

Response ID ANON-URZ4-5F9X-1

Submitted to Fast-track approval applications
Submitted on 2024-05-02 14:47:42

Submitter details

Is this application for section 2a or 2b?

2A

1 Submitter name

Individual or organisation name:
Black Point Solar Limited

2 Contact person

Contact person name:
Campbell McMath

3 What is your job title

Job title:
Director

4 What is your contact email address?

Email:
s 9(2)(a)

5 What is your phone number?

Phone number:
s 9(2)(a)

6 What is your postal address?

Postal address:

Unit 2A, 465 Mount Eden Road, Auckland 1024

7 Is your address for service different from your postal address?

No

Organisation:

Contact person:

Phone number:

Email address:

Job title:

Please enter your service address:

Section 1: Project location

Site address or location

Add the address or describe the location:

636 Smillies Road,
RD 8C
Oamaru
Canterbury
9491
New Zealand

File upload:

EPNZ-3017-GA(MAP)-1-R5.pdf was uploaded

Upload file here:

No file uploaded

Do you have a current copy of the relevant Record(s) of Title?

Yes

upload file:

Scan 2024-05-01_13-59-24_2.pdf was uploaded

Who are the registered legal land owner(s)?

Please write your answer here:

Wills Farm Holdings Limited

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur

Please write your answer here:

Black Point Solar Limited has a formal Lease Option Agreement with Wills Farm Holdings Limited in relation to the site. Once the option is exercised, the agreement provides for a three year period to obtain the necessary resource consents, obtain project financing once all consent approvals are in place, and complete the development process.

Section 2: Project details

What is the project name?

Please write your answer here:

Black Point Solar Farm

What is the project summary?

Please write your answer here:

The project is a large-scale solar farm on a 240 hectare site at Black Point, Waitaki, Canterbury. The regionally and nationally significant infrastructure project will provide renewable energy and strengthen network resilience for important local and regional agricultural and commercial activities as well as the wider New Zealand grid.

What are the project details?

Please write your answer here:

The purpose of the project is to address New Zealand's, and Canterbury's, urgent demand for the doubling of renewable energy sources to reach our target of net zero carbon by 2050.

The objective of the project is to establish a large-scale renewable generation activity that will supply (and store) energy to feed into the national grid and strengthen the resilience of the local and wider network. The project will contribute around 270 GWh of renewable energy per year, which is approximately enough energy to power 38,000 homes. The project will have significant national and regional benefits due to energy demands both nationally and in this particular location, and the critical need to transition to renewable energy sources and away from greenhouse gas emissions. The project will also, importantly, strengthen network resilience for Network Waitaki and the wider New Zealand grid by supplying peak generation during high irrigation loads and enabling local commercial growth.

The project activities include the construction and operation of the solar farm. Construction will generate significant employment opportunities for the region. Once operational, the site will consist of around 380,000 fixed and tracking solar panels along with associated infrastructure, including battery storage to enable further grid support, security and time shifting of power outputs.

The solar farm will connect to the national grid by way of a new, adjacent Transpower grid exit point being planned separately by Network Waitaki.

The site is at present a deer and sheep farm. As part of the project, sheep or other compatible farming will continue under and around the solar panels, maintaining the productive potential of the site.

Describe the staging of the project, including the nature and timing of the staging

Please write your answer here:

The project is not currently proposed to be staged. Once the necessary consent approvals and project finance are in place, the project will be constructed in its entirety at once and generation activities will commence.

What are the details of the regime under which approval is being sought?

Please write your answer here:

Application under section 88 of the Resource Management Act 1991 for all necessary resource consents to establish and operate a solar farm.

If you seeking approval under the Resource Management Act, who are the relevant local authorities?

Please write your answer here:

Waitaki District Council
Canterbury Regional Council

What applications have you already made for approvals on the same or a similar project?

Please write your answer here:

No previous applications have been made for this or a similar project.

Is approval required for the project by someone other than the applicant?

No

Please explain your answer here:

No additional approvals are required.

If the approval(s) are granted, when do you anticipate construction activities will begin, and be completed?

Please write your answer here:

The high level timeline will involve, once approvals are granted:
Obtaining project finance – 9 months.

Detailed design and procurement including electrical design in conjunction with Network Waitaki and Transpower – 12 months.

(the above steps run at the same time)

Construction and commissioning – 12 months.

The total timeline from approvals being granted is approximately two years.

Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

Who are the persons likely to be affected by the project?*

Waitaki District Council
Canterbury Regional Council
Te Runanga o Moeraki
Transpower New Zealand Limited
Network Waitaki Limited

There are six owners of properties adjoining and opposite the site who may be considered to be affected persons – K & D Farms Limited, Willowcliff Farm Limited, Springbank Properties Limited, Brookstead Limited, Invernina Holdings Limited and J&M Dekker and SJ Bignall.
Heritage New Zealand Pouhere Taonga – there is an archaeological rock outcrop of the site but no proposal to develop on or near this archaeological site so they will not be considered an affected party.

Detail all consultation undertaken with the persons referred to above. Include a statement explaining how engagement has informed the project.

Please write your answer here:

The applicant has undertaken initial discussions with Network Waitaki and Transpower about a project in this location. This informed the final site selection and the applicant will continue to work with Network Waitaki and Transpower in relation to the grid connection and any aspects relating to Transpower's high voltage lines crossing the site.

The applicant has undertaken initial discussions with Waitaki District Council as to the consenting requirements and considerations and will continue to work with Council representatives on this matter. The local MP Miles Anderson has been consulted with on the project.
The applicant understands that initial contact with Te Runanga o Moeraki is to be undertaken through Waitaki District Council and has not therefore undertaken any iwi consultation as yet. Once that contact is made, the applicant is very much open and willing to communicate directly with Te Runanga o Moeraki and to consider and respond to any cultural matters raised in relation to the project. In any case, the applicant intends to make contact with Te Runanga o Moeraki to advise them of this application being made and to offer to work with the directly as the project progresses.

The applicant has undertaken initial discussions with the owners of properties adjoining and opposite the site. It is proposed that any concerns raised by these landowners will be considered and, where appropriate, addressed in the design of the project.

Upload file here:

No file uploaded

Describe any processes already undertaken under the Public Works Act 1981 in relation to the land or any part of the land on which the project will occur:

Please write your answer here:

Not applicable.

Section 4: Iwi authorities and Treaty settlements

What treaty settlements apply to the geographical location of the project?

Please write your answer here:

No treaty settlements apply to the project site.

In the wider area, the Waitaki River has a Statutory Acknowledgement under the Ngāi Tahu Claims Settlement Act 1998. The purpose of the Statutory Acknowledgement is:

To ensure that Ngāi Tahu's particular associations with the river are identified, and that Te Runanga o Ngāi Tahu is informed when a proposal may affect this area.

To improve the implementation of RMA processes, by requiring consent authorities to have regard to Statutory Acknowledgements when making decisions on the identification of affected parties.

However, the project site is not within, adjacent to, or impacted directly by the Statutory Acknowledgement area. The Waitaki River is not within the geographical area of the site – the site does not border with and is located approximately 900m north of the Waitaki River. Therefore, the project is unlikely to affect Ngāi Tahu's cultural values and association with this Statutory Acknowledgement area.

Are there any Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 principles or provisions that are relevant to the project?

No

If yes, what are they?:

Are there any identified parcels of Māori land within the project area, marae, and identified wāhi tapu?

No

If yes, what are they?:

As noted earlier in this application, on the subject property there is a rock outcrop of archaeological significance with iwi connection in history, but the project deliberately avoids this area so it is not affected by development activities.

Is the project proposed on any land returned under a Treaty settlement or any identified Māori land described in the ineligibility criteria?

No

Has the applicant has secured the relevant landowners' consent?

Yes

Is the project proposed in any customary marine title area, protected customary rights area, or aquaculture settlement area declared under s 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004 or identified within an individual iwi settlement?

No

If yes, what are they?:

Has there been an assessment of any effects of the activity on the exercise of a protected customary right?

No

If yes, please explain:

Upload your assessment if necessary:

No file uploaded

Section 5: Adverse effects

What are the anticipated and known adverse effects of the project on the environment?

Please describe:

See attached file.

Upload file:

Black Point - effects assessment.pdf was uploaded

Section 6: National policy statements and national environmental standards

What is the general assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard?

Please write your answer here:

The following two National Policy Statements are relevant to the project.

National Policy Statement for Renewable Energy Generation 2011 (NPS-REG)

The NPS-REG requires decision makers to recognise the benefits of renewable electricity generation and to acknowledge the practical implications of achieving New Zealand's target of 100% renewable energy generation by 2030. This target can only be achieved through increasing renewable generation infrastructure. The NPS-REG acknowledges the practical constraints associated with the development, operation, and maintenance and upgrading of renewable electricity activities. To this extent, the NPS-REG requires decision-makers to have regard to:

- (i) the need to locate renewable energy generation where the energy resource is available;
- (ii) logistical or technical practicalities associated with developing, upgrading, operating, or maintaining the renewable electricity generation activity; and
- (iii) the location of existing structures and infrastructure including, but not limited to, roads, navigation and telecommunication structures and facilities, the distribution network, and the national grid in relation to the renewable electricity generation activity, and the need to connect renewable electricity generation activity to the national grid.

The proposal will achieve the objectives and policies of the NPS-REG by providing a significant amount of new renewable energy generation in a location that can efficiently connect to the distribution network, and will ultimately contribute towards New Zealand's renewable energy generation target. Specifically, the project will help New Zealand reach carbon zero, at 124g/kWh (as at 10 April 2024) by approximately 33,000 tons of CO₂.

National Policy Statement on Highly Productive Land 2022 (NPS-HPL)

The site is located on LUC 2-4 land. LUC 2-3 land is considered "highly productive" under the NPS-HPL. The NPS-HPL contains a directive that territorial authorities must avoid the inappropriate use or development of highly productive land that is not land-based primary production.

There is a pathway under the NPS-HPL for renewable energy projects to be considered "not inappropriate" and therefore consistent with the requirements of the NPS-HPL. The pathway exists for the maintenance, operation, upgrade or expansion of specified infrastructure, where there is a functional or operational need for the use or development to be on the highly productive land.

In addition, the project will minimise and mitigate the loss of the availability and productive capacity of the highly productive land (as is required by the NPS-HPL) because sheep or other compatible farming will continue under and around the solar panels. The dual use of land, for agriculture and generation of renewable electricity, has a large positive net effect. For example, soil quality is likely to be improved over the life of the lease due to gains in the level of organic matter under grazed pasture. In addition, at the end of the solar lease, it is feasible to physically remove all solar panels, galvanised poles, control containers and electrical cables allowing full reinstatement of the land for productive purposes.

The project meets the exemption pathway and other requirements in the NPS-HPL. However, the language of the NPS-HPL is not clear cut and there are examples of renewable energy (i.e. solar) projects having difficulty during the consenting process. This is a key reason for pursuing this fast-track application.

File upload:

No file uploaded

Section 7: Eligibility

Will access to the fast-track process enable the project to be processed in a more timely and cost-efficient way than under normal processes?

Yes

Please explain your answer here:

The applicant has now had several experiences with consenting renewable energy projects in various locations. The district and regional consenting processes are generally lengthy due to the relative novelty of these types of projects in New Zealand, especially those that propose dual solar and agricultural use. They tend to involve requirements for the significant provision of information across various different disciplines and multi-day consent hearings before independent commissioners so that local authority staff and submitters are able to participate.

In particular, the applicant, along with many other solar developers, has struggled with the interpretation issues associated with the NPS-HPL and has found these to be a barrier, or at least to add significant time and expense to consent processes. This is a key reason why a fast-track application is being

pursued and why it is considered that the fast-track process will enable the project to be processed in a more timely and cost-efficient way than under the normal processes.

In this case, it could take over 12-18 months from the lodgement of applications to reach a council-stage decision. Regardless of whether the applications are approved or declined, there is a risk of appeal to the Environment Court. The Court process and current Court timeframes mean that this could add at least a year and more likely two more years for consent approvals to be obtained, all at significant cost to the applicant (and other participants).

Alternatively, under the fast-track process, significant time and cost savings would be achieved, allowing the applicant to progress to detailed design, funding, construction and commissioning many months (if not more than a year) faster and with increased certainty.

What is the impact referring this project will have on the efficient operation of the fast-track process?

Please write your answer here:

The Fast-Track Approvals Bill 2024 was introduced with the specific purpose of providing a streamlined decision-making process that facilitates the delivery of infrastructure and development projects with significant regional or national benefits. Overall, it aims to expedite approvals for projects that contribute to the overall well-being and growth of communities.

Referring this project strongly aligns with the purpose and efficient operation of the fast-track process because it is an ideal candidate for referral. The project clearly meets the requirements of the Bill for eligibility and referring the project will speed up the delivery of critical renewable energy infrastructure for the benefit of the region and New Zealand more broadly.

The project's objectives and scope are clearly defined, as outlined earlier in this application. This means the future decision-makers will be able to assess the merits of the project without unnecessary delays. In addition, the Bill still requires rigorous assessment, which is available for the project. Based on the work done to date, the project is appropriate for a streamlined, but still thorough assessment process.

Ultimately, the project will result in significant regional and national benefits in the provision of renewable energy (which is considered regionally and nationally significant infrastructure in both the NPS-REG and Canterbury Regional Policy Statement), supporting climate change mitigation (emissions reduction), and supporting primary industries (i.e. agriculture/irrigation in this location). This is highly consistent with the efficient operation of the fast-track scheme.

Has the project been identified as a priority project in a:

Not Answered

Please explain your answer here:

The project has not been specifically identified in a central or local government plan or strategy, but increasing renewable energy generation is widely known to be a central government priority (and urgent need).

Will the project deliver regionally or nationally significant infrastructure?

National significant infrastructure

Please explain your answer here:

The project will deliver both regionally and nationally significant infrastructure. Renewable energy generation is identified as regionally significant infrastructure in the Canterbury Regional Policy Statement. Renewable energy generation is also identified as nationally significant infrastructure in the NPS-REG. The importance of renewable energy infrastructure is clearly established across the various RMA planning documents.

Will the project:

contribute to a well-functioning urban environment

Please explain your answer here:

The project will contribute to a well-functioning urban environment because it will assist with emissions reductions and the resilience of the electricity network. Both are critical aspects for a well-functioning urban environment.

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

The project cost will be in the vicinity of s 9(2)(b)(ii) which is a significant contribution to the regional and national economics. During construction, there will be employment of around 200 full time equivalent staff working on the project, which is significant in this regional location. During operation, there will be employment of around 15 full time equivalent staff generally working off-site but on-site as required.

In addition, energy demands in the region will only increase with electrification being a key part of New Zealand's transition to a low emissions future. By providing significant additional energy, the project will assist in meeting these demands which in turn should keep energy prices lower, helping the economy.

Will the project support primary industries, including aquaculture?

Yes

Please explain your answer here:

The project will support the primary industry of agriculture in the region. Specifically, there is an irrigation pumping station less than 1km from the solar site, which has a capacity of 25MVA. Having the solar farm in the vicinity will result in less energy losses associated with the operation of the pumping station and a better environmental footprint. With more energy supply in the area, this will likely result in more favourable pricing for the region as a whole.

With Alpine Fault 8, the solar farm in close proximity to the pumping station means there is greater resilience of energy supply and greater ability to keep the pumping station, together with farming and urban communities in the locality, powered and economically productive.

Will the project support development of natural resources, including minerals and petroleum?

No

Please explain your answer here:

Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions?

Yes

Please explain your answer here:

The project will produce a substantial amount of renewable energy generation, which will assist in New Zealand's transition to a low emissions economy, i.e. a reduction of greenhouse gas emissions due to the availability of a renewable energy source.

Looking specifically at the locality, in the Network Waitaki area, the current total capacity is 121MVA. In Network Waitaki's AMP24, the total capacity requirement by 2033 is shown to increase to 230 MVA. The project will therefore in certain conditions be able to power the entire Network Waitaki area with 100% renewable energy. The total energy Network Waitaki uses at present is 238 GWh per year, which is around the total energy the solar farm will generate.

The project will also produce this energy supply close to the "load", which means there will be less energy losses than if the energy had to travel long distances to reach the end users, as is currently the case. In other words, having the solar farm embedded within the Network Waitaki network reduces Transpower losses.

Will the project support adaptation, resilience, and recovery from natural hazards?

Yes

Please explain your answer here:

As outlined earlier in this application, the establishment of renewable energy generation in the end user location creates significant resilience in instances of natural hazards, where other energy supply sources may be cut off.

During disasters (such as Alpine Fault 8) the project will have the ability to assist in recovery and energise cities such as Oamaru keeping the economy going and lights on. With the provision for battery storage as part of the project, energy can be stored and released during peak times, and disasters. In addition, solar farms are by their nature resilient to many types of natural disasters, such as earthquakes and flooding and other extreme weather events.

Will the project address significant environmental issues?

Yes

Please explain your answer here:

The project will address the significant environmental issue of climate change, as addressed in detail elsewhere in this application.

Is the project consistent with local or regional planning documents, including spatial strategies?

Yes

Please explain your answer here:

In the Waitaki District Plan, utility facilities such as the project are addressed within relevant objectives and policies which support the establishment of the development of electricity generating activities.

The Waitaki District has a significant level of hydro-generation of electricity through, for example, the hydro dams at Benmore and Aviemore, so renewable energy exists in this District now. This project would provide an alternative source of renewable energy, particularly for differing weather conditions.

The Canterbury Regional Policy Statement makes provision for renewable energy as a resource and that renewable energy needs to factor potential effects on the environment. Solar energy would be factored alongside wind and wave energy as energy generating options.

Anything else?

Please write your answer here:

Does the project includes an activity which would make it ineligible?

No

If yes, please explain:

Section 8: Climate change and natural hazards

Will the project be affected by climate change and natural hazards?

No

If yes, please explain:

No, however the project will assist with emissions reductions and climate change resilience

Section 9: Track record

Please add a summary of all compliance and/or enforcement actions taken against the applicant by any entity with enforcement powers under the Acts referred to in the Bill, and the outcome of those actions.

Please write your answer here:

N/A

Load your file here:

No file uploaded

Declaration

Do you acknowledge your submission will be published on environment.govt.nz if required

Yes

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Please write your name here:

Campbell McMath

Important notes