

In Confidence

Office of the Minister for the Environment

Chair, Cabinet

COVID-19 Recovery (Fast-track Consenting) Referred Projects (Harmony Energy Solar Farms) Amendment Order 2023

Proposal

- 1 This paper seeks authorisation for submission to the Executive Council of the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Harmony Energy Solar Farms) Amendment Order 2023 (the Amendment Order).
- 2 The Amendment Order amends the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020 to include as projects referred to an expert consenting panel (panel):
 - 2.1 Harmony Energy NZ #3 Limited's Harmony Energy Solar Farm–Marton Project (Schedule 77)
 - 2.2 Harmony Energy NZ #4 Limited's Harmony Energy Solar Farm–Opunake Project (Schedule 78)
 - 2.3 Harmony Energy NZ #2 Limited's Harmony Energy Solar Farm–Carterton (Schedule 79).

Executive Summary

- 3 The COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) is one of the Government's temporary actions to support New Zealand's economic recovery from COVID-19. The FTCA enables any person to apply to me, as Minister for the Environment, to fast-track certain approvals required under the Resource Management Act 1991 (RMA) for their project.
- 4 Projects that I accept are referred to a panel by an amendment to the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020, subject to Cabinet's agreement. This allows an applicant to lodge resource consent applications and/or notices of requirement for a designation with the Environmental Protection Authority (EPA) for consideration by a panel.
- 5 Before granting RMA approvals a panel must conduct a merit-based assessment of the project's actual and potential effects and test these against the requirements of both Part 2 of the RMA and the purpose of the FTCA.
- 6 I received applications from:
 - 6.1 Harmony Energy NZ #3 Limited (HENZ#3 Ltd) to fast-track the Harmony Energy Solar Farm–Marton Project (Marton Project)

- 6.2 Harmony Energy NZ #4 Limited (HENZ#4 Ltd) to fast-track the Harmony Energy Solar Farm–Opunake Project (Opunake Project)
- 6.3 Harmony Energy NZ #2 Limited (HENZ#2 Ltd) to fast-track the Harmony Energy Solar Farm–Carterton Project (Carterton Project).
- 7 Each project is to construct and operate a solar farm connected and supplying electricity to the National Grid. The Marton Project site covers approximately 120 hectares on the southern outskirts of Marton in Rangitikei District. The Opunake Project site covers approximately 151 hectares lying approximately eight kilometres north-east of Opunake in South Taranaki District. The Carterton Project site covers approximately 218 hectares in Carterton District, approximately two kilometres south-west of Masterton.
- 8 I sought written comments on each application from the relevant local authorities, relevant Ministers prescribed by the FTCA including the Minister of Energy and Resources and the Minister of Agriculture, and from Transpower New Zealand Limited (Transpower).
- 9 For each project I considered all comments received and the reports prepared under section 17 of the FTCA.
- 10 I have accepted all three projects for referral as I am satisfied that they each meet the eligibility criteria specified in section 18 of the FTCA. Each project will help achieve the FTCA's purpose by generating employment primarily over a 12–18 month construction period, contributing to improving economic and employment outcomes, and contributing to efforts to mitigate climate change and transition more quickly to a low emissions economy by increasing New Zealand's renewable energy generation.
- 11 I consider all three projects will likely progress faster using the FTCA processes than if consents were sought through standard RMA processes, and for each project any actual and potential effects on the environment, together with any measures to mitigate, offset or compensate for adverse effects, can be considered and determined by a panel subject to Part 2 of the Resource Management Act 1991 (RMA) and the purpose of the FTCA.
- 12 I now seek authorisation for submission of the Amendment Order to the Executive Council. The Amendment Order enables HENZ#3, HENZ#4 and HENZ#2 to apply via the EPA to a panel for the relevant approvals needed under the RMA for their respective projects, in accordance with the process in the FTCA.

Background

- 13 The FTCA is one of the Government's temporary actions to support New Zealand's economic recovery from COVID-19, by promoting employment and supporting on-going investment. Access to the FTCA referrals process remains in place until the FTCA is repealed in July 2023.
- 14 The FTCA enables any person to apply to me, in my role as Minister for the Environment, to access the fast-track consenting process for their project. If I accept an application, the project is referred by Order in Council – specifically, via an amendment that adds the project as a new schedule to the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020 – subject to Cabinet's agreement. This allows an applicant to lodge a resource consent application or notice of requirement for a designation with the EPA for consideration and decision by a panel.

- 15 Panels are appointed by Panel Convener Judge Laurie Newhook and are constituted according to the specific representation, skills and knowledge required for the project under consideration. Before a panel grants any RMA approvals for the project it must, among other things, consider comments from invited parties on the applications for these approvals, assess the project's actual and potential effects, and test these effects against the requirements of Part 2 of the RMA and the purpose of the FTCA. As part of this process the panel may seek further information from a range of parties, including those invited to comment.
- 16 I receive weekly updates on the projects accessing the fast-track provisions and their progress.
- 17 As of 30 May 2023, 167 applications have been made under the FTCA to refer projects to a panel, of which:
 - 17.1 76 projects have been referred and Orders in Council gazetted. Details are in Appendix one. In summary, for these projects:
 - 17.1.1 36 have been granted RMA approvals by a panel (Kapuni Green, Ariki Tahi Sugarloaf Wharf, Botanic Riverhead are under appeal)
 - 17.1.2 2 has had applications for RMA approvals declined by a panel (Flints Park - Ladies Mile is under appeal)
 - 17.1.3 14 are under active panel consideration
 - 17.1.4 22 have yet to lodge RMA applications
 - 17.1.5 2 have subsequently decided not to seek RMA approvals through the panel process or have withdrawn from a panel process before it was completed.
 - 17.2 13 projects have been accepted for referral and are awaiting Orders in Council. This includes the projects that are the subject of this paper
 - 17.3 28 referral applications are being processed and are yet to receive referral decisions
 - 17.4 35 referral applications have been declined for a range of reasons including not meeting the purpose of the FTCA and it being more appropriate for them to go through the standard RMA consenting process
 - 17.5 15 referral applications have been withdrawn by the applicants.
- 18 I am not required to make referral decisions on projects listed in Schedule 2 of the FTCA. Authorised persons or entities for these projects may lodge their applications for RMA approvals with the EPA at any time while the relevant FTCA provisions are in force. An update on the listed projects is in Appendix two.

Project for referral: Marton Project

- 19 HENZ#3 applied to use the fast-track consenting process for the Marton Project. The project is to construct and operate a solar farm on an approximately 120-hectare site comprising three properties at 122 and 196 Whales Lane and 379 Pukepapa Road, Marton, and to connect to and supply electricity to the national grid via the Pukepapa

Road legal road reserve. The solar farm will have an output of approximately 65 Megawatt-peak and will comprise:

- 19.1 approximately 103,000 solar panels, occupying approximately 93 hectares
 - 19.2 arrays and mounting structures, inverter cabinets, underground cables and associated infrastructure
 - 19.3 28 power stations, two substations and one transformer
 - 19.4 ancillary buildings, structures and infrastructure (including a storage building, roads, access, security fencing, CCTV poles and other infrastructure)
 - 19.5 underground electricity cables, including within road reserve to connect to the Transpower substation at 362 Pukepapa Road, Marton.
- 20 The project involves activities such as removing vegetation, earthworks, diverting and discharging groundwater, discharging stormwater and contaminants, constructing buildings and structures, installing electricity cables and ancillary infrastructure, constructing and upgrading roads, access and parking areas, and landscaping and planting (including of riparian margins of the Tutaenui Stream).
- 21 The project requires land use consents under the Rangitikei District Plan, water and discharge permits under the Horizons Regional One Plan, and resource consents under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES-CS) and the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F).
- 22 I sought written comments on the referral application from the relevant local authorities – Rangitikei District Council (RDC) and Horizons Regional Council (HRC), from relevant Ministers as determined by section 21(6) of the FTCA including the Minister of Energy and Resources and the Minister of Agriculture, and from Transpower.

Overview of comments

- 23 s 9(2)(f)(ii), s 9(2)(g)(i)
- 24 s 9(2)(f)(ii), s 9(2)(g)(i)
- 25 s 9(2)(f)(ii), s 9(2)(g)(i)
- 26 s 9(2)(f)(ii), s 9(2)(g)(i)

s 9(2)(f)(ii), s 9(2)(g)(i)

27 s 9(2)(f)(ii), s 9(2)(g)(i)

- 28 RDC opposed project referral and considered the project should proceed through standard RMA consenting processes. RDC considered the project has potential for significant adverse effects, including cumulative effects, on rural landscape, character and visual amenity, and that the Marton community has a significant interest in the loss or alteration of rural character and amenity. I note that there is potential for other solar farms to be developed close to the project. I have included directions to the applicant in the Amendment Order, to provide information including assessment of cumulative effects that I consider will assist a panel in its assessment of these matters.
- 29 HRC did not oppose project referral but considered it could be processed under standard RMA processes.
- 30 Transpower provided late comments which I chose to consider. Transpower supported project referral and noted any construction activities will need to avoid compromising the 110kV Bunnythorpe–Whanganui B line that traverses the site in two locations. Transpower also noted a connection to the national grid via the Marton substation may require construction of new Transpower assets, and this has been discussed with the applicant. Transpower indicated that the process for obtaining Transpower agreements and approvals, and any necessary works on the Marton substation, should not delay the project timetable. As Transpower is an important stakeholder, I have included them in the Amendment Order as a party from whom a panel must seek comment on any resource consent application for the project.

Decision

- 31 In making my decision, and in accordance with section 24 of the FTCA, I considered the application and further information received, all comments provided in response to my invitation, and the eligibility criteria in section 18 of the FTCA. I also considered the report prepared under section 17 of the FTCA.
- 32 I have decided to accept HENZ#3 Ltd's application for referral of the Marton Project to a panel. I am satisfied the project meets the eligibility criteria in sections 18(2) and 18(3) of the FTCA. I consider it will help achieve the FTCA purpose as it has the potential to:
- 32.1 generate employment by creating approximately 87–130 direct full-time equivalent (FTE) jobs over a 12–18 month construction period and approximately 5 ongoing FTE jobs
 - 32.2 provide infrastructure that will contribute to improving economic and employment outcomes
 - 32.3 contribute to New Zealand's efforts to mitigate climate change and transition more quickly to a low emissions economy by increasing New Zealand's renewable energy generation

- 32.4 progress faster than would otherwise be the case under standard RMA process.
- 33 To address matters raised by s 9(2)(f)(ii), s 9(2)(g)(i) Rangitikei District Council I have decided to specify the applicant must provide with their resource consent applications to a panel a landscape and visual assessment as detailed in Appendix three.
- 34 The FTCA requires a panel to invite comments from the relevant local authorities, relevant iwi authorities and Treaty settlement entities, specific Ministers, owners and occupiers of adjacent land, specific non-governmental organisations and other groups listed in the FTCA¹. In addition to these requirements and to address matters raised, I have decided to specify a panel must seek comment on HENZ#3 Ltd's resource consent applications from the seven parties listed in Appendix three.
- 35 I consider any actual and potential effects on the environment, together with any measures to mitigate, offset or compensate for adverse effects, can be appropriately tested by a panel against Part 2 of the RMA and the purpose of the FTCA. The additional material listed in Appendix three that must be submitted to a panel will assist with this.
- 36 I consider there are no reasons to decide under section 24(2) of the FTCA to:
- 36.1 limit the scope of the project by referring it only in part
 - 36.2 refer the project in stages
 - 36.3 place any restrictions on the project
 - 36.4 impose specific timeframes for panel consideration.

Project for referral: Opunake Project

- 37 HENZ#4 Ltd applied to use the fast-track consenting process for the Opunake Project. The project is to construct and operate a solar farm on an approximately 151-hectare site comprising two properties at 915 Ihaia Road, Opunake, Taranaki, and to connect to and supply electricity to the national grid. The solar farm will have an output of approximately 94 Megawatt-peak and will comprise:
- 37.1 approximately 142,650 solar panels, occupying approximately 58 hectares
 - 37.2 arrays and mounting structures, inverter cabinets, and associated infrastructure
 - 37.3 26 power stations, two substations, one transformer and transmission line to connect to the national grid
 - 37.4 ancillary buildings, structures and infrastructure (including a storage building, roads, access, security fencing, CCTV poles and other infrastructure)
 - 37.5 underground electricity cables.
- 38 The project involves activities such as removing vegetation, earthworks, diverting and discharging groundwater, discharging stormwater and contaminants, constructing

¹ Clause 17(6) of Schedule 6, FTCA.

buildings and structures, installing electricity cables and ancillary infrastructure, constructing and upgrading roads, access and parking areas, and landscaping and planting (including for restoration and enhancement of wetlands and riparian margins of the Otahi Stream).

- 39 The project requires land use consents under the South Taranaki District Plan, water and discharge permits under the Taranaki Regional Freshwater Plan, and resource consents under the NES-CS and the NES-F.
- 40 I sought written comments on the referral application from the relevant local authorities – South Taranaki District Council (STDC) and Taranaki Regional Council (TRC), from relevant Ministers as determined by section 21(6) of the FTCA including the Minister of Energy and Resources and the Minister of Agriculture, and from Transpower.

Overview of comments

- 41 s 9(2)(f)(ii), s 9(2)(g)(i)
- 42 s 9(2)(f)(ii), s 9(2)(g)(i)
- 43 s 9(2)(f)(ii), s 9(2)(g)(i)
- 44 s 9(2)(f)(ii), s 9(2)(g)(i)
- 45 s 9(2)(f)(ii), s 9(2)(g)(i)
- 46 STDC and TRC supported project referral. STDC identified a number of matters, such as loss of productive land, reverse sensitivity effects, effects on wetlands and waterbodies, visual and ecological effects, and natural hazards, that are relevant for the project. Both councils noted reports and assessments that would normally be required for a project of this type, and which I consider are adequately provided for by the requirements of clause 9 Schedule 6 of the FTCA and do not require further specification to a panel.
- 47 Transpower provided late comments which I chose to consider. Transpower supported project referral and noted a connection to the national grid via the Opunake substation

may require construction of new Transpower assets, and this has been discussed with the applicant. Transpower indicated that the process for obtaining Transpower agreements and approvals, and any necessary works on the Marton substation, should not delay the proposed project timetable. As Transpower is an important stakeholder, I have included them in the Amendment Order as a party from whom a panel must seek comment on any resource consent application for the project.

Decision

- 48 In making my decision, and in accordance with section 24 of the FTCA, I considered the application and further information received, all comments provided in response to my invitation, and the eligibility criteria in section 18 of the FTCA. I also considered the report prepared under section 17 of the FTCA.
- 49 I have decided to accept HENZ#4 Ltd's application for referral of the Opunake Project to a panel. I am satisfied the project meets the eligibility criteria in sections 18(2) and 18(3) of the FTCA. I consider it will help achieve the FTCA purpose as it has the potential to:
- 49.1 generate employment by creating approximately 179–286 direct full-time equivalent (FTE) jobs over a 12–18 month construction period and approximately 5 ongoing FTE jobs
 - 49.2 provide infrastructure that will contribute to improving economic and employment outcomes
 - 49.3 contribute to New Zealand's efforts to mitigate climate change and transition more quickly to a low emissions economy by increasing New Zealand's renewable energy generation
 - 49.4 progress faster than would otherwise be the case under standard RMA process.
- 50 The FTCA requires a panel to invite comments from the relevant local authorities, relevant iwi authorities and Treaty settlement entities, specific Ministers, owners and occupiers of adjacent land, specific non-governmental organisations and other groups listed in the FTCA². In addition to these requirements and to address matters raised, I have decided to specify a panel must seek comment on HENZ#4 Ltd's resource consent applications from the Minister of Energy and Resources, the Minister of Agriculture and Transpower, as listed in Appendix four.
- 51 I consider any actual and potential effects on the environment, together with any measures to mitigate, offset or compensate for adverse effects, can be appropriately tested by a panel against Part 2 of the RMA and the purpose of the FTCA.
- 52 I consider there are no reasons to decide under section 24(2) of the FTCA to:
- 52.1 limit the scope of the project by referring it only in part
 - 52.2 refer the project in stages
 - 52.3 place any restrictions on the project

² Clause 17(6) of Schedule 6, FTCA.

52.4 impose specific timeframes for panel consideration.

Project for referral: Carterton Project

53 HENZ#2 Ltd applied to use the fast-track consenting process for the Carterton Project. The project is to construct and operate a solar farm on an approximately 218-hectare site comprising five properties at 271 Perrys Road, 510 Hughes Line and 303 East Taratahi Road, Carterton, Wairarapa and to connect to and supply electricity to the national grid via the Hughes Line and Cornwall Road legal road reserves. The solar farm will have an output of approximately 133 Megawatt-peak and will comprise:

53.1 approximately 201,500 solar panels, occupying approximately 148 hectares

53.2 arrays and mounting structures, inverter cabinets, and associated infrastructure

53.3 32 medium voltage power stations, two substations, one transformer and transmission line to connect to the national grid

53.4 ancillary buildings, structures and infrastructure (including a storage building, roads, access, security fencing, CCTV poles and other infrastructure)

53.5 underground electricity cables, including within road reserve to connect to the Transpower substation at 113 Cornwall Road, Carterton.

54 The project involves activities such as removing vegetation, earthworks, diverting and discharging groundwater, discharging stormwater and contaminants, constructing buildings and structures, installing electricity cables and ancillary infrastructure, constructing and upgrading roads, access and parking areas, and landscaping and planting (including for restoration of riparian areas of the Waikoukou Stream and an unnamed stream).

55 The project requires land use consents under the Wairarapa Combined District Plan, water and discharge permits under the Proposed Natural Resources Plan for the Wellington Region, and resource consents under the NES-CS and the NES-F.

56 I sought written comments on the referral application from the relevant local authorities – Carterton District Council (CDC) and Greater Wellington Regional Council (GWRC), from relevant Ministers as determined by section 21(6) of the FTCA including the Minister of Energy and Resources and the Minister of Agriculture, and from Transpower.

Overview of comments

57 s 9(2)(f)(ii), s 9(2)(g)(i)

58 s 9(2)(f)(ii), s 9(2)(g)(i)

s 9(2)(f)(ii), s 9(2)(g)(i)

59 s 9(2)(f)(ii), s 9(2)(g)(i)

60 s 9(2)(f)(ii), s 9(2)(g)(i)

61 s 9(2)(f)(ii), s 9(2)(g)(i)

62 Neither CDC nor GWRC opposed project referral. CDC noted that solar farm proposals in adjacent areas have caused significant issues and angst within the community and GWRC considered further consultation was needed on wetland delineation and that consent conditions offered by the applicant should be consistent with GWRC standard conditions. Both councils noted reports and assessments that would normally be required for a project of this type, and which I consider are adequately provided for by the requirements of clause 9 Schedule 6 of the FTCA and do not require further specification to a panel. The relevant local authorities will have an opportunity to provide comments to a panel on resource consent applications for the project, and this could include comments on any matters they consider have not been adequately addressed.

63 Transpower provided late comments which I chose to consider. Transpower supported project referral and noted a connection to the national grid via the Masterton substation may require construction of new Transpower assets, and this has been discussed with the applicant. Transpower indicated that the process for obtaining Transpower agreements and approvals, and any necessary works on the Masterton substation, should not delay the proposed project timetable. As Transpower is an important stakeholder, I have included them in the Amendment Order as a party from whom a panel must seek comment on any resource consent application for the project.

Decision

64 In making my decision, and in accordance with section 24 of the FTCA, I considered the application and further information received, all comments provided in response to my invitation, and the eligibility criteria in section 18 of the FTCA. I also considered the report prepared under section 17 of the FTCA.

65 I have decided to accept HENZ#2 Ltd's application for referral of the Carterton Project to a panel. I am satisfied the project meets the eligibility criteria in sections 18(2) and

18(3) of the FTCA. I consider it will help achieve the FTCA purpose as it has the potential to:

- 65.1 generate employment by creating approximately 202–303 direct full-time equivalent (FTE) jobs over a 12–18 month construction period and approximately 5 ongoing FTE jobs
 - 65.2 provide infrastructure that will contribute to improving economic and employment outcomes
 - 65.3 contribute to New Zealand's efforts to mitigate climate change and transition more quickly to a low emissions economy by increasing New Zealand's renewable energy generation
 - 65.4 progress faster than would otherwise be the case under standard RMA process.
- 66 The FTCA requires a panel to invite comments from the relevant local authorities, relevant iwi authorities and Treaty settlement entities, specific Ministers, owners and occupiers of adjacent land, specific non-governmental organisations and other groups listed in the FTCA³. In addition to these requirements and to address matters raised, I have decided to specify a panel must seek comment on HENZ#2 Ltd's resource consent applications from the five parties listed in Appendix five.
- 67 I consider any actual and potential effects on the environment, together with any measures to mitigate, offset or compensate for adverse effects, can be appropriately tested by a panel against Part 2 of the RMA and the purpose of the FTCA.
- 68 I consider there are no reasons to decide under section 24(2) of the FTCA to:
- 68.1 limit the scope of the project by referring it only in part
 - 68.2 refer the project in stages
 - 68.3 place any restrictions on the project
 - 68.4 impose specific timeframes for panel consideration.

Timing and 28-day rule

- 69 Cabinet has agreed to waive the 28-day rule for Orders in Council relating to projects to be referred to a panel⁴. Therefore, the Amendment Order will come into force on the date specified in the Amendment Order. HENZ#3 Ltd, HENZ#4 Ltd and HENZ#2 Ltd may then lodge resource consent applications for their respective projects with the EPA, for consideration by a panel.

Compliance

- 70 The Amendment Order complies with:
- 70.1 the principles of the Treaty of Waitangi

³ Clause 17(6) of Schedule 6, FTCA.

⁴ ENV-20-MIN-0033 and CAB-20-MIN-0353 refer

- 70.2 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 or the Human Rights Act 1993
- 70.3 the principles and guidelines set out in the Privacy Act 2020
- 70.4 relevant international standards and obligations
- 70.5 the Legislation Guidelines (2018 edition), which are maintained by the Legislation Design and Advisory Committee.

Regulations Review Committee

- 71 I do not consider that there are grounds for the Regulations Review Committee to draw this Order in Council to the attention of the House of Representatives under Standing Order 319.

Certification by Parliamentary Counsel Office

- 72 The Amendment Order has been certified by the Parliamentary Counsel Office as being in order for submission.

Impact Analysis

Regulatory Impact Assessment

- 73 The Regulatory Impact Assessment (RIA) requirements for this proposal have been waived. Cabinet has agreed that a RIA is not required for Orders in Council relating to projects to be referred to a panel⁵.

Climate Implications of Policy Assessment

- 74 The Climate Implications of Policy Assessment (CIPA) team at the Ministry for the Environment has been consulted and confirms that the CIPA requirements⁶ do not apply to the projects.

Publicity

- 75 The Amendment Order will be available on the New Zealand Legislation website following its notification in the New Zealand Gazette.
- 76 To meet my obligations under section 25 of the FTCA, I have directed the Ministry for the Environment to make my decisions to refer the projects to a panel for consideration, the reasons for these decisions, and the reports obtained under section 17 of the FTCA available to the public on the Ministry for the Environment's website.

Proactive release

- 77 I intend to proactively release this paper on the Ministry for the Environment's website subject to redaction as appropriate under the Official Information Act 1982.

⁵ ENV-20-MIN-0033 and CAB-20-MIN-0353 refer

⁶ CO (20) 3 refers

Consultation

- 78 The Ministry for the Environment sought comment on this paper from Te Tūāpapa Kura Kāinga Ministry of Housing and Urban Development, Ministry for Culture and Heritage, Te Puni Kōkiri, Ministry of Education, Department of Corrections, Land Information New Zealand, Treasury, Ministry of Transport, Ministry of Business, Innovation and Employment, Ministry for Primary Industries, Department of Prime Minister and Cabinet, Ministry of Health, Ministry of Defence, Department of Internal Affairs, Department of Conservation and The Office for Māori Crown Relations – Te Arawhiti.

Recommendations

I recommend that Cabinet:

- 1 **note** that I have decided under section 24 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 to accept the applications for referral of the following projects to a panel:
 - 1.1 Harmony Energy NZ #3 Limited's Harmony Energy Solar Farm–Marton Project
 - 1.2 Harmony Energy NZ #4 Limited's Harmony Energy Solar Farm–Opunake Project
 - 1.3 Harmony Energy NZ #2 Limited's Harmony Energy Solar Farm–Carterton Project
- 2 **note** that the Harmony Energy Solar Farm–Marton Project meets the eligibility criteria in section 18(3) of the COVID-19 Recovery (Fast-track Consenting) Act 2020, and will help achieve the Act's purpose, as required by section 18(2) of the Act, as it has the potential to:
 - 2.1 generate employment by creating approximately 87–130 direct full-time equivalent (FTE) jobs over a 12–18 month construction period and approximately 5 ongoing FTE jobs
 - 2.2 provide infrastructure that will contribute to improving economic and employment outcomes
 - 2.3 contribute to New Zealand's efforts to mitigate climate change and transition more quickly to a low emissions economy by increasing New Zealand's renewable energy generation
 - 2.4 progress faster than would otherwise be the case under standard RMA process
- 3 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Harmony Energy Solar Farms) Amendment Order 2023 requires Harmony Energy NZ #3 Limited to provide to an expert consenting panel a landscape and visual assessment of the proposed solar farm as more fully detailed in Appendix three, which I specified under section 24(2) of the FTCA and outlined in my notice of decision on the referral application for the project
- 4 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Harmony Energy Solar Farms) Amendment Order 2023 requires an expert consenting panel appointed to consider Harmony Energy NZ #3 Limited's Harmony Energy Solar Farm–Marton Project to seek comments from the seven parties listed in Appendix three
- 5 **note** that the Harmony Energy Solar Farm–Opunake Project meets the eligibility criteria in section 18(3) of the COVID-19 Recovery (Fast-track Consenting) Act 2020, and will help achieve the Act's purpose, as required by section 18(2) of the Act, as it has the potential to:
 - 5.1 generate employment by creating approximately 179–286 direct full-time equivalent (FTE) jobs over a 12–18 month construction period and approximately 5 ongoing FTE jobs

- 5.2 provide infrastructure that will contribute to improving economic and employment outcomes
- 5.3 contribute to New Zealand's efforts to mitigate climate change and transition more quickly to a low emissions economy by increasing New Zealand's renewable energy generation
- 5.4 progress faster than would otherwise be the case under standard Resource Management Act 1991 process
- 5.5 progress faster using the Act's processes than would otherwise be the case under standard Resource Management Act 1991 processes
- 6 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Harmony Energy Solar Farms) Amendment Order 2023 requires an expert consenting panel appointed to consider Harmony Energy NZ #4 Limited's Harmony Energy Solar Farm–Opunake Project to seek comments from the Minister of Energy and Resources, the Minister of Agriculture and Transpower, as listed in Appendix four
- 7 **note** that the Harmony Energy Solar Farm–Carterton Project meets the eligibility criteria in section 18(3) of the COVID-19 Recovery (Fast-track Consenting) Act 2020, and will help achieve the Act's purpose, as required by section 18(2) of the Act, as it has the potential to:
 - 7.1 generate employment by creating approximately 202–303 direct full-time equivalent (FTE) jobs over a 12–18 month construction period and approximately 5 ongoing FTE jobs
 - 7.2 provide infrastructure that will contribute to improving economic and employment outcomes
 - 7.3 contribute to New Zealand's efforts to mitigate climate change and transition more quickly to a low emissions economy by increasing New Zealand's renewable energy generation
 - 7.4 progress faster using the Act's processes than would otherwise be the case under standard Resource Management Act 1991 processes
- 8 **note** that the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Harmony Energy Solar Farms) Amendment Order 2023 requires an expert consenting panel appointed to consider Harmony Energy NZ #2 Limited's Harmony Energy Solar Farm–Carterton Project to seek comments from the five parties listed in Appendix five
- 9 **authorise** submission of the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Harmony Energy Solar Farms) Amendment Order 2023 to the Executive Council

- 10 **note** that on 27 July 2020, Cabinet agreed to waive the standard 28-day rule relating to Orders in Council made under the COVID-19 Recovery (Fast-track Consenting) Act 2020 [CAB-20-MIN-0353 refers]. Consequently, the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Harmony Energy Solar Farms) Amendment Order 2023 will come into force on the date specified in the Amendment Order.

Authorised for lodgement

Hon David Parker

Minister for the Environment

Appendix one – Referred projects under the COVID-19 Recovery (Fast-track Consenting) Act 2020

Referred projects with Orders in Council gazetted		
Project - Location	Applicant	EPA Status
Clutha Upper Waitaki Lines Project - Works and Workers' Village - Clutha Upper Waitaki	Transpower New Zealand Limited	Not progressing through FTC
Northbrook Wanaka Retirement Village - Wanaka	Winton Property Limited	Consented by Panel (4 August 2021)
Kohimarama Comprehensive Care Retirement Village - Kohimarama, Auckland	Ryman Healthcare Limited	Consented by Panel (12 May 2021)
Molesworth Street Office Development - Thorndon, Wellington	Prime Property Group Limited	Consented by Panel (12 November 2021)
The Vines Affordable Subdivision - Richmond, Tasman	Jason and Angela Mudgway	Declined by Panel (17 September 2021)
Dominion Road Mixed-use Development - Mount Eden, Auckland	Pudong Housing Development Company Limited, Foodstuffs North Island Limited, and Silk Road Management Limited	Consented by Panel (29 September 2021)
Ohinewai Foam Factory - Ohinewai, Waikato	Ambury Properties Limited	Consented by Panel (24 August 2021)
Eastern Porirua Regeneration Project - Infrastructure Works - Porirua	Kāinga Ora-Homes and Communities' and Porirua City Council	Consented by Panel (9 September 2022)
Silverlight Studios - Wanaka	Silverlight Studios Limited	Consented by Panel (8 December 2021)
Brennan winery, restaurant, education, and event complex - Gibbston Valley, Otago	Otago Viticulture and Oenology Limited's (trading as Brennan Wines)	Not progressing through FTC
Nola Estate - Glen Eden, Auckland	CPM 2019 Limited	Consented by Panel (1 October 2021)
Wooring Tree Estate – Cromwell	Wooring Tree Property Development LP	Consented by Panel (29 September 2021)
Kapuni Green Hydrogen - Kapuni, Taranaki	Hiringa Energy Limited's and Ballance Agri-Nutrients Limited	Consented by Panel (1 December 2021) Currently under appeal
New Dunedin Hospital – Whakatuputupu – Dunedin Package 1 – enabling works	The Minister of Health's and the Ministry of Health	Consented by Panel (23 December 2021)
New Dunedin Hospital – Whakatuputupu – Dunedin Package 2 - buildings	The Minister of Health's and the Ministry of Health	Consented by Panel (17 August 2022)

Faringdon South West and South East Development - Rolleston	Hughes Developments Limited's	Consented by Panel (27 August 2021)
Summerset Retirement Village - Waikanae - Waikanae	Summerset Villages (Waikanae) Limited	Consented by Panel (23 September 2021)
Beachlands Housing Development - Beachlands, Auckland	Neil Construction Limited and Fletcher Residential Limited	Consented by Panel (23 May 2022)
Kōpū Marine Precinct - Kōpū, Thames	Thames-Coromandel District Council	Consented by Panel (9 March 2022)
Whakatāne Commercial Boat Harbour project - Whakatāne	Whakatāne District Council, Te Rāhui Lands Trust, Te Rūnanga o Ngāti Awa, Ngāti Awa Group Holdings Limited, Te Rāhui Lands General Partner Limited, Te Rāhui Herenga Waka Whakatane Limited, and Provincial Growth Fund Limited	Consented by Panel (22 June 2022)
Karaka North Village - Karaka, Auckland	Capella Group Limited and Karaka North Village Limited	Lodgement expected 2023
Ōmāhu Residential Development - Remuera, Auckland	Urban Resort Limited and Icon Co Pty (NZ) Limited	Consented by Panel (14 February 2022)
George St Mixed Use Development - Newmarket, Auckland	Newmarket Holdings Development Limited Partnership	Lodgement expected 2023
Otago Water Storage Reservoir - Northland	Te Tai Tokerau Water Trust	Consented by Panel (18 July 2022)
Drury Central & Paerata Stations - Auckland	KiwiRail Holdings Limited	Consented by Panel (3 February 2022)
Rangitane Maritime Development - Kerikeri	Far North District Council & Far North Holdings Limited	Lodgement expected 2023
Brickfields, Scott Road Development - Hobsonville, Auckland	Aedifice Development Limited	Consented by Panel (24 March 2022)
Melia Place - Whangaparāoa, Auckland	Melia Development Limited	Consented by Panel (14 June 2022)
Oruku Landing - Whangārei, Northland	Northland Development Corporation Limited	Lodgement expected mid 2023
Riverbend Residential Development - Napier	Tawanui Developments Limited, K3 Properties Limited & Mana Ahuriri Holdings Limited	Lodgement expected early 2023
Silverlight Studios Accommodation - Wanaka, Otago	Silverlight Studios Limited	Consented by Panel (18 February 2022)
Drury Centre Precinct - Auckland	Kiwi Property Holdings No 2	Under consideration by Panel
Waihoehoe Precinct - Auckland	Oyster Capital Limited	Under consideration by Panel
Drury East Stage 1 Precinct – Auckland	Fulton Hogan Land Development	Under consideration by Panel

Flints Park, Ladies Mile – Te Pūtahi, Queenstown	Glenpanel Development Limited	Declined by Panel (30 November) Currently under appeal
Federal Street Residences, Auckland	P0012 Auckland NZ Pty Limited	Consented by Panel (28 July 2022)
Bellgrove Development, Rangiora	Bellgrove Rangiora Limited	Consented by Panel (29 June 2022)
Lakeview-Taumata	QT Lakeview Developments Limited	Consented by Panel (16 December 22)
Summerset Retirement Village, Half Moon Bay, Auckland	Summerset Villages (Halfmoon Bay) Limited	Consented by Panel (11 April 2023)
Browns Bay Road Apartments, Auckland	Matvin Group Limited	Under consideration by Panel
Te Tauoma Stage 1B, St Johns, Auckland	Shundi Tamaki Village Limited	Consented by Panel (15 February 2023)
Kaiwharawhara Wellington Ferry Terminal Redevelopment	KiwiRail Holdings Limited	Consented by Panel (25 January 2023)
The Rotokauri North project, Hamilton	Rotokauri North Holdings Limited	Consented by Panel (27 July 2022)
Tauhei Farm Solar Project, Te Aroha	Harmony Energy New Zealand Limited	Consented by Panel (20 September 2022)
The Hill, Ellerslie, Auckland	Auckland Thoroughbred Racing Incorporated & Fletcher Residential Limited	Consented by Panel (17 April 2023)
Ariki Tahi Sugarloaf Wharf Upgrade, Waikato	Ariki Tahi Sugarloaf Wharf Limited	Consented by Panel (20 September) Currently under appeal
Hananui Aquaculture Project, Foveaux Strait	Ngāi Tahu Seafood Resources Limited	Under consideration by Panel
Flints Park West, Ladies Mile – Te Pūtahi, Queenstown	Glenpanel Development Limited	Lodgement expected late 2023
Waimarie Street, St Heliers, Auckland	Sanctum Projects Limited	Under consideration by Panel
Te Rere Hau Wind Farm Repowering, Manawatu	NZ Windfarms Limited	Under consideration by Panel
Bontanic Riverhead, Auckland	Matvin Group Limited	Consented by Panel (29 March 2023) Currently under appeal
Whenuapai Business Park, Auckland	Neil Construction Limited	Under consideration by Panel
Whenuapai Green, Auckland	Neil Construction Limited & Maraetai Land Development Limited	Under consideration by Panel
Faringdon Oval, Rolleston, Christchurch	Hughes Development Limited	Under consideration by Panel
Glenpanel Ladies Mile, Te Pūtahi	Maryhill Limited	Lodgement expected 2023

Kepa Road Apartments, Auckland	Sanctum Projects Ltd	Under consideration by Panel
Wellsford North, Auckland	Wellsford Welding Club Limited	Lodgement expected 2023
Johnsonville Town Centre Redevelopment, Wellington	Stride Property Limited	Lodgement expected 2023
Waiterimu Solar Farm, Waikato	Waikato Solar Farms Limited/ Transpower NZ Limited	Lodgement expected 2023
Tauranga Innovative Courthouse, Bay of Plenty	Ministry of Justice	Consented by Panel (19 January 2023)
East Coast Heights, Silverdale	Build Rich Limited / Nation Shine Holdings Limited	Lodgement expected 2023
East Coast Heights, Stage 5 Silverdale	Build Rich Limited	Under consideration by Panel
Strathmill, Orewa	Shildon Ltd	Under consideration by Panel
Great South Homes Park, Auckland	Unispot Great South Limited	Under consideration by Panel
Waikanae North, Wellington	Bulletin Trust	Lodgement expected 2023
Rangiriri Solar Farm, Waikato	Joint Applicants: Rangiriri Solar Farm Limited and Transpower NZ Limited	Lodgement expected 2023
Waerenga Solar Farm, Waikato	Joint Applicants: Waerenga Solar Farm Limited and Transpower NZ Limited	Lodgement expected 2023
Wooing Tree Stage 4, Otago	Wooing Tree Property Development	Under consideration by Panel
Glen Innes to Tamaki shared path, Auckland	Auckland Transport	Under consideration by Panel
Wairatahi	Heretaunga Tamatea Settlement Trust	Lodgement expected 2023
Upland Road Retirement Village	HND Upland Limited and St Andrew's Village Trust Incorporated	Lodgement expected 2023
Metlifecare Retirement Village – Wellington	Metlifecare Retirement Villages Limited	Lodgement expected 2023
Holly Lea Village Buildings D and E, Fendalton, Christchurch	Holly Lea Village Limited	Lodgement expected 2023
Man Street Hotel, Queenstown	The Queenstown Hotel NZ Limited Partnership	Lodgement expected 2023
Project Quarterdeck, Auckland	Box Property Investments Ltd	Lodgement expected 2023
The North, Auckland	617 New North Limited	Lodgement expected 2023
Auckland Surf Park	AW Holdings 2021 Ltd	Lodgement expected 2023

Appendix two – Status of projects listed in Schedule 2 of the COVID-19 Recovery (Fast-track Consenting) Act 2020

Listed Project	Status
Matawii Water Storage Reservoir Kaikohe	Consents have been approved.
Papakāinga Development – Rāpaki, Christchurch	Consents have been approved.
Te Ara Tupua – Ngā Ūranga to Pito-one shared path	Consents have been approved.
Waitohi Picton Ferry Precinct Redevelopment	Consents have been approved.
Queenstown Arterials Project	Consents have been approved.
Papakāinga Development - Kaitiaa	Consents have been approved.
Papakura to Pukekōhe rail electrification	Package 1 - consents have been approved. Package 2 – minor consents - unlikely to proceed under fast-track at this stage.
Papakura to Drury South State Highway 1 improvements	Package 1 - consents have been approved. Package 2 – application lodged October in progress.
Unitec Residential Development	Application 1 - consents have been approved. Application 2 - consents have been approved. Application 3 – consents have been approved.
Papakāinga Development – Waitara, Taranaki	Unlikely to proceed under fast-track at this stage.
Northern Pathway – Westhaven to Akoranga shared path	Unlikely to proceed under fast-track at this stage.
Te Pā Tāhuna Residential Development	Unlikely to proceed under fast-track at this stage.
Papakāinga Development - Point Chevalier, Auckland	Unlikely to proceed under fast-track at this stage.
Papakāinga development – Whaingaroa, Raglan	Unlikely to proceed under fast-track at this stage.
Papakāinga Development - Chatham Islands	Unlikely to proceed under fast-track at this stage.
Wellington Metro Upgrade Programme	Unlikely to proceed under fast-track at this stage.
Britomart Station eastern end upgrade	Unlikely to proceed under fast-track at this stage.

Appendix three – Additional requirements specified by the Minister for the Environment under section 24(2) of the FTCA for Harmony Energy NZ #3 Limited's Harmony Energy Solar Farm–Marton Project

Harmony Energy NZ #3 Limited is required to provide with their resource consent applications to an expert consenting panel:

1. a landscape and visual assessment of the proposed solar farm (including associated buildings, infrastructure and structures), that includes assessment of the cumulative effects of solar farms, on the biophysical landscape and the character of the existing rural landscape, taken from both private and public vantage points.

An expert consenting panel appointed to consider Harmony Energy NZ #3 Limited's resource consent applications for the Harmony Energy Solar Farm–Marton Project must seek comments from the following additional persons/organisations:

1. Minister of Energy and Resources
2. Minister of Agriculture
3. Transpower New Zealand Limited
4. Tūwharetoa Māori Trust Board
5. Tūwharetoa Settlement Trust
6. Te Runanga o Raukawa Incorporated
7. Ngā Kaitiaki o Ngāti Kauwhata Incorporated.

Appendix four – Additional requirements specified by the Minister for the Environment under section 24(2) of the FTCA for Harmony Energy NZ #4 Limited's Harmony Energy Solar Farm–Opunake Project

An expert consenting panel appointed to consider Harmony Energy NZ #4 Limited's resource consent applications for the Harmony Energy Solar Farm–Opunake Project must seek comments from the following additional persons/organisations:

1. Minister of Energy and Resources
2. Minister of Agriculture
3. Transpower New Zealand Limited.

Appendix five – Additional requirements specified by the Minister for the Environment under section 24(2) of the FTCA for Harmony Energy NZ #2 Limited's Harmony Energy Solar Farm–Carterton Project

An expert consenting panel appointed to consider Harmony Energy NZ #2 Limited's resource consent applications for the Harmony Energy Solar Farm–Carterton Project must seek comments from the following additional persons/organisations:

1. Minister of Energy and Resources
2. Minister of Agriculture
3. Transpower New Zealand Limited
4. Waka Kotahi New Zealand Transport Agency
5. Wairarapa Moana Statutory Board.