

## Section 95 of the Resource Management Act 1991

### Notification Decision – Discretionary Activity

#### 1 Consent Application

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<b>Council Reference</b>	LU2300093 and P123794		
<b>Reporting Planner</b>	A Hartstone, Consultant Planner		
<b>Applicant</b>	Meridian Energy Limited		
<b>Application</b>	Establish, operate, and maintain a solar energy farm with an approximate project size of 200ha across three sites, and any ancillary activities.		
<b>Property Address</b>	SH15/Rama Road/Marsden Point Road, being Lots 1 – 3 DP 419151 and Lots 1 – 3 DP 59354 ('Site 1')		
	SH15/McCathie Road, being Lot 1 DP 386730, Lot 1 DP 348043 and Lot 2 DP 325771, Lot 2 DP 348043, and Section 13 SO 32254 ('Site 2')		
	McCathie Road/Marsden Point Road, being Lot 1 DP 406479, Pt Lot 1 DP 36288, Pt Section 1 Blk VII Ruakaka SD, Pt Section 11 Blk VII Ruakaka SD, Pt Section 54 and Sections 55 – 57 and 60 Blk VII Ruakaka SD ('Site 3').		
<b>Date Lodged</b>	6 September 2023		
<b>Site Visit</b>	4 October 2023		
<b>Environment</b>	'Site 1' Heavy Industrial Zone		
	'Site 2' Light Industrial Zone		
	'Site 3' Rural Production Zone		
<b>Resource Notations</b>	Marsden Technology Park Precinct (MTPP) – PREC14		
	Critical Electricity Lines		
	Transpower National Grid Corridor		
	First Gas Limited designation FGL-D1		
	Channel Terminal Services Limited designation CTS-1		
	Rail and State Highway Noise Control Boundaries		
	Rail Vibration Alert Area		
	Coastal Environment		
<b>Distributions</b>			
<b>Internal</b>	<b>Date sent</b>	<b>Amendments sent</b>	<b>Comments received</b>
NTA	13/9/2023		20/9/2023
Dev Engineer			16/1/2024
<b>External</b>	<b>Date sent</b>	<b>Amendments sent</b>	<b>Comments received</b>
DoC	13/9/2023		27/11/2023
Heritage NZPT			12/12/2023 (rec of approved Authority)

## 2 Processing History

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### Scope of the Application

The scope of the application has not been amended since lodgement. However, a consent application is currently being processed by Northland Regional Council for activities associated with the construction of the solar farm, including bulk earthworks and removal of wetland, across Sites 1-3. The applicant has advised by way of email dated 5th December 2023 that *'MEL [applicant] has requested that you consider granting this independently of the NRC consents. They understand and accept the risk that utilisation of the WDC consent may be compromised if the NRC consent is not granted.'* The Council has accepted this request to determine the District Council consent separately from any consent that may be subsequently issued by the Northland Regional Council.

### Section 92 – Further Information Request

Requested	Received
3 October 2023	Partial response 31 October 2023
regarding landscape, stormwater, roading, Section 176(1)(b) re designations, and permitted baseline / affected persons	Partial Response 3 November 2023
	Final response 15 November 2023

### Draft Conditions

The applicant was sent an initial draft of the consent conditions on the 19<sup>th</sup> December 2023. Correspondence was then entered into regarding refining the conditions of consent, most notably those related to landscape effects, construction noise, and potential for road damage associated with construction traffic. Those matters have been addressed, resulting in agreement on the conditions that are now presented in this report and decision.

## 3 Description of Proposal

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Section 4 of the application prepared by Reyburn and Bryant Limited dated September 2023 ('the application') provides a full description of the proposal.

The activity as proposed consists of preparatory site works and construction of 200,000 panels a footprint of 172ha. The works include bulk earthworks and drainage, formation of internal access tracks, landscape planting and screening, security fencing, and formation of a new wetland area. The solar farm will consist of the panel structures consisting of either fixed panel or single axis tilt panels. Inverters will be located adjacent to internal accessways throughout the solar farm layout. A satellite control room will be constructed on Site 3, with existing buildings on Site 3 used as an operation and maintenance centre. A number of existing structures and buildings across the three sites will be removed to accommodate the solar farm.

Plans are provided in Appendices 4 and 6 of the application and detail the general proposed layout, the site works required, the table structures which will hold the solar panels, and the location of access and ancillary structures across Sites 1 – 3.

For completeness, a Battery Energy Storage System ('BESS') has been consented on the corner of State Highway 15 and Rama Road (part of 'Site 1') in accordance with land use consent LU2300072. The proposed solar farm will be connected to the BESS via a 33kV overhead connection located within road reserve. Power will be introduced to the main grid from the BESS.

## 4 Site and Surroundings / Existing Environment

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Section 3 of the application provides a description of the site and surrounding environment. That description is accepted and adopted for the purpose of this report. It is recorded that the consented BESS currently being constructed on part of Site 1 is considered to form part of the existing environment.

A solar farm has previously consented on land bounded by Rama Road, State Highway 15 and Mair Road, northeast of Site 1. That consent was granted to Refining New Zealand Limited in October 2019 and has not been given effect to as yet, and is due to lapse in October 2024. It is not known whether that project will proceed at this time.

## 5 Reasons for Consent

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Section 1.5 of the application provides a summary of the rules applicable to the application across Sites 1 – 3, noting that each site is subject to different zone with numerous overlays and resource identified. Table 3 of the application sets out the specific infringements on each of the sites. It is noted that the solar farm is best defined as an ‘industrial activity’ based on the definition in the District Plan.

In summary, the infringements on each of the three sites are as follows:

### ‘Site 1’ Heavy Industrial Zone

- TWM-R6 Land use, where the impervious area on the site will increase beyond the permitted standard

### ‘Site 2’ Light Industrial Zone

- TWM-R6 Land use, where the impervious area on the site will increase beyond the permitted standard
- LIZ-R6 Fences, where the proposed security fence will be topped with barbed wire
- LIZ-R8 General Industry, where the boundary with the Rural Production Zone site will not comply with Clause 2. of the rule.
- LIZ-R14, where farming will occur but will not comply with Clause 2 where the site adjoins a Rural Production Zone site.

### ‘Site 3’ Rural Production Zone

- RPROZ-R5 Building and Major Structure Coverage, where the solar panels are deemed as major structures and will exceed the permitted standard.
- RPROZ-R20 Industrial Activities, where the proposal is defined as an industrial activity.

Two infringements were identified at the time of lodgement that the applicant has since advised are not required. Those infringements relate to earthworks in the Coastal Environment under Rule CE-R8, where the rule does not apply to Site 1 due to the underlying Heavy Industrial Zoning, and Rule NAV.7 Construction Noise, where the applicant has since advised that the proposal is intended to comply with this rule in all respects.

The application has been lodged on the basis that the activity will be undertaken across three sites in close proximity to one another, and is therefore treated as a bundled application. Based on the above identified infringements, the application is assessed as a discretionary activity.

The applicant is seeking consent from the Northland Regional Council for various Regional Plan and NES-FW infringements. At the time of preparing this report, a decision regarding notification has yet to be made on the Regional Council consent application. Careful consideration has been given to the ability to progress the consent before the Whangarei District Council to a decision while the Northland Regional Council application has yet to be determined. This is addressed further in this report.

### **Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011**

Appendix 22 of the application includes confirmation of a search of the Council records. This confirms that none of the three sites are subject to current or previous activities that are included on the current version of the Hazardous Activities and Industries List (HAIL). Re Regulation therefore does not apply.

### **Effect of Designations under Section 176 of the RMA**

A designation affects Site 3, where the Designation FGL-1 (being a gas transmission pipeline) runs the length of the site from north to south. The application is supported by correspondence from First Gas Limited provided as part of a Section 92 response dated 15<sup>th</sup> November 2023 identifying on-going discussions regarding an agreement in principle to the proposed solar farm as it affects the designation, That correspondence includes commentary from First Gas Limited that *‘Based on the level of information provided to date, Firstgas is happy to provide support in principle, subject to further assessment at detailed design stage.’*

While the statement is not explicit in terms of addressing Section 176 of the RMA, this is considered satisfactory to confirm that written consent has been given by the requiring authority (in this case First Gas Limited) to the proposed activity.

## **6 Notification Assessment (Sections 95A to 95F)**

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### **Section 95A Assessment**

The criteria under Section 95A(3)(a)-(c) have been considered, and the application is not subject to mandatory public notification under these criteria. The applicant has not requested public notification, there is no outstanding information that will result in public notification under Section 95C, and the application does not include an application to exchange reserve land.

The criteria under Section 95A(5) have been considered as follows:

- Pursuant to Section 95A(5)(a), the application is not for an activity that is subject to a rule or a national environmental standard that precludes public notification.
- Pursuant to Section 95A(5)(b), the proposed activity is not an activity prescribed under clauses (i) or (iii) as being precluded from public notification.

Under Section 95A(8)(a), the application is not subject to a rule or NES standard that requires public notification.

Under Section 95A(8)(b), the application requires an assessment of adverse effects in accordance with Section 95D. That assessment is provided below. The determination is that any adverse effects associated with the proposed activity will be minor or less than minor.

While the application is a for a large scale activity, the activity itself, being the operation of solar panels, is a relatively benign activity, and Sites 1 and 2 are both zoned for industrial activities. Site 3 is rural and the Plan provisions allow for a wide variety of potential land uses. Therefore, there is no evidence of any unusual or exceptional matters associated with the site or proposal that would constitute special circumstances warranting public notification under Section 95A(9).

The application is not required to be publicly notified. Therefore, assessment against the provisions of Section 95B is required. That assessment follows.

### **Section 95B Assessment – Limited Notification**

Sections 95B(2)(a) and (b) do not apply to the proposal as there are no affected protected customary rights groups nor any affected customary marine title groups.

Sections 95B(3)(a) and (b) do not apply to the proposed activity as it is not on or adjacent to, or may affect, land that is subject to any statutory acknowledgement. Hence, there are no persons to whom any statutory acknowledgement is made that may be affected.

The criteria under Section 95B(6) have been considered and are not relevant to the proposal. The application is not precluded from limited notification by any rule or national environmental standard, is not a controlled activity, and is not a prescribed activity.

Section 95B(7) is not relevant to the application, as the proposal is not a boundary activity nor a prescribed activity.

Section 95B(8) requires a determination as to whether any person is an affected person in accordance with Section 95E. That assessment is provided below and concludes that no persons will be adversely affected to a minor or more than minor extent by the granting of the consent.

### **Land excluded from public notification assessment – Section 95D(a)**

Pursuant to Section 95D(a)(ii) it is considered that adverse effects on the following persons should be excluded from an assessment of the wider potential and actual effects on the environment across Sites 1 – 3 required for public notification:

- Lot 4 DP 419151 (Allis Bloy Place, Ruakaka)
- Whangarei District Council as administrator of Bercich Drain and Rama Road
- Lot 5 DP 436718 (77 Allis Bloy Place, Ruakaka)
- Lot 2 DP 436718 (Allis Bloy Place, Ruakaka)

- Lot 1 DP 436718 (Allis Bloy Place, Ruakaka)
- Lot 3 DP 436718 (Allis Bloy Place, Ruakaka)
- Lot 1 DP 560379 (30 Allis Bloy Place, Ruakaka)
- Lot 2 DP 560379 (18 Allis Bloy Place, Ruakaka)
- Lot 2 DP 406479 (Marsden Point Road, Ruakaka)
- Lot 2 DP 386730 (Marsden Point Road, Ruakaka)
- Lot 5 DP 146672 (79 McCathie Road, Ruakaka)
- Lot 2 DP 325771 (McCathie Road, Ruakaka)
- Lot 1 DP 67804 (87 McCathie Road, Ruakaka)
- Lot 1 DP 325771 (89 McCathie Road, Ruakaka)
- Lot 1 DP 308942 (107 McCathie Road, Ruakaka)
- Lot 2 DP 146672 (109 McCathie Road, Ruakaka)
- Lot 1 DP 146672 (McCathie Road, Ruakaka)
- Lot 2 DP 594153 (445 Marsden Point Road, Ruakaka)
- Part Lot 1 DP 36288 (Marsden Point Road, Ruakaka)
- Part Section 8 and Section 41 Blok VII Ruakaka SD (551 Marsden Point Road (Ruakaka))

### **Permitted baseline – Section 95D(b)**

Pursuant to section 95D(b) of the Act a consent authority may disregard an adverse effect of an activity on the environment if the plan permits an activity with that effect (the ‘permitted baseline’ test).

As part of the partial Section 92 response dated 3<sup>rd</sup> November 2023, the applicant has provided a detailed assessment of the permitted baseline as it applies to Sites 1 – 3. That assessment identifies that solar farms such as that proposed are permitted activities in the Heavy Industrial and Light Industrial Zonings applying to Sites 1 and 2 respectively. The infringements identified as they relate to these two sites address matters such as impervious surfaces, interface with zone boundaries, and fencing.

The RPZ as it applies to Site 3 does not allow for industrial activities such as a solar farm. The assessment identifies that predominantly rural activities are permitted, but that includes horticulture, crop support structures, and similar rural-based activities.

The assessment of the permitted baseline provided with the application is accepted and adopted for the purpose of this report, to the extent that there is a credible and non-fanciful permitted baseline that can apply to the consideration of potential adverse effects on Sites 1 and 2. It is considered that there is no credible or non-fanciful permitted baseline that readily accounts for the potential adverse effects of the proposed activity on Site 3.

### **Written Approvals – Section 95D(e)**

The application is not supported by any written approvals, noting that Section 10.2 of the application states that ‘*....effects on the environment can be managed such that effects on individual parties/entities are less than minor, reinforced by the permitted baseline.*’

For completeness, the application as lodged contains a statement entitled ‘Te Parawhau Hapu Korero’ as Appendix 12. Following lodgement of the application a document entitled ‘Cultural Effects Assessment Report: Meridian Energy – Ruakākā Energy Park’ prepared by Patuharakeke Te Iwi Trust Board was provided. While the contents of those statement and reports are acknowledged and relevant in making a decision, neither of them are considered to constitute a written approval.

Northland Transportation Alliance (‘NTA’) have confirmed that they have no concerns regarding the proposal. As addressed previously, First Gas Limited have provided an approval in principle to the proposal as it relates to the designation.

### **Assessment of wider environmental effects**

Section 5 of the application addresses the adverse effects of the proposal. The adverse effects that are relevant to the scope of the Whangarei District Council application are identified and assessed in the application follows:

- Cultural Effects
- Ecological Effects
- Landscape, rural character, and visual effects
- Glint and Glare
- Effects on infrastructure
- Traffic effects (including construction)
- Noise and Vibration
- Amenity Values
- Stormwater
- Natural Hazards
- Effects on Historic Heritage (Archaeology)
- Effects on Productive Capacity of Soils
- Acid Sulphate Soils
- Geotechnical Suitability

In assessing the extent of adverse effects, it is recorded that the application to Northland Regional Council addresses bulk earthworks, earthworks affecting identified flood hazards, and ecological effects associated with the NES-FW. The extent of these adverse effects as they relate to the District Council application are relatively limited.

The assessment provided with the application inclusive of the conclusion '*....that effects on the environment will be avoided, mitigated, or offset, such that they are no more than minor*' is accepted and adopted for the purpose of this report, subject to the following comments.

The Council has engaged a landscape architect (Evolve Planning and Landscape Architecture Limited) to review the landscape, natural character and visual amenity assessment provided with the application. Following receipt of additional information as part of the Section 92 response, the Councils consultant landscape architect has confirmed by way of memo dated 16<sup>th</sup> November 2023 that '*....It is my opinion that subject to appropriately worded conditions of consent that the solar park will result in a low to very low effect in regard to landscape matters including landscape values, rural character and potential visual effects.*' In reaching that conclusion the Councils landscape architect has carefully consider the permitted baseline applicable to the sites, the extent of adverse effects on surrounding property owners/occupiers (including directly adjacent owners/occupiers) and has considered the mitigation and avoidance of effects offered by way of conditions.

The Council has engaged a consultant engineering firm (Metis Consultants Limited) to review the stormwater information as it relates to impervious surfaces and on-site stormwater management. Following receipt of additional information as part of the Section 92 response, the Councils consultant engineer has advised by way of Technical Review Statement dated 30 November 2023 that '*It is concluded that the proposed on-site stormwater mitigation activities duly enforced by the proposed land use resource consent conditions will likely result in less than minor adverse effects on stormwater quality and quantity on or off site because of the proposed development.*' A condition has been offered as part of the application to address on-site stormwater management, and the Councils consultant engineer has agreed to a condition with some amendments.

The cultural and any ecological effects associated with the impervious surfaces rule infringement are suitably addressed by way of provision of the CEA from Patuharakeke Te Iwi Trust Board and the fact that ecological effects associated with earthworks (which are not controlled by the District Plan) are to be addressed as part of the Regional Council application any decision.

Careful consideration has been given to the extent off ecological effects of the proposal. The application to the Northland Regional Council addresses bulk earthworks and associated effects on ecological values, notably on Site 1. The permitted baseline assessment as it relates to Sites 1 and 2 in particular provides for a broad level of activities and associated effects under the District Plan. It is therefore considered that any ecological effects associated with the activities seeking consent from the District Council will be less than minor. Any and all adverse ecological effects, particularly associated with works on Site 1, are to be addressed through the Northland Regional Council consent process.

NTA have considered the extent of adverse traffic effects associated with the proposal, notably construction traffic generated by the proposal. NTA have considered the information in the application and provided as part of the additional S92 response and have confirmed by way of email dated 2 November 2023 that they are

satisfied in all respects with the proposal. They have requested conditions addressing potential effects of construction traffic on the affected road surfaces which have been agreed to and included. In addition, NTA have advised that they may undertake their own monitoring of construction traffic effects in this case, in conjunction with the applicant, outside the resource consent process.

The Council has received an Archaeological Authority issued by Heritage New Zealand Pouhere Taonga dated 12 December 2023 (reference 2024/266). This Authority provides for earthworks across the three sites where it may affect unrecorded subsurface archaeological evidence. Condition 6 of the Authority refers to requirements to be met by the applicant in relation to engagement with Patuharakeke Te Iwi Trust Board.

The Council's Development Engineer has reviewed the information provided in terms of general compliance with engineering requirements under the District Plan. The report provided from the Development Engineer states that *'The Application has effects in regard to engineering aspects which are no more than minor as detailed above.'* Conditions are recommended which address traffic and access, stormwater management, construction management and provision of infrastructure based on the information provided with the application.

In summary, it is considered that the adverse effects of those aspects of the proposal requiring District Council consent on the environmental will be minor or less than minor in all respects. The majority of identified adverse effects are likely to arise during the construction phase across Sites 1 – 3, notably with traffic, noise, and changes to the landscape and visual amenity in the wider environment. However, these adverse effects are assessed as less than minor taking into account the permitted baseline applicable to Sites 1 and 2 in particular and the agreed conditions of consent. The adverse landscape, natural character, and visual amenity effects arising from the activity on Site 3 have been given careful consideration as the siting of a large solar farm on a RPROZ site will result in a notable change to the landscape. This matter has been addressed by the Council's consultant landscape architect.

It is considered that the extent of any adverse effects arising from the proposal will be minor or less than minor in all respects, subject to suitable conditions of consent.

#### **Affected persons - sections 95B and 95E**

The properties adjacent to the subject sites are identified under the Section 95D(a)(ii) assessment above. Adverse effects on those properties have been considered noting that there are a number of properties that adjoin Sites 1 – 3. Those adverse effects falling within the scope of the Whangarei District Council consent relate to construction activities, including traffic, noise and vibration, and visual amenity. The longer term potential adverse effects relate to landscape, natural character, and visual amenity matters, and stormwater water management.

Information has been provided with the application addressing all of these potential adverse effects. In particular, a Noise Effects assessment has been provided to consider both construction and operational noise associated with the proposal, noting that the applicant has advised the proposal will comply with these noise levels in all respects as a permitted activity. Further information had been sought and received by way of a Section 92 request resulting in advice dated 26<sup>th</sup> October 2023 specifically addressing the extent of adverse effects on receivers (adjacent owners) of construction noise in the event it may exceed the permitted standards in the District Plan. The advice recommends two conditions, one of which is to prepare and implement a Construction Noise and Vibration Management Plan. The purpose of this plan will be to specifically address effects on adjacent receivers *'...to limit any breach and to manage any construction noise and vibration effects to a reasonable level.'* Subsequent to a review of draft conditions, the applicant has since advised under cover of email dated 25<sup>th</sup> January 2024 that *'MEL intends to comply with the permitted activity standard for noise and vibration.'* The application therefore does not include consent for any infringement of the construction noise and vibration rule in the District Plan. However, the applicant has retained the offer of a Management Plan to suitably comply with the permitted noise and vibration standards.

Stormwater management associated with increased stormwater runoff from the solar panels has been addressed by Council's consultant engineer as recorded previously in this report. On this basis, no adverse off-site effects are anticipated to arise on adjacent owners subject to suitable conditions being imposed.

Council's consultant landscape architect has carefully considered the extent of potential adverse effects on adjacent owner/occupiers, where those adjacent owners/occupiers will be able to view or experience the change in landscape and visual amenity arising from the installation of the panels. In addition, some consideration is given to the extent of glint and glare that may arise from the panels and appropriate mitigation

that overlaps with landscape and visual amenity values. For completeness, reference is made to the memorandum prepared by Littoralis Landscape Architecture dated 31<sup>st</sup> October 2023 inclusive of attachments, which was provided as part of a Section 92 response. Council's consultant landscape architect is satisfied that adjacent owner/occupiers will not be adversely affected a minor or more than minor extent by the proposal based largely on that memorandum. Recommended conditions include extensive boundary planting, bunding, earth mounds, and synthetic screening as offered by the applicant.

Consideration has been given to potential cultural effects, noting that both Te Parawhau and Patuharakeke Te Iwi Trust Board have provided advice on cultural values and potential adverse effects. The advice from both Te Parawhau and Patuharakeke do not provide direct support for the proposal. There are concerns regarding the extent of ecological effects, but support for the creation of new wetland areas which is addressed by way of the application before the Northland Regional Council. However, there is no evidence recorded in the advice that the proposal as it relates to the Whangarei District Council application will result in more than minor cultural effects such that either Te Parawhau or Patuharakeke would be assessed as an adversely affected person under Section 95E.

On the basis of the information provided with the application, no persons are considered to be adversely affected to a minor or more than minor extent by the granting of consent.

## 7 Recommendation

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That pursuant to Sections 95A- 95G of the Act, this application is recommended to proceed on a non-notified basis because:

- 1 Sufficient evidence has been provided in the application to confirm that the adverse effects of the proposal will be minor or less than minor in respects. Specific consideration has been given to the permitted baseline that applies on Sites 1 and 2, and the extent of the infringements that will arise from the proposal. For the reasons set out in this report, those adverse effects are considered to be less than minor.
- 2 No persons are considered to be adversely affected to a minor or more than minor extent by the granting of consent to the proposal.
- 3 There are no special circumstances to warrant public notification.



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A Hartstone, Consultant Planner

8 February 2024

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Date

As an Independent Commissioner I have: perused the relevant documentation; visited the site on Monday 19 February 2024, discussed the proposals and context with Council Officers; carefully considered the s42A Report; and concur with its findings. Accordingly I make this Decision on the basis of the s42 A Report Recommendation and attach my signature to this Decision.



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Alan Withy, Independent RMA Commissioner

23 February 2023

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Date



## Notice of Decision

LU2300093 and P123794

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 by Meridian Energy Limited

## Section 104 of the Resource Management Act 1991 Decision –Discretionary Activity

### 1 Processing Details

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**Reporting Planner** A Hartstone

**Date of Report** 8 February 2024

**Section 37** Yes – An additional 53 working days have been required to process this consent (to 26 February 2024) given the complexities of the consent application processed concurrently with the Regional Council consent, amendments to the application by the applicant, a review of draft conditions, addressing a request to process and determine the application separately from the Regional Council consent and for consideration / decision by an independent RMA commissioner. The matters under Section 37A(1) have been given regard to in making this decision to extend the timeframe.

### 2 Application Details

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The application details, including the proposal have been detailed in the attached Notification Assessment. In addition, the reasons for consent, and the application site and the surrounding environment have been detailed in Sections 4 and 5 respectively of the attached Notification Assessment report.

### 3 District Plan Zoning/Environment and other Notations

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The District Plan zoning/environment and other notations affecting the site have been detailed in Section 1 of the attached Notification Assessment.

### 4 Statutory Context

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Section 104 of the Act sets out those matters that, subject to Part 2, a consent authority must have regard to when considering an application for resource consent. These matters include any actual or potential effects on the environment of allowing the activity, any relevant provisions of a plan or proposed plan, and any other matter the consent authority considers relevant and reasonably necessary to determine the application.

Pursuant to Section 104B of the Act, a discretionary activity may be granted or refused. Where consent is granted, conditions may be imposed.

For the purposes of assessing this application, the relevant national and regional provisions have (or will be) addressed by way of the Northland Regional Council consent sought for the activity, which was lodged concurrently with this application lodged with Whangarei District Council.

### 5 Actual or Potential Effects on the Environment (Section 104(1)(a))

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Section 104(2) of the Act allows the consent authority to disregard an adverse effect of the activity on the environment if the Plan permits an activity with that effect (i.e. the permitted baseline principle). This matter has been addressed in Section 6 of the Notification Assessment report, where an applicable permitted baseline has been identified and adopted as it relates to Sites 1 and 2, and also applies to this consideration.

Section 104(3)(a)(ii) of the Act requires that no consideration may be had of any effect on a person who has provided their written approval to the application. No written approvals have been provided with the application.

The adverse effects of this activity have been addressed in Section 6 of the Notification Assessment report. The application includes details regarding the expected positive effects associated with renewable energy generation for the wider community. Section 1.2 of the application provides some background to the project, while Section 5.3 summarises the positive effects of the proposal. The wider community benefits associated with increased resilience of power supply utilising a renewable energy source is considered to be a significant positive effect that weighs heavily in support of the grant of consent to the proposal.

Conditions of consent have been offered in the application, noting that some refinement of proposed conditions has been undertaken through the review of matters by Council, notably in terms of landscape, natural character and visual amenity, and stormwater management. Conditions have been identified to address construction noise and vibration for identified adjacent owners, noting that the applicant has advised the proposal will comply with the construction noise and vibration rules.

The applicant has offered a suite of conditions regarding compliance with matters associated with the Transpower National Grid transmission lines as they affect Site 3. No infringement of any District Plan rule has been identified as it relates to the transmission lines. Therefore, those matters have been addressed by way of an advice note specifying that it is the consent holder responsibility to comply with all regulations related to the transmission lines.

The extent of the adverse ecological effects associated with the proposal requiring consideration under this District Council consent are limited and assessed as less than minor for reasons set out in the Notification report. The assessment of those effects falls to be considered as part of the Northland Regional Council consent application. Therefore, no conditions are considered appropriate to include as part of a decision on this application.

The Council's Development Engineer has recommended a suite of conditions, some of which overlap with advice from NTA regarding roading and Metis Consultants Limited addressing stormwater. Regardless, these conditions can be included as part of a decision to grant consent with amendments where required.

Overall, the effects of the activity are considered to be acceptable in the receiving environment.

## **6 National Environmental Standards, Other Regulations and National Policy Statement (Section 104(1)(b)(i)-(iii))**

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Section 6.1.3 of the applications addresses the national planning documents which encompasses national environmental standards, other regulations, and national policy statements. Section 6.6 addresses the NPS-Renewable Energy Generation ('NPS-REG') objectives and policies in detail and concludes that the proposal is consistent with the NPS provisions relevant to the District Council application.

The application is excluded from assessment under the National Policy Statement for Highly Productive Land on the basis that the project provides for specified infrastructure.

The National Policy Statements relating to Freshwater Management and Indigenous Biodiversity are not directly relevant to the application and are addressed through the Regional Council consent application.

## **7 New Zealand Coastal Policy Statement (Section 104(1)(b)(iv))**

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A small portion of Site 1 where construction will be undertaken (including earthworks) and panels installed is located within the coastal environment overlay defined in the District Plan and is therefore within the scope of the NZCPS provisions. However, as the District Plan provisions have been prepared to give effect to the NZCPS, and recognising the heavy industrial zoning that applies to the site, it is considered that the proposal will generally be consistent with the NZCPS.

## **8 Relevant Provisions of the Regional Policy Statement (Section 104(1)(b)(v))**

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Section 6.8 of the application addresses the relevant Regional Policy Statement ('RPS') provisions. The assessment and conclusion reached that the proposal is consistent with the RPS, as it relates to the Whangarei District Council application, is accepted and adopted for the purpose of this report.

## **9 Relevant Provisions of Operative or Proposed Plans (Section 104(1)(b)(vi))**

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Section 6.10 of the application addresses the relevant provisions contained in the Whangarei District Plan Operative in Part 2022. The relevant Chapters considered in the assessment are listed at Section 6.15. The assessment and stated conclusion that *'Due to consistency with District Plan expectations, and the proposed effects management measures, the proposal is overall consistent with the overarching policy framework of the WDP'*. Having assessed the proposal this conclusion is accepted and adopted for the purpose of this report.

Notably, as the construction and operation of a solar farm on Sites 1 and 2 is a permitted activity then it is accepted that the proposal as it relates to those two sites is consistent with the relevant zone Chapter provisions. The scale of infringements associated with matters such as stormwater management, zone boundary interfaces, and fencing will generate less than minor effects and are consistent with the relevant provisions in the zone Chapters.

The relevant District-Wide Chapters, being the Three Waters Management and Transport Chapters, have been suitably addressed by way of the technical information addressing stormwater management and traffic respectively.

## **10 Other Relevant Matters (Section 104(1)(c))**

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Section 7 of the application identifies several other matters that are considered to be relevant and reasonably necessary in determining the application. Those identified matters all support the development of renewable energy as a response to climate change through reduction of emissions. It is noted that the NPS-REG has been developed and implemented as part of a response to New Zealand's international obligations addressing climate change.

## **11 Part 2 Matters**

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No detailed assessment of Part 2 matters is considered necessary in determining this application.

## **12 Conclusion and Recommendation**

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Having considered the application against the relevant provisions of the Act, the Council has discretion to grant consent to the proposal as a discretionary activity. Having undertaken an assessment of the relevant matters under Section 104, it is recommended that this application be granted, subject to the conditions identified in Part 5 of this report that will avoid, remedy or mitigate any adverse effects of the activity on the environment.

For completeness, it is recorded that a consent application is currently being processed by Northland Regional Council for activities associated with the construction of the solar farm, including bulk earthworks and removal of wetland, across Sites 1-3. The applicant has advised by way of email dated 5<sup>th</sup> December 2023 that *'MEL [applicant] has requested that you consider granting this independently of the NRC consents. They understand and accept the risk that utilisation of the WDC consent may be compromised if the NRC consent is not granted.'* The Council has accepted this request to issue the District Council consent separately from any consent that may be subsequently issued by the Northland Regional Council.

Pursuant to Sections 104, 104B, and 108 of the Resource Management Act 1991, and in accordance with delegated authority under section 34A, consent is granted to the resource consent application LU2300093 by Meridian Energy Limited to establish, operate, and maintain a solar energy farm with an approximate project size of 200ha across three sites, and any ancillary activities (including construction of drainage and access, fencing, and earthworks). The site locations are described as follows:

- SH15/Rama Road/Marsden Point Road, being Lots 1 – 3 DP 419151 and Lots 1 – 3 DP 59354 ('Site 1')
- SH15/McCathie Road, being Lot 1 DP 386730, Lot 1 DP 348043 and Lot 2 DP 325771, Lot 2 DP 348043, and Section 13 SO 32254 ('Site 2')
- McCathie Road/Marsden Point Road, being Lot 1 DP 406479, Pt Lot 1 DP 36288, Pt Section 1 Blk VII Ruakaka SD, Pt Section 11 Blk VII Ruakaka SD, Pt Section 54 and Sections 55 – 57 and 60 Blk VII Ruakaka SD ('Site 3').

Consent is granted subject to the conditions below and for the following summary reasons:

- 1 Sufficient evidence has been provided in the application to confirm that the adverse effects of the proposal will be acceptable in the receiving environment. Specific consideration has been

given to the permitted baseline that applies to the sites, and the extent of positive and adverse effects arising from the proposal. The positive effects arising from the proposal as set out in the application weigh heavily in favour of the grant of consent.

- 2 The proposal will be consistent with the National Policy Statement for Renewable Energy Generation 2011 and Regional Policy Statement for Northland.
- 3 The proposal will be consistent with the relevant objectives and policies of the Whangarei District Plan Operative in Part 2022.

## 10 Conditions

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1. The activity shall be carried out and completed in general accordance with the application prepared by Reyburn and Bryant Limited dated 4<sup>th</sup> September 2019, and more particularly the following information:
  - The plans prepared by Beca Limited entitled 'Meridian Solar Farm - Civil' dated 2 August 2023 consisting of the following sheets:
    - 23184141-1-CA-1001 to 23184141-1-CA-1005 (Rev C).
    - 23184141-1-CA-2001 and 23184141-1-CA-2002 (Rev. C).
    - 23184141-1-CA-2010, 23184141-1-CA-3000, and 23184141-1-CA-2013 (Rev. C).
    - 23184141-2-CA-1000 to 23184141-2-CA-1004 (Rev. C).
    - 23184141-2-CA-2001, 23184141-2-CA-2002, 23184141-2-CA-2010, 23184141-2-CA-3000 and 23184141-2-CA-3001 (Rev. C).
    - 23184141-3-CA-1000 to 23184141-3-CA-1003 (Rev C).
    - 23184141-3-CA-2001, 23184141-3-CA-2002, 23184141-3-CA-2010 (Rev. C).
    - 23184141-3-CA-3000 and 23184141-3-CA-3001 (Rev. C).
    - 23184141-CA-3010 to 23184141-CA-3013 (Rev C).
  - The Planting Concept Plans prepared by Littoralis Landscape Architecture Limited referenced as Attachment Five to the Memorandum dated 31 October 2023, consisting of six (6) sheets referenced as 1338\_PlantingConcept\_20231030 updated 30 October 2023.

### Prior to Commencement

2. Prior to commencement of any construction works (including earthworks) on Sites 1 – 3, the consent holder shall provide the following documentation for certification:
  - a) A Construction Management Plan prepared in accordance with Section 1.6.2 of the Councils Environmental Engineering Standards 2022 ('EES 2022') submitted to the Councils Development Engineer. The plan shall include a methodology for determining compliance with Conditions 5 a) – e) below.
  - b) A Stormwater Management Plan prepared by a suitably qualified engineer that specifically addresses on-site attenuation of peak flows discharged from the Sites 1 – 3 such that the 100 year, 5 year and 2 year ARI rainfall event post-development peak flows (with climate change) do not exceed 80% of the pre-development peak flowrate (with climate change), to be submitted to the Councils Development Engineer. Changes in peak flow shall be assessed using the PV-SMaRT Solar Farm Runoff Calculator Version 3.0 tool from the University of Minnesota using parameters agreed in correspondence resolving Section 92 queries.
  - c) A detailed Landscape Planting and Management Plan, including an establishment and maintenance schedule, shall be prepared by a qualified landscape architect and shall be submitted to the Councils Team Leader RMA Compliance and Approvals. The Landscape Planting and Management Plan shall be in general accordance with the landscape plan submitted as part of LU2300093 prepared by Littoralis Landscape Architecture updated 30 October 2023 and include, but may not be limited to, the following:
    - i. A description of the purpose and objectives of the planting and screening mitigation including screen mix A, B and C and synthetic fencing.

- ii. A plan of the planted areas detailing proposed plant species, plant sourcing, plant sizes at time of planting, plant locations, density of planting and timing of planting.
  - iii. A plan showing the areas and details of the synthetic fencing;
  - iv. The planting sizes for the balance of the plants shall be provided such that their intended purpose (screening) is achieved within 3-year period following initial planting.
  - v. Details of the proposed bund to be 2.5m in height with a gradient of 1:2.5
  - vi. A programme of establishment and post establishment protection and maintenance (e.g. planting implementation method, fertilising, weed removal / spraying, replacement of dead or poorly performing plants, watering, length of maintenance programme).
  - vii. Details of weed management.
- d) A Construction Noise and Vibration Management Plan (CNVMP) prepared by a suitably qualified and experienced acoustic consultant shall be submitted to the Councils Development Engineer. The objective of the CNVMP is to develop mechanisms and processes to manage and minimise the effects of noise and vibration caused by construction of the solar farm such that they comply with NAV.6.2 Construction Noise and NAV.6.15.2 Construction Vibration. The CNVMP must include (but may not be limited to):
- i. The relevant performance standards (noise and vibration)
  - ii. noise and vibration management and mitigation measures
  - iii. training of staff
  - iv. handling of complaints
  - v. monitoring
  - vi. timing and duration of works
  - vii. key construction equipment, including details of proposed piling methodology
  - viii. location of sensitive receivers
  - ix. a process of notification to neighbours, and a requirement to discuss timing of works to
  - x. reduce impacts where noise and vibration levels may be above the limits, and
  - xi. a map showing areas where works potentially risk breaching the noise and vibration limits, and any areas where drop hammer piling should not occur.
- e) A detailed set of engineering plans prepared in accordance with Council's Engineering Standards 2022 Edition. The engineering plans are to be submitted to the Development Engineer for approval and approval provided prior to the commencement of works.

It is to be noted that certain designs may only be carried out by Chartered Professional Engineer (CPEng) working within the bounds of their assessed competencies.

All work needing design/certification by a CPEng will require completion of a producer statement (design) (EES-PS1 or similar).

The Consent holder is to submit all documentation as required by Council "Quality Assurance/Quality Control Manual – Vested Assets". This will include nomination of a site Engineer and an "Inspection and Test Plan" for approval by the Development Engineer before any works commence.

Plans need to be prepared noting recommendations of the following documents outlined in Condition 1 unless an alternative prepared by a suitably experienced Chartered Professional Engineer is approved in writing by Council:

Plans are to include but are not limited to:

- i Design details of the upgrade or construction of vehicle crossing(s) for Sites 1, 2 and 3 in accordance with Sheet 21 Rural Type 1B – Heavy Vehicle or Type 2 – Crossing with Local Widening as applicable, also in accordance with Sheets 22 & 23 of Council's Engineering Standards 2022 Edition. Entrance crossings are to be designed and constructed in such a manner that will control stormwater run-off entering a property from the road, and that likewise prevent stormwater and detritus, including gravel, dirt and other materials, migrating onto the road reserve from a property. Where vegetation maintenance/removal is required to maintain sight visibility from the proposed vehicle crossing(s), the approximate location of this work shall be noted on the site plan.

- ii Design details of Low Pressure sewer connection for Site 3 in accordance with Section 5 of Council's Engineering Standards 2022 Edition.
  - iii Design details of water connection for the satellite control room in accordance with Sheet 46 of Council's Engineering Standards 2022.
- f) In conjunction with Condition 2 c) above as it relates to provision of a Landscape Planting and Management Plan, the consent holder shall provide to the Councils Team Leader RMA Compliance and Approvals written evidence that hapu have been provided with the Plan and the offer has been made to hapu to provide input into the contents of the Plan. The written evidence should specifically identify who has been invited to provide input, that a minimum of 20 working days has been provided to allow hapu to consider and advise, and record any outcomes of any input received from the hapu.
- Note: This condition has been offered by the consent holder in order to address relevant matters raised in response received from Patuharakeke Te Iwi Truist Board and Te Parawhau.*
3. In conjunction with the requirements under Condition 2(e) above, the consent holder must submit a Corridor Access Request application to Council's Road Corridor Co-ordinator and receive written approval for all works to be carried out within Council's Road Reserve in accordance with Council's Environmental Engineering Standards 2022 to the satisfaction of the Development Engineer or delegated representative (refer to the advisory clause below for the definition of a Corridor Access Request).
4. Notify the Councils Development Engineer, in writing, of their intention to begin works or any stage of works, a minimum of seven days prior to commencing works. Such notification shall be sent to the Development Engineering Officer and include the following details:
- a) Name and telephone number of the project manager.
  - b) Site address to which the consent relates.
  - c) Activities to which the consent relates.
  - d) Expected duration of works.

### **During Construction**

5. During the construction process on Sites 1 - 3, the consent holder shall:
- a) Ensure that spoil from the site must not be tracked out onto Council or State Highway Road formations to the approval of the Council's Development Engineer.
  - b) Comply with the conditions specified by the Council's Road Corridor Co-Ordinator in the Corridor Access Request approval.
  - c) Reinstate Council's road carriageway formation, street berm and urban services at and within 100m of site construction entrance points where damage has been caused by the construction works (particularly accelerating/decelerating and turning) resulting from construction traffic associated with this consent. The assets shall be reinstated in accordance with Council's Environmental Engineering Standards 2022 Edition at the expense of the consent holder and to the satisfaction of the Development Engineer or delegated representative.
  - d) Adhere to all requirements specified in the Construction Management Plan and Construction Noise and Vibration Management Plan certified under Condition 2(a) and (d) above.
  - e) Ensure that dust nuisance is controlled onsite (by use of a water cart or similar) so as not to cause "offensive or objectionable" dust at or beyond the boundary of the development.

### **Prior to Commissioning**

6. Prior to commencement of electricity generation on Sites 1 – 3, the consent holder shall provide the following documentation for certification:

- a) Suitable evidence to certify that all engineering works certified under Condition 2(b) and (e), 3, and 4 have been carried out and completed. That evidence shall be provided to the Councils Development Engineer and, as a minimum, shall consist of:
  - i. Site inspections undertaken as agreed in Council's engineering plan approval letter.
  - ii. PS4 and approval of supporting documentation provided by the developer's representative/s including evidence of inspections by those persons, and all other test certificates and statements required to confirm compliance of the works as required by Council's QA/QC Manual and the Council's Environmental Engineering Standards 2022.
  - iii. "Certificate of Completion of Development Works" from the Contractor.
  - iv. Provision of certified and dated 'as built' plans and RAMM data prepared by a suitably qualified person for the completed works and services in accordance with Council's Environmental Engineering Standards 2022 Edition.
  
- b) Suitable evidence to be submitted to the Councils Team Leader RMA Compliance and Approvals to confirm that all works identified on the Landscape Planting and Management Plan certified under Condition 2(c) above have been completed. That evidence should consist (as a minimum) of written certification from a qualified landscape architect supported by photographic evidence. The Council may choose to undertake a site visit to confirm compliance of its own volition.
  
- c) Suitable evidence to the Councils Team Leader RMA Compliance and Approvals to confirm that noise attenuation design/s for inverters within Site 2 (refer to Appendix B of the Marshall Day Report Rp 001 20230088 showing indicative location of the inverters requiring consideration) has been implemented and installed. The evidence shall be provided from a suitably qualified acoustician and must confirm that the implemented attenuation design shall achieve compliance with the night-time noise limits in Consent Condition 7 below.

### On-going Conditions

7. The consent holder shall ensure that the following conditions are complied with on an on-going basis:
  - a) On Site 2, the consent holder shall ensure that all noise generated from the consented activities shall not exceed the permitted noise standard specified in the District Plan, being as follows:
    - i. Noise emitted from a site in the Light Industrial Zone and received in the Rural Production Zone: 55 dB LAeq 0700 to 2200 hours; 45 dB LAeq and 75 dB LAFmax 2200 to 0700 hours.
    - ii. Noise emitted from a site in the Light Industrial Zone and received in the Marsden Primary Centre – Noise Zone 1: 65 dB LAeq 0700 to 2200 hours; 65 dB LAeq and 70 dB LAFmax 2200 to 0700 hours.
    - iii. Noise emitted from a site in the Light Industrial Zone and received in the Marsden Primary Centre – Noise Zone 2/2A: 55 dB LAeq 0700 to 2200 hours; 45 dB LAeq and 70 dB LAFmax 2200 to 0700 hours.

Noise levels shall be measured and assessed in accordance with NZS 6801:2008 Acoustics – Measurement of Environmental Sound and NZS 6802:2008 Acoustics – Environmental Noise.
  
  - b) On Site 3, the consent holder shall ensure that all noise generated from the consented activities shall not exceed the permitted noise standard specified in the District Plan, being as follows:
    - i. Noise emitted from a site in the Rural Production Zone and received in the Rural Production Zone: 55 dB LAeq 0700 to 2200 hours; 40 dB LAeq and 70 dB LAFmax 2200 to 0700 hours.
    - ii. Noise emitted from a site in the Rural Production Zone and received in any Residential Zone: 50 dB LAeq 0700 to 2200 hours; 40 dB LAeq and 70 dB LAFmax 2200 to 0700 hours.
    - iii. Noise emitted from a site in the Rural Production Zone and received in the Local Centre Zone: 60 dB LAeq 0700 to 2200 hours; 50 dB LAeq and 75 dB LAFmax 2200 to 0700 hours.
    - iv. Noise emitted from a site in the Rural Production Zone and received in the Light Industrial Zone: 65 dB LAeq 0700 to 2200 hours; 60 dB LAeq and 80 dB LAFmax 2200 to 0700 hours.
    - v. Noise emitted from a site in the Rural Production Zone and received at a site in the Heavy Industrial Zone: 75 dB LAeq all hours.

Noise levels shall be measured and assessed in accordance with NZS 6801:2008 Acoustics – Measurement of Environmental Sound and NZS 6802:2008 Acoustics – Environmental Noise.

- c) All planting and associated works and screening structures identified and implemented as part of the Landscape Planting and Management Plan implemented under Condition 6 (b) above is to be maintained to ensure the effectiveness of the screening at all times. Where any planting or structure is damaged, removed, or otherwise destroyed, the consent holder shall replace the planting or structure as soon as practically possible with the same of similar planting or structure.
8. Pursuant to s128 of the RMA, the consent authority may at six monthly intervals from the date of the grant of consent serve notice on the consent holder of its intention to review the conditions of this consent to deal with an effect on the environment which arises after the date of the grant of the consent where such effect is contrary to, or is otherwise not in accordance with, the engineering and noise assessments provided with the application for the consent.

## **Advice Notes**

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- 1 This resource consent will lapse five years after the date of commencement of this consent (being the date of this decision) unless:
- It is given effect to before the end of that period; or
  - An application is made to Council to extend the period after which the consent lapses, and such application is granted prior to the lapse of consent. The statutory considerations which apply to extensions are set out in Section 125 of the Resource Management Act 1991.
- 2 Section 357 of the Resource Management Act 1991 provides a right of objection to this decision. An objection must be in writing, setting out the reasons for the objection and delivered to Council within 15 working days of the decision being notified to you. A fee may be payable to cover the costs of processing any objection.
- 3 All archaeological sites are protected under the provisions of the heritage New Zealand Pouhere Taonga Act 2014. It is an offence under that act to modify, damage or destroy any archaeological site, whether the site is recorded or not. Application must be made to the Heritage New Zealand for an authority to modify, damage or destroy an archaeological site(s) where avoidance of effect cannot be practised.
- 4 The application is supported by a Cultural Impact Assessment report prepared by Patuharakeke Te Iwi Trust Board and Te Parawhau. While some of the matters identified in this cultural advice cannot be addressed through this consent decision, it is expected that any Northland Regional Council consent will address some of the identified matters, notably the wetland offsetting / compensation.
- 5 Site 3 contains a portion of the Henderson – Marsden Point A (HEN-MDN-A) 220kV transmission line and the Marsden Point – Maungatapere A (MDN-MPE-A) 110 kV transmission line and associated support structures. The consent holder is responsible for ensuring compliance with any and all requirements associated with management of these lines, including any regulatory requirements that may apply to earthworks, stormwater management, vegetation or buildings. Transpower NZ Ltd has a right to access its existing assets under s23 of the Electricity Act 1992. Any development on must not preclude or obstruct this right of access. It is an offence under s163D of the Electricity Act 1992 to intentionally obstruct any person in the performance of any duty or in doing any work that the person has the lawful authority to do under s23 of the Electricity Act 1992.
- 6 Northland Transportation Alliance ('NTA') have advised that they may undertake independent monitoring of construction traffic and its effects on the road surfacing during construction works across Sites 1 – 3. This may inform compliance with Condition 5 a) – c) of this consent.
- 7 Pursuant to Section 102 of the Local Government Act 2002, Whangarei District Council has prepared and adopted a Development Contributions Policy. Under this policy, the activity to which this consent related is subject to Development Contributions. You will be advised of the assessment of the Development Contributions payable under separate cover in the near future. It is important to note that the Development Contributions must be paid prior to commencement



of the work or activity to which consent relates or, in the case of a subdivision, prior to the issue of a Section 224(c) Certificate. Further information regarding Councils Development Contributions Policy may be obtained from the Long Term Community Consultation Plan (LTCCP) or Council's web page at [www.wdc.govt.nz](http://www.wdc.govt.nz).



8<sup>th</sup> February 2024

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A Hartstone, Consultant Planner

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Date

**Pursuant to Sections 104, 104B and 108 of the Resource Management Act Consent is granted to this Application under delegated authority from the Whangarei District Council, and subject to the above Conditions.**

It is noted this Consent cannot be fully implemented without consent being obtained to concurrent Applications being considered by the Northland Regional Council.

As an Independent Commissioner I have: perused the relevant documentation; visited the site on Monday 19 February 2024, discussed the proposals and context with Council Officers; and carefully considered the s42A Report, concurring with its findings.

Accordingly, I make this Decision granting consent on the basis of the s42 A Report recommendations and attach my signature to this Decision



23 February 2024

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Alan Withy, Independent RMA Commissioner

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Date