



**APPENDIX 21      PROPOSED CONDITIONS OF CONSENT**



## **PROPOSED CONDITIONS OF CONSENT**



**138 Hectare / 100 MW Agrivoltaic Development, including Battery  
Energy Storage System**

**3954A State Highway 2, Waingawa**

**29 February 2024**

## 1.0 SITE DETAILS

Feature	Site
<b>Address</b>	3954A State Highway 2, Waingawa
<b>Legal Description and Title</b>	Pt Lot 2 DP 2099 (RT WNF1/1189) Pt Lot 3 DP 2099 (RT WNF1/1188) Pt Lot 1 DP 46533 (RT WN17B/749) Lot 1 DP 19148 (RT WN765/45) Pt Lot 4 DP 2099 (RT WND1/413) Lot 1 DP 17189 (WN638/13) Lot 1 DP 3447 (WN248/15) Pt Lot 4 DP 2099 (WN213/272)
<b>Proposal Description</b>	Construct and operate an agrivoltaic development that will occupy approximately 138ha of the subject site, and will include erecting photovoltaic modules, inverters, transformers, battery energy storage system (BESS), a substation, and a site office, as well as establishing a connection to the nearby Transpower Masterton Substation
<b>Relevant District Council</b>	Carterton District Council
<b>Relevant Regional Council</b>	Greater Wellington Regional Council

## 2.0 SUGGESTED CONSENT CONDITIONS – DISTRICT COUNCIL

2.0.1 The following is a list of suggested conditions of consent, offered by the Applicant for consideration, including Augier condition/s as considered relevant based on specialist recommendations:

### 2.1 General Conditions

2.1.1 The agrivoltaic development approved by this decision shall be undertaken and operated as described in the application and assessment of environmental effects prepared by NZ Clean Energy, dated February 2024, including all supporting documents and appendices, and must be carried out in accordance with the plans and all information submitted with the application.

2.1.2 The Consent Holder is authorised to operate the consented activities for a duration of forty (40) years, inclusive of all construction operations following issue of this decision and also of all decommissioning operations.

**Advice Note**

*Should the Consent Holder wish to extend the duration of the development beyond forty (40) years, new approvals under all relevant planning legislation and/or*

*instruments shall be sought at least two (2) years prior to the duration of the consent ceasing.*

## **2.2 Glint and Glare Conditions**

### **2.2.1 Glint and Glare Adaptive Management Plan**

The Consent Holder must prepare and implement a Glint and Glare Adaptive Management Plan (GGAMP) to address any substantiated adverse glint and glare impacts on affected parties and/or the surrounding road network as identified in the Glint and Glare Analysis Report. The GGAMP must include the following:

- (a) **Contact Information:** The GGAMP must provide contact details for the Consent Holder and their agent responsible for addressing glint and glare complaints, ensuring that affected parties have a direct line of communication for reporting issues.
- (b) **Reporting Procedures:** The plan must include procedures for reporting glint and glare issues by affected parties. This includes:
  - (i) The process for lodging a complaint.
  - (ii) The timeline within which the Consent Holder must acknowledge receipt of the complaint.
  - (iii) A detailed timeline for the investigation and response process, ensuring that any substantiated glare issues reported are addressed promptly and effectively within a specified timeframe.
  - (iv) **Adaptive Management Strategies:** The GGAMP should detail a range of possible mitigation solutions to address reported glint and glare issues. These solutions may include but are not limited to, physical alterations to the solar farm setup, installation of screening or landscaping to block or diffuse glare, and adjustments to the operational procedures of the solar farm (such as tracking management).
- (c) **Monitoring and Evaluation:** The Consent Holder must implement a monitoring regime to assess the effectiveness of the mitigation measures implemented under the GGAMP. This includes feedback from affected parties on the resolution of reported glare issues.

(d) Duration of the Plan: Unless otherwise authorised by the Consent Authority, the GGAMP must be implemented for whichever is the greater duration of the following:

(i) A period of three years following the approval of this consent;

Or

(ii) For a year following any remedial action undertaken in accordance with Consent Conditions 2.2.1(b) and (c) above.

During this period, the Consent Holder is obligated to respond to and manage glint and glare complaints as per the procedures outlined in the GGAMP.

(e) Review and Reporting: The Consent Holder must submit an Annual Report to the Consent Authority if requested, summarising the glint and glare complaints received, actions taken, and the effectiveness of the mitigation measures implemented. The Annual Report may also recommend whether ongoing management of glint and glare issues is required along with any relevant supporting information.

**Advice Note**

*An adaptive management plan offers a flexible and responsive approach to managing glint and glare that may arise from the approved agrivoltaic activity, recognising the inherent challenges and uncertainties in accurately predicting glare impacts ahead of time. This approach allows for real-time monitoring and addressing of actual impacts as they occur, rather than relying solely on predictive models that may not fully capture the dynamic and variable nature of sunlight and its interactions with the environment. By focusing on adaptive measures, the plan can more efficiently respond to affected parties' concerns, ensuring that mitigation strategies are directly tailored to the specific conditions and experiences of those impacted.*

## 2.3 Landscaping Conditions

2.3.1 The landscaping mitigation planting shall be undertaken in general accordance with the Mitigation Planting Plan prepared by Mansergh Graham Landscape Architects Ltd (ref. MAP No-04, revision 3, dated December 2023).

In particular, the landscape mitigation planting shall include the following:

(a) The existing shelter belt vegetation identified as providing screening of the development from the adjoining state highway and neighbouring properties shall

be retained and maintained to a height within the range of 2m minimum and 3m maximum;

- (b) Within the existing shelter belt vegetation:
  - (i) Any gaps of the existing shelter belt vegetation, including replacement of any of the existing shelter belt trees that do not survive the trimming process or are standing deadwood shall be undertaken utilising species from within the planting palette included within the Mitigation Landscaping Plan;
- (c) New mitigation screen planting shall be established in the locations as identified in the Mitigation Planting Plan to provide screening of the development from the adjoining dwelling and properties, and shall be:
  - (i) Undertaken in a manner compliant with the Electricity (Hazards from Trees) Regulations 2003 or equivalent subsequent regulation; and
  - (ii) Maintained to a height within the range of 2m minimum and 3m maximum.

## 2.4 Acoustic Conditions

### 2.4.1 Compliance with Operational Noise Limits

The Consent Holder shall provide the Consent Authority with an acoustic assessment from a suitably qualified and experienced acoustic expert that demonstrates the selected plant and layout arrangements will achieve compliance with the noise limits in Condition 2.4.2 below. The report shall be provided to the Consent Authority a minimum of six (6) weeks prior to construction of the solar farm.

#### **Advice Note**

*The layout and plant currently identified in the application, and which acoustic modelling has been based upon, is an indicative representation of the likely models and layout to be utilised, i.e. it may be subject to change following approval and detailed design of the development. The provision of the assessment under this Consent Condition provides certainty that the models and layout selected at detailed design stage will not exceed the maximum acceptable and modelled operational limits outlined in Consent Condition 2.4.2 below.*

### 2.4.2 Noise Limits

The noise (rating) level from the operation of the solar farm shall comply with the following noise limits when measured and assessed at any notional boundary:

Time Period	Maximum Noise Levels
Daytime, 7:00am – 7:00pm	55 dBA L <sub>10</sub>
Nighttime, 7:00pm – 7:00am	45 dBA L <sub>10</sub>
Nighttime, 9:00pm – 7:00am	75 dBA L <sub>max</sub>

All sound levels shall be measured in accordance with NZS 6801:1999 “Acoustics – Measurement of Environmental Sound”, and assessed in accordance with NZS 6802:1991 “Assessment of Environmental Sound”.

#### 2.4.3 Construction Noise Levels

Construction noise levels at the façade of any occupied dwelling or building\* shall comply with the following limits, when measured and assessed in accordance with NZS 6803:1999: Acoustics – Construction Noise:

Time Period	Maximum Noise Levels	
	L <sub>Aeq(15min)</sub>	L <sub>AFMax</sub>
7:30am- 6:00pm, Monday to Saturday	70 dB	85 dB
All other times and on Public Holidays	45 dB	70 dB

#### **Advice Note**

*The limits above represent the noise limits for a “long-term” construction project (exceeding 20 weeks). If the duration of the construction phase can be completed within 20 weeks, the “typical duration” noise levels from NZS6803:1999 will apply. The daytime noise limit for typical duration construction work may be increased from 70 dB to 75 dB in accordance with Table 2 of NZS6803:1999. The construction noise limits do not apply at any building that is unoccupied.*

#### 2.4.4 Construction Noise Management Plan (CNMP)

The Consent Holder shall prepare and submit a CNMP to the Consent Authority for certification a minimum of 10 days prior to commencement of construction work. The objective of the CNMP is to set out the methods and procedures that will be used to ensure compliance with the relevant noise limits in NZS 6803:1999: Acoustics – Construction Noise.

The CNMP shall set out:

- (a) The applicable permitted noise standards;
- (b) The programme of works and hours of operation;

- (c) Identification of surrounding noise sensitive receivers; and
- (d) A complaints process including a complaints register.
- (e) Written communication with occupants of all dwellings within 50 m of the site of the works in writing at least ten (10) days prior to the commencement of activities on site. The written advice shall set out:
  - (i) A brief overview of the construction works.
  - (ii) The working hours and expected duration,
  - (iii) All mitigation measures to be implemented.
  - (iv) The procedure for recording concerns/complaints regarding noise.
  - (v) Details of the management and mitigation measures required to comply with the relevant noise limits when piling works are undertaken within 45m of any occupied building that has not provided written approval.

## **2.5 Transportation Conditions**

2.5.1 A Construction Traffic Management Plan (CTMP) shall be prepared and submitted to the Consent Authority roading manager for certification at least one (1) month prior to the commencement of construction activities within the site.

The CTMP shall include, but not be limited by, the following matters:

- (a) Management of traffic along Cornwall Road adjoining the construction area;
- (b) Approximate schedule for heavy vehicle movements and procedure for notifying the Consent Authority should there be any periods of heavy vehicle movements be planned beyond those anticipated within the Transportation Assessment (prepared by Don McKenzie Consulting, and dated December 2023);
- (c) Specification of any additional measures necessary during periods of activities which involve high levels of construction traffic on nearby properties (including communication and any necessary physical management steps); and
- (d) The procedure for recording concerns/complaints regarding construction traffic.

2.5.2 The development shall not utilise State Highway 2 for any form of access during construction and once operational.

### ***Advice Note***

*The subject site has two (2) existing vehicle crossings onto State Highway 2, which are used to access an existing dwelling on the site (3954A State Highway 2) and for*



*accessing a woolshed and associated sheep yards. These crossings are for exclusive use of the landowner / occupier. The use of these facilities, and vehicle movements associated with them, do not form part of this resource consent.*

*Access to the development from the woolshed and associated sheep yards will be solely for the purposes of enabling emergency services access to the site, should such access ever be required.*

## **2.6 Fire Safety Conditions**

2.6.1 The Consent Holder shall provide to the Consent Authority at least one (1) month prior to the facility being constructed a copy of a Fire Safety Management Plan, for information purposes, that will be kept on file and that the Consent Holder shall comply with for the duration of the operation.

The Fire Safety Management Plan shall include the following matters:

- (a) A Site Plan, showing emergency vehicle access, internal roading network and location of Fire Fighting Water Supply Tanks;
- (b) Location of hazardous substances stored on site (if any);
- (c) Location of other equipment such as battery equipment, substation, and transformers; and
- (d) Confirmation that sufficient water volume, pressure and flow will be provided in accordance with NZFS Fire Fighting Water Supplies Code of Practice (CoP) SNZ 4509:2008 and that this water supply is accessible for firefighting purposes.

### ***Advice Note***

*It is intended that the version of the Fire Safety Management Plan submitted to the Consent Authority in accordance with this condition of consent shall have obtained prior approval from Fire and Emergency New Zealand (FENZ).*

2.6.2 The Fire Safety Management Plan required to be prepared in accordance with Consent Condition 2.6.1 above shall be reviewed every 5 years, or where there are site changes including equipment changes. A revised plan shall be provided to FENZ and the Consent Authority for information purposes.

## **2.7 Engineering Conditions**

2.7.1 At least one (1) month prior to construction activities commencing on site, a comprehensive Construction Management Plan (CMP) shall be submitted to the

Consent Authority for certification. The CMP shall include, but not be limited to, detail regarding how the following issues are addressed:

- (a) Sequence of earthworks and progressive reinstatement / stabilisation of earthworks areas;
- (b) Detail regarding specific sediment and erosion control measures in relation to sequent of earthworks, including timing for installing / erecting sediment and erosion control measures;
- (c) Confirmation that all site works and soil disturbance activities shall maintain a minimum 3.0m width setback from the banks of the water race and include details on how this set back will be achieved;
- (d) Monitoring and maintenance schedule for erosion and sediment control measures, including maintenance checks prior to (where practically appropriate) and after inclement weather; and
- (e) Outline the weather condition trigger/s for implementing a watering schedule of Haul roads and manoeuvring areas during dry and/or windy periods, and suspension of operations should the weather conditions become unfavourable.

2.7.2 At least one (1) month prior to a site office building being established on the site, the Consent Holder shall provide to the Consent Authority information regarding the nature of on-site staff and visitor amenities are being provided, and how water supply and wastewater will be managed.

**Advice Note**

*It is accepted by the Consent Holder that there is a possibility that additional resource consent may be required regarding the provision of water supply and/or on-site wastewater management. All information required to obtain such consent/s, including obtaining relevant specialist reports, are the responsibility, and cost, of the Consent Holder.*

2.7.3 The Consent Holder shall ensure that all stormwater management measures and devices, as outlined within the Stormwater Management Plan, are constructed or installed prior to the completion of the construction activities.

**Advice Note**

*Should any building or resource consents be required for the stormwater management measures and devices required to be implemented in accordance with this condition, they shall be obtained by the Consent Holder prior to construction or installation of*

*such measures. The responsibility, including cost, of obtaining such approvals shall be solely of the Consent Holder.*

## **2.8 Accidental Discovery Protocol**

2.8.1 If, at any time during site works, sensitive materials (koiwi/human remains, an archaeology site, a Māori cultural artefact, or a protected NZ object) are discovered, then the following protocol must be followed:

- (a) All works must cease in the immediate vicinity (at least 20m from the site of the discovery) and the area of the discovery must be secured including a buffer to ensure all sensitive material remains undisturbed.
- (b) The Consent Holder must immediately advise the Consent Authority, Heritage New Zealand Pouhere Taonga and Police (if human remains are found) and arrange a site inspection with these parties.
- (c) If the discovery contains koiwi, archaeology or artefacts of Māori origin, the Consent Holder must immediately advise representatives from Rangitāne o Wairarapa and Ngāti Kahungunu ki Wairarapa and arrange a site inspection with these parties.
- (d) The Consent Holder must not recommence works until the steps set out in the above-mentioned standards have been followed and commencement of works approved by the Consent Authority.

## **2.9 Ecology Conditions**

### **2.9.1 Additional Bat Surveys**

Prior to construction commencing, the Consent Holder shall engage a Suitably Qualified and Experienced Professional (SQEP) to undertake a bat survey to understand if the site is being utilised by bats and prepare a report to provide to the Consent Authority summarising the outcome of bat surveys to understand if and how bats are utilising the site.

### **2.9.2 Development of a Bat Management Plan**

Prior to construction commencing, the Consent Holder shall engage a SQEP to develop a Bat Management Plan (BMP) and provide that to the Consent Authority for certification. Matters to be addressed within the BMP shall include, but are not limited to, the following:

- (a) Restricting the timing of vegetation clearance to warmer months when bats can be expected to be active;
- (b) Providing for additional survey to reduce the risk of bat presence immediately prior to clearance;
- (c) Contingency actions required in the event that bats are detected; and
- (d) A plan for offsetting the effect of removing any active bat roosts.

### 2.9.3 Avoidance of Lizard Habitat and Wetland Effects

Prior to construction commencing, the Consent Holder shall engage a SQEP to develop a Habitat Avoidance Management Plan (HAMP) and provide that to the Consent Authority for certification. Matters to be addressed within the HAMP shall include information confirming that:

- (a) The areas of potentially suitable lizard habitat identified within the Site as part of the Assessment of Ecological Effects shall be excluded from the placement of access tracks, solar platform piles, and solar panels (to avoid excessive habitat shading or any habitat removal); and
- (b) The tracks (including any culverts) shall be located so as to avoid any loss of wetland extent or complete or partial drying of the wetland areas. It is recommended that solar panels be similarly located so as to avoid any loss of extent of wetland areas or complete or partial drying of the wetland areas.

## 2.10 Contamination Conditions

2.10.1 At least one (1) month prior to commencing construction, the Consent Holder shall provide to the Consent Authority the Detailed Site Investigation (DSI) report, prepared by a suitably qualified and experienced professional for certification by the Consent Authority, prepared in accordance with relevant best practice guidance and standards, as well as the requirements under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.

### **Advice Note**

*It is noted that the findings of the DSI may require additional resource consent/s from either the District Council and/or the Regional Council associated with the remediation of the affected area in order to avoid adverse effects of existing contaminants in the soil on human health. The responsibility, including all associated costs, of obtaining of*

*any such resource consent/s, including any specialist reporting and the Consent Authority processing fees, shall be born wholly by the Consent Holder.*

## **2.11 Decommissioning of Development Conditions**

2.11.1 At least six (6) months prior to undertaking the decommissioning of the development in accordance with Condition 2.11.2 below, a Decommissioning Management Plan shall be prepared, submitted to, and certified by the Consent Authority. The following matters regarding decommission of the development shall be outlined:

- (a) The methodology for removal of all structures and associated infrastructure administered by the Consent Holder;
- (b) The intended disposal location for all structures and associated infrastructure to be removed from the site;
- (c) The methodology for reinstatement of the site to predevelopment standard;
- (d) The soil testing strategy to be implemented with regards to the confirmation that, as a result of decommissioning the development, the site is suitable to return to the full productive agricultural use standard it was in immediately prior to the development being established; and
- (e) A completion report shall be provided to the Consent Authority no more than six (6) months following completion of the decommissioning of the development. The completion report shall confirm compliance with the requirements of Condition 2.10.1 as well as the Decommissioning Management Plan, as well as the findings of the testing required under Condition 2.11.1(d) above were, and what, if any, remedial actions were subsequently undertaken.

### **Advice Notes**

*The actions required to be undertaken in order to achieve compliance with this condition may result in additional resource consent/s being required. The responsibility, including all associated costs, of obtaining of any such resource consent/s, including any specialist reporting and the Consent Authority processing fees, shall be born wholly by the Consent Holder.*

*It is noted that there may be elements of the development that Transpower wishes to take responsibility for. As the Consent Holder would no longer be the agent administering those elements, removal of those elements may not be possible.*

2.11.2 Prior to the end of the forty (40) year consent duration, as outlined above in Condition 2.1.2, the Consent Holder shall remediate the site in accordance with the Decommissioning Management Plan, including removing all structures, as well as any associated infrastructure administered by the Consent Holder, including (but not limited to) PV modules, tracking table posts and mechanisms, BESS units, substation (only that located within the subject site), switchyard station building, and site office building. Where relevant, all associated electrical cables shall either be removed or decommissioned in accordance with electricity transmission industry best practice and standards.

***Advice Notes***

*The Consent Holder shall be responsible for the subsequent disposal of all equipment removed from the site associated with the decommissioning of the development in accordance with this consent condition. The equipment shall be removed from the site to a suitably certified disposal or recycling facility, or returned to the manufacturer of the equipment if an agreement for such disposal process applies.*

*It is noted that there may be elements of the development that Transpower wishes to take responsibility for. As the Consent Holder would no longer be the agent administering those elements, removal of those elements may not be possible.*

### **3.0 SUGGESTED CONSENT CONDITIONS – REGIONAL COUNCIL**

3.0.1 The following is a list of suggested conditions of consent, offered by the Applicant for consideration, including Augier condition/s as considered relevant based on specialist recommendations:

#### **3.2 General Conditions**

3.2.1 The earthworks, stormwater management plan, structure within the bed of a river, and earthworks within a contaminated site, all associated with an agrivoltaic development and as approved by this decision, shall be undertaken and operated as described in the application and assessment of environmental effects prepared by NZ Clean Energy, dated February 2024, including all supporting documents and appendices, and must be carried out in accordance with the plans and all information submitted with the application.

3.2.2 The Consent Holder is authorised to operate the consented activities for a duration of forty (40) years, inclusive of all construction operations following issue of this decision and also of all decommission operations.

**Advice Note**

*Should the Consent Holder wish to extend the duration of the development beyond forty (40) years, new approvals under all relevant planning legislation and/or instruments shall be sought at least two (2) years prior to the duration of the consent ceasing.*

**3.1 Earthworks Conditions**

3.1.1 At least one (1) month prior to construction activities commencing on site, a comprehensive Construction Management Plan (CMP) shall be submitted to the Consent Authority for approval. The CMP shall include, but not be limited to, detail regarding how the following issues are addressed:

- (a) Sequence of earthworks and progressive reinstatement / stabilisation of earthworks areas;
- (b) Detail regarding specific sediment and erosion control measures in relation to sequent of earthworks, including timing for installing / erecting sediment and erosion control measures;
- (c) Confirmation that all site works and soil disturbance activities shall maintain a minimum 3.0m width setback from the banks of the water race;
- (d) Monitoring and maintenance schedule for erosion and sediment control measures, including maintenance checks prior to and after inclement weather; and
- (e) Outline the weather condition trigger/s for implementing a watering schedule of Haul roads and manoeuvring areas during dry and/or windy periods, and suspension of operations should the weather conditions become unfavourable.

**3.2 Accidental Discovery Protocol**

3.2.1 If, at any time during site works, sensitive materials (koiwi/human remains, an archaeology site, a Māori cultural artefact, or a protected NZ object) are discovered, then the following protocol must be followed:

- (a) All works must cease in the immediate vicinity (at least 20m from the site of the discovery) and the area of the discovery must be secured including a buffer to ensure all sensitive material remains undisturbed.
- (b) The Consent Holder must immediately advise the Consent Authority, Heritage New Zealand Pouhere Taonga and Police (if human remains are found) and arrange a site inspection with these parties.
- (c) If the discovery contains koiwi, archaeology or artefacts of Māori origin, the Consent Holder must immediately advise representatives from Rangitāne o Wairarapa and Ngāti Kahungunu ki Wairarapa and arrange a site inspection with these parties.
- (d) The Consent Holder must not recommence works until the steps set out in the above-mentioned standards have been followed and commencement of works approved by the Consent Authority.

### **3.3 Stormwater Conditions**

3.3.1 The Consent Holder shall ensure that all stormwater management measures and devices, as outlined within the Stormwater Management Plan (prepared by CKL, reference B23067, and dated 01/12/2023), are constructed or installed prior to the completion of the construction activities.

***Advice Note***

*Should any building or resource consents be required for the stormwater management measures and devices required to be implemented in accordance with this condition, they shall be obtained by the Consent Holder prior to construction or installation of such measures. The responsibility, including cost, of obtaining such approvals shall be solely of the Consent Holder.*

### **3.4 Culvert Conditions**

3.4.1 Within one (1) month following completion of the installation of the three (3) new culvert structures, the Consent Holder must submit to the Consent Authority the information required by Regulations 62 and 63 of the National Environmental Standard for Freshwater (2020), specifying the time and date of collection.

3.4.2 Within one (1) month following completion of the culvert structures, the Consent Holder must submit a Fish Passage Monitoring and Maintenance Plan (FPMMP) to the Consent Authority for certification.



The FPMMP must specify the ongoing monitoring and maintenance measures of each of the culvert structures to ensure fish passage is maintained and does not reduce over the lifetime of the culvert structures, and include the following detail and processes:

- (a) Specific aspects of the structure to be monitored to ensure that the structure's provision for the passage of fish does not reduce over its lifetime.
- (b) Programme and frequency of routine monitoring and maintenance.
- (c) Method of visual inspection of the structure within five (5) days following a significant natural hazard, or events that may otherwise affect the culvert's provision for fish passage.
- (d) Record keeping of monitoring results including photos,
- (e) Follow up actions including the preparation of as-built plans and supporting information, further steps, and remediation measures.

### **3.5 Ecology Conditions**

#### **3.5.1 Additional Bat Surveys**

Prior to construction commencing, the Consent Holder shall engage a Suitably Qualified and Experienced Professional (SQEP) to undertake a bat survey to understand if the site is being utilised by bats and prepare a report to provide to the Consent Authority summarising the outcome of bat surveys to understand if and how bats are utilising the site.

#### **3.5.2 Development of a Bat Management Plan**

Prior to construction commencing, the Consent Holder shall engage a SQEP to develop a Bat Management Plan (BMP) and provide that to the Consent Authority for certification. Matters to be addressed within the BMP shall include, but are not limited to, the following:

- (a) Restricting the timing of vegetation clearance to warmer months when bats can be expected to be active;
- (b) Providing for additional survey to reduce the risk of bat presence immediately prior to clearance;
- (c) Contingency actions required in the event that bats are detected; and
- (d) A plan for offsetting the effect of removing any active bat roosts.

#### **3.5.3 Avoidance of Lizard Habitat and Wetland Effects**

Prior to construction commencing, the Consent Holder shall engage a SQEP to develop a Habitat Avoidance Management Plan (HAMP) and provide that to the Consent Authority for certification. Matters to be addressed within the HAMP shall include information confirming that:

- (a) The areas of potentially suitable lizard habitat identified within the Site as part of the Assessment of Ecological Effects shall be excluded from the placement of access tracks, solar platform piles, and solar panels (to avoid excessive habitat shading or any habitat removal); and
- (b) The tracks (including any culverts) shall be located so as to avoid any loss of wetland extent or complete or partial drying of the wetland areas. It is recommended that solar panels be similarly located so as to avoid any loss of extent of wetland areas or complete or partial drying of the wetland areas.

### **3.6 Contamination Conditions**

3.6.1 At least six (6) months prior to commencing construction of the approved development, the Consent Holder shall provide to the Consent Authority for information purposes, the Detailed Site Investigation (DSI) report, prepared by a SQEP in accordance with relevant best practice guidance and standards, as well as the requirements under the relevant regional plan provisions.

#### ***Advice Note***

*It is noted that the findings of the DSI may require additional resource consent/s from either the District Council and/or the Regional Council associated with the remediation of the affected area in order to avoid adverse effects of existing contaminants in the soil on human health. The responsibility, including all associated costs, of obtaining of any such resource consent/s, including any specialist reporting and the Consent Authority processing fees, shall be born wholly by the Consent Holder.*

### **3.7 Decommissioning of Development Conditions**

3.7.1 At least six (6) months prior to undertaking the decommissioning of the development in accordance with Condition 3.7.2 below, a Decommissioning Management Plan shall be prepared, submitted to, and certified by the Consent Authority. The following matters regarding decommissioning of the development shall be outlined:

- (a) The methodology for removal of all structures and associated infrastructure administered by the Consent Holder;

- (b) The intended disposal location for all structures and associated infrastructure to be removed from the site;
- (c) The methodology for reinstatement of the site to predevelopment standard;
- (d) The soil testing strategy to be implemented with regards to the confirmation that, as a result of decommissioning the development, the site is suitable to return to the full productive agricultural use standard it was in immediately prior to the development being established; and
- (e) A completion report shall be provided to the Consent Authority no more than six (6) months following completion of the decommissioning of the development. The completion report shall confirm compliance with the requirements of Condition 3.6.1 as well as the Decommissioning Management Plan, as well as the findings of the testing required under Condition 3.7.1(d) above were, and what, if any, remedial actions were subsequently undertaken.

**Advice Note**

*The actions required to be undertaken in order to achieve compliance with this condition may result in additional resource consent/s being required. The responsibility, including all associated costs, of obtaining of any such resource consent/s, including any specialist reporting and the Consent Authority processing fees, shall be born wholly by the Consent Holder.*

*It is noted that there may be elements of the development that Transpower wishes to take responsibility for. As the Consent Holder would no longer be the agent administering those elements, removal of those elements may not be possible.*

- 3.7.2 Prior to the end of the forty (40) year consent duration, as outlined above in Condition 3.2.2, the Consent Holder shall remediate the site in accordance with the Decommissioning Management Plan, including removing all structures, as well as any associated infrastructure administered by the Consent Holder, including (but not limited to) PV modules, tracking table posts and mechanisms, BESS units, substation (only that located within the subject site), switchyard station building, and site office building. Where relevant, all associated electrical cables shall either be removed or decommissioned in accordance with electricity transmission industry best practice and standards.

**Advice Notes**

*The Consent Holder shall be responsible for the subsequent disposal of all equipment removed from the site associated with the decommissioning of the development in accordance with this consent condition. The equipment shall be removed from the site to a suitably certified disposal or recycling facility, or returned to the manufacturer of the equipment if an agreement for such disposal process applies.*

*It is noted that there may be elements of the development that Transpower wishes to take responsibility for. As the Consent Holder would no longer be the agent administering those elements, removal of those elements may not be possible.*