

## FTAA-2504-1044: Application received for referral of the project under the Fast-track Approvals Act 2024 – Stage 2 decisions

### Project Name: Twizel Solar Project

Date submitted:	30 July 2025	Tracking #: BRF-6373	
Security level:	In-Confidence	MfE priority:	Urgent

	<b>Action sought:</b>	<b>Response by:</b>
To Hon Chris Bishop, Minister for Infrastructure	Decision on recommendations	To be advised

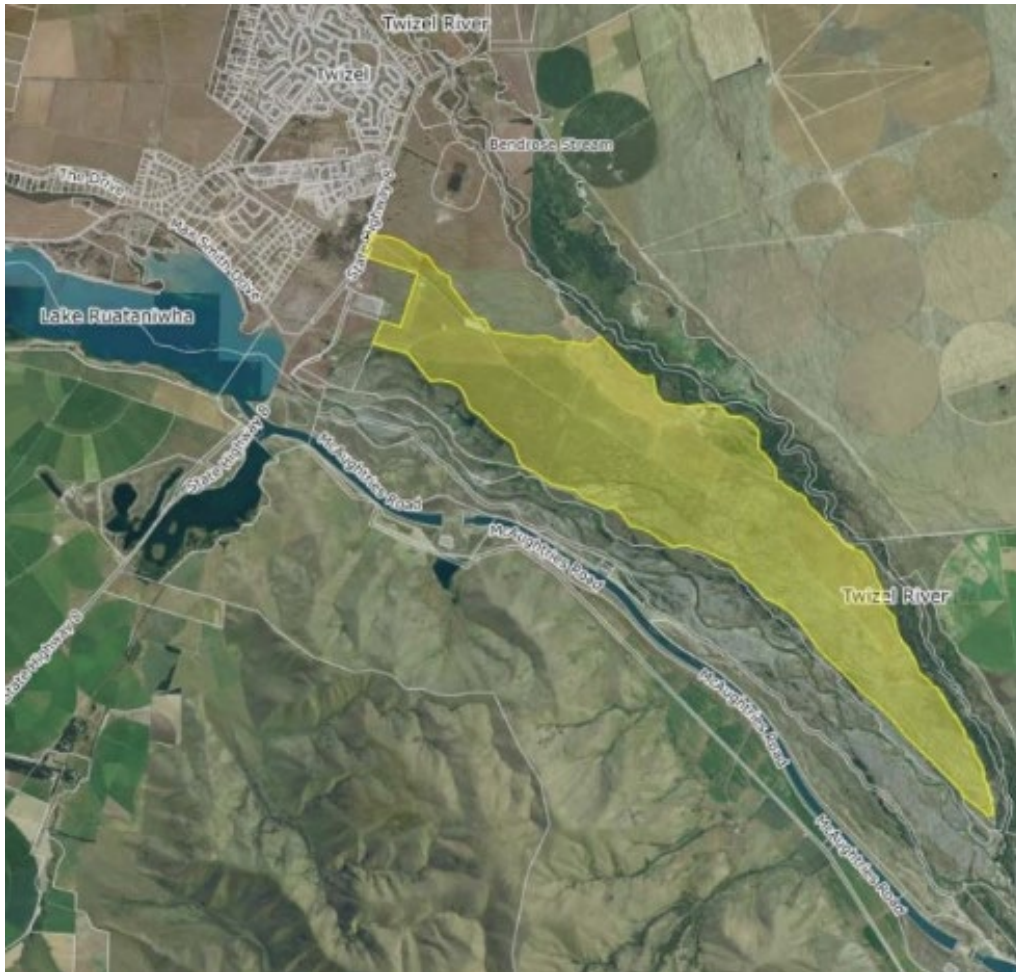
Actions for Minister's Office staff	<b>Return</b> the signed briefing to MfE <a href="mailto:FTAreferrals@mfe.govt.nz">FTAreferrals@mfe.govt.nz</a> . <b>Approved</b> the attached notice of decisions letter (if signed).
Number of attachments: 7	Appendices: 1. Statutory framework for making decisions 2. Application documents for Twizel Solar Project 3. Stage 1 Briefing Note and decisions 4. Section 18 Report on Treaty settlements and other obligations 5. Comments received from invited parties 6. Further information from applicant 7. Draft Notice of Decisions (letter attached)

### Ministry for the Environment contacts

Position	Name	Cell phone	1 <sup>st</sup> contact
Principal Author(s)	Antonia Croft, Stephen Church		
Acting Manager	Max Gander-Cooper	s 9(2)(a)	✓
General Manager	Ilana Miller	s 9(2)(a)	

## Project location

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## Key messages

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1. This briefing seeks your decisions on the application from Nova Energy Limited to refer the Twizel Solar project (the project) under the Fast-track Approvals Act 2024 (the Act) to the fast-track approvals process for consideration by a panel.
2. A copy of the application is in Appendix 2. This is the second briefing on this application. The first (Stage 1) briefing (BRF-6146) with your initial decisions annotated is in Appendix 3.
3. The project involves the establishment and operation of a 300-megawatt solar farm over 500 hectares of an 868-hectare site to the east of Twizel township and State Highway 8 in the Canterbury region. The project will generate enough renewable energy annually to power 75,000 homes.
4. The project also involves the construction of overhead transmission lines to connect the site to the National Grid via the Transpower Twizel substation.
5. The project will require the proposed approvals:
  - a. Resource consents under the Resource Management Act 1991.
  - b. Permits under the Wildlife Act 1953.

6. We recommend you **accept** the referral application as the project meets the criteria set out in section 22 and does not appear to involve an ineligible activity.
7. We seek your decisions on this recommendation and on the proposed directions to the applicants and the expert panel, and notification of your decisions.

### Assessment against statutory framework

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8. The statutory framework for your decision-making is set out in Appendix 1. You must apply this framework when you are deciding whether to accept or decline the referral application and when deciding on any further requirements or directions associated with referral of the project.
9. Before accepting the project, you must consider the application (Appendix 2), the section 18 Treaty settlements report (in Appendix 4) any comments from invited parties (in Appendix 5), any further information requested from the applicant (Appendix 6), the relevant local authorities, or the relevant administering agencies (in Appendix 5) and any document that requires your consideration under section 16 and comply with any procedural requirements under section 16.
10. Following that, you may accept the application if you are satisfied that it meets the criteria in Section 22 of the Act and if there are no reasons meaning you should decline the application. We discuss these matters and provide our advice below.

### Section 18 Treaty settlements and other obligations report

11. The report identifies Te Rūnanga o Ngāi Tahu, Te Rūnanga o Arowhenua, Te Rūnanga o Waihao, and Te Rūnanga o Moeraki as relevant Treaty settlement entities, and Aoraki Environmental Consultancy Limited and Aukaha (owned by the relevant papatipu rūnanga) as other Māori groups with relevant interests.
12. The Treaty settlement relevant to this application is the Ngāi Tahu Claims Settlement Act 1998.
13. The settlement provides for statutory acknowledgements over water bodies (Lake Benmore, Lake Aviemore, Waitaki River) which are downstream of the project area. The settlement recognises the association of Ngāi Tahu with certain taonga species, including a significant number of bird species which may be found in the project area, but the settlement provisions regarding taonga species. The settlement also provides for several nohoanga (temporary campsites for customary food gathering) on Crown land, but these are several kilometres from the project area.
14. Te Rūnanga o Ngāi Tahu, Te Rūnanga o Arowhenua (jointly with Aoraki Environmental Consultancy), Te Rūnanga o Moeraki, and Te Rūnanga o Waihao have provided comments and are all opposed to the application, on the basis that it does not identify all the relevant provisions of the Ngāi Tahu settlement, nor fully considers the potential impacts of the project on the settlement, the environment, and the cultural significance of the area.
15. All groups who responded asked you to consider the cumulative effects of multiple proposals for large-scale solar farms in Te Manahuna/Mackenzie Basin. We note that the meaning of effect under section 3(d) of the RMA includes cumulative effects, so this is a matter which an expert panel can consider when assessing a substantive application for the project.
16. The Minister for Māori Development/Minister for Māori Crown Relations: Te Arawhiti supports the application subject to the concerns expressed by the relevant Māori groups being mitigated as much as possible to the satisfaction of those groups.

17. We do not consider the matters raised in those comments make it more appropriate for the proposed approvals to be authorised under another Act or Acts.
18. However, should you accept this application for referral, we propose that you specify under section 27(3)(b)(ii) that the applicant provide further information in their substantive application about how they have engaged with Ngāi Tahu and the papatipu rūnanga regarding the concerns they have raised.

### **Section 16 Effects of Treaty settlements and other obligations on decision-making**

19. We do not consider there are any documents that place procedural requirements on you or a panel with regard to this application.

### **Written comments received**

20. In addition to the comments noted in paragraph 14, comments were also received from Mackenzie District Council (MDC) and Canterbury Regional Council (CRC) as relevant local authorities, the Minister for the Environment, the Minister for Climate Change, Minister for Energy, the Minister for Regional Development, and the Minister for Economic Growth as relevant portfolio ministers, the Department of Conservation (DOC) as a relevant administering agency, and Meridian Energy Limited, Transpower New Zealand Limited, and New Zealand Transport Agency (NZTA) as other relevant persons.
21. The key points from the comments are:
  - a. The Minister for Economic Growth, Minister for Regional Development, Minister for Climate Change and Energy, Minister for Māori Development, Minister for Māori Crown Relations – Te Arawhiti, MDC, CRC and Transpower support project referral.
  - b. Meridian Energy Limited, NZTA and DOC neither supported nor opposed project referral but had no concerns to raise on the project.
  - c. DOC raised concern regarding the significant adverse effects on ecological values in the area, particularly given the presence of Threatened and At-Risk species and ecosystems within the site and surrounding area. They anticipate further engagement with the applicant to minimise adverse effects where possible
  - d. MDC raised concerns about the project's proximity to Sites and Areas of Significance to Māori (SASM) and Nohoanga entitlements under the Ngāi Tahu Claims Settlement Act and the scale may obscure ancestral landscapes.
  - e. MDC and CRC noted the project is within the Mackenzie Basin, an Outstanding Natural Landscape with a site of Natural Significance.
  - f. Both councils (MDC and CRC) and relevant Māori groups highlighted the potential cumulative effects of five solar farm applications in the basin, covering 2,300 hectares.
  - g. All relevant Māori groups commented that they were in opposition to the project.

### **Further information provided by the applicant and relevant local authorities**

22. In response to your request to provide evidence and explanation to support their statements that the project will deliver economic and employment benefits of regional or national significance, the applicant provided an economic analysis report with a summary of the anticipated economic and employment benefits of the project, these are included in Table A.

23. In response to requests to CRC and MDC on whether the project would have significant regional or national benefits, along with any comments on alignment with the relevant regional plans, policies, and/or strategies in that context, CRC noted that while the proposal has the potential for national benefits (including security of supply, diversification of energy generation and increase in renewable energy generation), any development would need to be established in a manner which does not adversely impact or lessen the nationally significant or outstanding values within the wider Mackenzie Basin.
24. Both CRC and MDC consider they need further information to determine consistency with local and regional planning documents along with a landscape and visual assessment, that considers any effects of the project on the Outstanding Natural Landscape Values of Te Manahuna (Mackenzie Basin) as identified in the Mackenzie District Plan and the Regionally Significant Landscape.
25. You must consider all information received. We have taken this information into account in our analysis and advice presented in Table A.

### **Reasons to decline**

26. The statutory framework in Appendix 1 sets out the situations where you must decline the application for referral under section 21(3).
27. We do not consider that you must decline this application.
28. You may also decline the application for any other reason under section 21(4). The Act gives some guidance on matters you could consider when deciding whether to decline an application and these are set out in Table A.
29. We have considered the matters in section 21(4) and this is discussed in Table A, and we do not consider you should decline the project for any of these reasons.

### **Reasons to accept**

30. The statutory framework in Attachment 1 sets out the reasons you can accept a project for referral
31. Our assessment of these matters is summarised in Table A. We consider the project meets the requirements of section 22, as it:
  - a. is an infrastructure project because it involves the establishment and operation of a solar farm
  - b. it would have significant regional or national benefits by:
    - i. delivering new regionally or nationally significant infrastructure which could power approximately 75,000 households annually
    - ii. delivering significant economic benefits including: increasing the supply of electricity, which could reduce wholesale electricity prices and creating 315 jobs during peak construction
    - iii. supporting climate change mitigation and adaptation including the reduction of greenhouse gas emissions by establishing a new renewable energy source
    - iv. addressing significant environmental issues by supporting climate change mitigation and adaptation
  - c. referring the project to the fast-track approvals process would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way

than under normal processes because the project would be processed under the FTAA faster than under the standard RMA process

- d. is unlikely to materially affect the efficient operation of the fast-track approvals process because the project is not novel in the New Zealand context and is similar to the type of applications that expert panel members are experienced in dealing with under the RMA and previous fast-track legislation.

## Conclusions

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- 32. We consider the project meets the section 22 criteria and you could accept the application under section 21 of the FTAA and refer the project to a panel with the specifications outlined below.
- 33. We consider that if you decide to refer the project, you should specify under section 27 of the Act the following requirements that should apply to the project:
  - a. A summary of consultation with Te Rūnanga o Ngāi Tahu, relevant papatipu rūnanga, and their representatives since referral, outlining concerns raised regarding Ngāi Tahu settlement principles, statutory acknowledgements, nohanga, and taonga species, and explaining how this has informed the substantive application.
  - b. The Chief Executive of Transpower, Chief Executive of Meridian and Chief Executive of the New Zealand Transport Agency Waka Kotahi as persons from whom a panel must invite comments from in addition to those specified in section 53
- 34. The above restrictions are required for the following reasons:
  - a. ensuring that Ngāi Tahu and the papatipu rūnanga have their concerns addressed
  - b. ensuring the panel seeks comments from Transpower (as the National Grid operator), Meridian (as the landowner for the grid connection), and NZTA, given the project's proximity to a state highway

## Next steps

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- 35. MfE must give notice of your decisions on the referral application, and the reasons for them, to the applicant(s) and anyone invited to comment under section 17 and publish the notice on the Fast Track website.
- 36. If you decide to refer the project, MfE must also give notice of your decision to:
  - a. the panel convener
  - b. any additional iwi authorities or Treaty settlement entities that you consider have an interest in the matter other than those invited to comment under section 17
  - c. the Environmental Protection Authority (EPA)
  - d. the relevant administering agencies
- 37. On your behalf we will provide all the information you received that relates to this application to the EPA and the panel convener, including:
  - a. the referral application
  - b. any comments received under section 17
  - c. the report obtained under section 18

38. We have attached a notice of decisions letter to the applicant based on our recommendations (refer to Appendix 7) and we will provide it to all relevant parties. We will provide you with an amended letter if required.
39. Our recommendations for your decisions follow.

## Recommendations

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40. We recommend that you:

- a. **Note** section 21(3) of the Fast-track Approvals Act 2024 (FTAA) requires you to decline the referral application from Nova Energy Limited if you are satisfied that the project involves an ineligible activity, or you consider that you do not have adequate information to inform the decision under this section or if you are not satisfied that the Twizel Project (the project) meets the referral criteria in section 22 of the FTAA.
- b. **Agree** that before making a decision on the application for project referral under section 21(1) of the FTAA you have considered:
  - i. the application in Appendix 2
  - ii. the report obtained under section 18 in Appendix 4
  - iii. any comments and further information sought under sections 17 and 20 and provided within the required timeframe in Appendices 5 and 6.

Yes/No

- c. **Agree** you are satisfied the project will meet the referral criteria in section 22 of the FTAA as:
  - i. It would have significant regional or national benefits by:
    - delivering new regionally or nationally significant infrastructure, which could power approximately 75,000 households annually
    - delivering national economic benefits including increasing the supply of electricity, which could reduce wholesale electricity prices, and generating 315 jobs during peak construction
    - supporting climate change mitigation and adaptation including the reduction of greenhouse gas emissions by establishing a new renewable energy source
  - ii. referring the project would facilitate the project and enable it to be processed in a more timely and cost-effective manner than understand process, by utilising a process which does not involve public notification and limits rights of appeal
  - iii. referral is unlikely to materially affect the efficient operation of the fast-track approvals process because the project is not novel in the New Zealand context and is similar to the type of applications that expert panel members are experienced in dealing with under the RMA

Yes/No

- d. **Agree** there is no reason the project must be declined under 21(3)

Yes/No

- e. **Agree** to accept the referral application under section 21(1) and refer all of the project to a panel under section 26(2)

Yes/No

- f. **Agree** to specify Nova Energy Limited as the person who is authorised to lodge a substantive application for the project.

Yes/No

g. **Agree** to specify under section 27(3)(b)(ii) of the Act that the applicant must include with their substantive application:

- i. A summary of consultation with Te Rūnanga o Ngāi Tahu, relevant papatipu rūnanga and their representatives since referral, outlining concerns raised regarding Ngāi Tahu settlement principles, statutory acknowledgements, nohanga, and taonga species, and explaining how this has informed the substantive application.

Yes/No

h. **Agree** to specify under section 27(3)(b) of the FTAA

- i. The following persons or groups from whom a panel must invite comments in addition to those specified in section 53:
  - 1. Transpower New Zealand Limited
  - 2. Meridian Energy Limited
  - 3. New Zealand Transport Agency

Yes/No

i. **Agree** that MfE must provide your notice of decisions to:

- i. anyone invited to comment on the application
- ii. the panel convener
- iii. The Environmental Protection Authority (EPA)
- iv. The following relevant administering agencies:
  - 1. Ministry for the Environment
  - 2. Department of Conservation

Yes/No

## Signatures

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Ilana Miller  
**General Manager, Delivery and Operations**

Hon Chris Bishop  
**Minister for Infrastructure**

**Date:**

Table A: Stage 2 analysis

Recommendation	Accept to refer		
Project details	Project Name	Applicant	Project Location
	Twizel Solar Project	Nova Energy Limited c/- Authorised Agent BTW Limited Trent Lynch and Cam Twigley	The project site is located immediately east of Twizel township and State Highway 8 in the Mackenzie District, Canterbury Region.
Project description	<p>The project involves the establishment and operation of a 300-megawatt solar farm over 500 hectares of an 868-hectare site to the east of Twizel Township. Once operational and connected to the National Grid, the project will generate enough renewable energy annually to power 75,000 homes.</p> <p>The project comprises:</p> <ol style="list-style-type: none"> <li>general earthworks and site establishment including the construction of operational and management buildings, inverters, internal roads/tracks</li> <li>solar panels situated on solar tables with a single axis tracking system covering 500 hectares of the 868-hectare site</li> <li>33kv overhead transmission lines to connect the project to the Transpower New Zealand Twizel Substation</li> <li>establishment of exclusion areas and buffers to protect significant native vegetation, habitat and wetlands.</li> </ol> <p>The project will require the proposed approvals:</p> <ol style="list-style-type: none"> <li>Resource consents under the Resource Management Act 1991 (RMA)</li> <li>Permits under the Wildlife Act 1953</li> </ol>		
Minister invites comments / requests information	Comments from invited parties		Further information from applicant, relevant local authorities, relevant administering agencies
	<p><i>Local authorities</i> Canterbury Regional Council (CRC) supports the project's national energy benefits but emphasised that it must not compromise the Mackenzie Basin's outstanding natural values. CRC notes the site borders key rivers and Lake Benmore and these riparian zones must be protected from environmental impacts.</p> <p>Mackenzie District Council (MDC) considers the project to be a large renewable energy generation project of regional and national significance. MDC noted that the site is near SASM areas and Nohoanga entitlements under the Ngāi Tahu Claims Settlement Act and the scale may obscure ancestral landscapes. MDC seeks clarity on how SASM values and river access will be protected, especially near Lake Benmore.</p> <p>Both MDC and CRC commented that: The project site lies within Te Manahuna / Mackenzie Basin, an Outstanding Natural Landscape and includes a Site of Natural Significance with ecological and wetland values. The site borders the Ōhau and Twizel Rivers, which hold significant natural values. Both councils raised concerns about the cumulative effects of five solar farm proposals in the basin, covering 2,300 hectares.</p> <p><i>Ministers</i> The Minister for Climate Change and Energy provided combined comments and considered that the project supports climate change mitigation and adds geographic diversity to New Zealand's solar capacity. They consider the project qualifies as regionally or nationally significant infrastructure under the Fast-track Approvals Act due to its large-scale energy generation.</p> <p>The Minister for Economic Growth supports the project for boosting renewable energy supply, enhancing economic growth, and improving energy affordability and security. They also considered that the project contributes to climate change mitigation and qualifies under s22(2)(a)(vii) of the Fast-track Approvals Act for its role in reducing greenhouse gas emissions.</p> <p>The Minister for Regional Development commented that the proposed infrastructure and its energy supply could be regionally and nationally significant by attracting and supporting broader investment and industry and aligning with the Government's Regional Development goals of enhancing New Zealand's regional productivity and resilience.</p> <p>The Minister of Conservation did not respond to the request for comment on this application; however, they deferred to the Department of Conservation to respond on behalf under delegated authority.</p> <p>The Minister for the Environment has reviewed this application and did not wish to provide comment.</p> <p><i>Māori Groups</i> Te Rūnanga o Ngāi Tahu (Te Rūnanga) does not support the referral application in its current form and seeks that the application is declined by the Minister. Their reasons for opposing the application cite the following:</p> <ul style="list-style-type: none"> <li>The application does not meet the Ngāi Tahu Settlement principles including Ngāi Tahu Settlement Statutory Acknowledgement and Nohoanga considerations</li> </ul>		<p><i>Mackenzie District Council – on whether it considers the project would have significant regional or national benefits, along with any comments on alignment with the relevant district plans, policies, and/or strategies in that context.</i></p> <p>Mackenzie District Council (MDC) commented that they consider the project is a large renewable energy generation project of regional and national significance.</p> <p><i>Canterbury Regional Council– on whether it considers the project would have significant regional or national benefits, along with any comments on alignment with the relevant regional plans, policies, and/or strategies in that context.</i></p> <p>It is Canterbury Regional Council's (CRC)'s view that while the proposal has the potential for national benefits (security of supply, diversification of energy generation and increase in renewable energy generation), any development would need to be established in a manner which does not adversely impact or lessen the nationally significant or outstanding values within the wider Mackenzie Basin.</p> <p>CRC considers that if the project were to go ahead, it is likely that the solar farm would be considered as a 'regionally significant infrastructure' under the Canterbury Regional Policy Statement (CRPS).</p> <p><i>The applicant was asked to provide evidence and explanation to support their statements that the project will deliver economic and employment benefits of regional or national significance.</i></p> <p>In response to this the applicant has provided an economic report which provides the following additional information: The proposal delivers substantial regional and national economic benefits, combining short-term construction gains with long-term operational value. It strengthens energy security, supports climate goals, and promotes regional development. Fast-track approval enables timely realisation of these benefits.</p> <p>Estimated Short-Term Economic Impacts (Construction Phase – 2 Years):</p> <ul style="list-style-type: none"> <li>Regional GDP Boost: \$85 million (including flow-on effects)</li> <li>Employment: 570 FTE-years (equivalent to 285 full-time jobs over two years)</li> </ul>

	<ul style="list-style-type: none"><li>Concern over the effects on Ngāi Tahu Settlement Taonga Species.</li></ul> <p>Te Rūnanga o Moeraki do not support the referral application and ask you to decline it; Te Rūnanga o Moeraki do not consider that the rights and interests of mana whenua have been fully recognised by the applicant;</p> <ul style="list-style-type: none"><li>the area within which the project would be located is among the most culturally significant for Moeraki, Waihao, Arowhenua, and Ngāi Tahu whānui, and the full impact of the proposal on these cultural values and connections has not yet been ascertained; and</li><li>Te Rūnanga o Moeraki also asks that the Minister consider the cumulative effects of proposals for multiple large-scale solar farms in Te Manahuna.</li></ul> <p>Aoraki Environmental Consultancy Limited (AECL) on behalf of Te Rūnanga o Arowhenua (Arowhenua).</p> <ul style="list-style-type: none"><li>Arowhenua commented that they do not support the project.</li><li>There are two active kāika nohoaka in close proximity to the project site (Para Arero and Kahuika). Nohoaka sites were specifically created under the Ngāi Tahu Claims Settlement Act 1998 to enable Kāi Tahu whānui the opportunity to experience the whenua as their tīpuna did –to rekindle the traditional practices</li><li>expressed concern regarding the cumulative impacts of an increase in solar farm applications within the Te Manahuna/ Mackenzie Area.</li></ul> <p>Te Rūnanga o Waihao commented that while they are supportive of renewable energy, in this case Waihao do not support the referral request and seek that it is declined by the Minister. The basis of their opposition was:</p> <ul style="list-style-type: none"><li>At this point there are concerns, despite the applicant commissioning Aoraki Environmental Consultancy Limited and Aukaha (1997) Limited to prepare a Manawhenua Report on behalf of Moeraki, Waihao, and Arowhenua, that the rights and interests of mana whenua have not been fully recognized within this referral application, and that the applicant is not fully cognizant of the key principles expressed in the Ngāi Tahu Claims Settlement Act 1998.</li></ul> <p>Waihao considers the following key principles are required to be recognised by the project (but not limited to):</p> <ul style="list-style-type: none"><li>Ngāi Tahu holds and exercises rangatiratanga with the Ngāi Tahu Takiwā</li><li>The Crown and agents of the crown must act in good faith</li><li>All areas and places within the Ngāi Tahu takiwā are important and form part of an intertwined network of values, places and resources which are relevant to Ngāi Tahu tribal history, contemporary values and the future of the tribe</li><li>Settlement provided a basis for continuing evolution from which Ngāi Tahu can express its ancestral relationship with the Ngāi Tahu takiwā into the future.</li></ul> <p>Te Rūnanga o Ngāi Tahu, Te Rūnanga o Arowhenua (Aoraki Environmental Consultancy Limited), and Te Rūnanga o Waihao all raised concern over the potential cumulative effects of multiple Solar Farm applications in Te Manahuna/Mackenzie Basin.</p> <p><i>Administering agencies</i> The Ministry for the Environment did not comment on this application The Department of Conservation (DOC) commented that the project will have significant adverse effects on the ecological values of the area. Due to the potentially high impacts of the project on protected indigenous biodiversity, if the project was referred, DOC would anticipate further engagement with the applicant to minimise adverse effects where possible.</p> <p><i>Other persons or groups</i> Transpower New Zealand Limited (Transpower) commented that they note that the project proposes renewable electricity generation and will support climate mitigation (section 22(2)(a)(vii) of the Act). The project will also deliver new regionally or nationally significant infrastructure. Transpower also commented that the electricity grid in the vicinity of the project has existing capacity, meaning that no changes are needed to the wider Transpower assets to transport the electricity generated to demand.</p> <p>Meridian Energy Limited (Meridian) confirmed that it has agreed to grant the applicant easements over part of Meridian’s land to provide a right of access and a right to transmit electricity including ability to construct, operate and maintain the electricity works. In relation to the wider application, it commented that it does not have any concerns with the proposal.</p> <p>Alpine Energy Limited did not respond to the request to comment on this application.</p> <p>New Zealand Transport Agency (NZTA) commented that overall NZTA has no concerns with this project. However, it noted that it would need to see the substantive application to be able to determine actual impacts on the state highway network. It recommends the applicants’ substantive application should include:</p> <ul style="list-style-type: none"><li>A comprehensive integrated transport assessment</li><li>Construction management plan, including measures to address any adverse effects on the state highway resulting from this development, including dust.</li></ul>	<ul style="list-style-type: none"><li>Household Income: \$50 million</li></ul> <p>Estimated Ongoing Operational Impacts:</p> <ul style="list-style-type: none"><li>Annual GDP Contribution: \$3.7 million</li><li>Permanent Employment: 18 FTEs (including contracted roles)</li><li>Annual Wages: \$1.6 million</li></ul> <p>Estimated Wider Economic and Social Benefits:</p> <ul style="list-style-type: none"><li>Renewable Energy Contribution: Adds 300 MW of solar capacity, supporting national decarbonisation and reducing reliance on hydro/thermal generation.</li><li>Market Benefits: Enhances wholesale market competition and moderates retail electricity prices.</li><li>Infrastructure Utilisation: Leverages existing grid infrastructure in the Mackenzie Basin, improving efficiency and reliability.</li><li>Local Capability Building: Supports regional employment and expertise in solar energy.</li><li>Land Use Efficiency: Repurposes low-productivity farmland for higher-value renewable energy use.</li><li>Investment Confidence: Signals economic confidence, potentially catalysing further regional development</li></ul>
The Minister must decline an application if the Minister is	Based on the information in the application, we consider the project is eligible for referral because: <ul style="list-style-type: none"><li>it would not occur on identified Māori land, Māori customary land or a Māori reservation as confirmed by the relevant records of title and consultation with iwi authorities</li></ul>	

<p>satisfied that the project involves an ineligible activity [section 21(3)(b)]</p>	<ul style="list-style-type: none"> <li>• it would not occur in a customary marine title area or protected customary rights area as it is not in the common marine and coastal area</li> <li>• it is not an aquaculture activity or activity that is incompatible with aquaculture activities that would occur in an aquaculture settlement area and for which the applicant is not authorised to apply for a coastal permit because it will not occur in the common marine and coastal area</li> <li>• would not require an access arrangement which cannot be granted under the Crown Minerals Act (including s61(1A)) because it does not include an access arrangement</li> <li>• would not be prevented by section 165J, M, Q, ZC or ZDB of the RMA because it will not occur in the common marine and coastal area</li> <li>• would not occur on Schedule 4 land as confirmed by the records of title</li> <li>• would not occur on a national reserve as confirmed by the records of title</li> <li>• would not occur on a reserve held under the Reserves Act 1977 that is managed by or vested in someone other than the Crown or a local authority and that person has not consented in writing as confirmed by the record of title</li> <li>• is not a prohibited activity or decommissioning activity under the EEZA, 15B or 15C of the RMA as it would not occur in the coastal marine area or New Zealand's exclusive economic zone.</li> <li>• is not for the purpose of an offshore renewable energy project because it will not occur offshore.</li> </ul> <p>No comments raised by parties invited to comment have indicated that the project would be ineligible for referral.</p>
<p>The Minister must decline an application if the Minister considers they do not have adequate information to inform the decision [section 21(3)(c)]</p>	<p>We consider the applicant has provided sufficient information to inform your decision.</p>
<p>Relevant considerations and procedural requirements in Treaty settlement, Mana Whakahono ā Rohe, joint management agreement, or the Marine and Coast Area (Takutai Moana) Act 2011 or the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 [section 16]</p>	<p>N/A</p>
<p>Section 22 assessment criteria</p>	
<p>The project is an infrastructure or development project that would have significant regional or national benefits [section 22(1)(a)]</p>	<p>The Minister may consider any of the following matters, or any other matters the Minister considers relevant.</p> <p><i>Will deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure [s22(2)(a)(ii)]</i>  The applicant considers the project is a large-scale infrastructure and development project that will provide for the generation 300 megawatts of renewable energy, maximising low-emissions electricity generation from the available solar resource, providing electricity annually for approximately 75,000 homes.  The project will increase energy supply to support resilience within the National Grid. The project will increase New Zealand's renewable electricity generation to support the national economy during daytime periods, allowing other energy sources to be reserved for high demand periods when supply capacity from other generation sources may be constrained.  The applicant notes the project will create significant employment and economic benefits at the regional and national level.</p> <p>The Minister for Climate Change and Energy, Minister for Regional Development, MDC, CRC and Transpower agreed with this assessment. We recommend the project can be referred on this basis.</p> <p><i>Will deliver significant economic benefits [s22(2)(a)(iv)]</i>  The applicant considers the project will create the following economic benefits:</p> <ul style="list-style-type: none"> <li>• employment opportunities during construction equivalent to full-time work for more than 315 people for two years during the construction phase</li> <li>• generating \$56 million in wages/salaries</li> <li>• boosting GDP by \$94 million.</li> <li>• ongoing operations and maintenance jobs when operational.</li> <li>• direct contribution to New Zealand's transition to a low emissions economy and support of economic development through the addition of low-cost renewable electricity.</li> </ul> <p>The Minister for Economic Growth and the Minister for Regional Development supported this assessment.</p> <p>We recommend the project be referred on this basis.</p> <p><i>Will support climate change mitigation, including the reduction or removal of greenhouse gas emissions [s22(2)(a)(vii)]</i>  The applicant states that the project will mitigate climate change by offering generation from a renewable source which in turn, will reduce New Zealand's reliance on high emitting forms of electricity generation.</p>

	<p>The Minister for Economic Growth commented that given this project would increase renewable electricity generation, this application could also be assessed in terms of supporting climate change mitigation and reduction or removal of greenhouse gas emissions under s22(2)(a)(vii) of the Act.</p> <p>The Minister for Climate Change and Energy considers that the project will support climate change mitigation and that this factor should be taken into consideration of whether the projects is an infrastructure or development project that would have significant regional or national benefits.</p> <p>Transpower endorses the project as regionally or nationally significant infrastructure aiding climate mitigation.</p> <p>CRC noted that while they had come concerns regarding the project to be addressed, by displacing the need to use fossil fuels for electricity generation, the project would assist New Zealand in meeting international climate obligations</p> <p>We recommend the project be referred on this basis.</p> <p><i>Will support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards [s22(2)(a)(viii)]</i></p> <p>The applicant states that renewable forms of energy generation form a key pillar to New Zealand's energy strategy as legislated to adapt to climate change by reducing reliance on high-emission electricity generation. Similarly, the resilience provided through diversification of electricity generation will improve New Zealand's ability to adapt to climate change i.e. the project potentially provides minor support to adaptation, resilience and recovery from natural hazards through diversity of electricity generation technologies within the South Island.</p> <p>The Minister for Climate Change and Energy commented that the project does not significantly support climate change adaptation, reduce risks arising from natural hazards or support recovery from events caused by natural hazards.</p> <p>We do not recommend that the project be referred based on this criterion.</p> <p><i>Is consistent with local or regional planning documents, including spatial strategies [s22(2)(a)(x)]</i></p> <p>The applicant included a high-level assessment of the local and regional planning documents relevant to the project has been provided with the application. The applicant has considered that the project is consistent with the district and regional planning framework. The project site is within the Mackenzie Basin Subzone which is identified as an Outstanding Natural Landscape under the Mackenzie District Plan.</p> <p>Both CRC and MDC will need further information to determine consistency with local and regional planning documents along with a landscape and visual assessment, that considers any effects of the project on the Outstanding Natural Landscape Values of Te Manahuna (Mackenzie Basin) as identified in the Mackenzie District Plan and the Regionally Significant Landscape as identified in the Canterbury Regional Policy Statement (CRPS), including any proposed mitigation measures. CRC considers the project would likely be considered 'regionally significant infrastructure' under the CRPS.</p> <p>As both local authorities have commented that further information is required to be determine if the application is consistent with local or regional planning documents, including spatial strategies [s22(2)(a)(x)], we do not recommend that the project be referred based on this criterion.</p>
<b>Referring the project to the fast-track approvals process [section 22(1)(b)]</b>	<p><i>Would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes [s22(1)(b)(i)]</i></p> <p>The applicant states that if the project was to seek consent via the conventional RMA consenting pathways, the proposal would be publicly notified due to the adverse effects of the project being more than minor. The statutory processing timeframes for a publicly notified application total 130 working days (at least) for a decision on the application to be issued, dependent on whether a hearing is required. However, these timeframes are often extended or suspended, particularly if further information requests are made.</p> <p>Under the RMA, any submitter has a right of appeal to the Environment Court in respect of a matter raised in their submission. Under the FTAA, an appeal may be made only on a question of law and is made to the High Court. Therefore, as compared to the RMA, the FTAA essentially reduces the potential delays and uncertainties associated with appeals in the appellant Courts. Altogether, the FTAA provides a condensed timeframe for a decision on the resource consent applications and one forum/process for consideration for the proposal, including the consideration of multiple different approvals that a project may require under multiple Acts. The usual consent process with multiple processes, associated costs and longer timeframes can impose a significant barrier to new renewable electricity developments. Fast-tracking the resource consent process provides a much higher degree of timeframe and process certainty.</p> <p>We agree with the applicant's statement that the use of the fast-track process would facilitate the project in a more timely and cost-effective manner than under the conventional RMA consenting pathways.</p> <p><i>Is unlikely to materially affect the efficient operation of the fast-track approvals process [s22(1)(b)(ii)]</i></p> <p>The applicant considers the project is an eligible activity with significant national and regional benefits and is a project of the nature and scale that the FTAA was enacted for. The project is unlikely to materially affect the efficient operation of the fast-track approvals process as it does not encompass an activity that is overly complex, relative to other large scale infrastructure projects. Nova/Todd owns the land and there are no statutory acknowledgment areas that pertain to the site or other complexities that might impact on the efficient operation of the FTAA process.</p>
<b>Reasons to decline</b>	
<b>Minister <u>must</u> decline [section 21(3)]</b>	<b>Minister may decline [section 21(4) and 21(5)(a-h)]</b>

<p><i>The Minister <u>must</u> decline a referral application if:</i></p> <p><i>The application may not be accepted under subsection 1 (meets referral criteria)</i></p> <p>We do not consider this applies based on our above analysis that the project meets the criteria in section 22.</p> <p><i>The Minister is satisfied the project involves an ineligible activity</i></p> <p>As discussed above, we do not consider that the project involves an ineligible activity.</p> <p><i>The Minister considers that they do not have adequate information to inform the decision under this section</i></p> <p>We consider you have adequate information to inform your decision.</p> <p>We <b>do not</b> consider that you must decline the application under this section.</p>	<p><i>The Minister <u>may</u> decline a referral application for any other reason, whether or not it meets the criteria in section 22.</i></p> <p><i>Reasons to decline a referral application under subsection 4 include, without limitation:</i></p> <p><i>The project would be inconsistent with a Treaty settlement, Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, Marine and Coastal Area (Takutai Moana) Act 2011, a Mana Whakahono ā Rohe, or a joint management agreement</i></p> <p>Nothing in the application indicates the project would be inconsistent with these documents.</p> <p><i>It would be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts</i></p> <p>We do not consider the matters raised in those comments make it more appropriate for the proposed approvals to be authorised under another Act or Acts.</p> <p><i>The project may have significant adverse effects on the environment</i></p> <p>While there was concern raised by CRC, MDC relevant Māori groups (taonga species) and DOC we note that further information was needed to determine the scale of the adverse effects associated with this application. We consider if the project is referred, an expert panel will be able to consider the potential adverse effects of the project with the benefit of a full assessment of environmental effects provided by the applicant.</p> <p><i>The applicant(s) has a poor compliance history under a specified Act that relates to any of the proposed approvals</i></p> <p>The applicant notes there has been one instance Nova is aware of (from review of its records) where an abatement notice was issued, however work was undertaken in response to ensure compliance. We do not consider one instance to justify a statement of the classification of a “poor compliance history”</p> <p><i>The project area includes land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes</i></p> <p>Not applicable to the project area</p> <p><i>The project includes an activity that is a prohibited activity under the Resource Management Act 1991</i></p> <p>The project does not appear to include any prohibited activities under the RMA.</p> <p><i>A substantive application for the project would have one or more competing applications.</i></p> <p>There are no such other substantive applications under the FTAA for the project area and MDC and CRC state neither Council has record of any competing applications in the same project area.</p> <p><i>In relation to any proposed approval of the kind described in section 42(4)(a) (resource consents), there are one or more existing resource consents of the kind referred to in section 30(3)(a)</i></p> <p>The comments from MDC and CRC did not identify any resource consents of the kind referred to in section 30(3)(a).</p> <p>We <b>do not</b> recommend you decline the application.</p>
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## Statutory framework summary

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1. You are the sole decision maker for referral applications. If you accept a referral application then the whole or part of the project will be referred to the fast-track approvals process.
2. If a Treaty settlement, the Marine and Coastal Area (Takutai Moana) Act 2011, the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, a Man Whakahono ā Rohe or a joint management agreement provides for consideration of any document or procedural requirements, you must, where relevant:
  - a. Give the document the same or equivalent effect through this process as it would have under any specified Act; and
  - b. Comply with any applicable procedural requirements.
3. You must decline a referral application if:
  - a. you are satisfied the project does not meet the referral criteria in s22
  - b. you are satisfied the project involves an ineligible activity (s5)
  - c. you consider you do not have adequate information to inform your decision.
4. You may decline an application for any other reason, including those set out in s21(5) and even if the application meets the s22 referral criteria.
5. You can decline an application before or after inviting comments under s 17(1). However, if comments have been sought and provided within the required time frame, you must consider them, along with the referral application, before deciding to decline the application.
6. If you do not decline a referral application at this initial stage you must copy the application to, and invite written comments from:
  - a. the relevant local authorities,
  - b. the Minister for the Environment and relevant portfolio Ministers
  - c. the relevant administering agencies
  - d. the Māori groups identified by the responsible agency
  - e. the owners of Māori land in the project area:
  - f. you may provide the application to and invite comments from any other person.
7. You can request further information from an applicant, any relevant local authority or any relevant administering agency at any time before you decide to decline or accept a referral application (see section 20 of the Act).
8. However, if further information has been sought and provided within the required time frame you must consider it, along with the referral application, before deciding to decline the application.