

ANNEXURE K

VOLUNTEERED CONDITIONS

VOLUNTEERED CONDITIONS (May 2024)

GENERAL

1. The consent holder must undertake the activity in general accordance with the consent application including all accompanying plans and documents lodged with the Waimakariri District Council and the information included in the responses and plans:
 - a. The following specific plans attached to and forming part of this consent:
 - Landscape and visual assessment dated 14 May 2024 prepared by Rough Milne Mitchell Landscape Architects Limited
 - Site Layout and context Plans – Annexure D sheets 3, 4 and 5 prepared by Rough Milne Mitchell Landscape Architects Limited
 - General Arrangement Plans, prepared by Rough Milne Mitchell Landscape Architects Limited - Sheets 6, 7, 8, 9, 10 and 11 Annexure D
 - Proposed Landscape Mitigation Plan, prepared by Rough Milne Mitchell Landscape Architects Limited – Sheet 13 and 14 Annexure D
 - Indicative Cross Sections, prepared by Rough Milne Mitchell Landscape Architects Limited - Sheets 10 and 11 Annexure D
 - Solar Panel and Inverter Information, prepared by Rough Milne Mitchell Landscape Architects Limited - Sheet 12 Annexure D
 - Recommended Orientation Inverters (Annexure E), prepared by Marshall Day Acoustics
 - Earthworks and Setback plan – Sheet 16 prepared by Rough Milne Mitchell Landscape Architects Limited – Annexure D
 - b. Ten days prior to the commencement of the works on site photographic evidence of the existing status of the site shall be submitted to the Councils Compliance Team. This information is required to compare the status of the site at the end of the life of the solar farm.

STANDARDS

2. All stages of design and construction shall be in accordance with the following standards (and their latest amendments) where applicable:

- Waimakariri District Council Engineering Code of Practice
- Waimakariri District Council Stormwater Drainage and Watercourse Protection Bylaw (2018)
- Erosion & Sediment Control Toolbox for Canterbury
- NZS 4404:2010 Land Development and Subdivision Infrastructure
- NZS 6803:1999 Acoustics for Construction Noise
- SNZ PAS 4509:2008 New Zealand Fire Service Fire Fighting Water Supplies Code of Practice

BUILDINGS, SOLAR ARRAYS AND STRUCTURES

3. The solar arrays may consist of fixed-position panels or tracking panels. Final details and plans of the solar panels shall be submitted to Waimakariri District Council's Plan Implementation Manager for certification thirty (30) working days prior to the construction of the solar farm.
4. The total area of all utility buildings and structures, including solar panels, shall not exceed site coverage of 234,265m² (or 29%)
5. The maximum height of any buildings or structures, including solar panels, shall not exceed 5m
6. The consent holder must ensure that the solar panel arrays of the Ashley Solar Farm conform to the following setbacks as specified on the General Arrangement Plan:
 - a. 20 metres from waterways (as defined by the WDC Operative District Plan)
 - b. 10 metres from roads
 - c. 20 metres from other boundaries with dwelling house sites
 - d. 32m from the centerline of a 110KV line, 37m from a 220KV line and 39m from a 350KV line
7. The consent holder must construct, operate and maintain the Solar Farm in general accordance with all management plans submitted to, and certified by, the Appropriate Council Manager, Waimakariri District Council as part of the conditions of this resource consent.
8. The consent holder must ensure that all contractors engaged to undertake activities authorised by this resource consent are supplied with a copy of and made aware of the conditions and management plans that apply to this resource consent that are relevant to their work area and the measures required for compliance with the conditions.
9. The consent holder must notify the Appropriate Council Manager, Waimakariri

District Council at least **20 working days** before works on Site commence.

REFLECTIVITY

10. Within thirty (30) working days after the completion of the construction of the solar farm and prior to operation commencing, a Glare Mitigation Plan prepared by an independent suitably qualified and experienced person shall be submitted to the Waimakariri District Council's Plan Implementation Manger, for Certification. The plan shall include the following information as a the minimum:
 - i. Confirmation that the reflectivity of the solar panels as constructed does not exceed 10%
 - ii. Details of how glint, glare or solar reflection from the solar panels will be avoided or mitigated on on-going basis so that it does not result in a safety hazard to users of Upper Sefton or Beatties Roads.
 - iii. Details of any maintenance required to ensure the proposed mitigation measures remain effective over time.

PRE-CONSTRUCTION

11. All vehicle crossings used for construction traffic, must be upgraded to meet Council's District Plan standards in Rule 30.6.1.15 of the Operative District Plan before construction of the Solar Farm commences. The consent holder must notify the Council of the intent to construct the crossing 10 working days prior to construction commencing to allow time for an inspection should it be deemed necessary.
12. Before operation of the solar farm commences, the consent holder must ensure that the landscape planting is established as set out in the Proposed Landscape Mitigation Plan, Sheet 16 – Annexure D. This includes:
 - a. Planting of the boundaries of the Site with Cupressus x Leylandii - Leyland Cypress 'Leighton Green' or similar, and ensuring that the plants are 2m tall prior to the solar farm is constructed ; andA planting plan for the two ephemeral streams will be provided to Council within 6 months of obtaining Resource Consent. This plan will outline the native riparian vegetation plant species, their size at planting, spacings and a maintenance schedule.
 - b. Planting along side the two ephemeral streams will occur prior to the solar panels being installed, as specified on the mitigation plan , Sheet 8 – Annexure D.
13. Evidence of the planting, including photos, must be submitted to WDC within one week of planting being completed.

14. The consent holder must ensure that a Site Environmental Management Plan (SEMP) is prepared. The objective of the SEMP is to ensure best practice principles, techniques, inspections and monitoring are used during site works including construction traffic, landscaping and earthworks (including but not limited to dust, sediment run-off including stormwater controls during and post construction, staging of works, accidental discovery and management of fill including the loading and unloading of trucks) alongside compliance with the conditions of this consent.

The SEMP must include but is not be limited to:

- a. The name and contact details (mobile phone and email) for the on-site manager where contact could be made 24 hours a day / 7 days a week,
 - b. A communication and complaints procedure for adjoining property owners/occupiers,
 - c. Details and location of any proposed safety fencing and associated signage for the construction site,
 - d. The measures to ensure dirt, mud, debris or other materials are not left on roads,
 - e. The location, planting bag size, and spacing of boundary landscape plantings and the waterway buffer plantings.
 - f. The measures to be taken in the event that some or all of the landscape plantings become diseased or die. This may include their replacement within the next growing season with the same or alternative species with similar screening characteristics.
 - g. The methods to be applied to maintain the boundary landscape plantings that form a density to provide visual screening.
 - h. An Erosion and Sediment Control (ESCP) plan setting out the measures taken to control silt contaminated stormwater at all times during earthworks, access ways and installation of services
15. The SMP/ESC Plans must be submitted to the Appropriate Council Manager, Waimakariri District Council for technical certification at least **twenty (20) working days** before works commence on the Site.

CONSTRUCTION AND EARTHWORKS

16. Earthworks disturbance on the site shall not exceed 8,000m² in total at any one time (Refer **Annexure J**, Table 9)
17. Each stage of earthworks must be mulched and reseeded before a second stage is open/disturbed.
18. The consent holder shall, as far as practicable, not exceed the limits recommended in, and ensure construction noise and vibration is measured and assessed in accordance with, the following standards: New Zealand Standard NZS 6803:1999 "*Acoustics – Construction Noise*" and German Standard DIN 4150-3:2016 "*Vibrations in buildings – Part 3: Effects on structures*".

Advice Note: Decommissioning works are also considered as construction for the purposes of noise and vibration and should be managed in accordance with this condition.

19. The Consent Holder must ensure that a Construction Noise and Vibration Management Plan (CNVMP) is prepared by a suitably qualified and experienced consultant. The objective of the CNVMP is to develop mechanisms and processes to manage construction noise and vibration that may exceed the limits referred to in Condition 0. The CNVMP must include but not be limited to:
 - a) The relevant noise limits,
 - b) Noise mitigation measures,
 - c) Training of staff,
 - d) Handling of complaints,
 - e) Noise monitoring,
 - f) Notification to neighbours,
 - g) Timing and duration of works,
 - h) Type of piles or equipment used.
20. The CNVMP must be submitted to the Appropriate Council Manager, Waimakariri District Council for technical certification at least 20 working days prior to the commencement of any works to which the CNVMP relates.
21. Construction activities shall only operate within the hours of Monday to Friday 7.30 am – 6.00 pm and Saturday 7.00 am – 1.00 pm, excluding public holidays.
22. The consent holder must ensure the Site is managed in accordance with the certified ESMP during the construction period until the Site is stabilised (i.e., no longer producing dust, water-borne sediment or potential contaminants). The ESMP shall be improved if initial and/or standard measures are inadequate. All

disturbed surfaces shall be adequately surfaced as soon as possible to limit dust, contaminant or sediment mobilisation.

23. The finished ground levels (after the cut and fill works) shall not cause ponding/drainage/run-off related nuisance to the neighbouring (surrounding) properties or change of the current drainage patterns (existing overland flow paths) to the detriment of the surrounding properties. In the event that the consented works result in effects of that character these shall be rectified at the expense of the consent holder and to the satisfaction of the Council Infrastructure Team. In addition there shall be no earthworks within;
 - 20m of the ephemeral waterways,
 - 12m of any electrical transmission tower or pole or underneath any overhead high voltage transmission lines if those earthworks result in less than 8m clearance between conductors
24. Run-off must be controlled to prevent muddy water flowing, or earth slipping, onto neighbouring properties, legal road, or into a river, stream, drain or wetland. Sediment, earth or debris must not fall or collect on land beyond the Site. All muddy water must be treated, using at a minimum the erosion and sediment control measures detailed in the ESMP, prior to discharge.
25. If potential contamination is identified during works (accidental discovery), such as potential fill materials, asbestos containing material, and odorous and/or stained soils, the Site Manager should contact a suitably qualified and experienced person (SQEP) to assess the nature of the new material and reassess the potential risk to human health and/or the environment.
26. Dust emissions shall be managed so they do not cause nuisance beyond the boundary of the Site. Dust mitigation measures such as water carts or sprinklers shall be used on any exposed areas. The roads to and from the Site, and entrance and exit, must remain tidy and free of dust and dirt at all times.
27. All loading and unloading of trucks with excavation or fill material is to be carried out within the application site.
28. The consent holder must ensure that all construction traffic accesses the Site from Beatties Road only (Refer Plans **Annexure C**)
29. The consent holder must ensure that any debris tracked onto Beatties Road from construction traffic is cleared from the carriageway immediately.

ACCIDENTAL DISCOVERY PROTOCOL

30. In the event of an archaeological site, waahi tapu or koiwi being discovered or disturbed during the activities authorised by this consent, the consent holder shall immediately cease further works, in the immediate vicinity of the accidental

discovery, and inform:

- a. Waimakariri District Council Manager; and
- b. Heritage New Zealand (04) 472 4341.

Further work in the immediate vicinity of the accidental discovery shall be suspended while iwi carry out their procedures for removal of taonga. The appropriate Council Manager will advise the consent holder when work in the Site, may recommence.

In the event that human remains (koiwi) are found the police should be contacted immediately and all works shall cease until advice is given that works can recommence.

NOISE

31. Once operational the consent holder must ensure that the noise emissions from the activity must meet the following noise levels at the notional boundary of any existing dwellings:
 - a. 50 dB L_{Aeq} (15 min) from 0700 to 2200 hours
 - b. 40 dB L_{Aeq} (15 min) and 70 dB L_{AFmax} from 2200 to 0700 hours.
32. 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"*.
33. Within 20 working days and within **the first daylight savings period** of any stage of the solar farm becoming operational, the consent holder must monitor noise emissions from the Site to assess compliance with Condition 31.

Advice Note: 'Operational' is defined as the operation of the solar farm whereby electricity is being generated and provided to the national grid.
34. A report detailing the outcome of the monitoring under Condition 33 shall be provided to the Appropriate Council Manager, Waimakariri District Council within **ten working days** of the testing occurring.
35. Prior to the start of construction, an acoustic design review shall be undertaken to confirm:
 - a. The noise emissions and expected acoustical directivity of the selected inverter units; and
 - b. If the units do exhibit appreciable directivity, then the orientation of each unit is optimized to minimise noise received at the notional boundary of neighbouring dwellings.

LANDSCAPING AND FENCING

36. The consent holder shall ensure that all boundary landscape plantings and fencing are established for the solar farm (as set out on the Proposed Landscape Mitigation Plan –RMM (Sheets 13, 14 and 15 Annexure D) are maintained with a minimum height of ____6.0m from ground level along the sites northern boundary, and 4.0m from ground level along all other boundaries, once they have reached that height, and a minimum of 1.0m wide.
37. Planting within and alongside the waterways shall be in accordance with RMM Plan (Sheet 16 – Annexure D).

COMPLAINTS

38. The consent holder shall keep a register of any complaints received in respect of the solar farm and make the register available to an officer of the Waimakariri District Council upon request.

ACCESS POINTS

39. A single vehicle access point shall be provided on Beatties Road being a minimum of 200m from the intersection with Upper Sefton Road (Rule 30.6.1.2 Table 30.6 ODP). A second access point is retained at the southwest corner of the site. The main access way will be from Beatties Road (Refer RMM sheet 15).

TRANSPower CONDITIONS

Building and Structures

40. No buildings or structures (except non-conductive fencing) shall be located within 32m (110KV), 37m (220KV) or 39m (350KV) of the centre line of the transmission lines. A National Grid transmission line.
41. No conductive fences shall be located within 5m of any National Grid support structure, without written consent of the line owner.

NZECp Compliance

42. All land use activities, including the construction of new buildings/structures, earthworks, fences, any operation of mobile plant and/or persons working near exposed line parts shall comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECp 34:2001) or any subsequent revision of the code.

VEGETATION

43. There shall be no new trees or vegetation within 32 metres either side of the centreline of the National Grid transmission lines. Rule 31.1.15 (table 13) being 32m for 110kV lines, 37m 220kV lines, 39m 350 kV lines.

DECOMMISSIONING

44. At least three months prior to the commencement of decommissioning of the solar farm, the Consent Holder shall submit a Decommissioning Plan to the Appropriate Council Manager, Waimakariri District Council to certify that the plan meets the following objectives. The Decommissioning Plan shall be prepared by a suitably qualified and experienced person and provide for the following objectives:
- a. Decommissioning of the solar panels and all associated infrastructure in a manner that complies with all legislative requirements;
 - b. Leaving the land in a condition that is safe and suitable for land based primary production; and
 - c. Ensuring that the components and infrastructure are disposed of in a way that maximises re-use and recycling. For any parts that cannot be reused or recycled, ensuring that they are disposed of in an environmentally responsible way in accordance with industry best practice.
45. The Decommissioning Plan shall include but not be limited to:
- a. Details on all infrastructure to be decommissioned, including details, method and location of reuse, recycling or disposal and the reasons why the options have been chosen;
 - b. Details of specific infrastructure to remain on-site post-closure and reasons why it will remain on Site;
 - c. Scheduling and timing for decommissioning; and
 - d. Details for finished ground cover at completion of decommissioning and future intended land use including confirmation that the land will be returned to the original state as shown on photographs, condition 1 (b).
46. The consent holder must notify the Waimakariri District Council at least 10 working days prior to completion of the decommissioning to allow Council staff to carry out site inspections to determine compliance with the certified Decommissioning Plan.
47. The consent holder must ensure that a Decommissioning Report is prepared and submitted to Waimakariri District Council following completion of the decommissioning of the solar farm and no later than 20 working days after the

works have been completed.

CONDITIONS AUDITING

48. The Council, on an actual cost basis, shall audit compliance with the conditions of consent by both site inspections and checking of associated documentation to ensure the work is completed in accordance with the approved plans and specifications and to the Council's standards. The Council will undertake inspections and checking.
49. For audit inspections required by the consent, the Consent Holder shall notify the Council Development Team at least 24 hours prior to commencing various stages of the works, preferably by email to subdivaudit@wmk.govt.nz including contractor/agent contact details or by phone on 0800 965 468. The minimum level of inspection shall be as follows:

Earthworks

- During progress of the earthworks
- On completion to final levels

Vehicle Crossing and Accesses

- Following completion of required works

Environmental Management

- Following set up of erosion and sediment control measures as per approved EMP
- During progress of the works

Decommissioning

- On completion

Whole Works

- On completion

50. Compliance with the above conditions shall be verified by inspection by a Council Officer pursuant to section 35(2)(d) of the Resource Management Act 1991. For inspection/s conducted under the above conditions, the Consent Holder shall pay the Council charges pursuant to section 36(1)(c) of the Resource Management Act 1991 to enable the Council to recover its actual and reasonable costs in carrying out the inspections.

REVIEW

51. The Waimakariri District Council, under s128 of the Resource Management Act, may once per year, during (month), serve notice of its intention to review all conditions of this resource consent for the purpose of reviewing the effectiveness of these conditions in avoiding and mitigating any adverse effects on the environment. The review of conditions must allow for:
- a. Deletion or amendments to any conditions of this resource consent to ensure adverse effects (including noise, visual impacts and dust) are appropriately mitigated, and/or
 - b. Addition of new conditions as necessary, to avoid, remedy or mitigate any unforeseen adverse effects on the environment.

GENERAL ADVICE NOTES

- a. All works must be undertaken in accordance with the National Environmental Standards for Freshwater.
- b. This consent will lapse if not given effect to within 5 years from the date of commencement, under Section 125 of the Resource Management Act 1991.
- c. If the activity requires consent from Environment Canterbury for stormwater discharge that consent must be obtained and provided to the District Council prior to the commencement of the activity