prevent the granting of consent.

RELEVANT STATUTORY DOCUMENTS

19. The s42A report identifies the relevant national environmental standards and plans including the National Policy Statement for Renewable Electricity Generation and the

¹ Para 118 of the Officer's s42A Report prepared by Olivia Robertson, dated 15 May 2025.

Partially Operative Plan as relevant for consideration. I agree with the report author's assessment and conclusion that the proposal is generally consistent with the objectives and policies of the Partially Operative Plan.

PROPOSED CONSENT CONDITIONS

20. I have reviewed the proposed conditions of consent attached to the s42A report in consultation with RTL. I consider that the consent conditions are appropriate and avoid, remedy or mitigate the adverse effects.
21. Additional consent conditions are volunteered by RTL 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.

CONCLUSION

22. In my view the effects of the proposal are acceptable. I consider that the proposal is consistent with the objectives and policies of the Partially Operative Plan and with other statutory documents, particularly the NPS-REG.
23. I agree with the conclusion of the s42A report that the application may be granted, subject to conditions of consent.

Isobel Stout

22 May 2025

23. VOLUNTEERED ADDITIONS TO CONDITIONS

Additional text is underlined. Deleted text is ~~strikethrough~~.

Site Preparation and Construction

New condition after condition 15.

All underground cables and other utilities associated with the development shall be located on or under the easement recorded as Part C on the Record of Title (CB38D/1003) for Lot 6 DP 33179.

Landscaping

23. The Consent Holder shall provide landscaping along ~~the~~ two boundaries of the site, in accordance with the following:

- a. No planting is to take place along the boundary between the site and Lot 7 DP 66179.
- b. No planting is to take place along the boundary between the site and Lot 2 DP 78682
- c. A four (4) meter wide gravel fire break shall be created and maintained along the length of the boundary with Lot 2 DP 78682.
- d. Landscaping shall include at least ~~two~~ a single zigzag row of planting along the two remaining boundaries.
- e. Plants shall be at least one (1) metre in height at the time of planting.
- f. Plant species shall be Leyland cypress 'Leighton Green'.
- g. A graded culvert along the boundary with Lot 7 DP 66179 shall be constructed between the solar panels and boundary fence.
- h. Solar panels shall be set back at least ten (10) metres from the boundary with Lot 2 DP 78682.

24. The proposed landscaping must be established on site within the first planting season (extending from 1 April to 30 September) following the establishment of the activity.

25. At least thirty (30) working days prior to the commencement of landscaping, the Consent Holder shall submit a LMP to Council (Compliance@selwyn.govt.nz) or by their nominated appointee, for certification in accordance with Conditions ~~21~~ 23 and ~~22~~ 24 above.

26. The LMP shall include, but not be limited to:

- a. The details of plant species, spacing, size and quantities of plants, in accordance with Condition 23.
- b. Timeline for planting works.
- c. Details of site preparation and maintenance required for plant establishment including the nature, duration and extent of any proposed irrigation.
- d. Details of plant replacement should a gap become apparent, the plants die or become diseased.
- e. The location and design of fencing of the Site.
- f. Details of ongoing maintenance including weed control and dry grass management and monitoring to reduce fire risk.
- g. Details of the method and frequency of monitoring the health of the plants to ensure their health and survival.

- h. Minimum heights of plants required to screen visual effects ~~mitigated any glare~~*
(noting condition ~~28~~ 23.e and 28).

27. All landscaping shall be implemented and maintained in accordance with the LMP certified under condition 25.

28. All dead or diseased existing vegetation shall be replaced within the next growing season or as soon as practically possible.

*There are no glare effects from viewers on the ground. The planting is required purely for visual screening purposes.