

**BEFORE THE INDEPENDENT COMMISSIONER
OF CENTRAL OTAGO DISTRICT COUNCIL**

IN THE MATTER of the Resource Management Act 1991 ("**RMA**")

AND

IN THE MATTER of an application for resource consent by Helios OTA
OP LP ("**Helios**") to construct, operate and maintain a
photovoltaic solar farm, a substation and transmission
line infrastructure for renewable electricity generation
at 48 Ranfurly-Naseby Road, Naseby ("**Project**")

**STATEMENT OF EVIDENCE OF MISHKA BANHIDI
ON BEHALF OF HELIOS**

21 JULY 2025

1. EXECUTIVE SUMMARY

- 1.1 I am the consultant planner for Helios who authored the Application Assessment of Environmental Effects¹ ("AEE").
- 1.2 In this evidence I have assessed the Project against the Central Otago District Plan and broader statutory provisions and planning documents. I have considered the expert evidence provided with the application, the response to the section 92 further information request and hearing documentation, along with the feedback provided from submitters and conclusions presented in the Council's section 42A report dated 7 July 2025 ("**Section 42A Report**").
- 1.3 I rely on the technical advice provided in all the expert evidence of the Applicant and Peer Reviews commissioned by Council, and provide planning responses to these assessments and the recommending Section 42A Report, as outlined in section 7 of this evidence. I address some additional effects raised by submitters under section 8 (response to submissions).
- 1.4 Based on the information presented, I consider that, subject to implementation of the proposed mitigation measures and volunteered conditions (as recommended in the Section 42A Report, with some minor amendments in Attachment A of this evidence), the effects of the Project over the long term will be less than minor.
- 1.5 There are positive social and economic effects associated with the Project including supporting Aotearoa New Zealand's renewable electricity generation and decarbonisation targets. The Project will increase the resilience of the country's electricity supply and create regional employment opportunities during construction and operation. The Project will also allow for an ongoing agricultural co-application of sheep grazing.
- 1.6 I consider that the temporary adverse effects on the surrounding persons relating to landscape, visual amenity and rural character prior to the proposed landscape mitigation being fully established, may be more than minor². These adverse effects will reduce to less than minor once the mitigation planting has been fully established (approximately 2 to 5 years).

¹ Application for Resource Consent Mānīatoto Plain Solar Farm by Helios OTA Op LP, March 2024, updated on 16 June 2025. References throughout this evidence are made to the updated AEE dated 16 June 2025.

² Statement of Evidence of Ms McManaway on behalf of Helios dated 21 July 2025 at 9.19.

- 1.7 I consider the adverse effects relating to construction effects (dust, noise and vibration, sediment and traffic) during the construction and decommissioning stages of the project to be less than minor or minor. Although being a matter raised by submitters, these matters have been sufficiently mitigated via design and proposed conditions and are temporary in nature.
- 1.8 The Project is consistent with the Objectives and Policies of the Central Otago District Plan ("**District Plan**") and the Otago Regional Policy Statement ("**RPS**"). It is also consistent with the National Policy Statement for Renewable Electricity Generation 2011 ("**NPS-REG**") and the National Policy Statement for Highly Productive Land 2022 ("**NPS-HPL**"). In respect of the NPS-HPL, the proposed solar farm activity is not considered to be an inappropriate use or development of the limited amount of land classified as "highly productive" within the Site.
- 1.9 I generally agree with the intent of the conditions of consent proposed in the Section 42A Report, subject to the minor revisions discussed in section 7 of my evidence (and attached as Attachment A) and recommend that the consent be granted.

2. INTRODUCTION

- 2.1 My full name is Mishka Banhidi. I am a Senior Planner at The Property Group Limited.
- 2.2 I hold a Bachelor of Applied Science in Environmental Management from the University of Otago. I have over 8 years' experience in planning and resource management and am an associate member of the New Zealand Planning Institute.
- 2.3 My experience includes both policy and consenting work, preparing a wide range of applications for private clients as well as processing consents on behalf of local authorities, including associated report and evidence preparation. Some relevant examples include:
- (a) Gore District Plan Review – Author of Section 35 Report and a number of District Plan chapters and associated reporting, including the Infrastructure, Energy and Landscape Chapters.
 - (b) Regional and District Planning for the Whitianga and Pauanui Waterways Developments.

- (c) Fast Track Consenting - Applicant Planner: Wairatahi Development (Flaxmere), Council representative: Southland Wind Farm.
- (d) Master planning and submission support for the Streamlined Planning Process - Te Pūtahi Ladies Mile Plan Variation.
- (e) A number of consents processed for Local Authorities relating to infrastructure and energy projects.
- (f) A number of consents processed for Local Authorities relating to development in areas subject to landscape and indigenous biodiversity overlays.

Involvement in the Project

- 2.4 I have been involved in the Project since July 2023. I was engaged by Helios, participating in the initial pre-application meetings with Central Otago District Council ("**Council**"), and providing technical support and peer review for the preparation of the application. I authored the AEE along with the updated version of the application provided to Council on 16 June 2025. I have visited the subject site in September 2023 prior to the drafting of the resource consent application.

Code of conduct

- 2.5 I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and will continue to comply with it while giving oral evidence before the Hearing Commissioners. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

3. SCOPE

- 3.1 This evidence is given in respect of the resource consent application by Helios for the proposed new solar farm at 48 Ranfurly-Naseby Road, Naseby ("**Site**"). In my evidence I will address the following:

- (a) The Site and surrounding area description.
- (b) The Project / proposal.

- (c) The AEE for the Project and matters raised in the Section 42A Report.
- (d) Planning related matters raised by submitters.

3.2 For the purpose of this hearing, I have endeavoured to avoid repeating information that has already been presented or is readily available within expert evidence, in the Project application documents, including section 92 responses and the Section 42A Report. Where I refer to specific conditions within my evidence, unless I specify otherwise, I refer to the updated conditions attached as Attachment A of my evidence.

4. THE EXISTING ENVIRONMENT

4.1 The Site and surrounding area has been described in detail in the updated AEE³ and the Landscape Effects Assessment, dated February 2024. As a result, I provide a short overview with a focus on the operative District Plan context for the purpose of my evidence.

4.2 The Site is located on the Mānīatoto Plain, a broad inland basin in Central Otago known for its arid climate, expansive open landscapes and surrounding schist mountain ranges. It sits roughly 3.3 km southwest of Naseby and 4.3 km north of Ranfurly, within the Rural Resource Area of the District Plan.

4.3 The landscape features gently undulating terrain with long folds of ridges and gullies, improved exotic pasture, and shelterbelts dominated by *Pinus* species. Two large wetlands and several smaller depressions contribute to the Site's natural character, supporting both exotic and some indigenous vegetation. These wetlands are included within the current pastoral use of the Site which is utilised for grazed pasture and short rotation cropland.

4.4 Surrounding land use is primarily agricultural, with low-density residential dwellings, forestry, tourism and energy-related activities.⁴ The site is not part of any Outstanding Natural Landscape or Feature but lies within an "Other Rural Landscape" overlay⁵. 12.35 ha of the land within the solar array area is LUC Class 3 (2.19% of the solar array area) characterised under the NPS-HPL as Highly Productive Land.⁶

³ Application for Resource Consent Mānīatoto Plain Solar Farm by Helios OTA Op LP, 16 June 2025. Section 2, pp 7 – 11.

⁴ Central Otago District Plan Section 04 - Rural Resource Area 4.1.

⁵ Application for Resource Consent Mānīatoto Plain Solar Farm by Helios OTA Op LP, 16 June 2025. Section 2.2, pp9-10.

⁶ Application for Resource Consent Mānīatoto Plain Solar Farm by Helios OTA Op LP, 16 June 2025. Section 6.5, pp68-72.

- 4.5 It shares the wider Mānīatoto valued attributes, vast skies, seasonal extremes, varied land uses⁷ and a strong sense of openness, making it a distinctive and functional part of Central Otago's rural environment.

5. APPLICATION OVERVIEW AND UPDATES

- 5.1 Resource consent is being sought to construct, operate and maintain an approximately 300MWac photovoltaic solar farm, and associated infrastructure including a substation and transmission line infrastructure, for renewable electricity generation at 48 Ranfurly-Naseby Road, on the Mānīatoto Plain between Naseby and Ranfurly. A detailed description of the proposal is provided in the AEE.⁸
- 5.2 As detailed within the AEE, following public notification and receipt of subsequent submissions, the Battery Energy Storage System ("**BESS**") component of the solar farm proposal was removed from the application.⁹
- 5.3 A table has been provided within Attachment B to this evidence that provides an outline of the timeline and details of project information circulation.
- 5.4 Since notification, ongoing discussions have been undertaken with the Department of Conservation ("**DOC**") and Otago Regional Council ("**ORC**") regarding matters raised in their submissions. Matters pertaining directly to Planning have been addressed below with wider discussions addressed within the Statement of Evidence of Mr Schlichting and Statement of Evidence of Ms Sievwright.
- 5.5 Discussions with DOC have been undertaken and have influenced Ms Sievwright's evidence (avifauna).¹⁰ A consensus has been reached regarding the ecological conditions of consent, with DOC circulating their preferred conditions of consent on 19 July 2025. DOC has advised that subject to their preferred conditions of consent being adopted, DOC's concerns regarding the proposal are resolved. These conditions have been adopted by the Applicant and bundled into the proposed condition set within Attachment A.

⁷ Application for Resource Consent Mānīatoto Plain Solar Farm by Helios OTA Op LP, 16 June 2025. Section 2.1, pp8-9.

⁸ Section 3, pp 11 – 18 of "Application for Resource Consent Mānīatoto Plain Solar Farm" by Helios OTA Op LP, 16 June 2025.

⁹ For further discussion please refer to the Statement of Evidence of Mr Schlichting dated 21 July 2025 at Section 9.

¹⁰ Statement of Evidence of Ms Sievwright dated 21 July 2025 at [1.10(d)].

- 5.6 Draft Conditions are addressed further throughout this evidence. A set of draft conditions as considered suitable by Helios is appended to my evidence as Attachment A.
- 5.7 Discussions with ORC have centred around the removal of the BESS, which the Applicant has now done, and therefore this is considered to have largely resolved ORC's concerns.¹¹ ORC Senior Resource Planner Mr Warren Hanley highlighted ORCs only outstanding request, specifically for a more detailed consideration of the aquifer below the site and possible contamination issues. This is addressed further within the Fire Risk Assessment¹² (circulated to ORC), undertaken partly in response to ORCs request, and within the Statement of Evidence of Mr Schlichting.

6. CONSENTS REQUIRED

- 6.1 The reasons for the consent are set out in the AEE and confirmed in the Section 42A Report.¹³ I concur with the rule trigger and activity status identified in the Section 42A Report. To summarise, the following rule is triggered under the District Plan:

Rule 13.7.4 (iii) Discretionary Activity consent under the District Plan for the construction and operation of a power generation facility including all associated structures and activities.

- 6.2 Overall, resource consent is required under the District Plan for a **Discretionary Activity**.

7. ASSESSMENT OF EFFECTS AND RESPONSE TO SECTION 42A REPORT

- 7.1 The Section 42A Report considers the environmental effects of the proposal, taking into account the technical assessments submitted with the Application and the issues raised by submitters.
- 7.2 Council commissioned peer reviews of the Applicant's landscape and ecological technical assessments and requested a review of the Glint and Glare Assessment¹⁴ from Abley, focussing on traffic safety. These peer review

¹¹ Submission 130.

¹² Fire Risk Mitigations & Commentary Māniototo Plain Solar Farm, 2 July 2025.

¹³ Section 42A Central Otago District Council report of Planning Officer pp 4, paragraphs (19-21).

¹⁴ Landscape Effects Assessment 28 February 2024, Attachment 3, ITP Renewables, 2023: Naseby Solar Farm: Glint and Glare Study.

reports along with the application documents, appear to have informed the comprehensive assessment of effects provided in the Section 42A Report.

- 7.3 I generally agree with the conclusions and reasoning in the Section 42A Report regarding the environment effects of the proposal . These broadly align with the findings of the AEE, the supporting technical reports, and the Applicant's responses to the further information requests. Where my opinion differs from those of the Reporting Officer, I have outlined them below.
- 7.4 The information provided by the Applicant is comprehensive and has guided the development of the consent conditions, which, subject to some minor amendments, appropriately manage adverse effects of the proposal. I support the Section 42A Report's conclusion¹⁵ that the proposed Project would satisfy Part 2 of the RMA and granting of the consent would promote the sustainable management of the District's natural and physical resources.
- 7.5 In relation to all other effects, including those on the wider environment, I agree with the Section 42A Report that potential adverse effects can be appropriately mitigated through conditions and that on the whole the proposal will result in notable positive national benefits through the increased renewable energy generation.¹⁶
- 7.6 The Section 42A Report includes an updated condition set and comments related to the draft conditions. An updated condition with some minor changes is provided within Attachment A along with explanations of those changes.
- 7.7 The below addresses outstanding planning issues only. I have not provided assessment in instances where I agree with the Section 42 Report conclusions, do not feel any additional assessment is beneficial or matters are best addressed within expert evidence.

Wetland setback

- 7.8 The ecological rationale for a 5m setback from the smaller wetlands is clearly outlined in the Statement of Evidence of Dr Morris¹⁷. These smaller wetlands are of negligible ecological value and are dominated by exotic species. A 5m buffer is considered sufficient to avoid adverse ecological effects of the Project.
- 7.9 In contrast, the central and southwest wetlands are assessed as having moderate ecological value due to their size and the presence of At Risk -

¹⁵ Section 42A Central Otago District Council report of Planning Officer at [181].

¹⁶ Section 42A Central Otago District Council report of Planning Officer at [170].

¹⁷ Statement of Evidence of Dr Morris on Behalf of Helios, 21 July 2025, at [6.6]-[7.5].

Declining plant species. Accordingly, a 10m setback is proposed for these features, allowing space for fencing, ecological enhancement planting, and improved buffering.¹⁸

- 7.10 Within the Section 42A Report¹⁹, Mr Vincent recommends a condition requiring a minimum 10m setback from all natural wetlands unless consent is granted by the ORC for reduced setbacks. At this stage, it is acknowledged that ORC consent will be required under clause 45(2) of the National Environmental Standards for Freshwater ("**NES-FW**"), as the proposed 5m setbacks do not meet the permitted activity threshold. A separate regional consent application will therefore be necessary to authorise these reduced setbacks.
- 7.11 If ORC consent is not granted, the relevant parts of the proposal cannot proceed. This provides certainty to the Council and the community that no unconsented activities will occur. On this basis, it is not considered necessary to impose a condition prohibiting works prior to obtaining regional consent, as the NES-FW already prevents such works from proceeding without the required approval (which is not subject to this current Application).
- 7.12 Mr Vincent's concerns are therefore effectively addressed through the proposal's reliance on the NES-FW framework and the associated regional consenting process.
- 7.13 It is not agreed that a 10m setback offers any additional ecological benefit. As outlined within the Statement of Evidence of Dr Morris, there is no ecological benefit in implementing any more than a 5m setback, the setbacks as proposed are ecologically justified and introduce meaningful ecological improvements compared to the current land use.²⁰ A 5m setback would reduce the generation potential of the solar farm²¹ with no ecological justification. This would impact the broader renewable energy contribution of the Project.
- 7.14 The proposed condition is unnecessary, particularly given the Reporting Officer's deference to regional consenting outcomes²² and the Applicant's reliance on ORC consent. The ecological outcomes are appropriately managed within the current proposal, and as such, I am of the opinion that no additional condition is required in this regard.

Fire Risk

¹⁸ Statement of Evidence of Dr Morris on Behalf of Helios 21 July 2025 at [6.13] and [6.14].

¹⁹ Section 42A Central Otago District Council report of Planning Officer at [66]-[69].

²⁰ Statement of Evidence of Dr Morris on Behalf of Helios 21 July 2025 at [6.17].

²¹ Statement of Evidence of Mr Schlichting on behalf of Helios 21 July 2025 at [12.7] to [12.8].

²² Section 42A Central Otago District Council report of Planning Officer at [69].

- 7.15 As addressed within the Section 42A Report, fire risk was raised by a number of submitters. The Reporting Officer agreed with the assessment of Mr Denize and Dr Horne²³ for the Applicant that components are designed and installed to fire mitigation standards, and vegetation control (sheep and mechanical) can mitigate the risk of excessive vegetation growth. I further address the Reporting Officer's statement that the requirement for a fire management plan²⁴ to be certified by FENZ raises issues of process as Council is unable to delegate to FENZ for certification.
- 7.16 The fire risk from the proposal is addressed in more detail in the Statement of Evidence of Mr Denize.²⁵ This outlines the agreement between Helios and FENZ regarding the condition Helios proposes for the Fire Risk Plans (being management plans for fire risk for construction, operation and emergency responses). This condition requires the consent holder to send the draft plans to FENZ for review and comment, and to address such comments, prior to submitting to the Council for certification. FENZ has confirmed that the proposed condition is acceptable.
- 7.17 I highlight the updated layout plan appended as Attachment C to my evidence showing an additional perimeter access track which has been developed as a recommendation of the Fire Risk Report²⁶. The new track provides access to the entire permitter of the Site with sufficient manoeuvrability for fire trucks. This is in addition to the main access tracks through the site which are also designed to fire truck manoeuvrability standards.
- 7.18 The Statement of Evidence of Mr Denize outlines additional fire risk mitigation measures incorporated into the site design and operation. These are considered by FENZ and Helios to be conceptually an "acceptable solution" and therefore addresses the Reporting Officers concerns that fire is able to be adequately managed by emergency services,²⁷ subject to the proposed mitigation and prevention measures. Based on the above this should address the Reporting Officer's outstanding concern.

Transport Routes

- 7.19 The Section 42A Report recommends deleting the draft condition requiring heavy vehicles to use a specific route during construction.²⁸ As outlined in the

²³ Fire Risk Mitigations and Commentary dated 2 July 2025.

²⁴ Application for Resource Consent Mānīatoto Plain Solar Farm by Helios OTA Op LP, 16 June 2025, section 3.4.

²⁵ Statement of Evidence of Mr Denize on behalf of Helios 21 July 2025 at Section 4.

²⁶ Fire Risk Mitigations and Commentary dated 2 July 2025, Section 3.5(1).

²⁷ Section 42A Central Otago District Council report of Planning Officer at [106].

²⁸ Section 42A Central Otago District Council report of Planning Officer paragraph 100.

Statement of Evidence of Mr Copland,²⁹ this approach is supported from a traffic engineering perspective, noting that flexibility may be beneficial to accommodate contractor-specific requirements. Instead, the updated condition set (refer Attachment A) requires that the Construction Traffic Management Plan ("CTMP") detail the proposed heavy vehicle routes once contractor details and traffic volumes are confirmed. This will provide Council with certainty and oversight to ensure the most appropriate routes are selected.

National Policy Statement on Highly Productive Soil

7.20 Both the Reporting Officer and I are in agreement that the proposal would constitute "specified infrastructure" under the NPS-HPL. The Reporting Officer does not agree however that a functional need has been demonstrated and therefore considers the proposal to be an inappropriate use of highly productive land, specifically under clause 3.9(2) of the NPS-HPL.

7.21 Under the NPS-HPL (2022, amended 2024), land classified as highly productive (LUC 1, 2 and 3) is protected for primary production. However, clause 3.9 allows for exceptions where there is a functional or operational need for specified infrastructure, such as renewable energy generation, to be located on that land. Functional need and operational need are both defined under the National Planning Standards:

Functional Need *"means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment."*

Operational Need *"means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints."*

7.22 Functional need refers to situations where an activity must occur in a specific location in order to function. For example, a port must be on the coast and a solar farm must be in a sunny area. Operational need relates to efficiency, safety and logistics. For example, a fire station is best placed where it can respond quickly, and a processing plant is best located near a quarry. Similarly, a solar farm is best situated close to a national grid connection.

7.23 I consider that the proposal meets both requirements, noting pursuant to clause 3.9(2)(j) of the NPS-HPL, only one (functional or operational) is required

to be met. I have included both operational and functional needs in the list below. The proposal meets this test due to:

- (a) Suitable solar resource:³⁰ The local area has high solar exposure, making it one of the most efficient locations in the country for solar generation.
- (b) Proximity to grid infrastructure:³¹ The Site is near existing transmission lines and the Transpower substation, reducing the need for extensive new infrastructure.
- (c) Topography and scale:³² The flat, open landscape supports efficient panel layout and maintenance, which is not easily replicated elsewhere.
- (d) Low land use conflict: The area has low population density and limited intensive agricultural activity, minimising displacement of food production and allowing for concurrent land use for both solar generation and sheep grazing.
- (e) Alignment with planning and policy frameworks: The proposal aligns with the District Plan, the RPS, and national legislation, all of which support renewable energy development in rural environments.
- (f) Commercial realities:³³ The commercial realities of securing land rights for a long-term infrastructure project are significant. The lease process involves staged agreements, robust decommissioning obligations, and financial security mechanisms that protect both the landowner and the project. These terms must be negotiated and agreed with willing landowners, which further limits the pool of viable sites. The selected site reflects not only optimal technical criteria but also the successful outcome of a complex and commercially rigorous land access process.

7.24 Overall, the proposed subject site satisfies both operational and functional need. While the functional need aspect may be debated, in my opinion it clearly meets the operational need, and therefore the relevant pathway under clause 3.9 of the NES-HPL is met.

³⁰ Statement of Evidence of Mr Schlichting on behalf of Helios 21 July 2025 at [7.2] – [7.3].

³¹ Statement of Evidence of Mr Schlichting on behalf of Helios 21 July 2025 at [7.4] – [7.6].

³² Statement of Evidence of Mr Schlichting on behalf of Helios 21 July 2025 at [7.7] – [7.10].

³³ Statement of Evidence of Mr Schlichting on behalf of Helios 21 July 2025.

- 7.25 Mr Vincent does ultimately conclude that the proposal adequately protects the productive capacity of the LUC 3 land on the site. He acknowledges that the Site will continue to support land-based primary production (e.g., sheep farming) during the operation of the solar farm and can be reinstated for broader agricultural use post decommissioning. As such, regardless of our disagreement under clause 3.9 of the NPS-HPL both Mr Vincent and I find the proposal to be consistent with the overall objective of the NPS-HPL, as well as Policies 4, 8, and 9.

Landscape Effects

- 7.26 I agree with the Reporting Officer's conclusions that the landscape effects will be adequately managed. I do not agree that the proposal will have substantial short term visual effects, noting I have relied on the Statement of Evidence of Ms McManaway who has stated that the proposed Project is considered to have moderate adverse effects on landscape character in the local landscape in the short term before mitigation planting is established.³⁴ As outlined earlier within my report the landscape assessment as lodged was peer reviewed by Mr Ben Espie. Within this peer review Mr Espie considers that the findings of the Boffa Miskell landscape assessment are "generally logical, plausible and appropriate."³⁵
- 7.27 Regarding the viability of proposed mitigation and enhancement planting, this has been addressed comprehensively within the Statement of Evidence of Ms McManaway, specifically the incorporation of a Landscape Planting and Maintenance Plan or LPMP.³⁶

Acoustic Effects

- 7.28 While the Reporting Officer does not agree with Helios' acoustic expert Mr Ibbotson regarding the appropriate construction noise limits to apply (long term vs typical),³⁷ this is in essence a moot point as the Project will comply with both. In other words, the proposed noise limits as assessed by Mr Ibbotson within his assessment are well under the 70dBA Leq limits specified under NZS 6803:1999.
- 7.29 As outlined within the Statement of Evidence of Mr Ibbotson, the proposed noise from the solar farm operation will be very low and comply with District

³⁴ Statement of Evidence of Ms McManaway on Behalf of Helios 21 July 2025 paragraph 7.13.

³⁵ Landscape and Visual Effects Assessment - Peer Review 24 June 2025, paragraph 29.

³⁶ Mānīatoto solar farm landscape planting & maintenance plan, 28 May 2025.

³⁷ Statement of Evidence of Mr Ibbotson on behalf of Helios 21 July 2025, paragraph 1.8.

Plan requirements by a significant margin.³⁸ Construction noise at its peak (during piling) is calculated by Mr Ibbotson to comply with the required guidelines by a significant margin³⁹. Based on this it does not appear that the Reporting Officer's proposal of a construction noise and vibration management plan is justified by any substantiated adverse effects.

Summary

7.30 The proposed solar farm development has been assessed across a range of potential environmental and operational effects, including wetland setbacks, fire risk, acoustic impacts, landscape character, productive land use, glint and glare and transport-related effects. Expert evidence supports the conclusion that these adverse effects can be effectively avoided, remedied, or mitigated through the implementation of targeted consent conditions. Wetland setbacks have been designed to maintain ecological integrity, while fire risk is addressed through compliance with FENZ guidelines and site-specific management plans. Acoustic effects are predicted to be minimal and within acceptable limits, and landscape impacts are mitigated through strategic siting and planting. The use of productive land is considered appropriate given the minimal presence of productive land on site and the allowances provide for within the NPS-HPL. Transport effects, including construction traffic, are manageable through proposed traffic management plans. Mana whenua input has been incorporated into relevant proposed conditions.

7.31 In my opinion, the proposed changes to the draft condition set are aimed at supporting the conclusions reached within the Section 42A Report, and are aimed at effectively avoiding, remedying or mitigating the adverse effects they are targeted at. These changes are detailed throughout of my evidence and Attachment A.

8. RESPONSE TO RELEVANT SUBMITTERS

8.1 I have read the 181 submissions received in response to the application. The issues raised by submitters have been addressed within the Reporting Officer's Section 42A assessment.

8.2 I broadly agree with the Section 42A Report's assessment of the submissions. Where I have disagreed or consider that additional assessment is beneficial, I have commented further below. It is noted I have not addressed individual

³⁸ Statement of Evidence of Mr Ibbotson on behalf of Helios 21 July 2025, paragraph 1.5.

³⁹ Statement of Evidence of Mr Ibbotson on behalf of Helios 21 July 2025, paragraph 1.6.

submissions, rather I have grouped issues together. Submissions relating to the BESS, now removed from the application, have also not been addressed.

Proposal details and Associated Infrastructure

- 8.3 A number of submitters request further detail regarding the proposal specifically around the substation and connection to the Transpower network, more detailed information around the feasibility of using underground transmission cables and whether the Applicant will in the future seek a variation to the consent to use large transmission pylons. The Statement of Evidence of Mr Schlichting⁴⁰ provides further detail which addresses these questions.
- 8.4 I agree with submitters who highlight the importance of considering all infrastructure associated with the Project. Importantly, the Application does not include towers or overhead transmission lines. The Project has been deliberately progressed with a fully underground transmission solution, at significantly greater cost, to avoid the visual and landscape impacts that towers and lines would present.⁴¹
- 8.5 Any future proposal involving towers or overhead lines would require a separate resource consent and does not form part of this application.

Planting and landscape

- 8.6 Some submitters requested clarification that the proposed mitigation planting would remain at the time of remediation and beyond. The proposed decommissioning plan does not include the removal of any planting.
- 8.7 Several submitters have expressed concerns about the feasibility of the proposed planting and the adequacy of irrigation, particularly given the arid climate of the Mānīatoto area. Broader landscape related concerns were also raised, including potential impacts on rural character and amenity, landscape values, the scale of the development, perceived industrialisation, changes to landscape character, and cumulative effects. These matters have been comprehensively addressed within the landscape evidence, which outlines the mitigation strategy, planting viability, and integration of the proposal into the existing rural context.⁴²

Otago Regional Council Consenting requirements

⁴⁰ Statement of Evidence of Mr Schlichting on behalf of Helios 21 July 2025.

⁴¹ Statement of Evidence of Mr Schlichting on behalf of Helios 21 July 2025 paragraphs [10.17]-[10.22].

⁴² Statement of Evidence of Ms McManaway On Behalf of Helios 21 July 2025.

- 8.8 Some submitters have raised questions in relation to the ORC consenting requirements and request the regional consent requirements be clarified or that the regional consent is jointly notified.
- 8.9 The application provides a complete and transparent suite of information for the current land use district Council consent. All relevant assessments are included, and no aspects of the proposal are withheld.
- 8.10 It is possible that through detailed design work, other regional consenting requirements may be required. The detailed design work will include detailed onsite geotechnical assessments which will confirm groundwater heights, informing any dewatering requirements. Initial assessment⁴³ is that the relevant permitted rules can be comfortably met, however, if this is required any application would be assessed on its merits and, where further information was required, would be supplied by the Applicant through that resource consenting process.⁴⁴

Cumulative Effects

- 8.11 A number of submitters raised the issues of cumulative effects, specifically concerned that if this proposal was approved it may trigger more farms to convert to solar energy generation.
- 8.12 Under the RMA, councils must consider not only the direct effects of a proposal but also its cumulative effects - the combined impact of similar activities over time. This ensures that even if individual projects seem acceptable, their broader impact is not overlooked.
- 8.13 The District Plan reinforces this through the resource consent process, noting that solar farms require discretionary activity consent that include an assessment of cumulative impacts on landscape, amenity, and community values. Each solar farm must be assessed independently, and any future proposals would undergo the same scrutiny. This process ensures that cumulative effects are carefully managed and that the unique character of the region is protected.
- 8.14 Through the application process cumulative effects have been addressed comprehensively by Boffa Miskell within their evidence⁴⁵ and within the AEE.⁴⁶

⁴³ Application for Resource Consent Mānīatoto Plain Solar Farm" by Helios OTA Op LP, 16 June 2025, section 4.4 pp 30.

⁴⁴ National Environmental Standards for Freshwater 2020, Clause 45(2).

⁴⁵ Statement of Evidence of Ms McManaway on behalf of Helios 21 July 2025 Section 8.

⁴⁶ Application for Resource Consent Mānīatoto Plain Solar Farm" by Helios OTA Op LP, 16 June 2025, sections 5.5 and 5.6, pp 11 – 18.

Cultural Considerations

- 8.15 One submitter raised concerns about consultation in generally and mana whenua engagement more specifically. Engagement with mana whenua engagement is detailed within the Helios Corporate evidence.⁴⁷ Consent conditions have been developed in consultation with Kā Rūnaka, consistent with the commitments set out in the formal relationship agreement.

Scale of proposal and Process

- 8.16 A number of submitters have raised concerns suggesting that New Zealand legislation has not kept pace with the unique effects of solar farms such as Visual and landscape effects, ground water contamination, fire risk etc.
- 8.17 The District Plan applies a discretionary activity status to renewable energy projects, meaning all aspects of a proposal, such as environmental, technical, and community-related, are fully assessed. There is also strong policy support for renewable energy through the NPS-REG, the RPS, and National Environmental Standards. Recent proposed updates to the NPS - REG⁴⁸ aim to make the consenting process more enabling while still managing adverse effects responsibly. While it is noted these proposed changes do not make up the legal statutory policy framework, it does provide an indication of the policy direction.
- 8.18 This ensures that while technology advances, projects are still subject to comprehensive, case by case evaluation, balancing the importance of additional sources of renewable generation to power the country, with environmental and community safeguards.
- 8.19 Submitters have also questioned whether the scale of the Helios proposal was anticipated when the District Plan was written. While large scale solar was not present in New Zealand at that time, the Rural Resource chapter of the Plan supports power generation as a means of enhancing rural values through sustainability, energy resilience, and economic diversification. The broad language of the Plan allows for emerging technologies that align with these goals, and the Project is consistent with this intent, continuing the district's legacy of supporting nationally significant energy infrastructure.

⁴⁷ Statement of Evidence of Mr Schlichting on behalf of Helios 21 July 2025.

⁴⁸ Discussion document: Infrastructure and development. Te Kāwanatanga o Aotearoa. New Zealand Government.

- 8.20 While it is acknowledged that the scale of the proposed solar farm is large, the benefits are commensurate with this scale. The Statement of Evidence of Mr Schlichting addresses the national and local benefits of the Project.⁴⁹

Condition suitability and monitoring

- 8.21 Some submitters have raised concerns about who is responsible for ensuring that the proposal proceeds as proposed and in accordance with conditions of consent. Under the RMA, the Applicant is legally required to carry out the proposed activity in full compliance with all conditions of an approved resource consent. The Council is similarly obligated to monitor and enforce these land use/district resource consent conditions. This responsibility includes undertaking Site inspections, conducting compliance checks, and taking follow-up action where necessary. Council may also require regular reporting from consent holders and has the authority to enforce conditions or initiate corrective measures in the event of non-compliance.
- 8.22 Monitoring is not discretionary; it is a statutory duty intended to safeguard environmental values and ensure that development remains consistent with the District Plan and the RMA. The suitability of the proposed conditions is addressed within section 7 of this evidence.

Site Selection and assessment of alternatives:

- 8.23 A number of submitters raise concerns about the district's isolation, limited infrastructure, and the perceived scale of the proposed Project. These concerns include the opinion that the Mānīatoto, and the Site specifically, are not a suitable location for a development of this nature. Some submitters also suggest that the Project would be better located in the North Island, closer to major population centres and greater electricity demand. The Statement of Evidence of Mr Schlichting⁵⁰ addresses the site selection process in detail. Matters directly related to planning have been addressed below.
- 8.24 The nature and scale of the Project, once operational, is such that it does not place significant demand on local infrastructure or services. It is a passive land use with minimal ongoing onsite activity and generating low levels of traffic, noise, or pressure on emergency services. Detailed assessments of fire risk,⁵¹ traffic⁵² and other operational matters and associated affects, are addressed in the expert evidence suite and are not repeated here.

⁴⁹ Statement of Evidence of Mr Schlichting on behalf of Helios 21 July 2025, section 6.

⁵⁰ Statement of Evidence of Mr Schlichting on behalf of Helios 21 July 2025 section 7.

⁵¹ Statement of Evidence of Mr Denize on behalf of Helios 21 July 2025.

⁵² Statement of Evidence of Mr Copland on behalf of Helios 21 July 2025.

- 8.25 The proposal has clear functional and operational needs that make this site uniquely suitable for solar generation, these are addressed in further detail in relation the NPS -HPL within section 7 of this assessment.
- 8.26 Although the Project is large in scale, the associated benefits are commensurate.⁵³ The Site has been carefully selected⁵⁴ to minimise adverse effects while maximising regional and national benefits. These include increased renewable energy capacity, improved energy resilience, and ecological enhancements through wetland protection and reduced land disturbance compared to intensive farming.

Productive land and impact on farming

- 8.27 Some submitters have raised concerns regarding the impact of the rural farming resource. It is important to clarify that the subject site will continue to be used for farming, specifically sheep grazing, alongside solar energy generation. This dual land use model is a key feature of the proposal and ensures that the land remains productive while contributing to renewable energy goals.
- 8.28 The Project has been designed to minimise soil disturbance and reduce soil compaction. The installation process will drive piles directly into the ground without the need for foundations and reduce soil compaction. Grass and proposed landscape and ecological planting will be maintained under and around the panels, supporting ground cover stability and reducing erosion risk. In fact, the shift from intensive farming to a more passive land use is expected to reduce pressure on the soil and allow for natural regeneration in some areas.
- 8.29 Concerns relating to the NPS-HPL are addressed in detail within section 7 of this evidence. In summary, the proposal meets the functional and operational needs of renewable energy generation while maintaining the Site's productive capacity and enhancing ecological values over time. Adverse effects can be suitable managed and mitigated through proposed conditions of consent.

Consultation

- 8.30 Some submitters have raised concerns regarding the quality of community consultation that was undertaken prior to the lodgement of the resource consent, and the transparency of the feedback received. As outlined within the

⁵³ Statement of Evidence of Mr Schlichting on behalf of Helios 21 July 2025 section 6.

⁵⁴ Statement of Evidence of Mr Schlichting on behalf of Helios 21 July 2025 section 7.

AEE,⁵⁵ and the Statement of Evidence of Mr Schlichting, Helios has undertaken a comprehensive pre-application engagement process to ensure early and meaningful involvement of the local community, iwi, and key stakeholders.⁵⁶ The engagement began in July 2023 with direct outreach to Aukaha, establishing an ongoing relationship that includes the circulation of draft assessment material for feedback. Adjoining landowners were personally contacted through phone calls, brochures, face to face meetings, and invited to a community drop in session held on 5 October 2023 at the Māniatoto Golf Club, which was attended by approximately 35 - 40 people. Feedback was received both verbally and through written forms.

8.31 In addition to this proactive engagement, the public notification process itself provides a formal opportunity for submissions and ensures that submitters are able to be heard at a hearing.

8.32 Overall, I consider that the process to date represents consultation with the community above and beyond that required by the RMA.

DOC and ORC

8.33 Submissions by DoC and ORC have been addressed within section 5 of my evidence above. It is my understanding that concerns raised by ORC have been resolved based on the removal of the BESS and the circulation of further information relating to fire risk⁵⁷ and water contamination.⁵⁸

8.34 As outlined previously, DOCs concerns were largely focussed on the risk to avifauna which has been addressed in more detail within the Statement of Evidence of Ms Sievwright,⁵⁹ and are now resolved through the agreed condition set.

Bond

8.35 Some submitters have sought that a bond be imposed to provide additional comfort to the Council in relation to decommissioning at the end of the consent duration. This has been addressed in detail in the Statement of Evidence of Mr Schlichting⁶⁰ in relation to the comfort that is already provided through both the

⁵⁵ Application for Resource Consent Māniatoto Plain Solar Farm" by Helios OTA Op LP, 16 June 2025 Section 7 pp73-74.

⁵⁶ Statement of Evidence of Mr Schlichting on behalf of Helios 21 July 2025 section 8.

⁵⁷ Fire Risk and Mitigations & Commentary Māniatoto Plain Solar Farm Prepared for Helios Energy Ltd Prepared by Beca Ltd – 2 July 2025.

⁵⁸ Statement of Evidence of Mr Schlichting on behalf of Helios 21 July, paragraphs 10.31 – 10.38.

⁵⁹ Statement of Evidence of Ms Sievwright on behalf of Helios 21 July 2025.

⁶⁰ Statement of Evidence of Mr Schlichting on behalf of Helios 21 July 2025 paragraphs [12.11]-[12.16].

consent conditions and the property arrangements, as well as the commercial implications of such a condition. From a planning perspective, I do not see such a condition providing any meaningful environmental benefit, and given the corresponding costs, I do not consider it is necessary or appropriate.

Summary

- 8.36 The proposal has addressed a wide range of concerns raised by submitters, with responses grounded in the RMA framework and supported by expert evidence and further information. Infrastructure elements such as access and transmission have been designed to minimise environmental effects, supported by planting and management plans. Landscape and visual concerns are mitigated through a landscape maintenance plan and glint and glare assessments. Cumulative effects have been considered and are deemed appropriate within the broader planning context.
- 8.37 Cultural values have been acknowledged through iwi engagement, and the scale of the proposal is justified by national energy goals and the suitability of the site, selected for its solar resource, flat terrain, and proximity to transmission infrastructure. Farming compatibility is maintained through continued sheep grazing, and consultation has been ongoing and constructive.
- 8.38 The proposed consent conditions, including monitoring, ecological and landscape management, and operational controls, are tailored to effectively manage potential adverse effects.

9. CONCLUSION

- 9.1 Subject to the proposed conditions, the Helios solar farm represents a significant opportunity for renewable energy development in New Zealand. It aligns with national goals for decarbonisation and energy security, while avoiding, mitigating, or managing environmental effects. The project demonstrates how large-scale solar can be responsibly integrated into the landscape and local economy, delivering long-term benefits to both the region and the country.

Mishka Banhidi
21 July 2025

**Attachment A (both a clean version and version showing the changes in
strikethrough and underline are provided)
(separate attachment)**

Attachment B
(separate attachment)

Attachment C
(separate attachment)