



**APPENDIX 6 PRE-APPLICATION MEETINGS RECORDS WITH
DISTRICT AND REGIONAL COUNCILS**



COUNCIL PRE-APPLICATION MEETINGS SUMMARY



**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
Address	3954A State Highway 2, Waingawa
Legal Description and Title	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)
Proposal Description	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
Relevant District Council	Carterton District Council
Relevant Regional Council	Greater Wellington Regional Council

2.0 CONSULTATION OVERVIEW

2.0.1 NZ Clean Energy (NZCE) on behalf of Masterton Solar and Energy Storage Ltd (the Applicant) has undertaken a number of pre-application meetings and associated correspondence with the relevant regulatory authorities. These meetings and correspondence have occurred throughout the development of the concept design for the project through to shortly prior to lodgement of the resource consent application.

2.0.2 The consultation with the relevant regulatory authorities sought to:

- Introduce the project to the consenting authorities prior to lodgement, to enable them to familiarise themselves with the nature of the project, and the potential nature of adverse effects;
- To provide clarity regarding interpretation by the authorities of key regulatory provisions;
- To initiate conversations regarding specialist engagement and key issues;
- Identify key stakeholder groups and statutory agencies;
- To initiate conversations regarding potentially affected persons and community consultation; and
- Anticipated information requirements and notification status.

2.0.3 Through undertaking the pre-application consultation with the relevant regulatory authorities as outlined in the below subsections, the Applicant seeks to gain a comprehensive understanding of the potential risks and costs associated with seeking resource consent for a project of this nature. It also seeks to mitigate as much of those risks as practicable, to ensure the economic viability of the project is achieved while simultaneously also achieving social and environmental effects that do not adversely impact on the life supporting capacity of the area.

3.0 DISTRICT COUNCIL

3.1 Initial Pre-application Meeting

3.1.1 An initial meeting was held with the Carterton District Council (CDC) staff regarding the project on 18 May 2021. It was attended by Solitaire Robertson (CDC Planning and Regulatory Services Manager), Becca Adams (CDC Planner), Tracey Morse (NZCE Senior Planner), and Oliver Jordan (NZCE National Land Development Manager).

3.1.2 The following outlines the key matters discussed, and points raised:

- NZCE staff introduced the company and the project to the CDC staff. The solar panels are guaranteed for 25 years. The lease duration of 35 years roughly aligns with this, allowing for 10 years extra in terms of the practical lifespan beyond that guaranteed period. The inverters have an anticipated lifespan of 15 years, so during the 35-year lease period, 2 cycles of inverters will be required. It is proposed that sheep grazing will be undertaken under the panels once established. Discussion of BESS component to project was also discussed.

[It is noted that, at the time this meeting was held, the length of the lease being sought with the landowner for this site was 35 years, so it was an accurate reflection of the period of development at that time. Subsequent to this meeting, the lease duration was extended to 40 years as a result of the negotiations with the landowner.]

- CDC noted that they have had pre-application meetings for four other solar farms in this area. Of those, it was noted that one has been approved by the EPA to be processed under the Covid Fast Track process.
- CDC also noted that there have been several solar farm proposals discussed, and at least one applied for, within the adjoining South Wairarapa District Council area. The first application lodged with SWDC has been determined to require public notification.

- Discussion was then had regarding whether the NZCE proposal for within CDC would seek to follow the Covid Fast Track process. NZCE advised that this process had been ruled out, on the basis that it did not appear to offer a faster process, had higher costs, and, due to time constraints, didn't align with NZCE's own timeframes.
- CDC noted that there are two district plans within their district – the current Wairarapa Combined Operative District Plan (ODP), and the Wairarapa Combined Proposed District Plan (PDP). It was suggested that the PDP was more favourable towards solar farms, as the ODP had only really considered wind energy as far as renewable energy production to be provided for. Under the current wording of the PDP, a solar farm would require consent as a Restricted Discretionary Activity.

Under the ODP, solar farms required consent as a Discretionary Activity, i.e. more restrictive. CDC suggested that it could be worth waiting to apply for resource consent until the PDP is publicly notified. The PDP is currently only in draft form and is out for preliminary public consultation before commencing the statutory notification and consultation process. CDC are hoping that the PDP is notified, and the statutory consultation commences in October.
- With regards to the contamination hazard noted on the site, Greater Wellington Regional Council holds the detailed information on this. Based on their understanding of this hazard, CDC would prefer that this area isn't grazed. As such, CDC consider that the proposal might be an improvement on current land uses, and best suited for siting the BESS and other infrastructure (i.e. not panels with grazing underneath).
- With regards to the effects associated with the most industrial components of the proposal, CDC consider that these (including the BESS) are likely to generate less adverse effects than the adjacent industrial activities and adjoining State Highway 2.
- With regards to the water races within the site, CDC advised that consultation with the Council's infrastructure manager would be needed. It is currently proposed in the draft PDP that a 5m setback from the races be provided. Based on the tone of recent Council meetings, there is a strong desire that this be increased to 10m, due to both GWRC and the Infrastructure department at CDC preferring the 10m setback. It was recommended by CDC that NZCE adopt the greater of the two possible setback distances to avoid issues during consenting and consultation with key stakeholders.

- CDC Manager agreed to send NZCE the contact details for the GWRC contamination staff member, as well as the CDC infrastructure manager for the water race to facilitate those key discussions.
- CDC confirmed that the iwi and associated contact persons identified by NZCE were correct, however also advised that there are possible other post-Treaty settlement groups that would need to be consulted with. CDC Manager advised that she would send NZCE the post-settlement groups' contact details.
- CDC strongly urged that consultation be undertaken with Masterton District Council (MDC) in relation to the adjacent Hood Aerodrome, as MDC own the Aerodrome. CDC Manager to send NZCE the Aerodrome's contact details.
- CDC advised that notification would be determined once the application was submitted. This was in large part due to concerns regarding cumulative effects from the number of solar farm-related pre-application meetings held with Council. Should multiple large-scale solar farms proceed in such a small district, as is currently speculated, the combined effects and loss of productive land would of a scale that the community would struggle with and could potentially exceed the notification threshold under the RMA.
- With regards to the other solar farms that have been discussed with CDC, most were roughly the same size as that proposed by NZCE (150-250 hectares). One is proposed to be much smaller (8-15ha), and this is proposed to operate as a power supply to future-proof the industrial estate that adjoins it.
- The implications of the NPS-HPL were then discussed. CDC concur with NZCE that solar farms are an appropriate productive land use under this NPS. The compatibility of the BESS with HPL was discussed but a conclusion was not reached with regards to whether it would be exempt from the NPS-HPL.

3.1.3 Overall, there are a number of potential matters regarding the proposal, the site, and the receiving environment to be considered. However, through the tone of the meeting, it is considered that these were all matters that can be suitably addressed through further assessment, adjustments to the proposal, implementation of appropriate measures to avoid or mitigate any adverse effects, and thorough consultation. There was no mention by CDC of any significant concerns regarding the nature of the matters raised that would indicate a considerable consenting risk.

3.2 Second Pre-application Meeting

3.2.4 A further meeting was held with the CDC staff regarding the project on 27 October, and was attended by Solitaire Robertson (CDC), Becca Adams (CDC), and Tracey Morse (NZCE).

3.2.5 The following outlines the key matters discussed, and points raised:

- NZCE provided an update on the progress with preparing specialist reports for the proposal, and how there were a few elements of those inputs that had led to tweaks to the previous layout of the proposal. Of particular note were the findings of the:
 1. Ecological assessment, which had highlighted the potential for pekapeka / long-tailed bat roosts within the site;
 2. Acoustic assessment, which had led to the relocation of the BESS and substation area approximately 200m north of the previous location to ensure compliant noise levels at all existing adjacent dwellings; and
 3. Transportation assessment, which recommended that the site access be relocated (the revised access position aligning with the revised location of the BESS and substation area).

An updated version of the proposed site plan was provided to CDC.

- NZCE advised that a public drop-in session was being currently being arranged and would likely occur in the coming few weeks. NZCE advised that they would provide CDC with details once confirmed.
- There was discussion regarding the progress of the consultation with MDC regarding Hood Aerodrome. NZCE was having difficulty finding a suitable contact for the Aerodrome (noting that the contact details to be sent following the previous meeting were not supplied). CDC Manager advised the name of the MDC Chief Executive, as the most appropriate staff member to start with for consultation for the Aerodrome.
- NZCE advised of the preliminary findings of the glint and glare assessment in relation to the operation of the Aerodrome, that the south-eastern corner would, without mitigation, possibly generate glare for a period of time daily for Approach Path 6, all year. This led NZCE to investigate and adopt a mitigation measure – altering the angle of the affected panels for the relevant period of time daily.
- NZCE advised of recent meeting with Regional Fire Safety staff from Fire and Emergency New Zealand (FENZ). An array of different mitigation measures were suggested by FENZ to ensure that the proposal had optimal fire safety outcomes. NZCE were looking to adopt

as many as practicable, if not all, of the FENZ recommendations. NZCE noted that FENZ were broadly supportive of the proposal with regards to fire safety, and the matters raised were mentioned to provide optimal positive outcome.

- NZCE discussed with CDC a similar project that had recently been approved in a nearby district – the Mangamaire development by Tararua District Council (TDC). There were a lot of elements in common between this proposal and that – the projects were of similar scale, the surrounding land setting was comparable, district plan had no specific provision for solar power generation, and the consenting authorities were similar with regards to scale of district and size of planning teams.

It was suggested by NZCE that CDC might find it useful to possibly contact the relevant TDC staff for advice on process an application for a solar project and contacts for external consultants to undertake specialist assessments and/or processing. NZCE advised that they would provide the TDC staff contact details to CDC following the meeting, should the CDC staff wish to pursue that suggestion.

- NZCE provided an update to CDC regarding the initial pre-application meeting with Greater Wellington Regional Council (GWRC). In particular, the consenting strategy for contamination was advised.
- There was also a brief conversation regarding the recent notification of the PDP. In relation to this proposal, there was no change to the overall activity status between the ODP and notified version of the PDP. As such, NZCE would not be altering the timing of their application with regards to the PDP.

3.2.6 Overall, the development of the resource consent application for the proposal was progressing, taking into account many of the points raised in the initial pre-application meeting. Again, there was no mention by CDC of any significant concerns regarding the nature of the matters raised that would indicate a considerable consenting risk.

3.3 Associated Correspondence

3.3.1 In addition to having the above-referenced meetings with the CDC regarding the proposal, there was correspondence seeking clarification of minor matters that didn't necessarily warrant a full meeting. There were addressed predominantly through email, and covered the following matters:

- In early November 2023, there was correspondence regarding the best means of incorporating the advice from FENZ within the proposal. There were some small changes

to the proposal as a result of the advice from FENZ, which had knock-on effects with specialist reports and calculations, some of which were well advanced. It was agreed that it would be best to capture all associated changes to the proposal, and ensure that they were suitably assessed, prior to lodgement.

- In late November 2023, NZCE provided CDC an update on the progress of preparing the application, anticipated timing of lodgement of the application, and preliminary update on the outcome of the recent public drop-in session.
- In early December 2023, NZCE provided CDC with an update on the outcome of the second pre-application meeting with GWRC, which focused on culverts over the water race and provision of water supply for firefighting purposes.
- In late January 2024, NZCE provided a further update on the progress of the application, anticipated timing for lodgement, and the progress of affected parties consultation. Following an internal conversation, NZCE also questioned what the consenting pathway was for a leasehold subdivision, as a result of the now 40-year lease, since there is no specific provision for such an activity under the ODP. CDC suggested NZCE seek a legal opinion on the lease matter.

[It is noted that, subsequently, NZCE confirmed that, as the lease is for the entirety of the subject site, it does not meet the criteria under the RMA for being a subdivision. Therefore, a leasehold subdivision is not required in this instance]

3.3.2 Overall, all of the matters raised within correspondence outside of the pre-application meeting process have been addressed within the proposal outlined in this resource consent application.

4.0 REGIONAL COUNCIL

4.1 Initial Pre-application Meeting

4.1.1 An initial meeting was held with the GWRC staff regarding the project on 19 September 2023, and was attended by Alisha Vivian (Resource Advisor – Environmental Regulation, GWRC), Tracey Morse (NZCE), and Hiram Garcia (Contamination Specialist and Contamination Investigation and Management Leader, Babbage, consultant to NZCE).

4.1.2 The following outlines the key matters discussed, and points raised:

- The contamination history of the subject site and consenting strategy for the proposal in relation to timing of undertaking and providing detailed site investigation (DSI) to GWRC. GWRC advised that they would ordinarily wait until a detailed site investigation (DSI) was received before determining if the proposal would require a resource consent for non-compliance with discharge standards. GWRC are agreeable to pre-lodgement specialist discussions regarding these matters, without needing to go through planning staff.
This then progressed to a discussion as to whether a preliminary site investigation (PSI) could be supplied at the time of lodgement of resource consent application, and provision of a DSI (required) could be completed post-approval through the use of consent conditions. GWRC advised that this was often an acceptable practice for them, but the determination of that would be made by the suitably qualified and experienced professional (SQEP) assessing the contamination components of the application for GWRC. The Applicant's SQEP and the SQEP for GWRC are professional acquaintances, and will resolve the matter outside of this meeting, prior to lodgement of the resource consent application.
- The other likely reasons for resource consent associated with the proposal, associated with stormwater and earthworks, were also discussed. GWRC advised that, under their regional plan, proposals that include greater than 3,000m² of earthworks for a development would also result in the need to obtain consent for stormwater discharge and provide an operational stormwater management plan. Due to the scale of the BESS and associated on-site substation / ancillary electrical infrastructure, it is anticipated that this minimum threshold for stormwater discharge consent will be exceeded.
- The discovery of wetlands within the subject site by the project ecologist was then discussed. While the location of wetlands found by the ecologists during a recent site visit hadn't been confirmed in writing at the time of the meeting, it was noted by NZCE that there two natural wetlands found within the subject site, with one located within the proposed development area. In accordance with GWRC One Plan rules and NES-F standards, any discharge within 100m from the mapped extent of all natural wetlands would require resource consent. On the basis of this consenting threshold, GWRC strongly recommended that all stormwater discharges are located greater than 100m from the wetlands.

- There was a brief discussion regarding whether GWRC considers solar panels to be an impervious surface. GWRC staff were to clarify this matter following the meeting and advise NZCE accordingly, as it is not clear within the One Plan definitions.

4.1.3 Overall, there are a number of potential reasons for consent under the Regional Plan associated with the proposal. However, through the tone of the meeting, it is considered that these were all matters that can be suitably addressed through further assessment and implementation of appropriate measures to avoid or mitigate any adverse effects. There was no mention by GWRC of any significant concerns regarding the nature of the matters raised that would indicate a considerable consenting risk.

4.2 Second Pre-application Meeting

4.2.4 A further meeting was held with the GWRC staff regarding the project on 1 December 2023, and was attended by Alisha Vivian (GWRC), Tracey Morse (NZCE), and Bronwyn Rhynd (Director and Environmental Engineer, CKL, consultant to NZCE). The following outlines the key matters discussed, and points raised:

- Prior to the meeting, clarification of the provisions of the Regional Plan was provided by GWRC. Specifically, that there is a specific earthworks rule for works associated with renewable energy generation (R106 in the NRP). Further, the site is not zoned outside of the Urban/Rural boundary. Therefore, if the proposal is able to meet the permitted activity rules of the NRP and NES-FM, a stormwater permit may not be required.
- NZCE provided a brief overview of how the project design had progressed following previous meeting as a result of the various specialist inputs and consultation with stakeholders such as FENZ. In particular, the addition of three new culverts to the proposal was identified.
- There was then a detailed discussion regarding the proposed culverts was held, with specialist input from CKL, namely:
 1. Due to the incised channel form of the water race / stream, providing culverts that complied with the minimum permitted culvert widths under the NES-F, and possibly also the Regional Plan, would not be advisable.
 2. GWRC advised that they agreed that culverts of a compliant width would not be an appropriate solution in this instance.

3. GWRC advised that, in instances such as this, provision of appropriate / compliant means of fish passage is an acceptable and supportable outcome for an application for a breach of the permitted standards for culverts under the NES-F.
- There was then detailed discussion regarding the advice from FENZ. The need for provision of on-site water for firefighting purposes, combined with the need for cleaning of the panels, means that a water take permit may be required, as outlined below:
 1. Additional water volume storage for cleaning the panels may also be required, although that is less certain at the moment. The water for panel cleaning needing to be deionized. As such, it may be more efficiently addressed through purchasing water already deionised from an off-site source for delivery to site.
 1. There will be provision of six pairs of 30,000L water tanks on site, to provide water supply to rural firefighters. NZCE are hoping to be able to utilise the landowner's water take permit (reference number from the landowner is WAR150207) as a trickle feed supply for these tanks. As yet, NZCE did not have a copy of this water take permit, and comment on this option was sought from GWRC.
 2. If NZCE do opt for on-site sourcing of the water for panel cleaning, it would likely be a lesser volume than that required to be stored on-site for firefighting purposes. It would be managed through providing additional capacity within the rural firefighting tanks with a second set of orifices to ensure that the volume required for firefighting purposes is retained at all times. As such, it would be able to rely on the same trickle feed supply arrangement.
 - NZCE identified several alternative options for addressing water demands of the proposal, namely:
 1. Seek a new bore and/or water take consent if it cannot be accommodated within the existing permit; OR
 2. NZCE could utilise a small-scale water reticulation that NZCE is aware is likely to be established for the adjoining Waingawa industrial area in the next few years. NZCE as yet does not have any firm details on timing, capacity etc for this scheme, to know whether it would be suitable for their needs.
 - In light of the above concerns regarding water supply, comment from GWRC's water take team on this matter was sought regarding the most appropriate solution. NZCE was aware of the constraints of the existing water take consent and the allocation capacity (or lack thereof) of the groundwater catchment in this locality.

- A copy of the latest site plan was also provided, so that GWRC can see how the proposal design is progressing. The updated site plan had improved detail compared to the site plan provided in the previous meeting. This improved detail was regarding elements like the BESS, as well as details of wetlands found on-site, and locations for the rural firefighting water tanks.

4.2.5 Overall, the development of the resource consent application for the proposal was progressing, taking into account many of the points raised in the initial pre-application meeting. With regards to culvert design, this matter had a clear design response forward to resolve for NZCE. With regards to water supply, this would require further input from GWRC to find a suitable solution. Again, there was no mention by GWRC of any significant concerns regarding the nature of the matters raised that would indicate a considerable consenting risk.

4.3 Associated Correspondence

4.3.1 In addition to having meetings with the GWRC regarding the proposal, correspondence seeking clarification of minor matters that didn't necessarily warrant a full meeting. There were addressed predominantly through email, and covered the following matters:

- In mid-December 2023, NZCE provided a summary of the second pre-application meeting, and outlining the key matters for GWRC water allocations staff to provide advice on.
- In late January 2024, NZCE receive a response from Helene Anderson (Senior Resource Advisor, Environmental Regulation, GWRC) as their water allocations specialist. It provided preliminary advice on each of the options offered by NZCE and included links to resources for assessing water table capacity across the region to assist with finding a solution.
- In mid-February 2024, additional advice was provided by the GWRC water allocations specialist with more detail on the potential for utilising the existing water take permit for water supply for the proposal's additional water demand.

4.3.2 Overall, it is not considered that the water supply matter is sufficiently resolved to be addressed within this application. It is anticipated that a path forward on this will be able to be resolved shortly, and any additional approvals that may be required from GWRC can be processed concurrently, albeit slightly delayed to, the consents being sought by this combined application.