



BRF-2130

Waikato Solar Farms Limited and Transpower New Zealand Limited
c/- Alana Lampitt
Partner
Chapman Tripp
s 9(2)(a)

15 September 2022

Dear Alana Lampitt

COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Notice of Decisions (Section 25) – Waiterimu Solar Farm Project

Thank you for Waikato Solar Farms Limited's and Transpower New Zealand Limited's application under section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) seeking referral of the Waiterimu Solar Farm Project (project) to an expert consenting panel (panel) for consideration under the FTCA.

The project is to construct and operate a solar farm on a 380-hectare site at 304 and 345 Waiterimu Road, Waiterimu, Waikato, and to connect it to the national electricity grid. The solar farm will have an approximate output of 140 Megawatt peak, and will comprise:

- a. approximately 225,000 solar panels up to approximately 3.5 metres high and, occupying approximately 63 hectares
- b. inverter cabinets, arrays, mounting structures, motors and poles to support the panels
- c. a substation and transmission line to connect to the national grid
- d. an energy storage facility
- e. underground electricity cables
- f. ancillary buildings, structures and infrastructure (including roads, fencing, security lighting and for connection to existing overhead electricity lines)
- g. landscaping including planting and enhancement of wetlands and streams

The purpose of the FTCA is to 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.

I can only refer the project to a panel for consideration under the FTCA if it meets the referral criteria in section 18 of the FTCA, which includes me being satisfied the project will help achieve the FTCA's purpose.

I have decided the project meets the referral criteria in section 18 of the FTCA and I consider it will help to achieve the FTCA's purpose as it has the potential to:

1. generate employment by creating 105-127 direct full-time equivalent (FTE) jobs over a 15-18 month construction period and approximately 15 ongoing FTE jobs
2. provide infrastructure that will contribute to improving economic and employment outcomes
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.

Any actual and potential effects arising from the project, together with any measures to avoid, remedy, mitigate, offset or compensate for adverse effects, could be tested by a panel against Part 2 of the Resource Management Act 1991 and the purpose of the FTCA (section 4 and clause 31 Schedule 6).

Accordingly, I have decided to accept your application for referral under section 24(2) of the FTCA and refer all of the project to a panel.

Information required to be submitted with your resource consent applications

In accordance with section 24(2)(d) of the FTCA, I have also decided that you must provide the information listed in Appendix A of this letter with any resource consent application for the project lodged with the Environmental Protection Authority (EPA) under clause 2 Schedule 6.

I draw your attention to clause 14 Schedule 6 of the FTCA that details that the above information must be provided in sufficient detail to correspond to the scale and significance of effects. You should therefore provide what you believe is a reasonable level of information, and if a panel requires further information, they can seek it from you under clause 25 Schedule 6 of the FTCA.

This information will inform a panel's assessment of the proposal's effects and whether to invite comment from persons or groups in addition to those specified in clause 17 Schedule 6 of the FTCA. This does not preclude a panel from requiring you to provide any additional information on any application lodged with the EPA under the FTCA.

Persons or groups a panel must invite comments from

In accordance with section 24(2)(e) of the FTCA, I have also decided that a panel must invite comments on any resource consent application for the project lodged with the EPA from the following persons or groups additional to those specified in clause 17 Schedule 6 of the FTCA:

1. Minister of Energy and Resources
2. Ngāti Koheriki Claims Committee
3. Waahi Whaanui Trust.

This will allow those parties the opportunity to have input into the consideration of the application and enable a panel to better understand the potential effects of the proposal.

These directions do not preclude a panel from inviting any other parties to comment on any application lodged with the EPA under the FTCA.

I will progress an Order in Council through the Executive Council for the project. The wording of the referral order may vary slightly from the statements and directions included in this letter, due to legal drafting requirements.

Once this Order is made you will be able to lodge your applications for resource consent with the EPA for a decision by a panel. The decision to approve or decline the resource consents is a matter for the panel appointed by the Panel Convener Judge L J Newhook. You should not take my decision to refer the project as an indication or direction that the determination of those approvals will be successful. Additionally, my decision does not in any way endorse any related planning decisions that may affect the project.

Please do not publicly release my decision or this notice until the Order in Council for this project has been approved by Cabinet and notified in the New Zealand Gazette.

The FTCA requires that:

1. I provide a copy of my decisions to the persons, entities and groups specified in section 25(1) and (2) of the FTCA
2. My decisions, the reasons for them, and the Section 17 Report will be published on the Ministry for the Environment's website in accordance with section 25(3) of the FTCA.

I have also decided to provide a copy of this decision to the following parties who are additional to those specified in the FTCA:

1. Minister of Energy and Resources
2. Ngāti Koheriki Claims Committee
3. Waahi Whaanui Trust.

Please contact the Fast-track Consenting Team at the Ministry for the Environment (fasttrackconsenting@mfe.govt.nz) if you have any questions or wish to discuss this decision.

Yours sincerely



Hon David Parker
Minister for the Environment

cc Relevant Ministers of/for portfolios specified in section 21(6)(a)–(m) of the FTCA:

Infrastructure; Māori Crown Relations; Te Arawhiti; Housing; Education; Arts, Culture, and Heritage; Treaty of Waitangi Negotiations; Local Government; Conservation; Land Information; Defence; Transport; and Climate Change

Additional relevant Minister/s:

Minister of Energy and Resources

Local authorities:

Waikato District Council
Waikato Regional Council

Other parties:

Ngāti Koheriki Claims Committee
Waahi Whaanui Trust

Relevant iwi authority/ies:

Hauraki Māori Trust Board
Ngāti Maru Rūnanga Trust
Ngāti Paoa Iwi Trust
Ngāti Paoa Trust Board
Ngāti Tamaterā Treaty Settlement Trust
Te Kupenga o Ngāti Hako
Te Whakakitenga o Waikato Incorporated

Relevant Treaty settlement entities:

Te Whakakitenga o Waikato Incorporated
Ngāti Paoa Iwi Trust
Ngāti Maru Rūnanga Trust
Ngāti Tamaterā Treaty Settlement Trust
Hako Tūpuna Trust

Environmental Protection Authority

The Panel Convener

Appendix A – Requirements specific to referral of the Waiterimu Solar Farm project

Information required to be submitted with resource consent applications to a panel

In accordance with section 24(2)(d) of the FTCA, I have also decided that you must provide the following information with any application:

- an integrated transport assessment that:
 - identifies the existing capacity of the local road network to service traffic associated with the project including effects on road safety and maintenance
- a glint and glare assessment of the photovoltaic panels, including:
 - modelling the location and nature of glint and glare on road users and sensitive receptors such as dwellings
 - any measures for mitigating those effects:
- an ecological assessment including:
 - an assessment of the effects of the project on vegetation, natural wetlands, freshwater, avifauna, lizards and bats
 - an assessment of the effects of the project on significant natural areas
 - details of measures to avoid or mitigate these effects
 - a bat management plan that sets out how the project will avoid the loss of roost trees, mitigate the loss of vegetation, and address effects of lighting and noise
- an assessment of the visual effects of the project on the landscape and natural character of the project site, including any effects on the rural landscape
- supporting information and calculations which confirm the expected electricity output of the solar farm in GWh/annum, and identification of how many kg/annum of CO₂ emissions this is expected to displace
- a flood risk assessment including:
 - an assessment of climate change impacts on the project
 - information to demonstrate what climate change impacts have been provided for as part of a flooding assessment
 - details of measures to ensure resilience of battery and substation infrastructure
- an archaeological assessment.