

**BEFORE THE ENVIRONMENT COURT
WELLINGTON REGISTRY**

ENV-2023-

**I TE KŌTI TAIAO O AOTEAROA
TE WHANGANUI-A-TARA ROHE**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of direct referral of an application under s 88 of the Act
for the determination of Resource Consent Application
RM220103

BETWEEN **FAR NORTH SOLAR FARM LIMITED** a duly incorporated
company having its registered office at Level 1, 65 Main
Road, Kumeu

Applicant

AND

SOUTH WAIRARAPA DISTRICT COUNCIL

Consent Authority

**NOTICE OF MOTION UNDER s 87G OF THE ACT FOR GRANT OF RESOURCE
CONSENT**

Dated: 13 October 2023

TOMPKINS | WAKE

Solicitor: Theresa Le Bas
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Counsel: Theresa Le Bas
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To: The Registrar
Environment Court
Wellington

1. Far North Solar Farm Limited (**Applicant**) has applied to South Wairarapa District Council (**Council**) under s 88 of the Resource Management Act 1991 (**Act**) for a land use consent to establish and operate a solar farm in the Wairarapa (Consent Reference RM220103) (the **Application**). The Applicant applies under s 87G of the Act for its Application be determined by the Environment Court instead of the Council.
2. The grounds for the Applicant's application under s 87G of the Act are:
 - (a) The Applicant seeks land use consent to establish and operate a 175-megawatt (peak) solar farm at 415 Moroa Road, Greytown, 312 Bidwills Cutting Road, Greytown; 1942 State Highway 2, Greytown and 18 Pharazyns Road, Featherston. The proposal includes:
 - (i) 321,160 photovoltaic solar panels on tracking tables, with a maximum height of 4.5 m above the ground.
 - (ii) 40 inverters and associated electricity infrastructure.
 - (iii) Buildings not required for primary industry or residential purposes exceeding 25m².
 - (iv) Associated site works and site accessways.
 - (v) Screen planting.
 - (b) Resource consent is sought as a discretionary activity (Rule 21.6(a)) and restricted discretionary activity (Rules 4.5.5(c) and 4.5.5(e)(i)) of the Wairarapa Combined District Plan. A 35-year consent duration is sought.

- (c) The Applicant on 9 June 2023 applied to the Council under s 87D of the Act for the Application to be determined by the Environment Court instead of the Council. On 11 September 2023 the Council decided to grant the Applicant's request under s 87E of the Act.
 - (d) The Applicant has considered the report prepared by Council under s 87F of the Act dated 6 October 2023 and continues to seek to have its Application determined by the Environment Court.
 - (e) There is a significant level of public interest in the Application. 46 submissions were received, of which 5 were partially or fully in support and 41 were opposed. The number and nature of the submissions received indicates that the Application is contentious. Any decision by the Council in the first instance would likely be appealed to the Environment Court.
 - (f) It would be more efficient in terms of cost and time for all parties and interested persons for the Application to be heard and determined by the Environment Court instead of Council.
 - (g) The Application process would benefit from the comprehensive range of case management tools available to the Environment Court to manage parties' preparation for and participation in a hearing on the Application.
 - (h) The further grounds contained in the affidavit of Laila Alkamil dated 12 October 2023.
3. The following documents are **attached** to this Notice of Motion:
- (a) The affidavit of Laila Alkamil in support of this Notice of Motion (**Attachment A**); and

- (b) A list of names and addresses of persons to be served with a copy of this Notice of Motion (**Attachment B**).

Dated at Rotorua this 13th day of October 2023.

Theresa Le Bas.

Theresa Le Bas

Counsel for Far North Solar Farm Limited

Address for service of the Applicant:

Attn: Theresa Le Bas
Far North Solar Farm Limited
c/- Tompkins Wake
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Telephone: 021 552 617

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Notes to applicant

1. You must lodge the original and 1 copy of this notice with the Environment Court. The notice must be signed by you or on your behalf. You must pay the filing fee required by [regulation 35 of the Resource Management \(Forms, Fees, and Procedure\) Regulations 2003](#).

1A. If this is a notice of motion for proceedings under [section 87G, 198E, or 198K of the Resource Management Act 1991](#), you must lodge this notice with the Environment Court within 15 working days after receiving the report provided under section 87F(5) or 198D(5) of that Act or preparing the report under section 198J(2) of that Act.

2. You must serve copies of this notice and the affidavit on the local authority or consent authority, and on any person who made a submission on the matter, as soon as is reasonably practicable after lodging the notice.

3. As soon as is reasonably practicable after you have served the documents, you must advise the Registrar of the names, addresses, and dates of service of the persons served.

Advice to recipients of copy of notice of motion

How to become a party to proceedings

1. You may be heard on this application if you come within section 274(1) of the Resource Management Act 1991. If you are a trade competitor of the applicant, your right to be heard may be limited.
2. You may be heard on the application as a party if–
 - (a) within 15 working days after this notice of motion was lodged with the court, you lodge a notice in form 33 with the Environment Court and serve copies of your notice on the relevant local authority and the applicant; and

- (b) within 20 working days after this notice of motion was lodged with the court, you serve copies of your notice on all other parties.

Advice

- 3. If you have any questions about this notice, contact the Environment Court in Auckland, Wellington or Christchurch.

Attachment B

No	Name	Address
1	Abe Southey	125 Battersea Road, Greytown
2	Andrienne Nunns	44 Bidwills Cutting Rd, RD 1, Greytown
3	Ainsley Kelly	97 Settlement Road, Greytown
4	Andrew Heaton	62b Cross Line, Greytown
5	Anna Whitehead	169 Underhill Road, Greytown
6	Anne McGee	64 Cross Line, Greytown
7	Avis Stanely	38 Hollis Road, Paraparaumu
8	Ben Burger	84 Bettersea Road, Greytown
9	Danielle Genty-Nott	273C Bidwills Cutting Road, Morison Bush
10	Davida McDonald	56 Settlement Road, Greytown
11	Dayandra Hettige	459 Bidwills Cutting Road, Greytown
12	Denise Clements	96 Settlement Road, Greytown
13	Elizabeth Creevey	144 Bidwills Cutting Road, Greytown
14	Folkert Burger	13 Wilford Street, Wallaceville Upper Hutt
15	Gail Isaac	47 Cross Line Morrison's Bush, Greytown
16	Gaylene O'Connor	122 Cross Line, Greytown
17	Louise Brown (On behalf of the Greytown Community Board)	PO BOX 6, Martinborough
18	Gerry and Jenny Van Dalen	112 Wards Line, Greytown
19	Ingrid Ward	46 Reading Street, Greytown
20	Jacqui Southey	5 Colville Street, Masterton
21	James Field	268 Bidwills Cutting Road, Greytown
22	Jeannie Hancock	255 Bidwills Cutting Road, Greytown
23	Jo Woodcock and Aaron Woodcock	2128 State Highway 2, Greytown
24	John Walsh and Anne Clark	38A Abbott Street, Ngaio
25	Lawrence Stephenson and Laura Pilgrim	273A Bidwills Cutting Road, Greytown
26	Liat Gush	21 Hupenui Road, Greytown

No	Name	Address
27	Lucyarna Fowles	13 Wilford Street, Wallaceville Upper Hutt
30	Maria Berry	Po Box 122 Featherston
29	Mark Crawford	273b Bidwills Cutting Road, Greytown
30	Matthew Bell	57 Cross Line, Greytown
31	Nicole Kolvenbag	84 Bettersea Road, Greytown
32	Peter Ratner and Carol Walters	15 Udy Street, Greytown
33	Rachel Hughes	56 Settlement Road, Greytown
34	Richard Schofield	149 Bidwills Cutting Road, Greytown
35	Robyn Ramsden	3 Farrier Grove, Featherson
36	Rodney and Judith Jay	80 Battersea Road, Greytown
37	Saane van Steensel	168 Main Street, Greytown
38	Shane Wratt	96 Settlement Road, Greytown
39	Dr Stephen Hartley	6 Matai Grove, Greytown
40	Steve Hancock	2603 State Highway 2, Ahikouka, Greytown
41	Peter Isaac (on behalf of South Wairapa Whenua Advisory Group)	47 Cross Line Morison Bush, Greytown
42	Andy Eccleshall (on behalf of Transpower NZ Ltd)	Po Box 21154, Edgware
43	Frank Van Steensel and Josje Neerincx (on behalf of Waiarapa Eco Farm)	260 Moroa Road, Greytown
44	Josh Kenneally (on behalf of Waka Kotahi)	
45	Warren Woodgyer	20 Cotter Street, Greytown
46	Chris and Roz Geany	415 Moroa Road, Greytown