

BRF-820

8 November 2021

Chris McLay
Chief Executive Officer
Waikato Regional Council

s 9(2)(a)

Dear Chris McLay

COVID-19 Recovery (Fast-track Consenting) Act 2020 – comments sought on referral application – Tauhei Solar Farm

The Minister for the Environment (the Minister) has received an application from Harmony Energy NZ Limited to refer the Tauhei Solar Farm project to an expert consenting panel (a panel) for consideration under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA).

The project is described in Appendix A and a link to the application documents is in the covering email.

Under delegated authority from the Minister and pursuant to section 21(2) of the FTCA, I invite you to provide written comments on the referral application. A template is attached for this purpose. Comment is sought on the specific matters outlined in the table below, and on any other matter you consider relevant to the Minister's decision on whether or not to accept the application.

The above information is provided to you in confidence and as part of the statutory process set out in the FTCA. Please do not forward the application or request for comments to anyone outside your organisation.

Specific questions on the application

1. Are there any reasons that you consider it more appropriate for the project, or part of the project, to proceed through existing Resource Management Act 1991 (RMA) consenting processes rather than the processes in the FTCA?
2. What reports and assessments would normally be required by the council for a project of this nature in this area?
3. Does the applicant, or a company owned by the applicant, have any environmental regulatory compliance history in your region?
4. Does the project contain any prohibited activities under the Waikato Regional Plan or the Resource Management (National Environmental Standards for Freshwater) Regulations 2020? In particular, are any activities regarding works affecting wetlands prohibited?

If the Minister accepts the application and the project is referred to a panel the council will have the opportunity to nominate a local authority representative (who could be a councillor or independent hearings commissioner) to sit on the panel and determine the Resource Management Act 1991 approvals for the project. The applicant will provide a detailed assessment of environmental effects and cultural impact assessments at this stage and the council will have the opportunity to provide further comments to the panel. The Ministry for the Environment has prepared guidance on local authority involvement with fast-track consenting projects which you can access on the Ministry for the Environment website.

Please provide your comments via return email within 10 working days to ensure that the Minister takes your comments into consideration when making his decision. Note that the Minister is not required to consider any comments provided after this time.

If you wish to discuss the application, please contact the Ministry for the Environment's Fast-track Consenting Team at fasttrackconsenting@mfe.govt.nz to arrange an appointment.

Yours sincerely



Stephanie Frame
Manager, Fast-track Consenting Team

Enclosures:

A. Response template for written comments

cc: Amy Robinson, Consents Manager, s 9(2)(a)

Appendix A - Proposed project

Project	Applicant	Details
Tauhei Solar Farm	Harmony Energy NZ Limited	<p>The project is to construct, install and operate a solar farm with capacity to generate approximately 185MWp (Megawatt peak) electricity for supply to the national electricity grid.</p> <p>The project site is located on 262.5 hectares of private land, which extends from Mikkelson Road to Stanley Road South, and on parts of the Mikkelson Road and O'Donoghue Road reserves, in Te Aroha West, Waikato.</p> <p>The solar will comprise:</p> <ul style="list-style-type: none"> (a) solar panels, arrays, mounting structures and poles covering approximately 182 hectares of the Project site (b) two sub-stations (c) a power station (d) underground electricity cables (e) ancillary buildings, structures and infrastructure. <p>The project will involve activities such as:</p> <ul style="list-style-type: none"> (a) clearing vegetation (b) carrying out earthworks (including disturbing potentially contaminated soils) (c) taking, using and diverting groundwater (d) discharging groundwater, stormwater run-off and contaminants to land and water (e) constructing buildings and structures for renewable energy generation (f) installing underground electricity cables and ancillary infrastructure (g) constructing and/or upgrading roads, culverts, vehicle access and parking areas (h) restoring wetland and riparian areas, including constructing wetland utility structures (i) planting for biodiversity corridors and boundary screening (j) operating a solar farm (k) any other activities that are: <ul style="list-style-type: none"> i. associated with activities described in paragraph a to k ii. within the project scope.