



BRF-3153

LET Capital Number 3 Limited Partnership  
c/- Jennifer Valentine  
Technical Director - Planning  
4Sight Consulting Limited  
s 9(2)(a)

Dear Jennifer Valentine

**COVID-19 Recovery (Fast-Track Consenting) Act 2020 – Notice of Decisions (Section 25) – Waiuku Wind Farm Project**

Thank you for LET Capital Number 3 Limited Partnership's application under section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) seeking referral of the Waiuku Wind Farm Project (project) to an expert consenting panel (panel) for consideration under the FTCA.

The project is to construct and operate a wind farm on an approximately 560-hectare site, comprising multiple properties at 66 Huarau Way, 76 Robertson Road, 136, 191 and 260 Thomson Road, and 612 Forestry Road, Waiuku, Waikato, and to connect to and supply electricity to the national grid. The wind farm will have an approximate installed capacity of 80 megawatts peak and will comprise up to 18 wind turbines with blade tip heights up to 190 metres high. The project includes the construction of infrastructure and supporting structures including internal roads, turbine platforms, foundation and crane pads, underground electrical and fibre optic cables, two wind monitoring masts up to 100 metres high, an energy storage facility, a concrete batching plant and ancillary buildings.

The project includes two options to connect to and supply electricity to the national grid, with the transmission lines extending north into the Auckland Region:

- a. Option A involves the construction of a new 33kV transmission line extending from the proposed wind farm to an existing 33kV Counties Energy Limited (CEL) transmission line south of Otatau. Upgrades would also be required to the existing 33kV transmission line along the route to the Waiuku substation and then on to the Glenbrook substation
- b. Option B involves the construction of a new 33kV transmission line, with two route options, extending from the proposed wind farm to the Waiuku substation and either a new 33kV transmission line, or upgrading to the existing 33kV CEL transmission line, between Waiuku and Glenbrook substations.

Option A involves works within road reserve and on various parcels of private land, and Option B involves works within road reserve and on land owned by CEL.

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 providing approximately 330 direct full-time equivalent (FTE) jobs over a 2-year construction period, and 31 ongoing direct FTE jobs once construction is complete
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
4. progress faster than would otherwise be the case under standard Resource Management Act 1991 process.

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 following information with any resource consent applications for the project lodged with the Environmental Protection Authority (EPA) under clause 2 Schedule 6:

1. an ecological assessment, including:
  - i. an assessment of the effects of the activities involved in the project (including the operation of the wind farm) on vegetation, natural inland wetlands, birds and bats, and their habitats
  - ii. complete field survey data and survey reports for birds and bats
  - iii. a description of measures to avoid or mitigate these effects, including a draft bird management plan and a draft bat management plan.

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 applications 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. Minister of Agriculture
3. Transpower New Zealand Limited
4. Counties Energy Limited
5. Te Ākitai Waiohua Iwi Authority
6. Ngāti Koheriki Claims Committee
7. Ngati Karewa Ngāti Tāhinga 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 or concurrent planning decisions such as zoning 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. Te Ākitai Waiohū Iwi Authority
2. Ngāti Koheriki Claims Committee
3. Ngāti Karewa Ngāti Tāhinga Trust.

Please contact the Fast-track Consenting Team at the Ministry for the Environment ([fasttrackconsenting@mfe.govt.nz](mailto: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:

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

Additional relevant Ministers:

Minister of Energy and Resources  
Minister of Agriculture

Local authorities:

Waikato Regional Council  
Waikato District Council  
Auckland Council

Other parties:

Transpower New Zealand Limited  
Counties Energy Limited  
Te Ākitai Waiohū Iwi Authority  
Ngāti Koheriki Claims Committee  
Ngāti Karewa Ngāti Tāhinga Trust.

Relevant iwi authorities:

Te Whakakitenga o Waikato Incorporated  
Ngāti Tamaoho Trust  
Te Ara Rangatu o Te Iwi o Ngāti Te Ata Waiohū

Relevant Treaty settlement entities:

Te Whakakitenga o Waikato Incorporated  
Waikato Raupatu River Trust

Waikato River Authority  
Ngāti Tamaoho Settlement Trust

Environmental Protection Authority

The Panel Convener