Application for a project to be referred to an expert consenting panel

(Pursuant to Section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020)

For office use only:

Project name: The Marton Solar Farm
Application number: PJ-0000860
Date received: 13/02/2023

This form must be used by applicants making a request to the responsible Minister(s) for a project to be referred to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

All legislative references relate to the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act), unless stated otherwise.

The information requirements for making an application are described in Section 20(3) of the Act. Your application must be made in this approved form and contain all of the required information. If these requirements are not met, the Minister(s) may decline your application due to insufficient information.

Section 20(2)(b) of the Act specifies that the application needs only to provide a general level of detail, sufficient to inform the Minister's decision on the application, as opposed to the level of detail provided to an expert consenting panel deciding applications for resource consents or notices of requirement for designations.

We recommend you discuss your application and the information requirements with the Ministry for the Environment (the Ministry) before the request is lodged. Please contact the Ministry via email: fasttrackconsenting@mfe.govt.nz

The Ministry has also prepared Fast-track guidance to help applicants prepare applications for projects to be referred.

Part I: Applicant

Applicant details

Person or entity making the request: Energy Farms Limited

Contact person: Steven Hawkins

Job title: Director

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Postal address:

103 Victoria Avenue, Remuera, Auckland, 1050

Address for service (if different from above)

Organisation: Reyburn and Bryant 1999 Limited

Contact person: Thomas Keogh

Job title: Senior Planner

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Postal address:

PO Box 191, Whangarei, 0110

Part II: Project location

The application: does not relate to the coastal marine area

If the application relates to the coastal marine area wholly or in part, references to the Minister in this form should be read as the Minister for the Environment and Minister of Conservation.

Site address / location:

A cadastral map and/or aerial imagery to clearly show the project location will help.

1618 Wellington Road, Marton, Manawatu-Wanganui, 4787, New Zealand

Legal description(s):

A current copy of the relevant Record(s) of Title will help.

RT WN493/201 - Lot 4 and 5 DP 10517. A copy of the title is enclosed. There are no memorials registered on the title.

Registered legal land owner(s):

Woodya Limited

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur, including a statement of how that affects the applicant's ability to undertake the work that is required for the project:

Energy Farms Limited have a conditional sale and purchase agreement on the property. Obtaining resource consent for the proposal is a condition of that agreement.

Part III: Project details

Description

Project name: The Marton Solar Farm

Project summary:

Please provide a brief summary (no more than 2-3 lines) of the proposed project.

To establish and operate a solar farm on the subject site. The farm will have an approximate project area of 154ha, will consist of approximately 230,000 panel, and will produce around 115,000 MWh of energy per year. The farm will be connected to the Transpower substation located at 362 Pukepapa Road via the existing Transpower 110 kV overhead lines that traverse the site.

Project details:

Please provide details of the proposed project, its purpose, objectives and the activities it involves, noting that Section 20(2)(b) of the Act specifies that the application needs only to provide a general level of detail.

Energy Farms Limited is a New Zealand renewable generation company that has currently committed to developing seven solar farms across New Zealand. This is one of three solar farms that they are currently progressing through the fast-track consenting process (along with the Wellsford and Opunake solar farms).

The Marton site was identified based on an ideal combination of solar resource, land area availability, ability to connect into the grid, and the ability to achieve a low impact design. The project supports the New Zealand government's strategy of 100% renewable energy generation by 2035 and a net zero carbon future by 2050.

Located on a site with an area of 194.3098ha, the preliminary design includes an approximate project area of 154ha, consists of approximately 230,000 bifacial solar panels, and will produce approximately 115,000 MWh of energy per year. This is enough to power 41,858 homes, and will remove up to 195,000 tonnes of carbon emissions per year.

The solar panels will not be static - they will be able to rotate to maximise the solar resource. They will be attached to metallic racking systems arranged in rows. A small motor located at the end of each row will facilitate the rotation of the panels. The panels will have a maximum height of approximately 2.35m when in a horizontal position, which will increase to approximately 4.8m when fully tilted. A security fence will be established around the project area. A comprehensive landscape plan will be provided by Simon Cocker Landscape Architecture, with the intent being to visually screen (where possible) and integrate the solar farm within the surrounding landscape.

The panels will be connected to approximately 16 inverter stations located across the site via underground cabling. Each inverter will have an approximate area of 30m2 (i.e. a forty foot container). The inverters will be connected to an on-site substation via underground cabling. The substation will consist of a range of typical electrical infrastructure and will serve as the interconnection point for the solar farm into the Transpower network.

A battery storage facility will also be established near the substation area. The facility will consist of up to seven Tesla megapack battery storage units located within an enclosed building, and will provide the ability to store electricity generated by the solar farm with a controlled and optimised release back into the grid.

In terms of the interconnection, the solar farm will be connected to Transpower's network via the existing 110 kV overhead power lines that traverse the site. The lines ultimately connect to the Transpower substation located 2.8km to the north-east of the site at 362 Pukepapa Road.

In terms of construction, the existing site profile will largely be retained, with earthworks primarily limited to the formation of internal access roads, pads for the inverters and substation, and the trenching required to lay the cables that will connect the various aspects of the solar farm. Some existing culverts may need to be upgraded, and new culverts installed to facilitate internal access within the site.

It is intended that agricultural use of the land will continue in conjunction with the solar farm. This is likely to be in the form of grazing sheep, although there are a range of options available. This will be achieved via a design that provides space between rows and under panels.

Beca has completed preliminary engineering, ecological and contaminated soils assessments, while Simon Cocker provided landscape feedback that informed the preliminary design and layout of the solar farm. This ensured that associated effects were avoided and minimised through design where possible. The intent was to work with the natural characteristics and features of the site as much as practicable, minimising potential adverse impacts and creating opportunities for protection and enhancement. The preliminary solar farm site layout plan produced by Beca is enclosed with this application.

Detailed ecological (Beca), engineering (Beca), contaminated soils (Beca), landscape (Simon Cocker Landscape Architecture), acoustic (Marshall Day), archaeological (Geometria), traffic (Hawthorn Geddes), economic (Urban Economics) and rural productivity (Stretton's) assessments will accompany the application if referred, addressing those effects that could not be avoided through design. The engineering, archaeological, acoustic and traffic assessments have been completed and are enclosed with this application. While the ecological, contaminated soils and landscape assessments are yet to be completed, the relevant experts have provided feedback that informs the assessments provided in this application. Executive summaries are enclosed for the ecological, contaminated soils, and landscape assessments.

The completion of the final technical reports could potentially facilitate a reduction to the project area, number of panels, and subsequent output detailed above. This will be clarified when possible. The application is proposed on the basis that it is the upper "reasonable" limit to seek.

Where applicable, describe the staging of the project, including the nature and timing of the staging:

The intent is to construct the solar farm as a single stage, although this will be governed by weather/site conditions and the ability to complete the required earthworks. This may necessitate work over two construction seasons.

Consents / approvals required

Relevant local authorities: Rangitikei District Council

Resource consent(s) / designation required:

Land-use consent, Water permit

Relevant zoning, overlays and other features:

Please provide details of the zoning, overlays and other features identified in the relevant plan(s) that relate to the project location.

Legal description(s)	Relevant plan	Zone	Overlays	Other features
WN493/201 - Lot 4 and 5 DP 10517	Rangitikei District Plan	Rural	Designation 7 - Tutaenui Dam, and power lines (Transpower 110 kV overhead transmission lines)	N/A
WN493/201 - Lot 4 and 5 DP 10517	Horizons Regional Council One Plan	N/A	Rang_4 water management zone - Rang_4d subzone, Lowland Mixed Life Supporting Capacity, Rangitikei Groundwater Quantity Management Zone, and Coastal Rangitikei Target Catchment	Tributaries of the Tutaenui Stream

Legal description(s)	Relevant plan	Zone	Overlays	Other features
			(Water Management Sub-zone)	

Rule(s) consent is required under and activity status:

Please provide details of all rules consent is required under. Please note that Section 18(3)(a) of the Act details that the project **must not include** an activity that is described as a prohibited activity in the Resource Management Act 1991, regulations made under that Act (including a national environmental standard), or a plan or proposed plan.

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
Rangitikei District Plan	B7.19	The proposed solar farm is defined as 'Renewable Energy Generation' and therefore requires consent under this rule.	Discretionary activity	The entire development is captured by this rule.
Rangitikei District Plan	B7.17	The proposal does not comply with B7.1 'Building Setbacks' as the security fence will be higher than 2m and will be located within the specified setbacks, or B7.9(b) 'Setbacks from Rivers, Lakes, Wetlands and the Coast' as the panels/trackers will not be setback 15m from the ephemeral watercourses that traverse the site.	Restricted discretionary activity	The security fence will be located around the portion of the site that accommodates infrastructure, while the location of the panels/trackers in relation to the watercourses are shown on the solar farm layout plan.
Rangitikei District Plan	B11.4	The proposal does not comply with B1.12 'Network Utilities' as the on-site substation is defined as a 'network utility' and the area of the associated structures will exceed 200m2.	Restricted discretionary activity	The location of the on-site substation is shown on the solar farm site layout plan.
Rangitikei District Plan	B9.14.1	The proposal does not comply with B9.6(1) 'Number of On Site Vehicle Parking Spaces Required' as there is no applicable standard for the proposed activity in Table 9.7, and it is assumed that the 10 proposed parking spaces will not comply.	Restricted discretionary activity	The location of the parking spaces that will be provided is yet to be determined. It is anticipated that these will be located near the vehicle entrance from Wellington Road.

Horizon Regional Council One Plan	13-7 'Vegetation clearance, land disturbance, cultivation or forestry that does not comply with Rules 13-1 to 13-6'	The earthworks do not comply with Rule 13-1 (permitted standards) as the area will exceed 2,500m2, or 13-2 (controlled standards) as some of the earthworks will occur within 5m of some of the watercourses located on the site (access formation).	Discretionary activity	The location of the accessways and watercourses are shown on the solar farm site layout plan.
Horizon Regional Council One Plan	Rule 17-15 'Activities affecting Schedule B Value of Flood Control and Drainage'	The proposal does not comply with (b) as some of the culverts, fords and vehicle accessways will be constructed in/over reaches of the Tutaenui Stream, which is identified as having 'Schedule B Value of Flood Control and Drainage'. Some of the security fencing will also be constructed perpendicular to reaches of the Tutaenui Stream.	Discretionary activity	The location of the culverts and fords are shown on the solar farm site layout plan. The security fencing will be established around the portion of the site that accommodates infrastructure.
National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health	s11	It is possible that soil samples from the HAIL areas will exceed the permitted activity soil acceptance criteria. Consent sought on a precautionary basis.	Discretionary activity	The location of potential soil contaminating activities will be shown in the Beca contaminated soils report.

Resource consent applications already made, or notices of requirement already lodged, on the same or a similar project:

Please provide details of the applications and notices, and any decisions made on them. Schedule 6 clause 28(3) of the COVID-19 Recovery (Fast-track Consenting) Act 2020 details that a person who has lodged an application for a resource consent or a notice of requirement under the Resource Management Act 1991, in relation to a listed project or a referred project, must withdraw that application or notice of requirement before lodging a consent application or notice of requirement with an expert consenting panel under this Act for the same, or substantially the same, activity.

No other resource consent applications have been lodged for this project.

Resource consent(s) / Designation required for the project by someone other than the applicant, including details on whether these have been obtained:

We are not aware of any other resource consents or designations that need to be provided by other parties.

Other legal authorisations (other than contractual) required to begin the project (eg, authorities under the Heritage New Zealand Pouhere Taonga Act 2014 or concessions under the Conservation Act 1987), including details on whether these have been obtained:

Any required building consents will be obtained in due course.
Transpower will provide approval for the solar farm to connect into their network. The Transpower website quotes the following - "as a regulated monopoly, Transpower is required to provide open access connections to New Zealand's power system. Transpower will connect any new development where the new connection if technically and logistically feasible, the developer covers all costs associated with the connection, and our ability to operate the power system for the benefit of New Zealand is not compromised".
At this stage, the applicant is not aware of any other legal authorisations required to give effect to the proposal.

Construction readiness

If the resource consent(s) are granted, and/or notice of requirement is confirmed, detail when you anticipate construction activities will begin, and be completed:

Please provide a high-level timeline outlining key milestones, e.g. detailed design, procurement, funding, site works commencement and completion.

It is the applicant's intention to progress through to construction as quickly as practicable.
In terms of consenting, all technical inputs are expected in February 2023, or soon thereafter. An application could be lodged with the EPA soon after the referral for fast-track consenting is confirmed.
It is hoped that the consent process will take at most 6-7 months through the fast track process (2-3 months for the Minister's decision, and 3-4 months for the EPA process), although it is understood that these timeframes may be a little longer these days.
The applicant intends to proceed with the detailed design in parallel to the consenting process, so that it can move to construction as soon as possible once consent is granted.
The following provides an estimated timeframe for key milestones:

- Detailed design: End of February 2023 (in parallel with the referred process).
- Procurement: End of April 2023.
- Funding: April 2023.
- Site works commencement: Ready in May 2023 - actual start date depends on when consent is obtained.
- Completion: 12 - 18 months after commencement.

Part IV: Consultation

Government ministries and departments

Detail all consultation undertaken with relevant government ministries and departments:

No consultation has occurred with respect to this project. This is one of three solar farm applications being submitted by Energy Farms Limited. A pre-application meeting was held with Max Gander-Cooper on 28 January 2022, and again on 19 April 2022 for the Wellsford Solar Farm.

Local authorities

Detail all consultation undertaken with relevant local authorities:

Some communication has occurred with the Rangitikei District Council (Johanna Verhoek and Liz Whitton) and Horizon Regional Council (Bryony Huirua), mostly relating to rules in the respective plans and requirements relating to the Tutaenui flood scheme.

Other persons/parties

Detail all other persons or parties you consider are likely to be affected by the project:

N/A

Detail all consultation undertaken with the above persons or parties:

N/A

Part V: Iwi authorities and Treaty settlements

For help with identifying relevant iwi authorities, you may wish to refer to Te Kāhui Māngai – Directory of Iwi and Māori Organisations.

Iwi authorities and Treaty settlement entities

Detail all consultation undertaken with Iwi authorities whose area of interest includes the area in which the project will occur:

Iwi authority	Consultation undertaken
Ngā Wairiki Ngāti Apa	Initial email summary sent on 14/02/2022. Chris Shenton then called to discuss the project, which he followed up with an email on 02/03/2022. Further phone conversation to discuss project on 27/01/2023. Fast track application sent to Chris on 01/02/2023 for review and feedback.

Detail all consultation undertaken with Treaty settlement entities whose area of interest includes the area in which the project will occur:

Treaty settlement entity	Consultation undertaken
No details	

Treaty settlements

Treaty settlements that apply to the geographical location of the project, and a summary of the relevant principles and provisions in those settlements, including any statutory acknowledgement areas:

Section 18(3)(b) of the Act details that the project **must not include** an activity that will occur on land returned under a Treaty settlement where that activity has not been agreed to in writing by the relevant land owner.

N/A

Part VI: Marine and Coastal Area (Takutai Moana) Act 2011

Customary marine title areas

Customary marine title areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the location of the project:

Section 18(3)(c) of the Act details that the project **must not include** an activity that will occur in a customary marine title area where that activity has not been agreed to in writing by the holder of the relevant customary marine title order.

N/A

Protected customary rights areas

Protected customary rights areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the location of the project:

Section 18(3)(d) of the Act details that the project **must not include** an activity that will occur in a protected customary rights area and have a more than minor adverse effect on the exercise of the protected customary right, where that activity has not been agreed to in writing by the holder of the relevant protected customary rights recognition order.

N/A

Part VII: Adverse effects

Description of the anticipated and known adverse effects of the project on the environment, including greenhouse gas emissions:

In considering whether a project will help to achieve the purpose of the Act, the Minister may have regard to, under Section 19(e) of the Act, whether there is potential for the project to have significant adverse environmental effects. Please provide details on both the nature and scale of the anticipated and known adverse effects, noting that Section 20(2)(b) of the Act specifies that the application need only provide a general level of detail.

A detailed AEE will be prepared and will be informed by the various technical expert reports. These will include ecological (Beca), engineering (Beca), contaminated soils (Beca), landscape (Simon Cocker Landscape Architecture), acoustic (Marshall Day), archaeological (Geometria), traffic (Hawthorn Geddes), economic (Urban Economics) and rural productivity (Strettons) assessments. The engineering, acoustic, archaeological and traffic assessments have been completed and are enclosed with this application. While the others are yet to be completed, the relevant experts have provided feedback that informs the following assessment. Executive summaries are attached for the ecological, contaminated soils and landscape assessment, while an economic assessment completed for Energy Farms Wellsford solar farm is referenced while Urban Economics complete the final reports. Given that consultation with the Ngā Wairiki Ngāti Apa is in the very early stages, no comment has been provided regarding cultural effects. Given the nature of the project, they are considered likely to be low.

Landscape, natural character and visual amenity:

A landscape, natural character and visual amenity assessment will be submitted with the application. This assessment is currently being undertaken by Simon Cocker Landscape Architecture. Simon has undertaken a site visit, and the following assessment is informed by the enclosed executive summary and associated information provided by him. Noting the landscape and rural character values associated with the site, the proposal will seek to avoid and mitigate adverse effects by developing a design that recognises, protects, and enhances existing topographical, vegetative and hydrological patterns as much as practicably possible. Simon Cocker's conclusion is that adverse landscape character effects will be avoided or mitigated to be less than minor. This will be achieved by:

- Adapting the design of the solar farm to accommodate the topography across the site to limit the area and volume of required earthworks.
- Recognising the ecological significance and landscape value associated with the stream corridors/ riparian areas on the site. These features have/will be incorporated within the design, while enhancement is anticipated via a comprehensive landscape design and ecological management/enhancement plan.
- Undertaking a comprehensive landscape design to assist with reducing the visibility of the solar farm, while also strengthening existing landscape patterns. The landscape design will reflect existing vegetative features within the surrounding environment.
- Undertaking a comprehensive ecological management/enhancement plan.

In terms of visual amenity, the site is visible from a number of public roads and sites in the surrounding area. While the final landscape assessment is yet to be completed, Simon Cocker has indicated that the adverse effects on public places will be at most minor. With regards to individual sites, Simon Cocker has identified six properties on which the adverse visual amenity effects will be at least minor, noting that some of these are short term effects while the proposed mitigation establishes. Those parties identified as being potentially affected have been conservatively identified in the enclosed summary. Given the initial conclusions reached by Simon Cocker, Energy Farms Limited would agree to these parties being identified as persons able to comment on the application if it is referred. All effects are considered to be acceptable, with appropriate mitigation available.

Ecological values:

Beca completed an initial ecological constraints assessment, which informed the preliminary design/layout of the solar farm. They are currently working to complete a comprehensive ecological impact assessment, which will be submitted in support of the application. That comprehensive ecological report has progressed to a point that has allowed Beca to provide the enclosed executive summary, which has informed the following assessment.

There are a range of ecological features across the site with a range of ecological values, noting that the majority of the site is currently in pasture. Most of those values are negligible or low (watercourses, exotic vegetation, avifauna and freshwater fauna), although higher values have been assigned to others (bats and herpotofauna) on a precautionary basis due to there being no site specific survey data. The key ecological features of note are:

- Three intermittent and three ephemeral streams that traverse the site. Current ecological value assessed as negligible.
- Stands of exotic vegetation. Current ecological value assessed as low.

The initial field work was completed prior to, and subsequently informed the current solar farm site layout plan. This has ensured that key high value ecological features are avoided in the first instance, and not included in the design footprint. The design and construction methodologies will also look to minimise, remedy and mitigate the effects where they have not been able to be avoided; and to enhance values where possible.

Key actions to avoid and minimise effects, and potential mitigations and enhancements that will be considered are:

- Avoiding and minimising exotic vegetation clearance where practicably possible.
- Minimising impacts on watercourses by practically avoiding reclamation of intermittent and perennial stream systems, and making sure design of any culvert crossings are able to meet appropriate fish passage and conveyance guidelines.
- Putting in place a range of construction-phase mitigations and management plans, including consideration of timing of works to minimise impacts on avifauna breeding and bat roost habitat, and further survey and relocation of native aquatic and terrestrial fauna species if considered likely to be found in development areas.
- Enhancement of riparian margin. Consideration of restricting stock access to stream areas will also be considered as part of the enhancement package for the works.

Based on the implementation of the above actions, the executive summary provided by Beca confirms that the ecological effects of the proposal will be less than minor.

Stormwater management and flood hazards:

The Beca civil report (enclosed) details how stormwater from the proposed solar farm will be managed, acknowledging the flood hazards located on and in proximity to the site.

With respect to flood hazards, these have been acknowledged and avoided where possible in the layout of the solar farm. This includes the area designated under the Rangitikei District Plan for the Tutaenui Flood Scheme.

In terms of stormwater management, the Beca civil report outlines that the land below the panels will be retained in pasture to allow the ongoing agricultural use of the land. Referencing a study that suggests that the addition of solar panels over grassy fields does not have any material effect on the volume of runoff/ the peak discharge or the time to peak, Beca concludes that the installation of the panels should not have any a significant impact on stormwater runoff (discharge volumes or rates) and that attenuation is therefore not required. This conclusion is reached on the basis that adequate vegetative cover is maintained below the panels. Beca has therefore suggested the imposition of an adaptive management approach to ensure that this vegetation is maintained.

Beca has also suggested an adaptive management approach should there be changes to how stormwater runoff is conveyed through the site following the construction of the solar farm (flows concentrating and causing local channelisation). The adaptive management measures would involve placing rip-rap and/or re-vegetating affected areas.

Furthermore, Beca has considered what stormwater attenuation would be required if the vegetative cover was not maintained for some reason. The attenuation areas have been identified on the attached solar farm site layout plan.

Assuming compliance with the recommendations of the Beca civil report, any adverse effects associated with the management of stormwater and the associated impact on flood hazards will be avoided, remedied or mitigated to be less than minor.

Productive rural values:

The subject site is located in the Rural under the Rangitikei District Plan. The overall intent of the zone is to enable and support primary production activities by ensuring that the productive capacity of rural land is managed efficiently and sustainably. Notwithstanding the overall intent, the Rural Zone is an appropriate location for the proposed solar farm due to:

- The large area of land required to facilitate the development.
- The need for quality, unrestricted access to the solar resource.

- The policy support afforded to renewable energy generation activities provided in the Rangitikei District Plan.
- The effects that a solar farm of this scale would have in a different zone/location.

While an appropriate zone/location, adverse effects on productive rural values will be appropriately avoided or mitigated for the following reasons:

- The majority of the site will be retained in pasture, including the area below the panels. This will ensure that the life supporting capacity of the soil is retained, and that productive rural activities can occur in conjunction with the solar farm.
- The applicant intends to graze the land in conjunction with the solar farm. The subject site will therefore continue to facilitate productive rural activities.
- Should the solar farm activity cease, the land can easily be re-utilised to facilitate a range of productive rural activities, noting that the life supporting capacity of the soil will be retained.
- The solar farm is not sensitive to any existing productive rural activities occurring, or potential productive rural activities that could be reasonably expected to establish on land within the surrounding area.

Energy Farms Limited have engaged Stratton's to undertake a productivity assessment for the site. While yet to be completed, this report will be submitted in support of the application if the project is referred.

Construction related effects (earthworks, contaminated soils and traffic):

The construction phase is not particularly lengthy when considered in the context of the scale of the proposed solar farm. Regardless, any adverse effects associated with these temporary activities will be managed via a series of management plans. These will include an environmental management plan (including erosion and sediment control measures) and a construction traffic management plan. Depending on the outcome of the comprehensive contaminated soils report, a contaminated soils management plan may also be required to ensure that there are no adverse effects on human health associated with the earthworks and change of use. Draft versions of these management plans will accompany the application, and will be finalised in accordance with any relevant conditions.

With respect to traffic, the only potential adverse effects are during the construction phase. The effects associated with the construction phase will be controlled via management plans.

Once construction is complete, there will be very limited numbers of people located on-site on a daily basis to operate the solar farm and conduct the agricultural activities. There will be occasional visits from contractors to undertake cleaning/maintenance, but this will not facilitate any significant traffic movements and there are no associated effects.

Heritage values:

Geometria has completed an archaeological assessment for this site (enclosed). The report concludes that there are no archaeological sites recorded on the property, while no archaeological material or surface features that may represent past anthropogenic activity were uncovered during the site inspection. Geometria has therefore concluded that an archaeological authority is not required from Heritage New Zealand.

The proposal will have negligible adverse effects on heritage values.

Acoustic amenity:

In accordance with the Marshall Day acoustic assessment (enclosed), the proposed solar farm (operation and construction) will comply with the relevant noise limits from the Rangitikei District Plan. There are no associated effects that need to be considered.

Part VIII: National policy statements and national environmental standards

General assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard:

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

The NPS-REG includes a single objective and eight policies that are intended to enable the sustainable management of renewable energy generation under the RMA. The single objective and policies A - C are directly relevant to this

application and will be addressed in detail in any consent application. The following summarises the general intent of the relevant objective and policies, and summarises how the proposal aligns with that intent.

- Providing for the development of renewable energy generation activities such that the proportion of New Zealand's electricity generated from renewable energy sources increases to a level that meets/exceeds the Governments national target: The proposal will facilitate one of New Zealand's first utility scale solar farms and will directly contribute to meeting the Government's specified targets (100% renewable generation by 2035 and a net zero carbon future by 2050).
- Recognise the benefits and provide for the national significance of renewable energy generation: There are a range of benefits associated with the proposal that should be recognised, in addition to assisting meeting Government guidelines. These include the creation of jobs for the local economy, continuation of agricultural use in conjunction with the solar farm, increased generation capacity and security of supply for the District, reduced costs of electricity where that electricity is deployed, along with ecological restoration.
- Maintaining generation while increasing the use of renewable over finite resources, and reducing reliance on imported fuels to generate electricity: The proposal will contribute to the use of renewable resources to generate electricity, which will directly contribute to reducing reliance on imported fuels. The solar farm will produce enough electricity to power 23,172 homes, and will remove up to 110,014 tonnes of carbon emissions per year.
- Acknowledging that meeting the Governments targets will require significant development of renewable energy generation activities: This project represents a significant renewable energy development.
- The need to locate activities where the renewable energy resource is available: The site has been identified based on the ideal combination of solar resource, land area availability, the ability to connect to the network, and the ability to achieve a low impact design.

The proposal is entirely consistent with, and supported by, the NPS-REG.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations (NES-SC)

An initial constraints assessment undertaken by Beca identified four potential HAIL activities on the site. Given that the proposal will involve earthworks and a change in land use, the NES-SC is relevant and must be considered in the context of this proposal.

Following the completion of their preliminary investigation, Beca will initiate a Detailed Site Investigation process. It is intended that this will be completed in advance of the EPA lodgement process if the application is referred. However, consent is sought on a discretionary basis (under s11 of the NES-SC) in case the detailed investigation is not finalised in time.

To manage any associated adverse effects, it is anticipated that the conditions of any consent will require that further investigations are undertaken by a SQEP to delineate health risk and management controls, that a Contaminated Soils Management Plan is submitted for approval, along with other standard conditions. The implementation of conditions to this effect will ensure that there are no adverse effects on human health, in accordance with the intent of the NES-SC.

National Policy Statement for Highly Productive Land (NPS-HPL)

The NPS-HPL is a relevant consideration given that the site is zoned Rural under the Rangitikei District Plan, and that the soils have a LUC class of 2 and 3. This results in the site being classified as 'highly productive land'.

Point 3.9 'Protecting highly productive land from inappropriate use and development' of the NPS-HPL is directly relevant to this application. It directs Council's to avoid inappropriate use or development of highly productive land. Subpoint 2 includes a list of what is considered an appropriate use, noting that the measures outlined in subpoint 3 must also be applied.

While subpoint 2 does not specify 'solar farms' as an appropriate use, it does provide for the maintenance, operation, upgrade and expansion of 'specified infrastructure'.

The definition for specified infrastructure includes *infrastructure that is recognised as regionally or nationally significant in a regional policy statement*. While it could be argued that the solar farm is regionally significant infrastructure (noting that 'electricity generation activities that feed into the local or national grid' are considered regionally significant in other regions that have a definition for regionally significant infrastructure), the Horizon Regional Policy Statement does not include any specific definition. For the purpose of the NPS-HPL, the solar farm is therefore progressed as non-specified infrastructure on a precautionary basis.

While the proposal does not directly align with the direction provided under point 3.9 of the NPS-HPL, the proposed solar farm is considered an appropriate use of highly productive land and aligns with the general intent of the NPS-HPL for the following reasons:

- There will be no permanent or irreversible loss of highly productive land as a result of the development. Most of the site will be retained in pasture, including the area below the panels. Should the solar farm activity cease, all land on the site can be easily repurposed for productive rural activities. This ensures that the life supporting capacity of the soil is retained, and that the proposal does not facilitate a change in land use that means that the land can not be used for productive activities in conjunction with the solar farm or in the scenario that the solar farm ceases to exist.
- The applicant will continue to utilise the land for productive purposes in conjunction with the proposed solar farm. This is likely to be in the form of grazing sheep, although there are a range of options available. This will be facilitated by a design that provides space between rows and under panels. This means that, while the proposal will facilitate a new land use on the site, the nature and specific design of the solar farm allows for the ongoing use of the land for productive activities.
- The solar farm is not sensitive to any existing productive rural activities occurring, or potential productive rural activities that could be reasonably expected to establish on land within the surrounding area.
- The NPS-REG specifically provides for the development of renewable energy generation activities. It requires decision makers to have regard to the associated benefits, practical implications and constraints associated with development, and the need for significant renewable energy development to meet government targets.

Energy Farms Limited have engaged Stretton's to undertake a productivity assessment for the site. While yet to be completed, this report will be submitted in support of the application if the project is referred.

National Environmental Standard and National Policy Statement for Fresh Water (NES-FW and NPS-FW)

Given that Beca has not identified any wetlands on the subject site, the NES-FW/NPS-FW are not relevant to this application.

Part IX: Purpose of the Act

Your application must be supported by an explanation how the project will help achieve the purpose of the Act, that is to "urgently promote employment to support New Zealand's recovery from the economic and social impacts of COVID-19 and to support the certainty of ongoing investment across New Zealand, while continuing to promote the sustainable management of natural and physical resources".

In considering whether the project will help to achieve the purpose of the Act, the Minister may have regard to the specific matters referred to below, and any other matter that the Minister considers relevant.

Project's economic benefits and costs for people or industries affected by COVID-19:

Urban Economics provided an economic assessment for Energy Farms Wellsford solar farm. They have been engaged to complete a similar report for the Marton solar project, but this was not available at the time that this application was submitted. The report prepared for the Wellsford solar farm (enclosed) has therefore been used to provide an insight into the anticipated economic benefits of the Marton solar farm, with the site specific assessment to be provided when available.

With regards to the Wellsford project, the Urban Economics report summarises the economic impacts as follows:

- Construction: the proposal will result in an increase in construction sector output, with an additional 289 full time equivalent employees and a value-added contribution of $38.5 million to GDP.
- Ongoing operation: ongoing employment from the proposal would result in an increase in energy sector output, with an additional 23 direct full time equivalent employees and a value-added contribution of $12.2 million to the energy sector per annum. The ongoing agricultural use of the land would result in an increase in agricultural sector output, with an additional 17 direct full time equivalent employees per annum and a value-added of $2.7 million to the agricultural sector GDP per annum.
- Net present value: The net present value associated with the ongoing operation of the solar farm and livestock grazing on the site over a 30-year period is estimated to be $266.5 million.

Urban Economics also considered the Wellsford project in the context of the economic aspects of the Act. It concludes that the proposal will create a range of employment opportunities in the construction, energy and agricultural sectors. Notably, it outlines that local spending in the Covid-19 impacted retail and hospitality sector is likely to experience a boost from the increased local employment generated by this project.
Based on the Urban Economics report provided for the Wellsford solar farm, it is expected that the Marton solar farm will facilitate similar economic benefits.
The proposed solar farm will also serve to reduce electricity prices where the electricity is deployed. Solar also has the benefit of daytime production, which serves to lower prices during some of the most expensive hours of the day.
The proposal will have a range of economic benefits that will ensure that the proposal aligns with the relevant aspects of the Act.

Project's effects on the social and cultural wellbeing of current and future generations:

Consultation has been initiated with the relevant iwi group - Ngā Wairiki Ngāti Apa. This will facilitate a greater insight into the potential impacts of the proposal on cultural wellbeing.
Noting that consultation is underway, the following are initial comments regarding the impact of the proposal on the social and cultural wellbeing of current and future generations:

- The proposal identifies, assesses and seeks to maintain/protect/enhance the natural features associated with the site as much as practicably possible. This will ensure that the Mauri of these features is retained.
- The archaeological assessment outlines that there are no recorded heritage features located on the site, and does not identify any unrecorded archaeological features that require further investigation or an authority from Heritage New Zealand. Furthermore, there are no sites of significance to Mana Whenua recorded on the site under the Rangitikei District Plan. The consultation process will confirm this.
- It is expected that a condition of any consent granted for the development will require compliance with an appropriate accidental discovery protocol during the site preparation works. This will ensure that there is an appropriate recourse if any unforeseen features are discovered during the works.
- The proposal represents a sustainable use of natural resources through the harnessing of the solar resource to produce electricity in a manner that will appropriately manage adverse effects on the environment.
- The proposal, and specifically the consultation process, will facilitate the creation of meaningful relationships between the applicant and Ngā Wairiki Ngāti Apa, with a focus on sustainably managing resources within their rohe. This will provide for cultural and social well-being.
- The proposal will facilitate a reliable, sustainable source of renewable energy. Electricity is a key ingredient for, and the proposal will therefore provide for social well-being via a contribution to well functioning communities.

Whether the project would be likely to progress faster by using the processes provided by the Act than would otherwise be the case:

Based on the current feedback from Simon Cocker, it is likely that the Rangitikei District Council would limited notify the application to some of the surrounding property owners. The major time gains for this project under the fast track process will therefore be the avoidance of the standard notification process. Avoiding this process could save the applicant up to 12-20 months in processing timeframes, bringing the various benefits associated with the proposal forward by the same timeframe.
If the application was to progress through the standard consenting process and was limited notified, there have been examples of neighbours of infrastructure projects seeking to disrupt a consent process by submitting and appealing, simply to secure their own "compensation" (as they are not receiving any financial compensation compared to their neighbour, whether that be through a sale price or lease/license agreement). Any environmental concerns that adjacent neighbours might have can be appropriately identified through the fast-track EPA comment process.
Notwithstanding the above comments on notification, Councils across the country are also experiencing longer than usual processing timeframes. It is expected that the timeframes afforded under the RMA would be automatically doubled by Rangitikei District Council upon lodgement. There are also trickle down delays in terms of Council engaging and obtaining the required input from various internal/external experts, noting that the industry is experiencing delays in general. Recent experience has seen Auckland Council, for example, taking some 14 months to make a

notification decision for a simple application for an electronic billboard, and almost 2 years to process an application to vary an existing water take consent.
Utilising the fast track process will create considerable certainty for the applicant in terms of consenting timeframes (given that any appeals are on points of law only).

Whether the project may result in a 'public benefit':

Examples of a public benefit as included in Section 19(d) of the Act are included below as prompts only.

Employment/job creation:

The proposal will facilitate a range of short-term and long-term employment opportunities during the design/consenting/detailed design, construction, operational, and maintenance phases. As outlined above, the Urban Economics assessment for the Wellsford solar farm confirms the following in terms of employment opportunities associated with that proposal. Urban Economics are currently preparing a similar report for the Marton solar farm, and it is expected that the report will outline a similar impact with respect to employment/job creation:

- Construction: the construction of the Wellsford solar farm will generate an additional 289 full time equivalent employees for the construction sector.
- Ongoing operation: the ongoing operation of the Wellsford solar farm will generate an additional 23 direct full time equivalent employees for the energy sector. The ongoing agricultural use of the land will generate an additional 17 full time equivalent employees per annum for the agricultural sector.

Housing supply:

N/A

Contributing to well-functioning urban environments:

As previously stated, a sustainable and reliable supply of electricity is a key ingredient for well-functioning urban environments. The proposed solar farm will produce approximately 115,000 MWh of energy per year, which is enough power approximately 41,858 homes. That electricity is produced in a sustainable manner from a reliable resource. This will increase the resilience of the communities that are served by the solar farm.
The solar farm is also proposed in an appropriate location that will not detract from the functioning of any nearby urban environment. Agricultural use will continue on the site in conjunction with the proposed solar farm, ensuring that productive values are retained as much as practicably possible.

Providing infrastructure to improve economic, employment, and environmental outcomes, and increase productivity:

The proposed solar farm is a major piece of 'infrastructure' that will inherently contribute to the improvement of economic, employment and environmental outcomes (as detailed above).
Importantly, with respect to environmental outcomes, the proposal represents a shift from the use of finite to renewable resources to meet the increasing demand for electricity. This is a shift that is encouraged with a top-down approach from central government, and is reflective of the overall sustainable management ethos of the RMA.
A shift away from using fossil fuels to produce electricity will reduce emissions, which in turn will improve public health. This has a flow on effect on productivity in that people take fewer sick days/children take fewer sick days/workplaces have fewer absences, therefore increasing productivity.
A reliable energy source also facilitates the ongoing operation of businesses at times where other electricity sources may be interrupted. This in turn increases productivity.

Improving environmental outcomes for coastal or freshwater quality, air quality, or indigenous biodiversity:

The proposal seeks to improve environmental outcomes for freshwater and indigenous biodiversity by:

- Minimising impacts on watercourses by avoiding reclamation of intermittent and perennial stream systems, and making sure that the any culverts are designed to meet appropriate fish passage and conveyance guidelines.
- Putting in place a range of construction-phase mitigations and management plans.

- Considering the enhancement of riparian margins and restricting stock access to high value stream areas.
- Minimising the native vegetation clearance where practicably possible.

It is also noted that no contaminants will be discharged from the solar panels or associated infrastructure.
With regards to air quality, the proposed solar farm will facilitate an improvement in environmental outcomes by reducing the reliance on burning fossil fuels to generate electricity. The solar farm will generate approximately 115,000 MWh of energy per year. This will remove up to 195,000 T of carbon emissions that would have otherwise been generated by burning coal. This is an important environmental outcome for New Zealand, as signaled by the Governments strategies of 100% renewable electricity generation by 2035 and a net zero carbon future by 2050. These strategies are enforced through the NPS-REG, with the policy direction permeating through other national, regional and district planning documents.

Minimising waste:

N/A

Contributing to New Zealand's efforts to mitigate climate change and transition more quickly to a low-emissions economy (in terms of reducing New Zealand's net emissions of greenhouse gases):

As outlined above, the solar farm will generate approximately 115,000 MWh of energy per year. This will remove up to 195,000 T of carbon emissions that would have otherwise been generated by burning coal. This is an important environmental outcome for New Zealand, as signaled by the Governments strategies of 100% renewable electricity generation by 2035 and a net zero carbon future by 2050. These strategies are enforced through the NPS-REG, with the policy direction permeating through other national, regional and district planning documents.
The solar farm will directly contribute to New Zealand's efforts to mitigate climate change and transition more quickly to a low emissions economy.

Promoting the protection of historic heritage:

The archaeological assessment does not identify any archaeological features, and concludes that an authority is not required from Heritage New Zealand.

Strengthening environmental, economic, and social resilience, in terms of managing the risks from natural hazards and the effects of climate change:

The ongoing use of finite resources, particularly the burning of fossil fuels, to produce power has a clearly negative impact with respect to climate change. As the climate continues to warm as a result of these activities, our environment, economy and society become more susceptible to the various risks posed by natural hazards.
By actively encouraging New Zealand's transition to a low emissions economy (removing up to 195,000 T of carbon emissions), the proposed solar farm contributes to lowering the risk posed by natural hazards whose frequency and severity are being increased by climate change.
The solar farm will also contribute to an enhanced, diversified and varied electricity supply for the areas that it serves. Noting that natural hazards are unavoidable and can have direct impacts on the provision of electricity, an enhanced, diversified and varied supply will directly strengthen environmental, economic and social resilience.

Other public benefit:

N/A

Whether there is potential for the project to have significant adverse environmental effects:

No significant adverse effects are anticipated as a result of the solar farm.

Part X: Climate change and natural hazards

Description of whether and how the project would be affected by climate change and natural hazards:

Given the location of the site, coastal inundation does not present a risk to the solar farm.
There are some flood hazards that apply to the site. The hazards were mapped and assessed by Beca as part of its initial investigations. The layout of the solar farm has therefore been designed cognisant of, and responds directly to the identified hazards, with the obvious intent being to minimise the potential impact on the operation of the solar farm.
Notwithstanding the above, the solar farm is relatively resilient to the impacts of flooding. The angle of the panels can be altered to increase their height from the ground and any flood hazards. This means that the farm can respond to natural hazards as they occur. If damaged, the panels can be easily repaired or replaced. The inverters and substation have also been located so to avoid impact from natural hazards, while the cabling that interconnects the various aspects of the solar farm will be underground, and therefore not susceptible to flooding.

Part XI: Track record

A summary of all compliance and/or enforcement actions taken against the applicant by a local authority under the Resource Management Act 1991, and the outcome of those actions:

Local authority	Compliance/Enforcement Action and Outcome
No details	

Part XII: Declaration

I acknowledge that a summary of this application will be made publicly available on the Ministry for the Environment website and that the full application will be released if requested.

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.

Thomas Keogh	08/02/2023
Signature of person or entity making the request	**Date**

Important notes:

- Please note that this application form, including your name and contact details and all supporting documents, submitted to the Minister for the Environment and/or Minister of Conservation and the Ministry for the Environment, will be publicly released. Please clearly highlight any content on this application form and in supporting documents that is commercially or otherwise sensitive in nature, and to which you specifically object to the release.
- Please ensure all sections, where relevant, of the application form are completed as failure to provide the required details may result in your application being declined.
- Further information may be requested at any time before a decision is made on the application.
- Please note that if the Minister for the Environment and/or Minister of Conservation accepts your application for referral to an expert consenting panel, you will then need to lodge a consent application and/or notice of requirement for a designation (or to alter a designation) in the approved form with the Environmental Protection Authority. The application will need to contain the information set out in Schedule 6, clauses 9-13 of the Act.
- Information presented to the Minister for the Environment and/or Minister of Conservation and shared with other Ministers, local authorities and the Environmental Protection Authority under the Act (including officials at government departments and agencies) is subject to disclosure under the

Official Information Act 1982 (OIA) or the Local Government Official Information and Meetings Act 1987 (LGOIMA). Certain information may be withheld in accordance with the grounds for withholding information under the OIA and LGOIMA although the grounds for withholding must always be balanced against considerations of public interest that may justify release. Although the Ministry for the Environment does not give any guarantees as to whether information can be withheld under the OIA, it may be helpful to discuss OIA issues with the Ministry for the Environment in advance if information provided with an application is commercially sensitive or release would, for instance, disclose a trade secret or other confidential information. Further information on the OIA and LGOIMA is available at www.ombudsman.parliament.nz.

Checklist

Where relevant to your application, please provide a copy of the following information.

No	Correspondence from the registered legal land owner(s)
No	Correspondence from persons or parties you consider are likely to be affected by the project
No	Written agreement from the relevant landowner where the project includes an activity that will occur on land returned under a Treaty settlement.
No	Written agreement from the holder of the relevant customary marine title order where the project includes an activity that will occur in a customary marine title area.
No	Written agreement from the holder of the relevant protected customary marine rights recognition order where the project includes an activity that will occur in a protected customary rights area.