

Comments on a project under the Fast-track Approvals Act 2024

Project name	Twizel Solar Project
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1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	Department of Conservation (acting under delegation from the Minister of Conservation)		
*First name	Amelia		
*Last name	Wilkinson		
Postal address			
*Contact phone number	s 9(2)(a)	Alternative	
*Email	fast-track@doc.govt.nz ; s 9(2)(a)		

2. Please provide your comments on this application
If you need more space, please attach additional pages. Please include your name, page numbers and the project name on the additional pages. <div>PTO</div>

Note: All comments will be made available to the public and the applicant when the Ministry for the Environment proactively releases advice provided to the Minister for the Environment.

Managers signoff

[Jenni Fitzgerald]

Date: 04/06/2025

Comments on a fast-track consenting application

Fast-Track Approvals Act 2025 Section 17

To: Hon. Chris Bishop, Minister for Infrastructure

From: Director-General of Conservation

Regarding Fast-track project: Twizel Solar Project

1.0 General comment

1.0.1 Nova Energy Limited has lodged an application for referral of the Twizel Solar Project under the Fast-track Approvals Act 2024 (the Act).

1.0.2 The proposal is for a solar farm development within an 868 hectare site located east of Twizel, in the Mackenzie Basin. The site is bounded by the Twizel River to the north, and Ōhau River to the south. The proposal is seeking to establish rotating solar panel arrays across approximately 500 hectares of the site.

1.0.3 The applicant is seeking approvals under the Resource Management Act 1991 as well as an approval under the Wildlife Act 1953 for the capture and relocation of indigenous lizard species.

2.0 Ecological considerations

2.0.1 The applicant has carried out some ecological surveys to support the application, however the methods to avoid, minimise, and mitigate impacts have not been identified. Without further information it is not possible to determine the full extent of the solar farm's impacts on biodiversity and habitat.

2.0.2 The proposed footprint of the solar panels overlaps with ecologically significant areas which support Threatened and At-Risk species. Many of these species are identified as potentially present within and near to the project site.

2.1 Avian Fauna

2.1.1 The proposal will cover approximately 500 hectares of habitat that is used by indigenous birds for feeding, breeding, and as migratory flyways between these areas. The proposed farm intersects with one of the busiest known bird flyways in the Mackenzie Basin, being located adjacent to a complex mosaic of wetlands and braided river breeding habitats.

2.1.2 Approximately half of the site is identified as part of an “Important Bird Area” (IBA). This designation was developed by BirdLife International and signifies the site’s international importance for bird conservation.

2.1.3 The impacts of solar farms on birds are not yet known in New Zealand. Overseas research suggests bird mortalities as a result of collisions with macro-solar constitute a significant effect, although the causes are not well understood. Species impacted overseas are similar to those found within the project site.

2.1.4 Potential risks of the project to bird species are as follows:

- Construction phase - Displacement due to habitat disturbance and transformation associated with the construction of the solar facility and associated infrastructure.
- Operation phase – Ongoing displacement due to loss of breeding and feeding habitats, collisions with solar panels resulting in fatalities, injury and electrocution.

2.1.5 The site supports 18 Threatened or At-Risk species that are potentially vulnerable to collisions with solar panels.

2.1.6 Black fronted terns (Threatened – Nationally Endangered) are known to exhibit high activity levels over the proposed solar farm site in the summer breeding season. It is highly likely that there are similar patterns of bird movements across the site performed by other Threatened or At-Risk bird species.

2.1.7 DOC has significant concerns for the project’s impacts on Kākī/Black stilt and Australasian bittern which have been recorded within or in close proximity to the site. These two species are classed as Threatened – Nationally Critical, the same threat classification as Kākāpō, indicating that they are heading towards imminent extinction unless conservation management activities are successful. The remaining population of Kākī comprises 141 adult birds. Australian bittern have a remaining population of less than 1,000. These species are highly mobile so could be at risk when traversing the site.

2.1.8 DOC has advised the applicant of some techniques that may potentially reduce the risk of bird fatalities from collision. It is unclear from the information provided whether/to what extent these have been implemented in the proposal. However, the effectiveness of these techniques for reducing bird collisions is not tested in New Zealand and they must therefore be considered experimental. A precautionary approach is warranted in this case, particularly as the effects of the proposal are uncertain but potentially significantly adverse, resulting in the loss of nationally critical species.

2.2 Lizards/Herpetofauna

2.2.1 At-Risk and Threatened species of lizard are known to inhabit the Mackenzie Basin close to the project site, and the site itself supports some areas of significant habitat for lizards.

2.2.2 Surveys undertaken by the applicant's consultant identify the following species to be within the site:

- Southern grass skink (At-Risk – Declining)
- Southern Alps gecko (At-Risk – Declining)
- McCann’s skink (Not Threatened)

2.2.3 It is also possible that Lakes skink (Threatened – Nationally Vulnerable) and Scree skink (Threatened – Nationally Vulnerable) could be present within the site. DOC does not agree with the assessment made that these species are “unlikely” and “highly unlikely” to be present within the site. DOC herpetologists’ opinions are that habitat for Threatened species should be avoided by the activity.

2.2.4 Without mitigation strategies the impacts of the project to lizards are significant.

2.3 Invertebrates

2.3.1 DOC staff undertook a survey of the site in February 2025 and identified high levels of insect activity in areas adjacent to the Twizel River. It was recommended this area be excluded from the project area or at least set back 40 metres in order to protect native invertebrate values. DOC also advised the applicant of other areas to avoid within the project site, although it is not clear from the referral application whether these recommendations have been implemented.

2.3.2 A survey undertaken by the applicant's consultant identified the possible presence of Minute grasshopper (Threatened – Nationally Vulnerable) within the area proposed for solar panels. The habitat for this species, along with habitat potentially supporting Robust grasshopper (Threatened – Nationally Endangered) is likely to be significantly compromised by the shading effect of the solar array panels.

2.3.3 DOC is not satisfied that ecological offsetting / compensation is the only viable solution to manage the impacts of the proposal on invertebrate species. This approach would require extensive research into the habitat, ecological needs and distribution for the effected species. In comparison leaving the area undisturbed would likely ensure their continued presence and persistence.

2.4 Flora

2.4.1 The indicative solar panel footprint overlaps somewhat with ecologically significant areas supporting low growing Threatened and At-Risk plant species and significant fauna habitat. High biodiversity values and At-Risk plant species occur in the periphery of the site, which is located on inland glacial outwash gravels, a naturally uncommon ecosystem classified as critically endangered.

2.4.2 Installation of solar panel infrastructure is likely to cause direct physical damage, as well as contributing to abiotic changes including shading and the retention of water. These factors are likely to benefit exotic grass species, the intensification of which will cause medium term loss to native plant species. Most of the native plant species identified are low growing and would be outcompeted by increased pasture grasses / exotic vegetation. The resulting effects

are likely to extend beyond the boundaries of the site, potentially impacting bordering Public Conservation Land.

2.4.3 The buffer distances suggested are not likely to be sufficient in managing impacts of the proposal to these vulnerable species and environments, particularly as edge effects of this kind of development are largely unknown. The edge effects of other activities where intensification of exotic grasses occurs can range from 50-150m.

2.4.4 Ecological restoration planting is unlikely to provide sufficient mitigation for the loss of ecologically significant areas supporting Threatened and At-Risk species. Many species of drylands flora are difficult to grow and have no record of translocation success or a high risk of failure.

2.4.5 The planting suggested for the site is not suitable and will likely exacerbate these edge effects especially if irrigation and additional shading is needed for the plants to survive, as is suggested in the application. These edge effects could see these species lost and would suggest that if irrigation and additional shading is needed, then the planting should not be done at all. Any planting to be done should consist of species that currently occur and can recruit into the dryland environment naturally and without intervention.

2.4.6 The opinion of DOC terrestrial ecologists (who have previously visited the site) is that significant areas of indigenous biodiversity and Threatened and At-risk flora could be avoided by appropriate site design.

2.5 Wetlands and Freshwater values

2.5.1 Two areas of wetland are located in the north and south of the project boundary, alongside one ephemeral wetland. DOC believes there may be larger areas of ephemeral wetland than those identified in the application. All construction activities should be avoided in wetland areas. It is not clear from the application documents whether an appropriate setback has been applied.

2.5.2 The proposed solar project site sits on outwash plains between the Ōhau and Twizel Rivers. The Ōhau River has a number of small spring tributaries at the base of the river terrace south of the proposed solar project site. Present in the spring system are records of several Threatened and At-Risk fish species including lowland longjaw galaxias (Waitaki River) (Threatened – Nationally Endangered) and Bignose galaxias (Threatened - Nationally Vulnerable). Present in the Twizel River to the north of the site are fish records for Canterbury galaxias (At-Risk - Declining), Kōaro (At-Risk - Declining), longfin eel (At-Risk - Declining), upland bully (Not Threatened), and common bully (Not Threatened).

2.5.3 Given the high threat status of fish values, particularly Nationally Critical and Nationally Vulnerable fish populations in the Ōhau River spring systems, it is important that the water quality and quantity here is maintained or enhanced.

2.5.4 Solar panels on this site are likely to require regular cleaning to manage dust build up brought about by high winds, dry summers and agricultural land use. While not mentioned in the application, the additional water take likely required to support this maintenance will have implications on an already overallocated catchment

2.5.5 Sediment control measures will be critical during development of the site and runoff into adjacent water bodies associated with cleaning activities will also need to be managed to protect these values.

3.0 Consistency with DOC's strategies, obligations, and roles

3.1 Consistency with National Direction and regional planning documents under the RMA

3.1.1 National Policy Statement – Freshwater Management (NPS FM) and Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F)

3.1.1.1 Policy 6 and Clause 3.22 of the NPSFM requires that the effects management hierarchy be applied where there are natural inland wetlands to avoid the loss of extent of natural wetlands, protect their values and promote their restoration. Policy 9 Requires that habitats of indigenous freshwater species are protected. Wetland areas that would trigger the NPSFM provisions have been identified on the site but have not been formally delineated.

3.1.1.2 Rule 45 of the NES-F states that construction of specified infrastructure including vegetation clearance, earthworks or land disturbance within or within 10 metres of a natural inland wetland is a discretionary activity. Further, earthworks or land disturbance outside 10 metres but within 100m of a natural inland wetland that results, or is likely to result, in the complete or partial drainage of all or part of the natural inland wetland is a discretionary activity.

3.1.2 National Policy Statement for Renewable Electricity Generation 2011

3.1.2.1 Policy C requires acknowledgement of the practical constraints associated with REG activities. In particular, Policy C2 requires that when considering any residual environmental effects of REG activities that cannot be avoided, remedied or mitigated, regard shall be had to offsetting measures or environmental compensation including measures or compensation which benefit the local environment and community affected. Given the ecological concerns raised above, it is considered that there are likely to be residual environmental effects that require consideration of offsetting or environmental compensation, noting the limitations of offsetting and compensation where the indigenous biodiversity is irreplaceable or vulnerable (National Policy Statement for Biodiversity 2023 Appendices 3 and 4).

3.1.3 Canterbury Regional Policy Statement

3.1.3.1 Objective 9.2.1 aim to halt the decline of Canterbury's ecosystems and indigenous biodiversity. Policies 9.3.1 and Policy 9.3.2 seek to achieve this objective by protecting areas identified as significant to ensure no net loss of biodiversity and by recognising national priorities for protection, including areas of indigenous vegetation associated with wetlands,

within originally rare terrestrial ecosystems, and habitats of threatened and at-risk indigenous species.

3.1.3.2 For the development of renewable energy, Objective 16.2.2 seeks to recognise the locational constraints whilst avoiding any adverse effects on significant natural and physical resources and cultural values. Policy 16.3.5 2(b)(i) seeks to enable the development of new electricity generation infrastructure provided that, as a result of site, design and method selection, the adverse effects on significant natural and physical resources are avoided, or where this is not practicable, remedied, mitigated or offset and that other adverse effects on the environment are appropriately controlled.

3.1.3.3 As described above, the site contains habitats of Threatened and At-risk species as well as significant ecological areas. The referral application notes that any residual effects will be managed by adherence to a suite of management plans (Attachment 4 Planning policy assessment). It is considered that given the concerns raised above, the application does not provide any, or any adequate information on how adverse effects will be avoided or managed as set out in the policies described.

3.2 Consistency with the Canterbury (Waitaha) Conservation Management Strategy 2016.

3.2.1 The proposed activity falls within the Mackenzie Basin which is part of the High-Country Basins Place under the Canterbury (Waitaha) Conservation Management Strategy 2016 (CMS). The outcomes for this location include maintaining the Outstanding Natural Feature and Landscape values, preventing extinctions of threatened species, and retaining or re-establishing high water quality.

3.2.2 The CMS identifies Kāki/ black stilt as a taonga species that have been identified within the vicinity of the project. Without effective mitigation measures, the proposal is likely to create a risk of collision and other impacts and disturbance to this species, along with other threatened species identified in the CMS.

3.2.3 The proposed site is visible from the Benmore Range hiking area where there is a public easement for access, and the Twizel River track is also along the property.

3.2.4 The application is not inconsistent with the CMS based on the information provided. However, given the concerns raised above, consideration needs to be given to the management of:

- taonga, threatened and at-risk species that may be found on the site, such as the nationally critical Kāki/Black stilt, to ensure their populations are improving.
- identified ecosystems and landscapes associated with the site, to ensure their protection.

3.3 DOC obligations under the Treaty and Treaty settlements

3.3.1 DOC notes species known or likely to be present on the project area include Taonga Species listed in a schedule to the Ngāi Tahu Claims Settlement Act 1998 and that the Act requires DOC work together with Te Rūnanga to discuss the approach to resource management issues. Te Rūnanga o Ngāi Tahu participates in the Species Recovery Group for Kāki (a taonga species), with DOC.

4.0 Relevant permissions applied for

4.0.1 The applicant is seeking the below approvals:

- Wildlife Act authority for the capture and relocation of indigenous lizard species.
- Various consents under the Resource Management Act 1991.

4.0.2 DOC is an administering agency under the Fast-track Approvals Act 2024 for Wildlife Act approvals. DOC must also be invited to provide comments on any resource consents being sought (Sch 5 clause 13).

4.0.3 DOC has not identified any additional conservation approvals required for the project's construction or operation as relevant to assessing the referral application.

5.0 Conclusion

5.0.1 Twizel Solar Project will have significant adverse effects on the ecological values of the area, particularly given the presence of Threatened and At-Risk species and ecosystems within the site and surrounding area.

5.0.2 DOC has significant concern for effects of the project on bird movements, especially the risks of collision over the lifetime of the project.

5.0.3 Given the uncertainty about the magnitude of effects, especially on Nationally Critically Threatened species such as Kāki, in DOC's view allowing a macro solar farm to be constructed in this location could be catastrophic to the long-term viability of these species. Given the current fragility of the Kāki population, even if small numbers were to be killed, this would have devastating impacts on the species and create a risk of extinction.

5.0.4 The proposal may be inconsistent with national direction under the Resource Management Act 1991, including elements of the National Policy Statement for Freshwater Management and Canterbury Regional Policy Statement. If referred, the substantive application should ensure alignment with these areas.

5.0.5 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 in an attempt to minimise adverse effects where possible. It is recommended that advice previously provided to the applicant by DOC be implemented/reflected in the substantive application if the project is referred.

Jenni Fitzgerald
Fast-Track Applications Manager

Acting pursuant to delegated authority on behalf of the Director-General of Conservation.

Date: 04/06/2025

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011

Twizel Solar Project (Nova Energy Limited)

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.

The project comprises:

- general earthworks and site establishment including the construction of operational and management buildings, inverters, internal roads/tracks
- solar panels situated on solar tables with a single axis tracking system covering 500 hectares of the 868-hectare site
- 33kv overhead transmission lines to connect the project to the Transpower New Zealand Twizel Substation
- establishment of exclusion areas and buffers to protect significant native vegetation, habitat and wetlands.

Request:

Mackenzie District Council must provide comments advising on the following matters:

1. *Any applications that have been lodged with the Council that would be a competing application or applications if a substantive application for the project were lodged. If no such applications exist, please also confirm this in writing.*

Response:

Mackenzie District Council (MDC) can confirm that there are no applications of that kind.

There are no directly competing applications, however, it is noted that a number of other sites within the Mackenzie District have now been referred to the fast track process, which could result in a cumulative effect. The proposal that have been referred include:

- **Grampians Solar Project** – Establish and operate a 300MW solar farm with co-located energy storage. Located on 574 hectares of pastoral land in the south-eastern corner of the Mackenzie Basin - Referred
- **Haldon Solar** – Construct and operate a solar farm across approximately 320 hectares, and connect and supply electricity to the national grid - Listed
- **The Point Solar Farm** - Construct and operate a solar farm across approximately 670 hectares, and connect and supply electricity to the national grid – Listed

Request:

2. *In relation to projects seeking approval of a resource consent under section 42(4)(a) of the Act, whether there any existing resource consents issued where sections 124C(1)(c) or 165ZI of the Resource Management Act 1991 (RMA) could apply, if the project were to be applied for as a resource consent under the RMA. If no such consents exist, please also confirm this in writing.*

Response:

The only resource consents granted for the subject site are:

- RM220073 – Land Use Consent for the Installation and Operation of an Automated Weather Station
- RM210021 – Land Use Consent to Extract, Process, and Stockpile 100,000m³ of Gravel over a 5 Year Period
- RM180173 – To Extract, Process, and Stockpile 100,000m³ of Gravel over a 2 ½ Year Period

Sections 124C(1)(c) or 165ZI of the Resource Management Act 1991 (RMA) is not considered to apply. In terms of Section 124C(1), RM180173 was granted in 2018, the 2 ½ year timeframe has now expired. RM210021 was granted in 2021, with the 5 year time period due to expire in June 2026. RM220073 is of a size, scale and location that it will not conflict with the Solar Project proposal. With regard to Section 165ZI, the subject site is not used for aquaculture activities.

Request:

Under section 20(1) I also invite you to provide further information on the following matters:

3. *Whether the Council 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.*

Response:

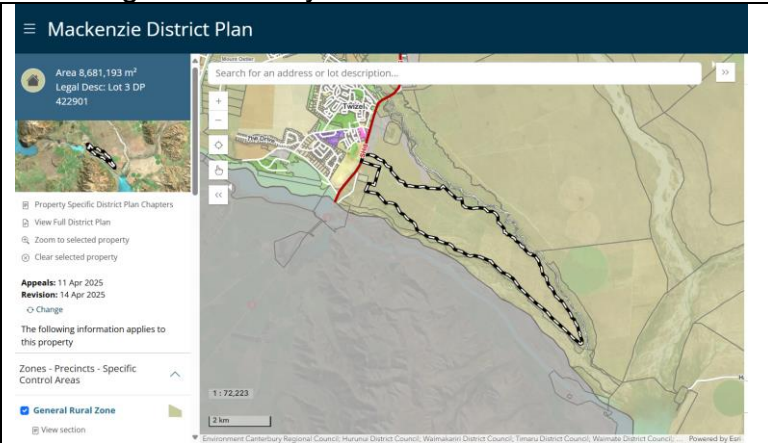
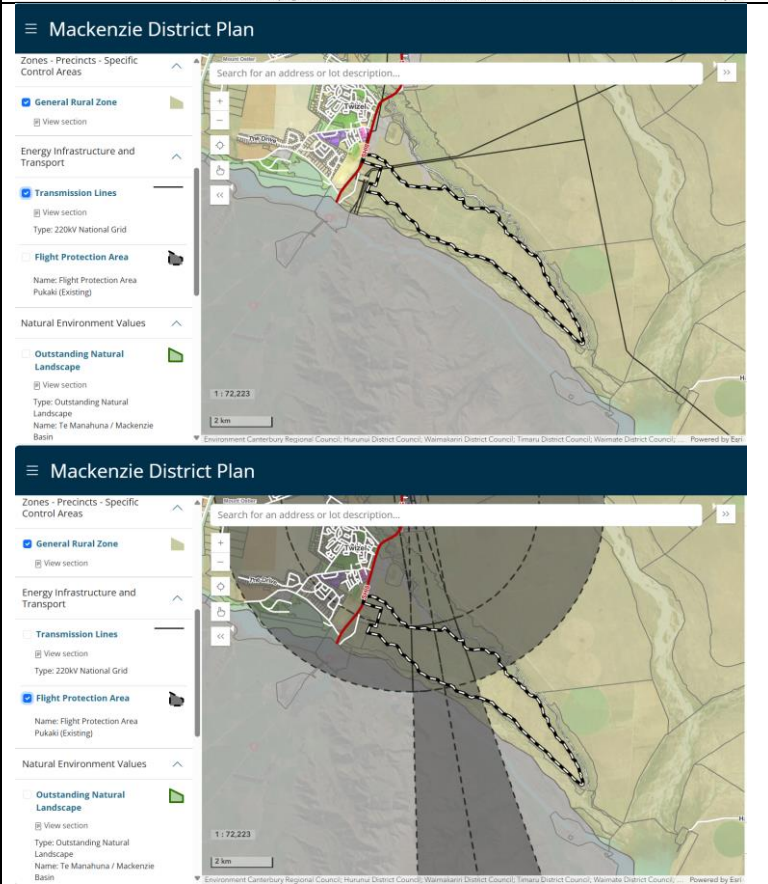
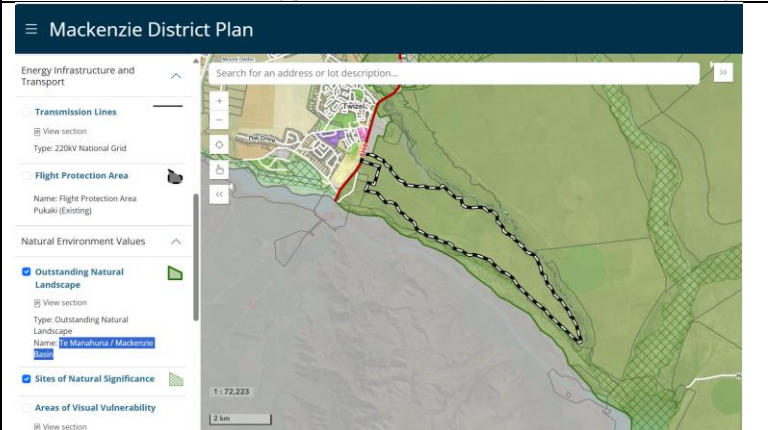
The Mackenzie District Plan is currently undertaking a rolling review with the majority of the District Plan now in the New Zealand Planning Standards format online on the website. The rolling plan stage is up to Stage 4 (the final stage). There are only a few appeals outstanding on Stage 3 with the final mediation sessions for Stage 3 taking place in the week of 9 June. The hearings for Stage 4 were held in the week of 26 May 2025, and the decisions are imminent from the Independent Hearings Panel.

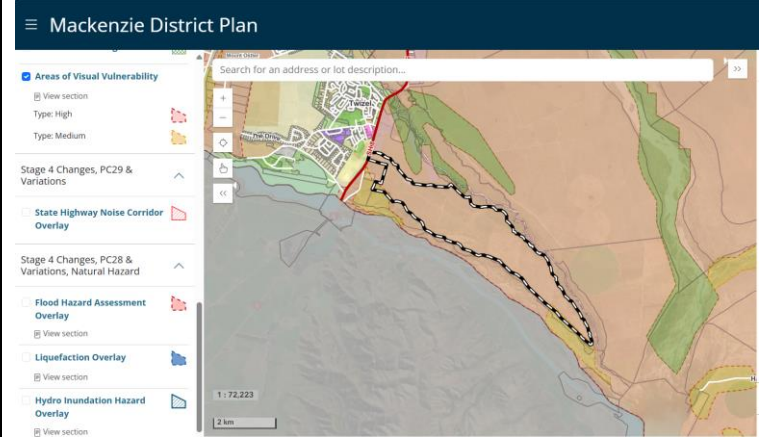
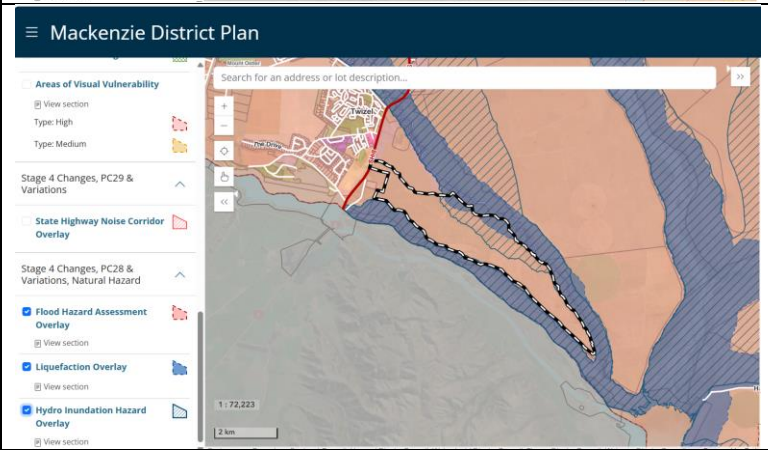
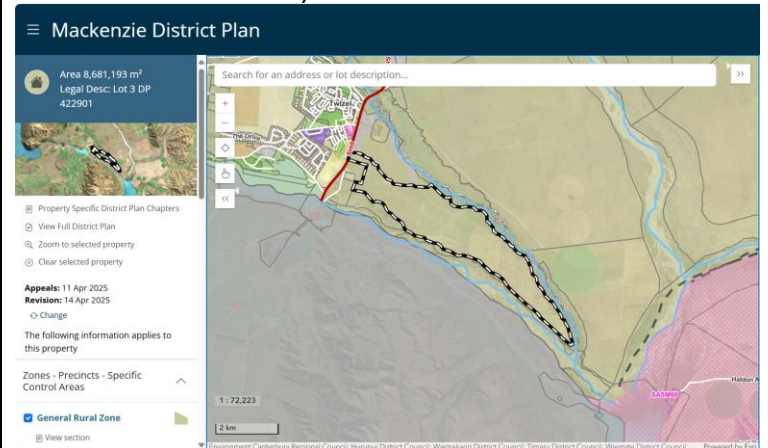
An assessment of the Mackenzie District Plan (including Plan Change provisions for Stage 4) follows. Consideration of the Operative District Plan where there have been appeals to Stage 3 have not been considered at this stage as the appeals are all close to resolution.

Zoning and Overlays:

The site is zoned General Rural Zone within the Mackenzie District Plan and is subject to a number of Overlays and Proposed Overlays as shown within Table 1 below. Most notably the site is within an Outstanding Natural Landscape being Te Manahuna / Mackenzie Basin which is also an area of high visual vulnerability. This site is also in close proximity to sites and areas of significance to Māori, both waterbodies and ancient trails, and SASM68 Lake Benmore.

Table 1: Mackenzie District Plan Zoning and Overlays

<p>Zoning - General Rural Zone (GRUZ)</p>	
<p>Overlay – Energy Infrastructure and Transport</p> <ul style="list-style-type: none"> • Transmission Lines • Flight Protection Area 	
<p>Overlays – Natural Environment Values</p> <ul style="list-style-type: none"> • Outstanding Natural Landscape – Te Manahuna / Mackenzie Basin • Areas of Visual Vulnerability – High 	

	
<p>Proposed Overlay - PC 28 – Natural Hazards</p> <ul style="list-style-type: none"> • Flood Hazard Assessment Overlay • Hydro Inundation Hazard Overlay • Liquefaction Overlay 	
<p>Proposed Overlays - PC 28 – Historic and Cultural Values</p>	<p>There are no Sites and Areas of Significance to Māori (SASM) – Waterbodies and Ancient Trails, on the subject site, however, there are trails (marked as a blue line) in close proximity to the subject site. There are no Sites and Areas of Significance to Māori on the subject site, however, the site is in close proximity to SASM68 Lake Benmore (marked as red hatched area).</p> 

**Mackenzie District Plan - Part 2 – District-Wide Matters - Natural Environment Values
NFL – Natural Features and Landscapes**

Natural landscapes are the visible features of an area of land, or broad landforms, or a collection of landforms, such as hills, valleys or open plains. Natural features are less broad biophysical entities such as river corridors or geological formations. The District Council has a statutory obligation to recognise and provide for the protection of outstanding natural landscapes and features from inappropriate subdivision, use and development as a matter of national importance under the RMA.

The Natural Features and Landscapes chapter contains provisions that relate to the Outstanding Natural Features, Outstanding Natural Landscapes, Lakeside Protection Areas, and Forestry Management Areas, which are identified as overlays on the Planning Maps.

These overlays apply to areas which have been assessed and identified as having high levels of biophysical, sensory or associative landscape values, which makes them either outstanding (ONF or ONL) or more modified landscapes, but with high aesthetic and scenic values which justify management of forestry activities (FMA).

Many areas identified as an ONL are also Sites and Areas of Significance to Māori because of wāhi tūpuna or taoka values, or the importance of the area to cultural traditions, history or identity. This includes the highly natural, remote landscape character and the dark night skies. The values of each of these areas are set out in more detail in the SASM Chapter.

The approach taken in the District Plan is to manage effects on landscape values and mana whenua values in an integrated manner, and where a resource consent is triggered under rules in this chapter for an activity which is also located within a SASM, consideration should also be given to effects on the values of the SASM and to the objectives and policies in the SASM Chapter. In some cases, additional rules will apply in the SASM Chapter.

The rules in this chapter set out how activities are managed in these overlays. The policies and matters of discretion provide direction on the criteria against which proposals requiring resource consent must be assessed. A non-complying activity status has been used where activities are not likely to be appropriate within these overlays, in particular where activities may have a significant impact on the identified values.

Relevant Objectives and Policies:

Objective/Policy	Assessment
Part 2 – District-Wide Matters - Natural Environment Values - NFL – Natural Features and Landscapes	
NFL-O1 - Outstanding Natural Features and Landscapes Values Protection of outstanding landscape values and of those natural processes and elements which contribute to	Renewable Electricity Generation closer to existing urban areas, where the bulk of the electricity is used is considered to be a more appropriate option than within an ONL (Manahuna/the

<p>the District's overall character and amenity.</p>	<p>Mackenzie Basin) which requires protection and enhancement for its outstanding landscape values. Once these values are lost, they cannot be recovered.</p>
<p>NFL-O2 - Te Manahuna/Mackenzie Basin ONL</p> <p>1. To protect and enhance the outstanding natural landscape of Te Manahuna/the Mackenzie Basin ONL, in particular the following characteristics and/or values:</p> <ul style="list-style-type: none"> . the openness and vastness of the landscape; . the tussock grasslands; . the lack of houses and other structures; . residential development limited to small areas in clusters; . the form of the mountains, hills and moraines, encircling and/or located in, Te Manahuna/the Mackenzie Basin; and . undeveloped lakesides and State Highway 8 roadside. <p>2. Subject to NFL-O2.1 above and to the rural objectives:</p> <ul style="list-style-type: none"> . to enable pastoral farming; . to manage pastoral intensification and/or agricultural conversion throughout Te Manahuna/the Mackenzie Basin and to identify areas where they may be enabled (such as Farm Base Areas); and . to enable rural residential subdivision, cluster housing and farm buildings within Farm Base Areas around existing homesteads (where they are outside hazard areas). <p>Subject to appeal</p>	<p>According to the landscape assessment report provided by the applicant, the proposal does not avoid effects on the outstanding natural landscape values, with the overall impact (provided all mitigation measures are adopted) at a low-medium to medium level. The suggested mitigation measures would reduce the effects from an even higher level. Consideration also needs to be given to the impact when viewed from the air (from aircrafts) as this view forms part of the amenity. This landscape assessment would need to be peer reviewed by a suitably qualified expert.</p> <p>It is important to note that there are other proposals for large solar arrays on the Mackenzie Basin. Cumulative effects on this Outstanding natural landscape should be considered when assessing this application, and others that will be forthcoming. Mitigation measures need to address those cumulative effects.</p> <p>The ecological report supplied by the applicant states that "some avoidance has already been proposed in the updated concept design. However, additional effects management, such as habitat restoration and the implementation of management plans, is required to manage other potential ecological effects." Again, this ecological report would need to be peer reviewed by a suitably qualified expert.</p>
<p>NFL-P1 - Protection of Outstanding Natural Features and Landscapes</p> <p>Recognise the values of the identified ONF and ONL overlays on the Planning Maps and protect these values from adverse effects by:</p>	

<ol style="list-style-type: none"> 1. avoiding inappropriate subdivision, use and development in those parts of outstanding natural features and landscapes with limited capacity to absorb such change; 2. avoiding inappropriate use and development that detracts from extensive open views, or detracts from or damages the unique landforms and landscape features; 3. managing building density, scale and form to ensure it remains at a low level, maintains a predominance of vegetation cover and sense of low levels of human occupation; 4. avoiding buildings and structures that break the skyline; 5. ensuring buildings and structures are designed to minimise glare and the need for earthworks, and are mitigated by plantings to reduce their visual impact where appropriate; 6. recognising and providing protection for identified values in Sites and Areas of Significance to Māori; and 7. recognising the existence of working pastoral farms and their contribution to the outstanding natural features and landscapes of the Te Manahuna/Mackenzie District. 	
<p>NFL-P2 Te Manahuna/Mackenzie Basin ONL</p> <ol style="list-style-type: none"> 1. To recognise that within Te Manahuna/the Mackenzie Basin's outstanding natural landscape there are: <ul style="list-style-type: none"> . Many areas where development beyond pastoral activities is either generally inappropriate or should be avoided. . Some areas with greater capacity to absorb different or more intensive use and development, including areas of low or medium visual vulnerability and identified Farm Base Areas as shown on the Planning Maps. . Areas, places and features of particular significance to Ngāi Tahu. 	

<p>2. To identify, describe and map as overlays, specific areas within Te Manahuna/the Mackenzie Basin that assist in the protection and enhancement of the characteristics and/or values of the outstanding natural landscape contained in NFL-O2.1 being:</p> <ul style="list-style-type: none"> . Lakeside Protection Areas, shown on the Planning Maps; . Scenic Viewing Areas, in NFL-SCHED1 and shown on the Planning Maps; . Scenic Grassland Areas, in NFL-SCHED1 and shown on the Planning Maps; . Sites of Natural Significance, in Appendix I and shown on the Planning Maps; and . Land above 900m in altitude, shown on the Planning Maps. <p>3. As part of an assessment of the suitability of an area for a change in use for development:</p> <ul style="list-style-type: none"> . To identify whether the proposed site has high, medium or low ability to absorb development according to the visual vulnerability areas shown on the Planning Maps. <p>b. To require an assessment of landscape character sensitivity (incorporating natural factors including geomorphology, hydrology, ecology, vegetation cover, cultural patterns, landscape condition and aesthetic factors such as naturalness and remoteness).</p>	
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Applicable Rules:

Rule NFL-R9 specifies that non-farm buildings are a **non complying activity** within the Te Manahuna/Mackenzie Basin ONL where they are within an area of High Visual Vulnerability.

Mackenzie District Plan - Part 2 – District-Wide Matters - Historical and Cultural Values - SASM – Sites and Areas of Significance to Māori

Although the site itself does not contain a SASM, it is in close proximity to sites and areas of significance to Māori, both waterbodies and ancient trails, and SASM68

Lake Benmore. Therefore it is appropriate to take the SASM objectives and policies into consideration.

Relevant Objectives and Policies:

Objective/Policy	Assessment
Part 2 – District-Wide Matters – Historical and Cultural Values – SASM – Sites and Areas of Significance to Maori	
<p>SASM-O1 – Rakatirataka Rakatirataka is recognised by supporting mana whenua to exercise kaitiakitaka over SASM.</p> <p>SASM-O2 – Sustaining Relationship with SASM The relationship of mana whenua with their values within SASM is sustained and community awareness of the values of SASM is encouraged.</p> <p>SASM-O4 - Mahika Kai and Nohoaka Sites The ability of mana whenua to access, maintain and use mahika kai and nohoaka sites of cultural value is enhanced.</p> <p>SASM-P2 – Consultation with Mana Whenua Ensure consultation with the relevant mana whenua is undertaken where activities have the potential to adversely affect SASM and their values.</p>	<p>The relevant treaty settlement for the Mackenzie District is the Ngai Tahu Claims Settlement Act 1998. The site of the proposed solar project is close to area identified as SASM's which have significance to Ngai Tahu. Furthermore, a number of Nohoanga entitlements enable whanau to practice Mahinga kai in the area.</p> <p>There may also be concern with the scale of the activity which will make the ancestral landscape less visible. The location is sensitive given its proximity to Lake Benmore.</p> <p>More detail is required to determine how the SASM's will be protected, and how access to and along the Ōhau and Twizel Rivers would be impacted by the project.</p>

Mackenzie District Plan – Part 3 - Area-Specific Matters - Zones - Rural Zones - GRUZ – General Rural Zone

The General Rural Zone encompasses the majority of the District. The land resource making up this zone is a major contributor to the economic, social and cultural wellbeing of the District.

The purpose of the General Rural Zone is to enable a range of primary production activities, as well as other compatible activities that rely on or support the natural resources within rural areas of the District, including tourism and conservation along with those activities that have an operational need or functional need to locate in the zone.

The character of the zone varies, but is distinctly rural with open grasslands, pastoral farming, and areas of forestry with an overall low density of built form. To recognise and maintain the existing character, the zone has been separated into different areas

to manage residential density, most notably through the Eastern Plains Specific Control Area where greater densities of development are anticipated.

The General Rural Zone includes a range of environments including hill and high country, downlands and plains, each with their own associated landscapes, vegetation and ecosystems. The General Rural Zone also has areas of highly productive land, which are important for primary production purposes. It also includes areas with important values such as Outstanding Natural Landscapes, Outstanding Natural Features, Sites of Natural Significance and Sites and Areas of Significance to Māori. The majority of Te Manahuna / the Mackenzie Basin is identified as an Outstanding Natural Landscape. Activities in this area are managed through the district-wide Natural Features and Landscapes chapter in Part 2 of the District Plan, which apply in addition to the provisions within the Rural Zone.

Relevant Objectives and Policies:

Objective/Policy	Assessment
Part 3 – Area Specific Matters - Zones - Rural Zones - GRUZ – General Rural Zone	

<p>GRUZ-O1 – Zone Purpose The General Rural Zone prioritises primary production and activities that support primary production, and provides for other activities where they rely on the natural resources found only in a rural location.</p> <p>GRUZ-O2 – Zone Character and Amenity Values The adverse effects of activities and built form within the General Rural Zone are managed in a way that:</p> <ol style="list-style-type: none"> 1. Maintains a rural character consisting of a low overall building density with a predominance of open space and vegetation cover; 2. Supports, maintains, or enhances the function and form, character, and amenity values of the zone; 3. Recognises the functional needs and operational needs of activities within the zone; and 4. Allows primary production, activities that directly support primary production and other activities that have a functional or operational need to locate in the General Rural Zone to operate without risk of being compromised by reverse sensitivity. <p>Subject to appeal</p>	<p>The project would partially foreclose the ability of using the land for primary production. It is understood that grazing will continue on the land, but that is likely to be at a lower rate, and therefore less productive, than the current grazing regime.</p> <p>According to the landscape assessment report provided by the applicant, the proposal does not avoid effects on the outstanding natural landscape values, with the overall impact (provided all mitigation measures are adopted) at a low-medium to medium level. The suggested mitigation measures would reduce the effects from an even higher level. Consideration also needs to be given to the impact when viewed from the air (from aircrafts) as this view forms part of the amenity. This landscape assessment would need to be peer reviewed by a suitably qualified expert.</p>
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GRUZ-P1 - Primary Production and Supporting Activities

Enable a range of primary production and supporting activities to occur in the General Rural Zone, while maintaining the character and amenity of the Zone, by:

1. Managing the adverse effects from intensive primary production to minimise effects on the surrounding area; and
2. Providing for quarrying activities in the rural area to meet local demand and the anticipated amenity of the receiving environment.

Subject to appeal

GRUZ-P2 – Other Activities

Recognise the importance of primary production activities to the economic wellbeing of the district, and prioritise primary production and activities which support primary production, within the General Rural Zone, by:

1. Providing for new economic activity that directly supports, is dependent on, or is ancillary to primary production, or otherwise has a functional need or operational need to locate in the General Rural Zone;
2. Enabling recreation and tourism activities based on farming experiences or conservation activities and/or experiencing the natural environment;
3. Ensuring the land resource of the General Rural Zone is not compromised by activities with no functional need or operational need to locate in the zone; and
4. Providing for workers accommodation which exceeds the density requirements, where its location, scale and design maintains the character and amenity values of the surrounding area without

<p>compromising the safety or efficiency of the road corridor.</p>	
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Applicable Rules:

Rule GRUZ-R5 Buildings and Structures Not Otherwise Listed specifies that these are a permitted activity subject to compliance with the following standards:

- GRUZ-S2 Boundary Setbacks
- GRUZ-S3 Building Coverage
- GRUZ-S4 Height
- GRUZ-S5 Sensitive Activity Setback from Intensive Primary Production
- GRUZ-S6 Sensitive Activity Setback from Quarrying Activity and Mining
- GRUZ-S7 Sensitive Activity Setback from Commercial Forestry
- GRUZ-S8 Wastewater
- GRUZ-S10 Airport Height Restrictions

Where the abovementioned standards are not met, the activity status is dependent on the standard that is not being met. In particular, compliance will need to be shown with the Airport Height Restrictions outlined within GRUZ-SCHED1.

In terms of the activity, Rule GRUZ-R22 specifies that Activities Not Otherwise Listed are provided for as a Discretionary activity.

Plan Change 28 Mackenzie District Plan - Part 2 – District-Wide Matters – Hazards and Risks

The District is susceptible to a wide range of natural hazards, including flooding, earthquakes, landslides and wildfire. Natural hazard events can lead to a loss of human life and result in damage to property and infrastructure. Critical infrastructure is required to be resilient to ensure these facilities and services can function to the fullest possible extent after a natural hazard event. It is therefore important to reduce the risks associated with natural hazards by identifying known and potentially affected areas, and restricting or managing subdivision, use and development, including infrastructure, relative to the natural hazard risk posed.

The natural hazards managed by this chapter of the District Plan are:

- flood hazards;
- surface fault rupture as a result of earthquakes;
- liquefaction as a result of earthquakes; and
- wildfire hazards.

The District Plan takes a risk-based approach which factors in the need to allow people and communities to use their property and undertake activities, while also reducing the likelihood of harm to people or damage to assets as a result of a natural hazard event. For instance, the District Plan maps identify part of the district that may be subject to flooding. It does not identify high flood hazard areas, rather high flood hazard areas are identified through the site specific flood hazard assessment process. This enables the most up-to-date technical information to be used. Information showing the modelled flood characteristics within specific parts of the district is publicly available online via Canterbury Maps. This information is indicative only and will be updated to reflect the best information as it becomes available.

Relevant Objectives and Policies:

Objective/Policy	Assessment
Part 2 – District Wide Matters – Hazards and Risks – NH Natural Hazards	
NH01 – Risks from Natural Hazards New subdivision, land use and development: 1. is avoided in areas where the risks from natural hazards to people, property and infrastructure are	The site lies within a Flood Hazard Assessment Overlay area. An assessment would need to be carried out to determine whether or not any of the site constitutes a High Hazard Flood Area before further assessment of the

<p>assessed as being unacceptable; and</p> <p>2. in all other areas, is undertaken in a manner that ensures that the risks of natural hazards to people, property and infrastructure are avoided or appropriately mitigated.</p>	<p>associated Objectives and Policies can be undertaken.</p>
<p>NH-O2 Critical Infrastructure and Specific Buildings in Natural Hazard Overlays</p> <p>1. Critical infrastructure is located and designed to be resilient to the effects of natural hazards; and</p> <p>2. Major hazard facilities, education facilities or visitor accommodation activities avoid locating in areas of high natural hazard risk associated with surface fault rupture where the effects on occupants and neighbours are assessed as being unacceptable.</p>	
<p>NHO3 – Natural Hazard Mitigation</p> <p>Methods to mitigate the effects of natural hazards do not create or exacerbate adverse effects on other people, property, infrastructure, or the environment.</p>	
<p>NH-P4 Flood Hazards</p> <p>Within the Flood Hazard Assessment Overlay Area (except High Flood Hazard Areas), enable:</p> <p>1. new non critical infrastructure, or the operation, maintenance, repair, replacement, upgrading of non critical infrastructure where the infrastructure does not increase flood risk on another site; and</p> <p>2. the operation, maintenance, repair, replacement, upgrading of critical infrastructure where the infrastructure does not increase flood risk on another site; and</p> <p>3. any other new subdivision, use and development only where every new natural hazard sensitive building has an appropriate floor level above the 500 year ARI design flood level.</p>	

Applicable Rules:

Mackenzie DC response to Twizel Solar Project referral

Rule NHR4 specifies that any new critical infrastructure that is located within a flood hazard assessment overlay is a permitted activity where:

1. It is located outside a High Flood Hazard Area as stated in a Flood Hazard Assessment issued in accordance with NH-S1; and
2. The Flood Hazard Assessment is provided to Council.

Where compliance is not achieved the proposal is to be assessed as a restricted discretionary activity.

Plan Change 28 Mackenzie District Plan - Part 2 – District-Wide Matters – Hydro Inundation

There are eight hydro electricity stations within the District that are part of the Waitaki Power Scheme, spread between Takapō / Lake Tekapo and Lake Waitaki. These hydro-electricity stations contain infrastructure that conveys water to support hydro electricity generation that meets local, regional and national needs. While the infrastructure is managed under best practice dam safety assurance programmes, there remains a risk that failure can occur, for example as a consequence of an extreme earthquake. While the likelihood of a structural failure is very low, the consequences can be serious for people and property.

Potential areas of inundation that could occur following infrastructure failure are mapped in the District Plan in the Hydro Inundation Hazard Overlay. The objective, policy and rules included in this chapter aim to provide for the safety of people and property and to minimise the potential for reverse sensitivity effects on the hydro electricity schemes.

Relevant Objectives and Policies:

Objective/Policy	Assessment
Part 2 – District Wide Matters – Hazards and Risks – HI Hydro Inundation	
HI-O1 Hydro Inundation Hazard Development in the Hydro Inundation Hazard Overlay minimises risks to human health and property from hydro inundation, and avoids reverse sensitivity effects on hydro electricity generation activities.	More information is required to undertake an assessment about the effects on Hydro Inundation from the proposal. Although, the rules within the Hydro Inundation section of the plan only relate to specific activities, it is considered appropriate that an assessment of the impacts of constructing a large solar project within a Hydro Inundation area be undertaken.
HI-P1 Development in Hydro Inundation Hazard Areas Avoid, as far as practicable, changes to existing land use activities in the Hydro Inundation Hazard Overlay that may increase the likelihood or scale of harm to people or property from hydro inundation, or the potential for reverse sensitivity effects. Where it has been	

demonstrated that avoidance is not practicable, minimise the potential for harm.	
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Applicable Rules:

The rules within the Hydro Inundation section of the District Plan only relate to:
 HR-1 New Occupied Buildings
 HR-2 Residential Units
 HR-3 Residential Visitor Accommodation

Plan Change 28 Mackenzie District Plan - Part 2 – District-Wide Matters – CL – Contaminated Land

Land can become contaminated when hazardous substances are not used, stored, or disposed of in a safe way. People can be exposed to contaminated land by direct contact with contaminated soil, swallowing food or water from contaminated environments, and breathing vapours or contaminated dust.

The subdivision, development, and use of contaminated or potentially contaminated land is managed by the requirements of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS).

The District Plan does not include any rules relating to contaminated land, because these are included in the NESCS which already applies in the District. Resource consent may be required from the District Council under the NESCS. This chapter does however contain objective and policy guidance for assessing resource consents which are required under the NESCS.

Relevant Objectives and Policies:

Objective/Policy	Assessment
Part 2 – District Wide Matters – Hazards and Risks – CL – Contaminated Land	
CL-O1 Contaminated Land Human health and the environment are protected from the adverse effects of the subdivision, development or use of contaminated land.	The Canterbury Regional Council HAIL includes: B – Electrical and electronic works, power generation and transmission 1. Batteries including the commercial assembling, disassembling, manufacturing or recycling of batteries (but excluding retail battery stores) 2. Electrical transformers including the manufacturing, repairing or disposing of electrical transformers or other heavy electrical equipment
CL-P1 Managing the Effects of Contaminated Land Require any proposal for subdivision, development, or use of contaminated land or potentially contaminated land to apply a best practice approach to investigate the risks, and either remediate the contamination or manage activities on contaminated land to	

protect health of people and the environment.	3. Electronics including the commercial manufacturing, reconditioning or recycling of computers, televisions and other electronic devices
CL-P2 Remediation Works 1. The remediation or mitigation works for contaminated land shall be undertaken in such a way to not pose increased risk to human health or the environment compared to if remediation had not occurred; and 2. Use and development of remediated contaminated land does not damage or destroy any containment works, unless comparable or better containment is provided.	4. Power stations, substations or switchyards The proposal would include HAIL activities, and as such procedures would need to be put in place to remediate the site should contamination occur during the life of the project and also once the activity ceases.

Other considerations:

- The project will increase the sustainability of New Zealand's electricity supply by providing more renewable electricity generation, which could replace some of our reliance on fossil fuels.
- The project would enable people and the community to provide for their social and economic well-being, by providing employment opportunities as well as a more resilient electricity supply. However, the employment opportunities will only be during the construction phase, at which time worker accommodation will need to be taken into consideration, as it is already an issue with the District.
- Renewable Electricity Generation (REG) activities have logistical and operational constraints because they need to be developed in locations where the electricity they produce can be connected to the national grid. Ideally generation activities should be sited close to where the electricity is used (mainly in urban centres) to minimise energy loss, but failing that, REG activities close to existing infrastructure such as substations and the national grid make sense.
- Solar arrays also have particular locational requirements, in that they should be in areas with high amounts of sunshine, and on reasonably flat terrain. The proposed site fits those requirements.
- There are a number of other similar-sized solar farm applications being considered within the Mackenzie Basin. This limits the diversity of location, type and scale of renewable energy development in the area. If all these projects were to go ahead, the Mackenzie Basin would contain at least five solar farms, totalling approximately 2,200ha, and producing approximately 1,328mW of energy. Given the Mackenzie Basin already produces 5,189GWh of energy from Hydro-electricity generation, this would mean that the Mackenzie Basin is producing a significant amount of renewable energy with an imbalanced benefit to the local community, and the Mackenzie District as the benefits derived from the jobs created will be short term during the construction phase.
- Should the project be discontinued at any stage, or come to the end of its life, the structures could be removed from the site and the land returned to its

existing use. This would generate a large amount of waste for disposal with significant environmental effects.

- It is likely that the site will contain areas where hazardous substances are stored. This storage would need to occur in accordance with relevant legislation and be carried out appropriately.
- There is no assessment about whether alternative sites, and methods for power generation options have been considered.

Other Parties that need to provide input:

MDC advises that Te Rūnanga o Ngāi Tahu has a significant interest in Te Manahuna/the Mackenzie Basin and that local runanga retain the ability to make comment on the substantive application pursuant to section 53(2)(b) and (d). MDC considers that should the matter be processed under the Fast Track system that the ability to provide input as cultural advisors remain available to Te Rūnanga o Ngāi Tahu.

The assessment report prepared by Aoraki Environmental Consultancy (AEC) outlines concerns about the effects of the proposal on cultural well-being, especially in terms of effects on landscape values, and indigenous biodiversity, including threatened species. Further engagement will need to take place with manawhenua to ensure that effects on cultural values are minimised.

MDC advises that the Department of Conservation also has a significant interest in Te Manahuna/the Mackenzie Basin and it would be advisable to allow them to provide comments as a relevant portfolio Minister pursuant to section 53(2)(j). MDC considers that should the matter be processed under the Fast Track system that the ability to provide input remain available to the Department of Conservation.

The site access is directly off State Highway 8. During the construction phase especially, the use of that access by high numbers of vehicles could hinder the efficient movement of people, goods and services along that highway. Consultation should be undertaken with the New Zealand Transport Agency (NZTA)/Waka Kotahi.

Costs Incurred:

MDC also seeks that any costs incurred by MDC to engage experts or Counsel to provide feedback to the Fast Track Panel be paid for by the applicant. This would normally be the case if MDC processed the consent application in the first instance. It should not be expected that the rate payer pay for these costs.

Concluding Comments:

Given that the site is within an Outstanding Natural Landscape, and its proximity to sites of significance to Maori, its visual proximity to the State Highway, the economic value of the Mackenzie Basin's natural landscape to tourism at a national level, and the need to provide renewable electricity generation nationally, the Twizel Solar project would be considered both a regionally and nationally significant project. However, the benefits of the project would be of more significance nationally with the main benefits to the local community being during the construction phase of the project. The District currently has significant housing constraints for worker accommodation which is a consideration that the consent holder would need to take into account.

MDC considers that the Twizel Solar project is a large renewable energy generation project of regional and national significance. The receiving environment forms part of Te Manahuna/the Mackenzie Basin and is identified as an Outstanding Natural Landscape and there would be genuine public interest in this proposal. The project is located within an Outstanding Natural Landscape and will have an impact on the values of that landscape and other natural values. Parts of the project area have also been identified as a Site of Natural Significance, and the project area is adjacent to the Ōhau and Twizel rivers, that have significant natural values, and is also known to contain wetland areas.

The proposal is taking place on rural land, meaning that the ability to undertake rural activities on the same site is diminished, due to the presence of the structures.

The assessment against the relevant provisions of the District Plan has been undertaken based on the information received, there are areas where additional information or a more intensive assessment is required before an assessment of the objectives and policies can be undertaken. Therefore, it would be appropriate that if the proposal is accepted for the Fast track process, that MDC is able to provide comment at that time.

05 June 2025

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RMA254670– Nova Energy Limited Fast Track Proposal

Twizel Solar Project – Pukaki

Executive Summary

Status: Applicant seeking referral under s13 of the Fast-track Approval Act (FTAA)

Activity description: This is a referral application for 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 electricity grid, the project would generate enough renewable energy annually to power 75,000 homes.

Record number: RMA254670

Date comment sought from EPA: 7 May 2025

Due date: 4 June 2025

Key issues identified:

- The CRC does have some concerns around the volume of solar proposed for the Mackenzie Basin (currently understood to be 2,300ha across five separate solar farms).
- Broadly, it is 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.

Ilana Miller

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Kia Ora Ilana,

Thank you for your letter received 7 May 2025 regarding the Twizel Solar Project from Nova Energy Limited.

Please find the Canterbury Regional Council's (CRC) response to the specific questions raised in the above letter, in accordance with section 17(3) of the Fast-track Approvals Act 2024 (FTAA).

- 1. Any applications that have been lodged with the Council that would be a competing application or applications if a substantive application for the project were lodged. If no such applications exist, please also confirm this in writing.***

The CRC does not hold a record of any competing applications (per the definition in the FTAA) in the same project area which have been approved.

- 2. In relation to projects seeking approval of a resource consent under section 42(4)(a) of the Act, whether there any existing resource consents issued where sections 124C(1)(c) or 165ZI of the Resource Management Act 1991 (RMA) could apply, if the project were to be applied for as a resource consent under the RMA. If no such consents exist, please also confirm this in writing.***

In accordance with section 42(4)(a) of FTAA, the CRC can confirm that there are no existing resource consents issued where sections 124C(1)(c) or 165ZI of the Resource Management Act 1991 (RMA) could apply, if the project were to be applied for as a resource consent under the RMA.

3. Whether the Council 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.

Significant regional or national benefits:

The 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). However, it should be noted that:

- The solar farm/panels themselves would not qualify as 'critical infrastructure' under the CRPS. Although the project's new transmission line to the substation would, given it forms part of the electricity network.
- The solar farm/panels would be considered 'essential structures' under the CRPS.
- The ability for Canterbury and New Zealand to increase their renewable energy generation would be beneficial in terms of security and reliability of supply. The method of energy generation (solar) would also help to diversify the types of energy generation contributing to the national grid. However, the CRC does have some concerns around the volume of solar proposed for the Mackenzie Basin (currently understood to be 2,300ha across five separate solar farms). CRC notes that the desire for solar electricity generation to be located within the Mackenzie Basin is due to the high levels of solar exposure in this region as opposed to other regions around the country.
- The Mackenzie Basin is an Outstanding Natural Landscape and contains Sites of Natural Significance, or ecologically significant areas. Many of the landscape and natural values within the Mackenzie Basin are significant on both a regional and national scale. Further detail is needed to better understand the values present to determine the proposal's consistency with relevant objectives and policies.
- Broadly, it is the view of the CRC that while the proposal has the potential for national benefits (security of supply, diversification of energy generation, 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.
- At the regional level, depending on how other solar sites within the basin are developed, the proposal's significance could be reduced within a regional context, due to the high volume (comparatively) of solar electricity generation proposed within the Canterbury region. Again, any development would need to be established in a manner which does not adversely impact or lessen the regionally significant or outstanding values within the wider Mackenzie Basin.

Alignment with the Canterbury Regional Policy Statement (CRPS):

A full assessment against the objectives and policies of the CRPS is included in **Appendix 1**. Key comments to note relating to the consistency of the proposal against the CRPS are as follows:

- The site is identified as being within the Flood Hazard Assessment Overlay in the Mackenzie District Plan. An assessment needs to be carried out to determine if any parts of the sites constitute a High Hazard Area.
- Further engagement with mana whenua is necessary to ensure that effects on cultural values are minimised.
- Transpower and Meridian Energy need to provide further detail on whether the proposal would adversely impact the operation, stability, performance and maintenance of their 'critical infrastructure'.
- The site is located within an Outstanding Natural Landscape, and even if the applicant carries out all of the mitigation measures proposed in the landscape assessment, the project would still adversely affect that landscape.
- The site adjoins a number of significant ecological areas and wetlands, as well as a significant habitat. While it appears that the proposal has been designed in a manner to avoid these areas, the ecological assessment suggests further ecological mitigation or enhancement measures would be required to manage other ecological effects, including effects on natural character of wetlands.
- Wilding conifers are present on the project site and more could become established as a result of land use change. These are a threat to the landscape and ecological values of this part of the Mackenzie Basin. It is important that existing wilding trees are removed from the site and new infestation is not allowed to occur.
- Further information would also be needed to understand the current state of the site, in terms of landscape, natural character, cultural, or ecological values.
- The CRC would need further information from the applicant to determine if effects resulting from construction or operational activities would be managed in accordance with the objectives and policies of the CRPS.
- The CRC would need to see detailed construction methodology, Erosion and Sediment Control Plans and Site Management Plans. This information would also be required to assess if the landscape or ecological mitigations proposed were appropriate.

The above is a summary, please refer to **Appendix 1** for a full and comprehensive assessment.

Alignment with the Canterbury Land and Water Regional Plan (LWRP):

A full assessment against the objectives and policies of the LWRP is included in **Appendix 2**. Key comments to note relating to the consistency of the proposal against the LWRP are as follows:

- While the proposal does not include any water takes it will involve discharges during construction activities and for the operational life of the proposed activity. To determine consistency with LWRP's objectives and policies for water quality, wetlands and ecosystem health, a better understanding of construction methodology, erosion and sediment control measures and on-going site management is needed to determine if the activities are managed appropriately and any adverse effects are avoided, remedied or mitigated.
- To determine consistency with LWRP's objectives and policies for water quality and ecosystem health, a better understanding of potential contaminants (if any) leaching from solar panels and their associated infrastructure (with regards to contaminant type and loading) is needed.
- With reference to the mana whenua report (Appendix 7 to the Application), further engagement with papatiku rūnaka is necessary to ensure consistency with objective and policies relating to effects on cultural values.
- While the application proposes buffers and setbacks from ecological sites and wetlands, further information regarding the erosion and sediment control and on-going site management is needed to determine if these buffers and setbacks will be effective in managing any potential adverse effects.
- The ecological report (Appendix 5) indicates that there are further opportunities for ecological enhancement. A better understanding of any enhancement works is needed to determine if the proposal is consistent with relevant objectives and policies. The CRC will also need to understand how any enhancement or protection activities proposed to mitigate or compensate for adverse ecological effects will be formalised to determine if they will be effective in the long-term.

The above is a summary, please refer to **Appendix 2** for a full and comprehensive assessment.

CRC trust these comments will assist the Minister's considerations in making decisions on whether to accept the referral application and to refer the project. Should you require any further information or have additional queries, please do not hesitate to contact us.

Nāku iti noa, nā



Stephen Hall

Director Operations

Appendix 1: Consistency with Canterbury Regional Policy Statement (CRPS)

Relevant definitions in the CRPS:

Definition	Relevance to the Twizel Solar project proposal
<p>Critical Infrastructure</p> <p><i>Infrastructure necessary to provide services which, if interrupted, would have a serious effect on the communities within the Region or a wider population, and which would require immediate reinstatement. This includes any structures that support, protect or form part of critical infrastructure. Critical infrastructure includes:</i></p> <ol style="list-style-type: none"> <i>1. regionally significant airports</i> <i>2. regionally significant ports</i> <i>3. gas storage and distribution facilities</i> <i>4. electricity substations, networks, and distribution installations, including the electricity distribution network</i> <i>5. supply and treatment of water for public supply</i> <i>6. storm water and sewage disposal systems</i> <i>7. telecommunications installations and networks</i> <i>8. strategic road and rail networks (as defined in the Regional Land Transport Strategy)</i> <i>9. petroleum storage and supply facilities</i> <i>10. public healthcare institutions including hospitals and medical centres</i> <i>11. fire stations, police stations, ambulance stations, emergency coordination facilities.</i> 	<p>Most of the proposed Twizel Solar project would not qualify as 'Critical Infrastructure' under the CRPS.</p> <p>The project's new transmission line to the existing substation would qualify as critical infrastructure (as does the existing substation).</p>
<p>Electricity transmission network</p> <p><i>The electricity transmission network/ electricity transmission activities/ assets/ infrastructure/ resources/ system, all being part of the national grid of transmission lines and cables (aerial, underground and undersea, including the high-voltage direct current link), stations and sub-stations and other works used to connect grid</i></p>	<p>The project's new transmission line to the existing substation forms part of the electricity transmission network as defined in the CRPS (as does the existing substation).</p>

<p><i>injection points and grid exit points to convey electricity throughout the North and South Islands of New Zealand.</i></p>	
<p>Essential Structures <i>Structures that support or form part of:</i></p> <ol style="list-style-type: none"> <i>1. a maritime, road or rail transport network or service;</i> <i>2. water supply, including irrigation infrastructure;</i> <i>3. a telecommunications or radio-communication network;</i> <i>4. an energy generation, supply or transmission facility or network;</i> <i>5. a flood-protection work or facility;</i> <i>6. water containment, flow or diversion infrastructure;</i> <i>7. a water level or flow-measurement facility;</i> <i>8. a drainage or sewerage system; or</i> <i>9. the infrastructure forming parts of other network utilities. This includes any structures that support essential infrastructure.</i> 	<p>The proposed structures would qualify as essential structures under ‘energy generation, supply or transmission facility or network’. The supporting infrastructure (related to the proposal that wouldn’t fall under clause (4) of the definition) would be captured by clause (9) of the definition.</p>
<p>Hazardous activity or industry <i>An activity or industry that appears on the Hazardous Activity and Industry List (HAIL) 2004. The HAIL is published as Schedule A in the Contaminated Land Management Guidelines - Ministry for the Environment (2004) updated September 2007.</i></p>	<p>The HAIL includes:</p> <p><i>B – Electrical and electronic works, power generation and transmission</i></p> <ol style="list-style-type: none"> <i>1. Batteries including the commercial assembling, disassembling, manufacturing or recycling of batteries (but excluding retail battery stores)</i> <i>2. Electrical transformers including the manufacturing, repairing or disposing of electrical transformers or other heavy electrical equipment</i> <i>3. Electronics including the commercial manufacturing, reconditioning or recycling of computers, televisions and other electronic devices</i>

	<p>4. <i>Power stations, substations or switchyards.</i></p> <p>The proposal would include HAIL activities.</p>
<p>High hazard area</p> <p><i>High hazard areas are:</i></p> <p>1. <i>flood hazard areas subject to inundation events where the water depth (metres) x velocity (metres per second) is greater than or equal to 1 or where depths are greater than 1 metre, in a 0.2% annual exceedance probability flood event;</i></p> <p>...</p> <p><i>When determining high hazard areas, projections on the effects of climate change will be taken into account</i></p>	<p>The project site lies within the Flood Hazard Assessment Overlay identified in the Mackenzie District Plan. An assessment needs to be carried out to determine whether any of the site constitutes a High Hazard Area.</p>
<p>Primary production</p> <p><i>The production (but not processing) of primary products including agricultural, horticultural, pastoral, aquacultural, and forestry products and includes the use of land and auxiliary buildings for these purposes.</i></p>	<p>Currently the site is used for primary production, and as grazing would continue on the site, it would continue to be used partly for primary production.</p>
<p>Regionally significant infrastructure</p> <p><i>Regionally significant infrastructure is:</i></p> <p>1. ...</p> <p>6. <i>National, regional and local renewable electricity generation activities of any scale</i></p> <p>7. <i>The electricity transmission network</i></p> <p>8.</p> <p>14. <i>Electricity distribution network</i></p> <p>15. <i>Infrastructure defined as ‘strategic infrastructure’ in this regional policy statement. Note: For the avoidance of doubt, this infrastructure is also referred to as ‘infrastructure that is regionally significant’.</i></p>	<p>The Twizel Solar project would be considered regionally significant infrastructure.</p>
<p>Renewable Electricity Generation</p> <p><i>The generation of electricity from solar, wind, hydro electricity, geothermal, biomass, tidal, wave, or ocean current energy sources.</i></p>	<p>The Twizel Solar project generates renewable electricity.</p>

<p>Renewable electricity generation activities</p> <p><i>The construction, operation and maintenance of structures associated with renewable electricity generation. This includes small and community-scale distributed generation activities, the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid, and electricity storage technologies associated with renewable electricity.</i></p>	<p>The Twizel Solar project is a renewable electricity generation activity.</p>
<p>Riparian zone</p> <p><i>In relation to a river or lake the riparian zone is the area of land within their beds and adjacent to the beds where direct interaction occurs between aquatic and terrestrial ecosystems. The riparian zone includes the banks of a river and the margin of a lake. Wetlands and islands may also be part of the riparian zone.</i></p>	<p>The Twizel Solar project site is adjacent to the Ōhau and Whakatipu/Twizel rivers and runs down to near Te Ao Mārama/Lake Benmore. The riparian zones of those waterbodies will need to be protected from adverse effects.</p>
<p>Versatile Soils</p> <p><i>Land classified as Land Use Capability I or II in the New Zealand Land Resource Inventory.</i></p>	<p>The site is not identified as Land Use Capability I or II.</p>

Objective and Policy Assessment:

Objective/ Policy	Assessment
Chapter 5 – Land Use and Infrastructure	
<p>Objective 5.2.1</p> <p>Location, Design and Function of Development (Entire Region)</p> <p>Development is located and designed so that it functions in a way that:</p> <ol style="list-style-type: none"> 1. achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for accommodating the region's growth; and 2. enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety; and which: 	<ol style="list-style-type: none"> 1. Renewable electricity generation closer to existing urban areas, where the bulk of the electricity is used, would give better effect to this objective. 2. The project would enable people and the community to provide for their social and economic well-being, by providing employment opportunities as well as a more resilient electricity supply. <p>The assessment report prepared by Aoraki Environmental Consultancy outlines concerns about the effects of the proposal on cultural well-being, especially in terms of effects on landscape values, and indigenous biodiversity,</p>

<ul style="list-style-type: none"> a. maintains, and where appropriate, enhances the overall quality of the natural environment of the Canterbury region, including its coastal environment, outstanding natural features and landscapes, and natural values; b. provides sufficient housing choice to meet the region's housing needs; c. encourages sustainable economic development by enabling business activities in appropriate locations; d. minimises energy use and/or improves energy efficiency; e. enables rural activities that support the rural environment including primary production; f. is compatible with, and will result in the continued safe, efficient and effective use of regionally significant infrastructure; g. avoids adverse effects on significant natural and physical resources including regionally significant infrastructure, and where avoidance is impracticable, remedies or mitigates those effects on those resources and infrastructure; h. facilitates the establishment of papakāinga and marae; and i. avoids conflicts between incompatible activities. 	<p>including threatened species. Further engagement will need to take place with mana whenua to ensure that effects on cultural values are minimised.</p> <ul style="list-style-type: none"> a. The project is located within an Outstanding Natural Landscape and will have an impact on the values of that landscape and other natural values. Parts of the project area have also been identified as a Site of Natural Significance, and the project area is adjacent to the Ōhau and Whakatipu/Twizel rivers that have significant natural values, and is also known to contain wetland areas. e. The proposal is taking place on rural land, meaning that the ability to undertake rural activities on the same site is diminished, due to the presence of the structures. f. The proposal is compatible with regionally significant infrastructure, insofar as it is a generation activity located near an existing substation and transmission lines. The project can be efficiently connected to the network (i.e. the generated electricity would not need to be conveyed over a long distance to reach the network). Based on the information provided by the applicant, Transpower and Meridian Energy have been engaged with regarding the proposal. However further detail (and confirmation from Transpower) would be needed to ensure that the existing substation can be upgraded to deal with the additional electricity. Meridian Energy also need to confirm that they agree to transmission lines being constructed across their land that lies between the project site and the substation. g. According to the landscape assessment report provided by the applicant, the proposal does not avoid effects on the Outstanding Natural Landscape values, with the overall
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	<p>impact (provided all mitigation measures are adopted) at a low-medium to medium level. The suggested mitigation measures would reduce the effects from an even higher level.</p> <p>The ecological report supplied by the applicant states that “some avoidance has already been proposed in the updated concept design. However, additional effects management, such as habitat restoration and the implementation of management plans, is required to manage other potential ecological effects.”</p> <p>i. There does not appear to be a conflict of activities, unless the use of rural land, for non-rural use is considered to be a conflict.</p> <p>The Twizel Solar project proposal is not entirely inconsistent with Objective 5.2.1 based on information provided at this point. If developed, the facility itself would be considered regionally significant infrastructure. However, further information is needed to determine if the proposal is consistent with this objective.</p>
<p>Objective 5.2.2 Integration of Land-use and regionally significant infrastructure (Wider Region) In relation to the integration of land use and regionally significant infrastructure:</p> <ol style="list-style-type: none"> 1. To recognise the benefits of enabling people and communities to provide for their social, economic and cultural well-being and health and safety and to provide for infrastructure that is regionally significant to the extent that it 	<ol style="list-style-type: none"> 1. The project does enable people and the community to provide for their social and economic well-being, by providing employment opportunities as well as a more resilient electricity supply. <p>The assessment report prepared by Aoraki Environmental Consultancy outlines concerns about the effects of the proposal on cultural well-being, especially in terms of effects on landscape values, and indigenous biodiversity (including threatened species). Further engagement will</p>

<p>promotes sustainable management in accordance with the RMA.</p> <p>2. To achieve patterns and sequencing of land-use with regionally significant infrastructure in the wider region so that:</p> <ul style="list-style-type: none"> a. development does not result in adverse effects on the operation, use and development of regionally significant infrastructure b. adverse effects resulting from the development or operation of regionally significant infrastructure are avoided, remedied or mitigated as fully as practicable. c. there is increased sustainability, efficiency and liveability. 	<p>need to take place with mana whenua to ensure that effects on cultural values are minimised.</p> <p>If the solar array is built it would be regionally significant infrastructure. However, a more detailed proposal is needed to determine if this ‘promotes sustainable management in accordance with the RMA’ as per this Objective.</p> <p>2. a. The project would be considered regionally significant infrastructure once built. The project site is near an existing substation which is also regionally significant infrastructure. While the information provided by the applicant indicates that Transpower have been engaged with regarding the project, and that the applicant will work with Transpower on upgrading the substation, that process will need to be formalised in order to determine the effects on that substation.</p> <p>b. The project is likely to have adverse effects on the landscape, ecological and cultural values of the site. Although those effects cannot be avoided, the landscape and ecological reports provided by the applicant include mitigation measures that could limit the impacts of the project on landscape and ecological values. Further consultation with mana whenua will be required to find ways to mitigate the effects of the proposal on cultural values.</p> <p>c. The project will increase the sustainability of New Zealand’s electricity supply by providing more renewable electricity generation, which could replace some of our reliance on fossil fuels.</p>
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	<p>The Twizel Solar project is not entirely inconsistent with Objective 5.2.2 based on information provided at this point. If developed, the solar array itself would be considered regionally significant infrastructure. However, further information is needed to determine if the proposal is consistent with this objective.</p>
<p>Policy 5.3.2 Development Conditions (Wider Region) To enable development including regionally significant infrastructure which:</p> <ol style="list-style-type: none"> 1. ensure that adverse effects are avoided, remedied or mitigated, including where these would compromise or foreclose : <ol style="list-style-type: none"> a. existing or consented regionally significant infrastructure; b. options for accommodating the consolidated growth and development of existing urban areas; c. the productivity of the region's soil resources, without regard to the need to make appropriate use of soil which is valued for existing or foreseeable future primary production, or through further fragmentation of rural land; d. the protection of sources of water for community supplies; e. significant natural and physical resources; 2. avoid or mitigate: <ol style="list-style-type: none"> a. natural and other hazards, or land uses that would likely result in increases in the frequency and/or severity of hazards; b. reverse sensitivity effects and conflicts between incompatible activities, including identified mineral extraction areas; and 	<ol style="list-style-type: none"> 1. <ol style="list-style-type: none"> a. The project would be considered to be regionally significant infrastructure once built. The project site is near an existing substation which is also regionally significant infrastructure. While the information provided by the applicant indicates that Transpower have been engaged with regarding the project, and that the applicants will work with Transpower on upgrading the substation, that process will need to be formalised to determine the effects on that substation. b. Renewable electricity generation closer to existing urban areas, where the bulk of the electricity is used would give better effect to this policy. c. The project site has not been identified as Highly Productive Land. It is proposed that sheep grazing would continue on the site, which would be an appropriate use of soil for primary production. e. According to the landscape assessment report provided by the applicant, the proposal does not avoid effects on the Outstanding Natural Landscape values, with the overall impact (provided all mitigation measures are adopted) at a low-medium to medium level. The suggested mitigation measures would reduce the effects from an even higher level. The ecological report supplied by the applicant states that "some avoidance has already been proposed in the

<p>3. integrate with:</p> <ul style="list-style-type: none"> a. the efficient and effective provision, maintenance or upgrade of infrastructure; and b. transport networks, connections and modes so as to provide for the sustainable and efficient movement of people, goods and services, and a logical, permeable and safe transport system. 	<p>updated concept design. However, additional effects management, such as habitat restoration and the implementation of management plans, is required to manage other potential ecological effects.”</p> <ul style="list-style-type: none"> 2. a. Parts of the project site have been included in the Hydro Inundation Overlay for the Waitaki Power Scheme, and the whole site lies within the Flood Hazard Assessment Overlay. The proposal is unlikely to increase the frequency or severity of natural hazards. An assessment should be carried out to determine whether any of the site constitutes a high hazard area for flooding, with inverters and the temporary office avoiding any areas identified as such. The inverters and temporary office should also avoid the parts of the site identified in the Hydro Inundation Overlay. b. There does not appear to be a conflict of activities, unless the use of rural land, for non-rural use is considered to be a conflict. There is an existing quarry located near the project site but it is unlikely that the project would have any effect on that activity. 3. a. The proposal integrates well with existing electricity transmission infrastructure, so long as consent is given by Meridian Energy for the construction of new transmission lines across their land, and from Transpower to upgrade the existing substation as necessary. b. the site access is directly off State Highway 8. During the construction phase especially, the use of that access by high numbers of vehicles could hinder the efficient movement of people, goods and services along that highway.
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	<p>The Twizel Solar project is not entirely inconsistent with Policy 5.3.2 based on information provided at this point. If developed, the facility itself would be considered regionally significant infrastructure. However, further information is needed to determine if the proposal is consistent with this policy.</p>
<p>Policy 5.3.9 Regionally significant infrastructure (Wider Region) In relation to regionally significant infrastructure (including transport hubs):</p> <ol style="list-style-type: none"> 1. avoid development which constrains the ability of this infrastructure to be developed and used without time or other operational constraints that may arise from adverse effects relating to reverse sensitivity or safety; 2. provide for the continuation of existing infrastructure, including its maintenance and operation, without prejudice to any future decision that may be required for the ongoing operation or expansion of that infrastructure; and 3. provide for the expansion of existing infrastructure and development of new infrastructure, while: <ol style="list-style-type: none"> a. recognising the logistical, technical or operational constraints of this infrastructure and any need to locate activities where a natural or physical resource base exists; b. avoiding any adverse effects on significant natural and physical resources and cultural values and where this is not practicable, remedying or mitigating them, and appropriately controlling other adverse effects on the environment; and 	<ol style="list-style-type: none"> 1. As noted above in Policy 5.3.2, further information is needed to determine the effects on existing regionally significant infrastructure (Transmission lines and the existing substation). 3. a. Renewable Electricity Generation (REG) activities have logistical and operational constraints because they need to be developed in locations where the electricity they produce can be connected to the national grid. Ideally generation activities should be sited close to where the electricity is used (mainly in urban centres) to minimise energy loss, but failing that, REG activities close to existing infrastructure such as substations and the national grid make sense. Solar arrays also have particular locational requirements, in that they should be in areas with high amounts of sunshine, and on reasonably flat terrain. The proposed site fits those requirements. b. According to the landscape assessment report provided by the applicant, the proposal does not avoid effects on the Outstanding Natural Landscape values, with the overall impact (provided all mitigation measures are adopted) at a low-medium to medium level. The suggested mitigation measures would reduce the effects from an even higher level. The ecological report supplied by the applicant states that “some avoidance has already been proposed in the updated concept design. However, additional effects management, such as habitat

<p>c. when determining any proposal within a sensitive environment (including any environment the subject of section 6 of the RMA), requiring that alternative sites, routes, methods and design of all components and associated structures are considered so that the proposal satisfies sections 5(2)(a) – (c) as fully as is practicable.</p>	<p>restoration and the implementation of management plans, is required to manage other potential ecological effects.”</p> <p>c. The proposal is within a sensitive environment (Outstanding Natural Landscape, some Sites of Natural Significance, some wetlands and riparian margins). It would be interesting to know whether alternative sites and methods have been considered. It is understood from the information supplied by the applicant, that the design of the project has been modified to better protect some of these values. However, to determine site appropriateness, further information is needed on the values present at the site, and steps taken to avoid, remedy or mitigate any effects. This includes effects relating to:</p> <ul style="list-style-type: none"> - the preservation of the natural character of wetlands, and rivers and their margins, and the protection of them from inappropriate subdivision, use and development. - The protection of Outstanding Natural Landscapes from inappropriate subdivision, use and development. - The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna. - The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga. - The management of significant risks from natural hazards, meaning that a hazards (including flooding) assessment should be undertaken. <p>The Twizel Solar project is not entirely inconsistent with Policy 5.3.9 based on information provided at this point. If developed, the facility itself would be considered regionally significant</p>
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	infrastructure. However, further information is needed to determine if the proposal is consistent with this policy.
<p>Policy 5.3.12 Rural production (Wider Region) Maintain and enhance natural and physical resources contributing to Canterbury's overall rural productive economy in areas which are valued for existing or foreseeable future primary production, by:</p> <ol style="list-style-type: none"> 1. avoiding development, and/or fragmentation which; <ol style="list-style-type: none"> a. forecloses the ability to make appropriate use of that land for primary production; and/or b. results in reverse sensitivity effects that limit or precludes primary production. 2. enabling tourism, employment and recreational development in rural areas, provided that it: <ol style="list-style-type: none"> a. is consistent and compatible with rural character, activities, and an open rural environment; b. has a direct relationship with or is dependent upon rural activities, rural resources or raw material inputs sourced from within the rural area; c. is not likely to result in proliferation of employment (including that associated with industrial activities) that is not linked to activities or raw material inputs sourced from within the rural areas; and d. is of a scale that would not compromise the primary focus for accommodating growth in consolidate, well designed and more sustainable development patterns. and; 	<ol style="list-style-type: none"> 1. a. The project would partially foreclose the ability of using the land for primary production. It is understood that grazing will continue on the land, but that is likely to be at a lower rate, and therefore less productive than the current grazing regime. b. The project would not result in reverse sensitivity effects that limit or preclude primary production. 2. The project would provide employment opportunities, especially during the construction phase. There is very little housing available in the vicinity of the site, so the impacts of this should be taken into account when considering the application. This is an issue that has not been addressed in the application, so more information needs to be provided. b. The employment is dependent on rural resources, namely the use of rural land. c. It is not considered, based on the available information, that the proposed activity would likely have significant cumulative adverse effects on water quality and quantity. <p>Further detail would need to be provided in relation to availability of rural land, particularly improved pasture within the Mackenzie Basin, and if the use of this site for solar energy generation will impact the rural productive economy.</p> <p>Further information is needed to determine if the proposal is consistent with this policy.</p>

<p>3. ensuring that rural land use intensification does not contribute to significant cumulative adverse effects on water quality and quantity.</p>	
<p>Policy 5.3.12 Spread of wilding trees (Wider Region) Avoid, or minimise as far as practicable, the risk of wilding tree spread, through the location of planting, design of planting, species selection and management, once planting has occurred.</p>	<p>The ecological assessment supplied by the applicant notes that “it is likely that woody weeds such as wilding conifers may become established as a result of changes to land use. If wilding conifers do become established, they will require control.” The report also notes that wilding conifers are already present on parts of the site.</p> <p>Wilding conifers are a threat to the landscape and ecological values of this part of the Mackenzie Basin and significant efforts have been made by both the National Wilding Conifer Programme, and landowners, to remove seed sources and wilding trees. It is important that existing wilding trees are removed from the site and new infestation is not allowed to occur.</p> <p>To give effect to this Policy, CRC would like to see a wilding conifer management plan put in place for the site.</p>
<p>Chapter 7 – Freshwater</p>	
<p>Objective 7.2.3 Protection of intrinsic value of waterbodies and their riparian Zones The overall quality of freshwater in the region is maintained or improved, and the life supporting capacity, ecosystem processes and indigenous species and their associated fresh water ecosystems are safeguarded.</p>	<p>The proposal has been designed to have setbacks from waterways and wetlands and the applicant is proposing enhancement (native planting), which would have benefits to the intrinsic values of these waterbodies.</p> <p>The proposal will result in construction and operational phase stormwater discharges, and construction phase earthworks could cause discharge of sediment. It is likely that construction phase discharges and associated effects can be managed through erosion and sediment control plans, spill and refuelling protocols and site management.</p>

	<p>To determine consistency with this objective, further information would be needed to determine the effects of any construction and operational phase discharges from the site.</p>
<p>Policy 7.3.1 Adverse effects of activities on the natural character of freshwater To identify the natural character values of fresh water bodies and their margins in the region and to:</p> <ol style="list-style-type: none"> 1. preserve natural character values where there is a high state of natural character; 2. natural character values where they are modified but highly valued; and 3. improve natural character values where they have been degraded to unacceptable levels; <p>unless modification of the natural character values of a fresh water body is provided for as part of an integrated solution to water management in a catchment in accordance with Policy 7.3.9, which addresses remedying and mitigating adverse effects on the environment and its natural character values</p>	<p>Further information is needed to determine the current natural character values of the rivers and wetlands that could be affected by the project.</p> <p>The proposal has been designed to have setbacks from waterways and wetlands and the applicant is proposing enhancement (native planting), which would have benefits to the intrinsic values of these waterbodies. It should be noted that Whakatipu/Twizel River, Ōhau River, and Te Ao Mārama/Lake Benmore are scheduled waterbodies in the Mackenzie District Plan. Setbacks for structures under that plan are 50m from wetlands, 100m from scheduled lakes, and 20m from scheduled rivers.</p> <p>Further information is required to determine whether the project is consistent with this policy.</p>
<p>Policy 7.3.3 Enhancing fresh water environments and biodiversity To promote, and where appropriate require the protection, restoration and improvement of lakes, rivers, wetlands and their riparian zones and associated Ngāi Tahu values, and to:</p> <ol style="list-style-type: none"> 1. identify and protect areas of significant indigenous vegetation and significant habitats, sites of significant cultural value, wetlands, lakes and lagoons/Hapūa, and other outstanding water bodies; and 	<p>The proposal has been designed to have setbacks from waterways and wetlands and the applicant is proposing enhancement (native planting), which would have benefits to the intrinsic values of these waterbodies. It should be noted that Whakatipu/Twizel River, Ōhau River, and Te Ao Mārama/Lake Benmore are Scheduled waterbodies in the Mackenzie District Plan. Setbacks for structures under that plan are 50m from wetlands, 100m from scheduled lakes, and 20m from scheduled rivers.</p>

<ol style="list-style-type: none"> 2. require the maintenance and promote the enhancement of indigenous biodiversity, inland basin ecosystems and riparian zones; and 3. promote, facilitate or undertake pest control. 	<ol style="list-style-type: none"> 1. The site contains Sites of Natural Significance, Sites and Areas of Significance to Māori, wetlands, and Scheduled Waterbodies identified in the Mackenzie District Plan. All these areas will need to be protected. More information is required to determine whether this protection will be accomplished. 2. Indigenous vegetation has been identified in the ecological assessment supplied by the applicant. Further information is needed on the inland basin ecosystems present and the state of riparian zones. 3. Information is needed regarding the presence of pest species (including wilding conifers) on the site and how these will be managed. <p>To fully determine consistency with this policy, further detail on the current state of the site, and proposed mitigations (including the suitability of proposed mitigations to protect values) and methodology is required.</p>
<p>Policy 7.3.6 Fresh water quality In relation to water quality:</p> <ol style="list-style-type: none"> 1. to establish and implement minimum water quality standards for surface water and groundwater resources in the region, which are appropriate for each water body considering: <ol style="list-style-type: none"> a. the values associated with maintaining life supporting capacity, ecosystem processes and indigenous species including their associated ecosystems, and natural character of the water body; 	<ol style="list-style-type: none"> 2. Further detail on the potential discharges relating to the proposed activity (temporary construction phase and operational phase), as well as further detail on proposed mitigations and methodology will need to be provided to assess effects on water quality.

<ul style="list-style-type: none"> b. any current and reasonably foreseeable requirement to use the water for individual, marae or community drinking water or stockwater supplies, customary uses or contact recreation; c. the cultural significance of the fresh water body and any conditions or restrictions on the discharge of contaminants that may be necessary or appropriate to protect those values; and d. any other current or reasonably foreseeable values or uses; and <p>2. to manage activities which may affect water quality (including land uses), singularly or cumulatively, to maintain water quality at or above the minimum standard set for that water body; and</p> <p>3. where water quality is below the minimum water quality standard set for that water body, to avoid any additional allocation of water for abstraction from that water body and any additional discharge of contaminants to that water body, where any further abstraction or discharges, either singularly or cumulatively, may further adversely affect the water quality in that water body:</p> <ul style="list-style-type: none"> a. until the water quality standards for that water body are met; or b. unless the activities are undertaken as part of an integrated solution to water management in the catchment in accordance with Policy 7.3.9, which provides for the redress of water quality within that water body within a specified timeframe. 	
Policy 7.3.7 Water quality and land uses	2. To determine consistency with this policy, further detail on the proposed discharges relating to the proposed activity (temporary

<p>To avoid, remedy or mitigate adverse effects of changes in land uses on the quality of fresh water (surface or ground) by:</p> <ol style="list-style-type: none"> 1. identifying catchments where water quality may be adversely affected, either singularly or cumulatively, by increases in the application of nutrients to land or other changes in land use; and 2. controlling changes in land uses to ensure water quality standards are maintained or where water quality is already below the minimum standard for the water body, it is improved to the minimum standard within an appropriate timeframe. 	<p>construction phase and operational phase, as well as stocking of sheep), as well as further detail on proposed mitigations and methodology will need to be provided to assess effects on water quality. It is likely that erosion and sediment control measures, including erosion and sediment control plan/management, if suitable, would help to give effect to this policy.</p>
<p>Chapter 9 – Ecosystems and Indigenous Biodiversity</p>	
<p>Objective 9.2.1 Halting the decline of Canterbury’s ecosystems and indigenous biodiversity The decline in the quality and quantity of Canterbury’s ecosystems and indigenous biodiversity is halted and their life-supporting capacity and mauri safeguarded.</p>	<p>The applicant has supplied an ecological assessment report that notes that: “some avoidance has already been proposed in the updated concept design. However, additional effects management, such as habitat restoration, and the implementation of management plans, is required to manage other potential ecological effects.”</p> <p>This ecological assessment has influenced the site layout and design, including proposed setbacks from waterways, wetlands and indigenous biodiversity.</p> <p>To fully determine consistency with this objective, further detail on proposed mitigations and methodology is required.</p>
<p>Objective 9.2.2 Restoration or enhancement of ecosystems and indigenous biodiversity</p>	<p>The applicant has undertaken an ecological assessment which has influenced the site layout and design, including proposed setbacks from waterways, wetlands and indigenous biodiversity.</p>

<p>Restoration or enhancement of ecosystem functioning and indigenous biodiversity, in appropriate locations, particularly where it can contribute to Canterbury's distinctive natural character and identity and to the social, cultural, environmental and economic well-being of its people and communities.</p>	<p>The applicant is also proposing enhancement (native planting), and restoration of these environments, and the protection of these areas through fencing, with the intent that this improves/promotes their ecological health and associated biodiversity.</p> <p>While the information suggests an intent to enhance indigenous biodiversity, to fully determine consistency with this objective, further detail on proposed mitigations and methodology is required.</p>
<p>Objective 9.2.3 Protection of significant indigenous vegetation and habitats Areas of significant indigenous vegetation and significant habitats of indigenous fauna are identified and their values and ecosystem functions protected.</p>	<p>The site contains Sites of Natural Significance identified in the Mackenzie District Plan. These have been identified using the CRPS Appendix 3 criteria.</p> <p>More detail is required to determine how these sites will be protected, and whether any other parts of the project site also meet those criteria. This information is needed to determine whether the project is consistent with this objective.</p>
<p>Policy 9.3.1 Protecting significant natural areas 1. Significance, with respect to ecosystems and indigenous biodiversity, will be determined by assessing areas and habitats against the following matters: a. Representativeness b. Rarity or distinctive features c. Diversity and pattern d. Ecological context The assessment of each matter will be made using the criteria listed in Appendix 3.</p>	<p>1. The site contains Sites of Natural Significance identified in the Mackenzie District Plan. These have been identified using the CRPS Appendix 3 criteria.</p> <p>3. More detail is required to determine how these sites will be protected, and whether any other parts of the project site also meet those criteria. This information is needed to determine whether the project is consistent with this policy.</p>

<ol style="list-style-type: none"> 2. Areas or habitats are considered to be significant if they meet one or more of the criteria in Appendix 3. 3. Areas identified as significant will be protected to ensure no net loss of indigenous biodiversity or indigenous biodiversity values as a result of land use activities. 	
<p>Policy 9.3.2 Priorities for protection To recognise the following national priorities for protection:</p> <ol style="list-style-type: none"> 1. Indigenous vegetation in land environments where less than 20% of the original indigenous vegetation cover remains. 2. Areas of indigenous vegetation associated with sand dunes and wetlands. 3. Areas of indigenous vegetation located in “originally rare” terrestrial ecosystem types not covered under (1) and (2) above. 4. Habitats of threatened and at risk indigenous species. 	<p>The ecological assessment supplied by the applicant identified that the site contains an ephemeral wetland, and habitats of threatened species.</p> <p>Further detail on how these areas will be protected, and whether other areas of indigenous vegetation located in “originally rare” terrestrial ecosystem types are present on the site, is required before a determination can be made as to whether the proposal is consistent with this policy.</p>
<p>Policy 9.3.4 Promote ecological enhancement and restoration To promote the enhancement and restoration of Canterbury’s ecosystems and indigenous biodiversity, in appropriate locations, where this will improve the functioning and long term sustainability of these ecosystems.</p>	<p>The applicant is proposing restoration and enhancement of the environment to improve ecological health, with the intent that this improves the associated biodiversity.</p> <p>While the information supplied suggests an intent to restore indigenous biodiversity, to fully determine consistency with this objective, further detail on proposed mitigations and methodology is required.</p>
<p>Policy 9.3.5 Wetland protection and enhancement In relation to wetlands:</p> <ol style="list-style-type: none"> 1. To assess an ecologically significant wetland against the matters set out in Policy 9.3.1 and the national priorities listed in Policy 9.3.2 For the purposes of this policy, 	<ol style="list-style-type: none"> 1. More detail is required as to whether wetlands on the site meet the criteria for ecological significance. 2. Once the assessment has been carried out, a plan for protecting any ecologically significant wetlands can be developed. 3. More detail is needed to understand how wetlands on the site will be protected, enhanced and restored.

<p>ecologically significant wetlands do not include areas that are predominantly pasture and dominated by exotic plant species and where they are not significant habits of indigenous fauna.</p> <ol style="list-style-type: none"> 2. To ensure that the natural, physical, cultural, amenity, recreational and historic heritage values of Canterbury's ecologically significant wetlands are protected. 3. To generally promote the protection, enhancement and restoration of all of Canterbury's remaining wetlands. 4. To encourage the formation of created wetlands that contribute to the restoration of indigenous biodiversity. 5. To protect adjoining areas of indigenous and other vegetation which extend outside an ecologically significant wetland and are necessary for the ecological functioning of the wetland. 	<p>5. Once the assessment has been carried out, a plan for protecting vegetation that adjoins any ecologically significant wetlands can be developed.</p> <p>While the information in the ecological assessment suggests an intent to meet this policy, to fully determine consistency with this policy, further detail on wetland identification, proposed mitigations and methodology is required.</p>
<p>Chapter 10 – Beds of Rivers and Lakes and their Riparian Zones</p>	
<p>Objective 10.2.1 Provision for activities in beds and riparian zones and protection and enhancement of bed and riparian zone values Enable subdivision, use and development of river and lake beds and their riparian zones while protecting all significant values of those areas, and enhancing those values in appropriate locations.</p>	<p>The applicant has supplied an ecological assessment report that notes that “some avoidance has already been proposed in the updated concept design. However, additional effects management, such as habitat restoration and the implementation of management plans, is required to manage other potential ecological effects.”</p> <p>This ecological assessment has influenced the site layout and design, including proposed setbacks from waterways, wetlands and indigenous biodiversity. The applicant is also proposing enhancement (native planting), and restoration of these environments with the intent that this improves/promotes their associated biodiversity.</p> <p>To fully determine consistency with this objective, further detail on proposed mitigations and methodology is required.</p>

<p>Objective 10.2.3 Protection of essential structures Protection of the stability, performance and operation of essential structures from activities in river and lake beds and on their banks or margins.</p>	<p>To determine consistency with this objective, further information is required to determine if any existing essential structures (e.g. Transpower essential structures) are located within waterbodies (or their banks/margins), and then if the proposed activities would have any impact on the stability, performance and operation of those essential structures.</p>
<p>Objective 10.2.4 Public and Ngāi Tahu access to and along rivers and lakes Maintenance and enhancement of public and Ngāi Tahu access to and along rivers and lakes.</p>	<p>Further information is needed to determine how access to and along the Ōhau and Whakatipu/Twizel rivers would be impacted by the project.</p>
<p>Policy 10.3.1 Activities in river and lake beds and their riparian zones To provide for activities in river and lake beds and their riparian zones, including the planting and removal of vegetation and the removal of bed material, while:</p> <ol style="list-style-type: none"> 1. recognising the implications of the activity on the whole catchment; 2. ensuring that significant bed and riparian zone values are maintained or enhanced; or 3. avoiding significant adverse effects on the values of those beds and their riparian zones, unless they are necessary for the maintenance, operation, upgrade, and repair of essential structures, or for the prevention of losses from floods, in which case significant adverse effects should be mitigated or remedied. 	<p>2. The applicant will likely undertake some works within beds and riparian zones relating to tracking and access. Other proposed activities will involve vegetation removal and planting relating to the applicant's proposed ecological enhancement and restoration of indigenous biodiversity and waterbodies within the site.</p> <p>3. Further information is needed to determine how significant adverse effects on the values of the river beds and riparian zones are to be avoided, mitigated or remedied as appropriate.</p> <p>To fully determine consistency with this policy, further detail on proposed mitigations and methodology is required.</p>
<p>Policy 10.3.2 Protection and enhancement of areas of river and lake beds and their riparian zones To preserve the natural character of river and lake beds and their margins and protect them from inappropriate subdivision, use</p>	<p>The applicant has supplied an ecological assessment report that notes that "some avoidance has already been proposed in the updated concept design. However, additional effects management, such as habitat restoration and the implementation</p>

<p>and development, and where appropriate to maintain and/or enhance areas of river and lake beds and their margins and riparian zones where:</p> <ol style="list-style-type: none"> 1. they exist in a degraded state and enhancement will achieve long-term improvement in those values; 2. they have ecological values for which protection and/or enhancement will assist in the establishment or re-establishment of indigenous biodiversity or ecosystems, particularly for ecosystems that are threatened or unrepresented in protected areas; 3. they have existing significant trout or salmon habitat; 4. maintenance and/or enhancement will improve or establish connections between habitats and create corridors for indigenous species and trout and salmon and their movement between areas; 5. riparian zones provide a buffer from activities that may adversely affect bed values; 6. opportunities exist to create habitat corridors for plants and animals; or 7. riparian zones provide spawning or other significant habitats for at risk or threatened species, such as inanga or Canterbury mudfish. 	<p>of management plans, is required to manage other potential ecological effects.”</p> <p>The proposal has been designed to have setbacks from waterways and wetlands and the applicant is proposing enhancement (native planting), which should help to preserve the natural character of rivers and their riparian zones.</p> <p>The applicant is also proposing enhancement (native planting), and restoration of these environments with the intent that this improves/promotes their associated biodiversity.</p> <p>To fully determine consistency with this policy, further detail on proposed mitigations and methodology is required.</p> <p>3. The Twizel and Ōhau rivers are recognised as salmon spawning areas on the Environment Canterbury maps.</p> <p>Further information is needed to determine the existing state of the river beds and their riparian margins, and what ecological values are present and appropriate measures to protect and/or enhance them.</p>
<p>Policy 10.3.4 Removal of vegetation and bed material from river beds To manage the use and removal of vegetation and bed material in river beds and their margins to ensure:</p> <ol style="list-style-type: none"> 1. the maintenance of flood-carrying capacity of rivers 2. the protection of essential structures; and 3. erosion control and prevention. <p>provided its management does not adversely affect:</p>	<p>To fully determine consistency with this policy, further detail on the proposed site plan, works and construction methodology is required.</p>

<ul style="list-style-type: none"> a. the instream and other values of the beds including habitat and associated ecosystems; or b. the stability, performance, operation and maintenance, upgrade and repair of essential structures 	
<p>Policy 10.3.5 Maintenance and enhancement of public and Ngāi Tahu access</p> <p>To promote the maintenance and enhancement of public and Ngāi Tahu access to and along the beds of rivers and lakes, and to ensure that subdivision use and development does not result in inappropriate loss of existing access, subject to:</p> <ul style="list-style-type: none"> 1. protecting public health and safety, and avoiding conflict between different types of access; 2. avoiding adverse effects on the values of the beds, or stability of banks; 3. protecting Ngāi tahu cultural values and sites of significance from inappropriate public access; 4. protecting the stability, performance and operation of essential structures in, on, under or over the beds; 5. ensuring the integrity of flood-protection vegetation is maintained; 6. avoiding conflicts with the legal rights and lawful activities of owners/occupiers of river or lake beds and adjacent land, or of the owners/operators of infrastructure in, on, under or over the bed; and 7. engaging with the Walking Access Commission to identify and negotiate issues around public access. 	<p>Further information is needed to determine how access to and along the Ōhau and Whakatipu/Twizel rivers would be impacted by the project.</p>
<p>Chapter 11 – Natural Hazards</p>	
<p>Objective 11.2.1</p>	<p>There does not appear to be any assessment of risk and hazard potential to the site. It is noted that through Plan Change 28,</p>

<p>Avoid new subdivision, use and development of land that increases risks associated with natural hazards</p> <p>New subdivision, use and development of land which increases the risk of natural hazards to people, property and infrastructure is avoided or, where avoidance is not possible, mitigation measures minimise such risks.</p>	<p>Mackenzie District Council is introducing a Flood Hazard Assessment Overlay, which covers the site, and a Hydro-inundation Overlay (relating to the Waitaki Power Scheme) that covers parts of the site. Other hazard considerations such as fire risk should also be considered.</p> <p>To fully determine consistency with this objective, a natural hazard risk assessment (including flood hazard) should be undertaken.</p>
<p>Policy 11.3.1</p> <p>Avoidance of inappropriate development in high hazard areas To avoid new subdivision, use and development (except as provided for in Policy 11.3.4) of land in high hazard areas, unless the subdivision, use or development:</p> <ol style="list-style-type: none"> 1. is not likely to result in loss of life or serious injuries in the event of a natural hazard occurrence; and 2. is not likely to suffer significant damage or loss in the event of a natural hazard occurrence; and 3. is not likely to require new or upgraded hazard mitigation works to mitigate or avoid the natural hazard; and 4. is not likely to exacerbate the effects of the natural hazard; or 5. Outside of greater Christchurch, is proposed to be located in an area zoned or identified in a district plan for urban residential, industrial or commercial use, at the date of notification of the CRPS, in which case the effects of the natural hazard must be mitigated; or 6. Within greater Christchurch, is proposed to be located in an area zoned in a district plan for urban residential, industrial or commercial use, or identified as a "Greenfield Priority Area" on Map A of Chapter 6, both at the date the Land Use 	<p>The site is identified as being within the Mackenzie District Council's Flood Hazard Assessment Overlay. While this does not necessarily mean that the site would be considered a 'high hazard area' under the CRPS, it is recommended that a flood assessment is undertaken or order for the activity to be assessed under this policy. This assessment would determine if the site was to be subject to a 0.2% AEP flood event.</p> <p>Should such an assessment identify any high hazard areas within the site, the inverters and temporary office should be located outside those areas, and outside the Hydro-inundation Overlay areas.</p>

<p>Recovery Plan was notified in the Gazette, in which the effect of the natural hazard must be avoided or appropriately mitigated; or</p> <p>7. Within greater Christchurch, relates to the maintenance and/or upgrading of existing critical or significance infrastructure.</p>	
<p>Policy 11.3.2 Avoid Development in areas subject to inundation In areas not subject to Policy 11.3.1 that are subject to inundation by a 0.5% AEP flood event; any new subdivision, use and development (excluding critical infrastructure) shall be avoided unless there is no increased risk to life, and the subdivision, use or development:</p> <ol style="list-style-type: none"> 1. is of a type that is not likely to suffer material damage in an inundation event; or 2. is ancillary or incidental to the main development; or 3. meets all of the following criteria: <ol style="list-style-type: none"> a. new buildings have an appropriate floor level above the 0.5% AEP design flood level; and b. hazardous substances will not be inundated during a 0.5% AEP flood event; provided that a higher standard of management of inundation hazard events may be adopted where local catchment conditions warrant (as determined by a cost/benefit assessment). <p>When determining areas subject to inundation, climate change projections including sea level rise are to be taken into account.</p>	<p>The site is identified as being within the Mackenzie District Council's Flood Hazard Assessment Overlay. It is recommended that a flood assessment is undertaken or order for the activity to be assessed under this policy, particularly with respect to clause 3(b) of the policy. This assessment would determine if the site was to be subject to a 0.5% AEP flood event)</p> <p>3. It is important to note that hazardous substances will need to be stored in a place that will not be inundated during a 1-in-200-year inundation event.</p>
<p>Policy 11.3.5 General risk management approach</p>	<p>An assessment of natural hazard risks at the site should be undertaken to determine the best approach to management of those risks.</p>

<p>For natural hazards and/or areas not addressed by policies 11.3.1, 11.3.2, and 11.3.3, subdivision, use or development of land shall be avoided if the risk from natural hazards is unacceptable. When determining whether risk is unacceptable, the following matters will be considered:</p> <ol style="list-style-type: none"> 1. the likelihood of the natural hazard event; and 2. the potential consequence of the natural hazard event for: people and communities, property and infrastructure and the environment, and the emergency response organisations. <p>Where there is uncertainty in the likelihood or consequences of a natural hazard event, the local authority shall adopt a precautionary approach.</p> <p>Formal risk management techniques should be used, such as the Risk Management Standard (AS/NZS ISO 31000:2009) or the Structural Design Action Standard (AS/NZS 1170.0:2002).</p>	
Chapter 12 – Landscape	
<p>Objective 12.2.1 Identification and protection of outstanding natural features and landscapes</p> <p>Outstanding natural features and landscapes within the Canterbury region are identified and their values are specifically recognised and protected from inappropriate subdivision, use, and development.</p>	<p>The site is within an Outstanding Natural Landscape. The applicant has provided a landscape assessment, which concludes that the proposal does not avoid effects on the Outstanding Natural Landscape values, with the overall impact (provided all mitigation measures are adopted) at a low-medium to medium level. The suggested mitigation measures would reduce the effects from an even higher level.</p> <p>To determine consistency with this objective, more detail is needed on proposed methods to mitigate effects on the landscape values of the site.</p>

<p>Policy 12.3.2 Management methods for outstanding natural features and landscapes</p> <p>To ensure management methods in relation to subdivision, use or development, seek to achieve protection of outstanding natural features and landscapes from inappropriate subdivision, use and development.</p>	<p>The site is within an Outstanding Natural Landscape. The applicant has provided a landscape assessment, which concludes that the proposal does not avoid effects on the Outstanding Natural Landscape values, with the overall impact (provided all mitigation measures are adopted) at a low-medium to medium level. The suggested mitigation measures would reduce the effects from an even higher level.</p> <p>To determine consistency with this objective, more detail is needed on proposed methods to mitigate effects on the landscape values of the site.</p>
<p>Policy 12.3.4 Consistency of identification and management of outstanding natural features and outstanding natural landscapes</p> <p>Seek to achieve regional consistency in the identification of outstanding natural features and landscape areas and values by:</p> <ol style="list-style-type: none"> 1. considering the following assessment matters which address biophysical, sensory and associative values when assessing landscapes in the Canterbury region: <ol style="list-style-type: none"> a. Natural science values b. Legibility values c. Aesthetic values d. Transient values e. Tāngata whenua values f. Shared and recognised values g. Historic values 2. requiring methods for landscape management to be developed and considered, having regard to the management methods in adjoining districts or regions, and 	<p>2. It is important to note that there are other proposals for large solar arrays in the Mackenzie Basin, with at least one adjoining the Twizel Solar project site. Cumulative effects on this Outstanding Natural Landscape should be considered when assessing this application, and others that will be forthcoming. Mitigation measures need to address those cumulative effects.</p> <p>To determine consistency with this objective, more detail is needed on proposed methods to mitigate effects on the landscape values of the site.</p>

the extent to which these may, in combination, protect outstanding natural features and landscapes.	
Chapter 14 – Air Quality	
Objective 14.2.1 Maintain or improve ambient air quality Maintain or improve ambient air quality so that it is not a danger to people’s health and safety, and reduce the nuisance effects of low ambient air quality.	Given the size of the site, and provided good construction management techniques are adhered to, dust and nuisance effects should be managed appropriately so that it is not a danger to people’s health and safety. It is considered that the proposed activity would likely be consistent with this objective.
Objective 14.2.2 Localised adverse effects of discharges on air quality Enable the discharges of contaminants into air provided there are no significant localised adverse effects on social, cultural and amenity values, flora and fauna, and other natural and physical resources.	Given the size of the site, and provided good construction management techniques are adhered to, dust and nuisance effects should be managed appropriately so that there are not significant localised effects on social, cultural and amenity values, flora and fauna and other natural and physical resources. It is considered that the proposed activity would likely be consistent with this objective.
Policy 14.3.1 Maintain and improve ambient air quality In relation to ambient air quality: <ol style="list-style-type: none"> 1. To set standards to maintain ambient air quality in Canterbury based on concentrations of contaminants that cause adverse health effects and nuisance 2. Where existing ambient air quality is higher than required by the standards set, to only allow the discharge of contaminants into air where the adverse effects of the discharge on ambient air quality are minor. 3. To give priority to ensuring that PM10 ambient air quality improvements are achieved in Rangiora, Kaiapoi, Christchurch, Ashburton, Timaru, Geraldine and Waimate. 	Given the size of the site, and provided good construction management techniques are adhered to, dust and nuisance effects should be managed appropriately so that it is not a danger to people’s health and safety. It is considered that the proposed activity would likely be consistent with this policy.

<p>Policy 14.3.3 Avoid, remedy or mitigate localised adverse effects on air quality To set standards, conditions and terms for discharges of contaminants into the air to avoid, remedy or mitigate localised adverse effects on air quality.</p>	<p>Given the size of the site, and provided good construction management techniques are adhered to, dust and nuisance effects should be managed appropriately so that there are not significant localised effects. It is considered that the proposed activity would likely be consistent with this policy.</p>
<p>Chapter 15 - Soils</p>	
<p>Objective 15.2.1 Maintenance of soil quality Maintenance and improvement of the quality of Canterbury's soil to safeguard their mauri, their life supporting capacity, their health and their productive capacity.</p>	<p>Further detail would be required to understand the contaminant type and concentration to determine potential effects on soil quality. Further information is required to assess the proposed activities against this objective.</p>
<p>Policy 15.3.1 Avoid remedy or mitigate soil degradation In relation to soil:</p> <ol style="list-style-type: none"> 1. to ensure that land-uses and land management practices avoid significant long-term adverse effects on soil quality, and to remedy or mitigate significant soil degradation where it has occurred, or is occurring; and 2. to promote land-use practices that maintain and improve soil quality. 	<p>Further detail would be required to understand the contaminant type and concentration to determine potential effects on soil, and if the proposal could result in significant long-term soil degradation. Further information is required to assess the proposed activities against this policy.</p>
<p>Chapter 16 - Energy</p>	
<p>Objective 16.2.1 Efficient use of energy Development is located and designed to enable the efficient use of energy, including:</p> <ol style="list-style-type: none"> 1. maintaining an urban form that shortens trip distances 2. planning for efficient transport, including freight 3. encouraging energy-efficient urban design principles 4. reduction of energy waste 	<p>4. The location of the solar farm within such close proximity to the national grid will ensure that there is minimal energy wastage in the conveying of electricity from the proposal substation to the transmission lines. However, renewable electricity generation closer to existing urban areas, where the bulk of the electricity is used would give better effect to this objective.</p>

<p>5. avoiding impacts on the ability to operate energy infrastructure efficiently.</p>	<p>5. The information provided does note that some engagement with Transpower has occurred, however more detailed comment from Transpower would be needed to assess the impacts of the proposal (if any) on Transpower's ability to operate their energy infrastructure (National Grid) efficiently, including the existing substation that would need to be upgraded to handle the additional electricity generated at the site.</p> <p>Further information is required to assess the proposed activities against this objective. Provided Transpower do not raise concerns around their ability to operate their energy infrastructure, the proposed activity would be consistent with this objective.</p>
<p>Objective 16.2.2 Promote a diverse and secure supply of energy Reliable and resilient generation and supply of energy for the region, and wider contributions beyond Canterbury, with a particular emphasis on renewable energy, which:</p> <ol style="list-style-type: none"> 1. provides for the appropriate use of the region's renewable resources to generate energy; 2. reduces dependency on fossil fuels; 3. improves the efficient end-use of energy; 4. minimises transmission losses; 5. is diverse in the location, type and scale of renewable energy development; 6. recognises the locational constraints in the development of renewable electricity generation activities; and <ol style="list-style-type: none"> a. avoids any adverse effects on significant natural and physical resources and cultural values or where this is not practicable, remedies or mitigates; and 	<p>If the proposal was to go ahead, it would contribute positively to energy security and add resilience to the energy generation capabilities in Canterbury and New Zealand more broadly. It would also increase New Zealand's renewable energy capacity.</p> <ol style="list-style-type: none"> 1. The project would make use of the high sunshine hours and flat land on the Mackenzie Basin to generate energy. 2. reduce dependency on fossil fuels 4. The location of the solar farm within such close proximity to the national grid will ensure that there is minimal transmission losses in conveying the electricity to existing national grid facilities. However, renewable electricity generation closer to existing urban areas, where the bulk of the electricity is used would give better effect to this objective. 5. There are a number of other similar-sized solar farm applications being considered on the Mackenzie Basin, with one such proposal adjacent to this project site. This limits the diversity of location, type and scale of renewable energy development in the area. If all these projects were to go ahead, the Mackenzie Basin

<p>b. appropriately controls other adverse effects on the environment.</p>	<p>would contain at least five solar farms, totalling approximately 2,200ha, and producing approximately 1,328mW of energy. Given the Mackenzie Basin already produces 5,189GWh of energy from hydro-electricity generation, this would mean that the Mackenzie Basin is producing a significant amount of renewable energy. Grouping renewable energy in one sub-region may be inconsistent with Objective 16.2.2.5 which seeks diversity in the location of renewable energy development.</p> <p>6. Renewable electricity generation activities have logistical and operational constraints because they need to be developed in locations where the electricity they produce can be connected to the national grid. Ideally the activities should be sited close to where the electricity is used (mainly in urban centres) to minimise energy loss, but failing that activities close to existing infrastructure such as substations and the national grid make sense.</p> <p>Solar arrays also have particular locational requirements, in that they should be in areas with high amounts of sunshine, and on reasonably flat terrain. The proposed site fits those requirements.</p> <p>To determine adverse effects and consistency with this objective, further information is needed on the values present at the site, and steps taken to avoid, remedy or mitigate any effects, including cumulative effects of multiple solar farm proposals in the Mackenzie Basin.</p>
<p>Policy 16.3.3 Benefits of renewable energy generation facilities To recognise and provide for the local, regional and national benefits when considering proposed or existing renewable energy generation facilities, having particular regard to the following:</p>	<ol style="list-style-type: none"> 1. The Twizel Solar project would increase electricity generation capacity and displace greenhouse gas emissions. 2. The project would also increase security of supply at local and regional levels by reducing the reliance on hydro-electricity generation that is dependent on lake levels being maintained.

<ol style="list-style-type: none"> 1. maintaining or increasing electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions; 2. maintaining or increasing the security of supply at local and regional levels, and also wider contributions beyond Canterbury; by diversifying the type and/or location of electricity generation; 3. using renewable natural resources rather than finite resources; 4. the reversibility of the adverse effects on the environment of some renewable electricity generation facilities; 5. avoiding reliance on imported fuels for the purposes of generating electricity; and 6. assisting in meeting international climate obligations. 	<p>However, as noted above, there are some concerns with concentrating such a large amount of the nation's electricity generation in one location.</p> <ol style="list-style-type: none"> 3. The project uses renewable natural resources to generate electricity. 4. Should the project be discontinued at any stage, or come to the end of its life, the structures could be removed from the site and the land returned to its existing use. This would generate a large amount of waste for disposal with significant environmental effects. 5. The project would reduce reliance on imported fuels for electricity generation. 6. By displacing the need to use fossil fuels for electricity generation, the project would assist New Zealand in meeting international climate obligations. <p>While noting the concerns outlined above, it is considered that the proposed activity would likely be consistent with this policy.</p>
<p>Policy 16.3.4 Reliable and resilient electricity transmission network within Canterbury To encourage a reliable and resilient national electricity transmission network within Canterbury by:</p> <ol style="list-style-type: none"> 1. having particular regard to the local, regional and national benefits when considering operation, maintenance, upgrade or development of the electricity transmission network; 2. avoiding subdivision, use and development including urban or semi urban development patterns, which would otherwise limit the ability of the electricity transmission network to be operated, maintained, upgraded and developed; 	<ol style="list-style-type: none"> 1. The project's new transmission lines to the existing substation, and the upgrading of that substation, will have benefits for Canterbury and nationally by allowing for increased supply to the national grid. 3. More detail is required to determine how adverse effects on significant natural and physical resources and cultural values are to be avoided, remedied or mitigated, and other effects on the environment are to be controlled. <p>More information is required to determine whether the project would be consistent with this policy.</p>

<p>3. enabling the operational, maintenance, upgrade, and development of the electricity transmission network provided that, as a result of route, site and method selection, where;</p> <ul style="list-style-type: none"> a. the adverse effects on significant natural and physical resources or cultural values are avoided, or where this is not practicable, remedied or mitigated; and b. other adverse effects on the environment are appropriately controlled. 	
<p>Policy 16.3.5 Efficient, reliable and resilient electricity generation within Canterbury To recognise and provide for efficient, reliable and resilient electricity generation within Canterbury by:</p> <ul style="list-style-type: none"> 1. avoiding subdivision, use and development which limits the generation capacity from existing or consented electricity generation infrastructure to be used, upgraded or maintained; 2. enabling the upgrade of existing, or development of new electricity generation infrastructure, with a particular emphasis on encouraging the operation, maintenance and upgrade of renewable electricity generation activities and associated infrastructure: <ul style="list-style-type: none"> a. having particular regard to the locational, functional, operational or technical constraints that result in renewable electricity generation activities being located or designed in the manner proposed; b. provided that, as a result of site, design and method selection: 	<p>2. As outlined under Objective 16.2.2 above, solar farm projects have locational, functional and operational constraints that make the proposed location suitable for such development. More information is needed to fully assess the environmental and cultural effects of the proposal and how those effects could be appropriately managed.</p> <p>To determine consistency with this policy, further information is needed to determine the potential environmental effects of the proposed energy generation on natural and physical resources.</p>

<ul style="list-style-type: none"> i. the adverse effects on significant natural and physical resources or cultural values are avoided, or where this is not practicable remedied, mitigated or offset; and ii. other adverse effects on the environment are appropriately controlled. <p>3. providing for activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation;</p> <p>4. maintaining the generation output and enabling the maximum electricity supply benefit to be obtained from the existing electricity generation facilities within Canterbury, where this can be achieved without resulting in additional significant adverse effects on the environment which are not fully offset or compensated.</p>	
Chapter 17 – Contaminated Land	
<p>Objective 17.2.1 Protection from adverse effects of contaminated land Protection of people and the environment from both on-site and off-site adverse effects of contaminated land</p>	<p>The site of the proposed substations and batteries would be considered HAIL sites. Provided these sites are managed appropriately, the proposed activities would likely be consistent with this objective.</p>
<p>Policy 17.3.2 Development of, or discharge from contaminated land In relation to actually or potentially contaminated land, where new subdivision, use or development is proposed on that land, or where there is a discharge of the contaminant from that land:</p> <ul style="list-style-type: none"> 1. a site investigation is to be undertaken to determine the nature and extent of any contamination; and 2. if it is found that the land is contaminated, except as provided for in Policy 17.3.3, the actual or potential adverse effects of that contamination, or discharges from the 	<p>Information available does not indicate that the site in its current condition is contaminated, however it is advised that further investigations are undertaken to determine any contaminant levels (or not) at the site, to ensure that sufficient baseline data is available, and if remediation would be required post-activity. It is likely that this proposed activity would be consistent with this policy.</p>

contaminated land shall be avoided, remedied or mitigated in a manner that does not lead to further significant adverse effects.	
Chapter 18 – Hazardous Substances	
Objective 18.2.1 Avoid, remedy or mitigate adverse effects Adverse effects on the environment from the storage, use, disposal and transportation of hazardous substances are avoided, remedied or mitigated.	It is likely that the site will contain areas where hazardous substances are stored. Provided this storage occurs in accordance with relevant legislation and is carried out appropriately, it is considered that the proposed activity would be consistent with this objective.
Objective 18.2.2 New contamination of land To avoid contamination of land.	The location of the batteries would be identified as HAIL, but the area containing solar panels would not. Provided appropriate measures are taken with the installation and management of substations and batteries, the proposed activity would likely be consistent with this objective.
Policy 18.3.1 Protection of sensitive areas and activities Avoid actual or potential adverse effects, resulting from the use, storage or disposal of hazardous substances, in the following locations: <ol style="list-style-type: none"> 1. High hazard areas 2. Within a community drinking water protection zone, or within such a distance from a community drinking water supply that there is a risk of contamination of that drinking water source 3. In areas of unconfined or semi-confined aquifer, where the depth to groundwater is such that there is a risk of contamination of that groundwater 4. Within the coastal marine area and in the beds of lakes and rivers 	It is likely that the site will contain areas where hazardous substances are stored. Provided this storage occurs in accordance with relevant legislation and is carried out appropriately, it is considered that the proposed activity would be consistent with this policy.

<p>5. Within any area identified by a district or regional plan as being sensitive to the potential effects of hazardous substances, which may include, but are not limited to, areas such as wāhi tapu, urupā, institutions and residential areas.</p>	
<p>Policy 18.3.2 Avoid, remedy or mitigate adverse effects To avoid, remedy or mitigate adverse effects on the environment, including contamination of land, air and water, associated with the storage, use, transportation or disposal of hazardous substances.</p>	<p>It is likely that the site will contain areas where hazardous substances are stored. Provided this storage occurs in accordance with relevant legislation and is carried out appropriately, it is considered that the proposed activity would be consistent with this policy.</p>

Appendix 2: Consistency with Canterbury Land and Water Regional Plan (LWRP)

Objective/ Policy	Proposal Consistency
<p>Objective 3.3</p> <p>Nationally and regionally significant infrastructure is enabled and is resilient and positively contributes to economic, cultural and social wellbeing through its efficient and effective operation, on-going maintenance, repair, development and upgrading.</p>	<p>The solar farm would be considered to be 'regionally significant infrastructure' under the CRPS definition.</p> <p>The assessment against the CRPS contains a more thorough assessment relating to consistency with infrastructure provisions.</p>
<p>Objective 3.5</p> <p>Land uses continue to develop and change in response to socio-economic and community demand.</p>	<p>The assessment against the CRPS contains a more thorough assessment relating to consistency with broader land use provisions.</p>
<p>Objective 3.8</p> <p>The quality and quantity of water in fresh water bodies and their catchments is managed to safeguard the life-supporting capacity of ecosystems and ecosystem processes, including ensuring sufficient flow and quality of water to support the habitat and feeding, breeding, migratory and other behavioural requirements of indigenous species, nesting birds and, where appropriate, trout and salmon.</p>	<p>The proposal does not propose any water takes or use but will involve discharges. The proposal also proposes setbacks from wetlands. The CRC notes that generally the likely earthworks, construction methodology, operational site management, positioning from sensitive areas and associated discharges should be able to be managed effectively through good site management and conditions on the consent. However, without further detail on the proposed Erosion and Sediment Control (ESCP) or Site Management Plan (SMP), it is difficult to determine consistency with this objective.</p>
<p>Objective 3.14</p> <p>High naturalness waterbodies and hāpua and their margins are maintained in a healthy state or are improved where degraded.</p>	
<p>Objective 3.17</p> <p>The significant indigenous biodiversity values of rivers, wetlands and hāpua are protected.</p>	
<p>Objective 3.18</p>	
	<p>Appendix 7 to the application is a mana whenua report, drafted by Aoraki Environmental Consultancy Limited and Aukaha Limited on</p>

Wetlands that contribute to cultural and community values, biodiversity, water quality, mahinga kai, water cleansing and flood mitigation are maintained.	behalf of Te Rūnanga o Arowhenua, Te Rūnanga o Moeraki and Te Rūnanga o Waihao. This report notes some further consultation with paptipu rūnaka is needed. CRC considers that further engagement with papatipu rūnaka is necessary to ensure consistency with this objective.
Objective 3.19 Natural character values of freshwater bodies, including braided rivers and their margins, wetlands, hāpua and coastal lagoons, are protected.	The proposal does not propose any water takes or use but will involve discharges. The proposal also proposes setbacks from wetlands. The CRC notes that generally the likely earthworks, construction methodology, operational site management, positioning from sensitive areas and associated discharges should be able to be managed effectively through good site management and conditions on the consent. However, without further detail on the proposed ESCP or SMP, it is difficult to determine consistency with this objective.
Objective 3.23 Soils are healthy and productive, and human-induced erosion and contamination are minimised.	
Objective 3.24 All activities operate at good environmental practice or better to optimise efficient resource use and protect the region's fresh water resources from quality and quantity degradation	
Policy 4.13 For other discharges of contaminants into or onto land where it may enter water or to surface water bodies or groundwater (excluding those passive discharges to which Policy 4.26 applies), the effects of any discharge are minimised by the use of measures that: <ul style="list-style-type: none"> a. first, avoid the production of the contaminant b. secondly, reuse, recovers or recycles the contaminant; c. thirdly, minimise the volume or amount of the discharge; or d. finally, wherever practical utilise land-based treatment, a wetland constructed to treat contaminants or a designed treatment system prior to discharge; and 	The applicant's Assessment of Environmental Effects (AEE) report indicates that an ESCP will be adhered to during construction. For operational discharges, the AEE report states that 'proposed discharges will not exceed to natural capacity of the soil to treat or remove the contaminant'. The CRC notes that generally the likely earthworks, and associated discharges should be able to be managed effectively through good site management and conditions on the consent. However, without further detail on the proposed ESCP, it is difficult to determine consistency with this policy.

<p>e. in the case of surface water, results in a discharge that after reasonable mixing meets the receiving water standards in Schedule 5 or does not result in any further degradation in water quality in any receiving surface waterbody that does not meet the water quality standards in Schedule 5 or any applicable water conservation order.</p>	
<p>Policy 4.14 Any discharge of a contaminant into or onto land where it may enter groundwater (excluding those passive discharges to which Policy 4.26 applies):</p> <ul style="list-style-type: none"> a. will not exceed the natural capacity of the soil to treat or remove the contaminant; and b. will not exceed available water storage capacity of the soil; and c. where meeting (a) and (b) is not practicable, the discharge will: <ul style="list-style-type: none"> i. meet any nutrient limits in Schedule 8 or Sections 6 to 15 of this Plan; and ii. utilise the best practicable option to ensure the size of any contaminant plume is as small as is reasonably practicable; and iii. ensure there is sufficient distance between the point of discharge, any other discharge and drinking-water supplies to allow for the natural decay or attenuation of pathogenic micro-organisms in the contaminant plume; and iv. not result in the accumulation of pathogens, or a persistent or toxic contaminant that would render the land unsuitable for agriculture, commercial, 	

<p>domestic, cultural or recreational use or water unsuitable as a source of potable water or for agriculture; and</p> <p>iv. not raise groundwater levels so that land drainage is impeded.</p>	
<p>Policy 4.14B</p> <p>Have regard to Ngāi Tahu values, and in particular those expressed within an iwi management plan, when considering applications for discharges which may adversely affect statutory acknowledgement areas, nohoanga sites, surface waterbodies, silent file areas, culturally significant sites, Heritage New Zealand sites, any listed archaeological sites, and cultural landscapes, identified in this Plan, any relevant district plan, or in any iwi management plan.</p>	<p>Appendix 7 to the application is a mana whenua report, drafted by Aoraki Environmental Consultancy Limited and Aukaha Limited on behalf of Te Rūnanga o Arowhenua, Te Rūnanga o Moeraki and Te Rūnanga o Waihao. This report notes some further consultation is and paptipu rūnaka is needed. CRC considers that further engagement with papatipu rūnaka is necessary to ensure consistency with this policy.</p>
<p>Policy 4.17</p> <p>Stormwater run-off volumes and peak flows are managed so that they do not cause or exacerbate the risk of inundation, erosion or damage to property or infrastructure downstream or risks to human safety.</p>	<p>The applicant's AEE report indicates that an SMP will be adhered to during construction.</p> <p>For operational discharges, the AEE report states that 'The SMP outlines mitigating factor and measures proposed in the project design that will ensure that stormwater run-off volumes and peak flows are managed so not to cause or exacerbate the risk of inundation, erosion or damage to property or infrastructure downstream or risks to human safety.'</p> <p>The CRC notes that generally the likely earthworks, and associated discharges should be able to be managed effectively through good site management and conditions on the consent. However, without further detail on the proposed SMP, it is difficult to determine consistency with this policy.</p>
<p>Policy 4.18</p> <p>The loss or discharge of sediment or sediment-laden water and other contaminants to surface water from earthworks,</p>	<p>The applicant's AEE report indicates that an ESCP will be adhered to during construction.</p>

<p>including roading, works in the bed of a river or lake, land development or construction, is avoided, and if this is not achievable, the best practicable option is used to minimise the loss or discharge to water.</p>	<p>For operational discharges, the AEE report states that ‘proposed discharges will not exceed to natural capacity of the soil to treat or remove the contaminant’.</p> <p>The CRC notes that generally the likely earthworks, and associated discharges should be able to be managed effectively through good site management and conditions on the consent. However, without further detail on the proposed ESCP, it is difficult to determine consistency with this policy.</p>
<p>Policy 4.19</p> <p>The discharge of contaminants to groundwater from earthworks, excavation, waste collection or disposal sites and contaminated land is avoided or minimised by ensuring that:</p> <ol style="list-style-type: none"> activities are sited, designed and managed to avoid the contamination of groundwater; existing or closed landfills and contaminated land are managed and monitored where appropriate to minimise any contamination of groundwater; and there is sufficient thickness of undisturbed sediment in the confining layer over the Coastal Confined Aquifer System to prevent the entry of contaminants into the aquifer or an upward hydraulic gradient is present which would prevent aquifer contamination. 	<p>The applicant’s AEE report indicates that an ESCP will be adhered to during construction.</p> <p>For operational discharges, the AEE report states that ‘proposed discharges will not exceed to natural capacity of the soil to treat or remove the contaminant’.</p> <p>The CRC would like further detail on the cumulative effects (if any) from potential contaminants leaching from the solar panels, over their lifetime.</p> <p>The CRC notes that generally the likely earthworks, and associated discharges should be able to be managed effectively through good site management and conditions on the consent. However, without further detail on the proposed ESCP, it is difficult to determine consistency with this policy.</p>
<p>Policy 4.22</p> <p>Sedimentation of water bodies as a result of land clearance, earthworks and cultivation is avoided or minimised by the adoption of control methods and technologies, such as maintaining continuous vegetation cover adjacent to water bodies, or capturing surface run-off to remove sediment and other contaminants or by methods</p>	<p>The applicant’s AEE report indicates that an ESCP will be adhered to during construction.</p> <p>For operational discharges, the AEE report states that ‘proposed discharges will not exceed to natural capacity of the soil to treat or remove the contaminant’.</p> <p>The CRC notes that generally the likely earthworks, and associated discharges should be able to be managed effectively through good site</p>

such as direct drilling crops and cultivation that follows the contours of a paddock.	management and conditions on the consent. However, without further detail on the proposed ESCP, it is difficult to determine consistency with this policy.
<p>Policy 4.81</p> <p>Any take, use, damming or diversion of water, any discharge of contaminants onto land or into water, or any earthworks, structures, planting, vegetation removal or other land uses within a wetland boundary, do not adversely affect the significant values of wetlands, hāpua, coastal lakes and lagoons, except for:</p> <ul style="list-style-type: none"> a. a temporary and or minor adverse effect where that activity is part of installing, maintaining, operating or upgrading infrastructure, pest management, or habitat restoration or enhancement work; or b. the artificial opening of hāpua, coastal lakes or lagoons to assist in fish migration or achieving other conservation outcomes, customary uses, or to avoid land inundation. 	The CRC notes that the applicant has proposed buffers and setbacks from wetlands and habitats to mitigate effects and protect values present. However, further detail on construction methodology, ESCP and SMP is needed to determine if the buffers proposed would be sufficient to ensure consistency with this policy.
<p>Policy 4.83</p> <p>Restoration or enhancement of wetlands is encouraged provided it does not give rise to any adverse effects on other lawfully established activities, including any adverse effects on the reliability of supply of water for existing abstractors, or any inundation or erosion of other people's property.</p>	The proposal aims to avoid wetland areas and have a 50m buffer from natural inland wetlands. Appendix 5 to the AEE report indicates that there are opportunities for enhancement and if carried out, would need to be formalised through (for example a QEII covenant). However, there does not appear to be further detail on the proposed enhancement. Further detail would be needed to determine consistency with this policy.
<p>Policy 4.85</p> <p>Water quality, indigenous biodiversity and ecosystem health in lakes, rivers, wetlands, hāpua, coastal lakes and lagoons are enhanced through establishing or restoring riparian planting.</p>	
<p>Policy 4.92A</p>	

<p>Enable catchment restoration activities that protect springheads, establish or enhance riparian margins, create restore or enhance wetlands, and remove nuisance macrophytes and fine sediment from waterways.</p>	
<p>Policy 4.101 Avoid the damage or loss of any Critical Habitat caused by sediment discharges, vegetation clearance, excavation or deposition of material, or other disturbance in, or on the bed, banks or riparian margins of a river, lake or wetland unless:</p> <ul style="list-style-type: none"> a. it is not practicable to avoid adverse effects; and b. where adverse effects cannot be avoided, they are minimised; and c. where adverse effects cannot be minimised, they are remedied where practicable; and d. where more than minor residual adverse effects cannot be avoided, minimised, or remedied, aquatic offsetting is provided where possible; and e. if aquatic offsetting of more than minor residual adverse effects is not possible, aquatic compensation is provided. 	<p>The AEE report proposes setbacks of 10m from Significant vegetation/habitats, 10m from Sites of Natural Significance and 50m from natural inland wetlands. Appendix 5 contains the ecological assessment which has identified these ecological areas.</p> <p>There is still a risk that if the ESCP or SMP are not adequate, damage or loss of critical habitat could occur.</p> <p>The CRC notes that generally the likely earthworks, construction methodology, operational site management and associated discharges should be able to be managed effectively through good site management and conditions on the consent. However, without further detail on the proposed ESCP or SMP, it is difficult to determine consistency with this policy.</p>

Your written comments on a project under the Fast Track Approvals Act 2024

Project name	Twizel Solar Project
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Before the due date, for assistance on how to respond or about this template or with using the portal, please email contact@fasttrack.govt.nz or phone 0800 FASTRK (0800 327 875).

All sections of this form with an asterisk (*) must be completed.

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	Te Rūnanga o Waihao Inc		
*First name	Dardanelle		
*Last name	McLean-Smith		
Postal address	s 9(2)(a)		
*Contact phone number	s 9(2)(a)	Alternative	
*Email	s 9(2)(a)		

2. Please provide your comments on this application
<p>4 June 2025</p> <p>To Whom it may concern</p> <p>Fast Track Approvals Act – Referrals</p> <p>Ministry for the Environment</p> <p>Tēnā koe</p> <p>FTAA-2504-1044 - Twizel Solar Project: Comments on Referral application under Fast Track Approvals Act 2024</p> <p>Thank you for providing us with the opportunity to provide comment on the referral application made by Nova Energy Limited ('the Applicant') for the Twizel Solar Project, located between the</p>

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Twizel and Ōhau rivers (Te Manahuna/ Mackenzie Basin) ('the Project'). We acknowledge that comments are due on 5 June 2025.

The Project is located within the takiwā of Te Rūnanga o Waihao. Waihao hold manawhenua rights and interests over the lands and water, centred on Wainono, sharing interests with Te Rūnanga o Arowhenua to Waitaki, and extending inland to Ōmārama and the Main Divide.

Waihao share influence and authority in Te Manahuna with Te Rūnanga o Moeraki ('Moeraki'), and Te Rūnanga o Arowhenua ('Arowhenua').

The Te Rūnanga o Ngāi Tahu Act 1996 ('the TRONT Act') and the Ngāi Tahu Claims Settlement Act 1998 ('the Settlement Act') give recognition to the status of Papatipu Rūnanga as kaitiaki and mana whenua of the natural resources within their takiwā.

As recorded in the Crown Apology to Ngāi Tahu, the Ngāi Tahu Settlement marked a turning point and a beginning for a "new age of co-operation". In doing so, the Crown acknowledged the ongoing partnership between the Crown and Ngāi Tahu and the expectation that any policy or management regime would be developed and implemented in partnership with Ngāi Tahu.

Ngāi Tahu Claims Settlement Act 1998 – principles and provisions.

The Fast Track Approvals Act 2024 requires applicants to identify the relevant principles and provisions of Treaty Settlements. These are the foundations and guiding concepts of what the Ngāi Tahu Settlements are based on. There are a number of principles and provisions contained within these Settlements.

Waihao considers the following key principles are required to be recognised by the Project (but not limited to):

- Ngāi Tahu holds and exercises rangatiratanga with the Ngāi Tahu Takiwā.
- The Crown and agents of the crown must act in good faith
- 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.
- Settlement provided a basis for continuing evolution from which Ngāi Tahu can express its ancestral relationship with the Ngāi Tahu takiwā into the future.

Consultation

We can confirm that the Applicant has engaged with Waihao via Aukaha (1997) Ltd, the Regional Environmental Entity, on the Project.

Comment

At this point there are concerns held, 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 above.

There are a number of Ngāi Tahu Treaty Settlement Mechanisms that may be impacted by the Project. These mechanisms provide one way of acknowledging and safeguarding matters of significance to Ngāi Tahu.

Te Manahuna is an area of enduring deep connection and long association for Kāi Tahu, as outlined in the Manawhenua Report. The Project site is situated within an environment that has been substantially modified from the development of the Waitaki hydro-generation scheme, however Waihao stress that the area within which the Project is located is among the most culturally significant for Moeraki, Waihao, and Arowhenua, and Kāi Tahu whānui. The full impacts of the proposal on cultural values and connections, and whether these can be addressed satisfactorily, have not yet been ascertained.

Kāi Tahu regard the whole of this area as ancestral land, whether or not it is mapped as a wāhi tūpuna or recognised by statute. Intrinsic cultural values such as whakapapa, rangatiratanga, kaitiakitanga, mana and mauri inform relationships and associations.

Cumulative effects of Solar Farms in Te Manahuna

A number of solar farms are potentially proposed in Te Manahuna (including one adjoining this site). Whilst there are currently three solar farms in Te Manahuna that have been listed in Schedule 2 of the Fast-Track Approvals Act 2024, and another accepted for referral, it is understood that there could be more than nine large-scale solar farm projects proposed in Te Manahuna (with several proposed in close-proximity of each other). Thus, the cumulative impacts of solar farms in Te Manahuna is a live issue.

Within very close proximity of the Project there are also two listed large solar farms proposed, The Point Solar Farm (adjoining) and Haldon Solar. The Point Solar Farm is proposed between the Takapō (Tekapo River) and Twizel River, and Haldon Solar is proposed on the true left bank of the Takapō next to the Nohoanga Entitlement.

Waihao requests that the Minister carefully considers the potential cumulative effects on the cultural associations, landscape, biodiversity, and economic growth (particularly on the film industry and associated tourism) that could come with allowing a concentration of large-scale solar farms to be located within Te Manahuna. In doing so, the Minister should consider Te Manahuna as a whole, rather than limiting consideration to the Project site only.

Decision sought

While Waihao is supportive of renewable energy, in this case Waihao do not support the referral request and seek that it is declined by the Minister.

We reserve the right to provide further comment if the application is referred to the fast-track process.

Note: All comments will be made available to the public and the applicant when the Ministry for the Environment proactively releases advice provided to the Minister for the Environment.

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Managers signoff

A handwritten signature in black ink, appearing to be 'DMS', with a large, stylized 'D' and 'S'.

Dardanelle McLean-Smith

Date 04/06/2025



Te Runanga o Arowhenua Society Inc.



AORAKI
ENVIRONMENTAL
CONSULTANCY LTD

21 May 2025

Hon Chris Bishop
Minister for Infrastructure
C/o Ministry for the Environment
Environment House
23 Kate Sheppard Place
Thorndon
WELLINGTON 6011
[Delivered by email to: ftareferrals@mfe.govt.nz]

E te Minita, tēnā koe

COMMENTS ON TWIZEL SOLAR PROJECT FAST-TRACK APPLICATION BY AORAKI ENVIRONMENTAL CONSULTANCY LIMITED ON BEHALF OF TE RŪNANGA O AROWHENUA

This written response relates to the Twizel Solar Project Fast Track Application sought by Nova Energy Limited as outlined in request FTAA-2504-1044 (the Project).

This written response has been prepared by Aoraki Environmental Consultancy Limited (AECL) on behalf of Te Rūnanga o Arowhenua (Arowhenua).

Arowhenua do not support the Project located at Lot 3 DP 422901 (489342) situated between the Twizel and Ōhau Rivers, on the eastern side of State Highway 8 (SH8) and Twizel township within Te Manahuna (Mackenzie Basin) for the reasons set out in this letter.

Arowhenua

Te Rūnanga o Arowhenua is one of the eighteen Papatipu Rūnanga of Kāi¹ Tahu who uphold the manawhenua and mana moana of their takiwā.

The Project is located within the takiwā of Arowhenua. Arowhenua hold manawhenua rights and interests over the lands and waters extending from the Rakaia River in the north to the Waitaki River in the south, and from the coast to Kā Tiritiri o Te Moana (the Southern Alps).

Arowhenua shares this takiwā with Te Rūnanga o Waihao (Waihao) and Te Rūnanga o Moeraki (Moeraki).

AECL is the environmental entity mandated by Te Rūnanga o Arowhenua Society Inc to represent the environmental interests of Arowhenua.

The Project and Site

Nova Energy Limited, a wholly owned subsidiary of Todd Corporation, is proposing the development of a renewable 300 megawatts (MW) solar generation plant on an 868-ha site situated between the Twizel and Ōhau Rivers, on the eastern side of State Highway 8 (SH8) and Twizel township at the southern end of Te Manahuna.

¹ In Ngai Tahu/Kai Tahu dialect, 'k' is used interchangeably with 'ng'. As the 'k' variant is most commonly used by Kati Huirapa in the Mackenzie District, this is the practice followed in this response, except for references to legislation or the name of a legal entity (for example Te Rūnanga o Arowhenua).

The site is contained within one land title (Lot 3 DP 422901 (489342)) and is accessed via an established entry road on SH8.

The proposed development is to be constructed in one stage over a two-year duration. The solar array will connect to the 220 kilovolt (kV) national grid transmission system at the Transpower Twizel substation.

As set out in the Manawhenua Report appended to the referral application, Te Manahuna is steeped in cultural and spiritual significance. All Ngāi Tahu whakapapa to their tūpuna, Aoraki, who is at the heart of the creation traditions of Te Waipounamu (the South Island). Many of the landmarks in Te Manahuna Aoraki are named after ancestors of the waka atua Āraiteuru.

Today, Te Manahuna remains a place of significance. The landscape is woven with memories and traditions, including mahika kai sites, taonga species, and sites of archaeological importance including pā and urupā. Iwi, hapū and whanau have an immense sense of belonging and connection to the whenua and a desire to enhance their connection to Te Manahuna.

The project site is situated immediately north of the Ōhau River, south of the Twizel River and west of the Pūkaki River. The site is located within an environment that has been heavily modified as a result of the creation of the hydro scheme. However, the area is one of the most culturally significant areas for Kāi Tahu and specifically Arowhenua, Moeraki and Waihao.

The Waitaki river is also a trail for tīpuna to follow inland, allowing access to food and resources that were the basis of economic and social development. These ara tīpuna (ancestral trails) formed part of a major route from coast to coast, enabling access to Hāwea and Wānaka via the Lindis Pass, and to the West Coast via Ōkuru or Arthurs Pass. Seasonal gathering sites in the Ōhau, Pūkaki, and Takapō catchments were accessed via these travel-ways. Knowledge of these trails continues to be held by whānau and hapū, and is regarded as a taonga, reflecting the mobile lifestyle of the people that relied on the availability of resources from the land and waterways.

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. Located on designated areas of Crown owned land next to lake shores or riverbanks, the number of nohoaka sites within Te Manahuna is limited, making ongoing access and use significant to Kāi Tahu.

Para Arero is a kāika nohoaka (traditional areas of communal living on tribal lands) and kāika mahika kai site. Located approximately halfway down the southern boundary of the application site and situated between the property boundary and the Ōhau River braid tuna (eels) and turnips were gathered and harvested for the winter months. At the southern point of the application site is Kahuika a kāika (a small settlement) located at the junction of the Ōhau, Pūkaki and Takapō Rivers where mahika kai such as tuna (eels) and turnips were gathered.

Consultation with Te Rūnanga o Arowhenua

Arowhenua agrees with Nova Energy Limited that regular consultation has occurred between the Applicant and AECL, and that the information provided in the referral application is an accurate reflection of the information provided to Arowhenua during consultation.

Despite the consultation with Nova Energy Limited Arowhenua have been unable to come to a unified decision to support the application for the following reasons:

- kāika nohoaka sites Para Arero and Kahuika adjoin the application site. Both nohoaka sites are active camping sites regularly utilised by Kāi Tahu rūnaka during seasonal mahika kai gathering,

for teaching mokopuna traditional mahika kai methods, and whilst undertaking trap and transfer of tuna (eel)² during annual migration events.

- The layout of the proposed solar array avoids significant vegetation, natural wetlands and sites of national significance, which is commendable; however, it is unclear what actions will be taken to enhance these areas.
- The Project site adjoins the western boundary of the Far North Solar Project site that has already been listed in the Fast-Track Approvals Act. Consideration needs to be given to the two abutting solar arrays and the significant visual and environmental impacts that will be had on Te Manahuna.
- Uncertainty about how the effects of overall land management particularly given the area under the solar panels will be grazed.
- The referral application does not clearly address how stormwater generated by the solar array will impact the significant vegetation habitats, the natural wetlands, and the sites of national significance on site as well as Lake Benmore. Additionally, no assessment as to how stormwater from both the Project and the adjoining Far North Solar project will impact the adjoining rivers and Lake Benmore.
- Nova Energy Limited propose to screen the solar array along the southern side boundary and a 2 km length of the northern boundary at the eastern end. Screening a site of this size will visually change the appearance of the landscape. The indigenous plants chosen to screen the very visible solar array are slow growing and will take a significant length of time to reach mature.
- Nova Energy Limited have emphasised that the project will create significant employment opportunities during construction and create permanent skilled engineering, operations and maintenance jobs, when operational. Arowhenua accept that the Project will create employment during the construction phase; however, there is concern about employment opportunities, including for rūnaka in over the lifetime of the panels.

Solar Farms in Te Manahuna Generally – Cumulative Effects

As above, the site sits within Te Manahuna, which is an area of significance to manawhenua and recognised through the Ngāi Tahu Claims Settlement Act 1998. Whilst, the site itself is not located within a Statutory Acknowledgment area, it is noted that the proposed Project Site adjoins Te Ao Mārama Lake Benmore Statutory Acknowledgement (Schedule 59) and Waitaki River Statutory Acknowledgement (Schedule 72).

The cumulative impacts of solar farms is a live issue for Te Manahuna, with a number of solar farms proposed and/or listed in the Fast-track Approvals Act (adjoining Far North Solar and nearby Haldon Solar) alongside the recent referral approved Grampian Solar Farm. These proposed solar farms are all sizeable and will be visible from prominent sites, the State Highway network and the surface of lakes and rivers.

When viewed in isolation each solar farm may have minor to medium impacts on the cultural landscape and unique biodiversity of Te Manahuna (subject to the specifics of each application). However, Arowhenua is deeply concerned that collectively multiple solar farms will have a dramatic and irreversible impact on the unique landscape and biodiversity of Te Manahuna - such values have been promoted and capitalised on at a district and national level for economic growth.

All solar farm proposed and/or listed in the Fast-Track Approvals Act have emphasised that each project will create employment opportunities during construction and create permanent skilled engineering, operations and maintenance jobs, when operational. Arowhenua agree that each project will create employment during the construction phase; however, these opportunities will be specialised and short in duration; therefore, it is likely that contractors will be sought from larger

² Works associated with Meridian Energy resource consents

centres rather than local residents and rūnaka being employed. Consequently, Arowhenua do not agree the creation of employment will benefit the Twizel and wider Mackenzie District workforce.

Domestic and international tourism and ecotourism-based ventures have been one of the foundational economic strengths of Te Manahuna, enabling the local economy to grow the district's inclusive prosperity for the benefit of all. Accordingly, Arowhenua consider this an important issue to bring to your attention and signal at the outset that cumulative effects of solar farms in Te Manahuna are of significant concern to Arowhenua.

In considering whether to refer the Project, Arowhenua requests that you consider the cumulative effects of solar farms within close proximity to each other within Te Manahuna.

Authorised for lodgement by:



Fiona Pimm

Chair

Te Rūnanga o Arowhenua Inc Society

Email: arowhenua.admin@ngaitahu.iwi.nz

Office: (03) 615 9646

Address for Service:

Ally Crane

General Manager

Aoraki Environmental Consultancy Limited

Email: s 9(2)(a)

Mobile: s 9(2)(a) / Office: 03 684 8723

Your written comments on a project under the Fast Track Approvals Act 2024

Project name	Twizel Solar project
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Before the due date, for assistance on how to respond or about this template or with using the portal, please email contact@fasttrack.govt.nz or phone 0800 FASTRK (0800 327 875).

All sections of this form with an asterisk (*) must be completed.

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	Te Rūnanga o Moeraki Incorporated		
*First name	Trevor		
*Last name	McGlinchey		
Postal address	Te Rūnanga o Moeraki, Tenby St, Moeraki, RD 2 Palmerston		
*Contact phone number	s 9(2)(a)	Alternative	03 4394816
*Email	s 9(2)(a)		

2. Please provide your comments on this application
<p>4 June 2025</p> <p>To Whom it may concern</p> <p>Fast Track Approvals Act – Referrals</p> <p>Ministry for the Environment</p> <p>Tēnā koe</p> <p>FTAA-2504-1044 - Twizel Solar Project: Comments on Referral application under Fast Track Approvals Act 2024</p> <p>Thank you for providing us with the opportunity to provide comment on the referral application made by Nova Energy Limited ('the Applicant') for the Twizel Solar Project, located between the</p>

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Twizel and Ōhau rivers (Te Manahuna/ Mackenzie Basin) ('the Project'). We acknowledge that comments are due on 5 June 2025.

The Project is located within the takiwā of Te Rūnanga o Moeraki. Moeraki hold manawhenua rights and interests over the lands and water extending from the Waitaki to the Waihemo (Shag River), and inland to Kā Tiritiri o te Moana (Main Divide).

Moeraki share influence and authority in Te Manahuna with Te Rūnanga o Waihao ('Waihao'), and Te Rūnanga o Arowhenua ('Arowhenua').

The Te Rūnanga o Ngāi Tahu Act 1996 ('the TRONT Act') and the Ngāi Tahu Claims Settlement Act 1998 ('the Settlement Act') give recognition to the status of Papatipu Rūnanga as kaitiaki and mana whenua of the natural resources within their takiwā.

As recorded in the Crown Apology to Ngāi Tahu, the Ngāi Tahu Settlement marked a turning point and a beginning for a "new age of co-operation". In doing so, the Crown acknowledged the ongoing partnership between the Crown and Ngāi Tahu and the expectation that any policy or management regime would be developed and implemented in partnership with Ngāi Tahu.

Ngāi Tahu Claims Settlement Act 1998 – principles and provisions.

The Fast Track Approvals Act 2024 requires applicants to identify the relevant principles and provisions of Treaty Settlements. These are the foundations and guiding concepts of what the Ngāi Tahu Settlements are based on. There are a number of principles and provisions contained within these Settlements.

Moeraki considers the following key principles are required to be recognised by the Project (but not limited to):

- Ngāi Tahu holds and exercises rangatiratanga with the Ngāi Tahu Takiwā.
- The Crown and agents of the crown must act in good faith
- 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.
- Settlement provided a basis for continuing evolution from which Ngāi Tahu can express its ancestral relationship with the Ngāi Tahu takiwā into the future.

Consultation

We can confirm that the Applicant has engaged with Moeraki via Aukaha (1997) Ltd, the Regional Environmental Entity, on the Project.

Comment

At this point there are concerns held, 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 above.

There are a number of Ngāi Tahu Treaty Settlement Mechanisms that may be impacted by the Project. These mechanisms provide one way of acknowledging and safeguarding matters of significance to Ngāi Tahu.

Te Manahuna is an area of enduring deep connection and long association for Kāi Tahu, as outlined in the Manawhenua Report. The Project site is situated within an environment that has been substantially modified from the development of the Waitaki hydro-generation scheme, however Moeraki stress that the area within which the Project is located is among the most culturally significant for Moeraki, Waihao, and Arowhenua, and Kāi Tahu whānui. The full impacts of the proposal on cultural values and connections, and whether these can be addressed satisfactorily, have not yet been ascertained.

Kāi Tahu regard the whole of this area as ancestral land, whether or not it is mapped as a wāhi tūpuna or recognised by statute. Intrinsic cultural values such as whakapapa, rangatiratanga, kaitiakitanga, mana and mauri inform relationships and associations.

Cumulative effects of Solar Farms in Te Manahuna

A number of solar farms are potentially proposed in Te Manahuna (including one adjoining this site). Whilst there are currently three solar farms in Te Manahuna that have been listed in Schedule 2 of the Fast-Track Approvals Act 2024, and another accepted for referral, it is understood that there could be more than nine large-scale solar farm projects proposed in Te Manahuna (with several proposed in close-proximity of each other). Thus, the cumulative impacts of solar farms in Te Manahuna is a live issue.

Within very close proximity of the Project there are also two listed large solar farms proposed, The Point Solar Farm (adjoining) and Haldon Solar. The Point Solar Farm is proposed between the Takapō (Tekapo River) and Twizel River, and Haldon Solar is proposed on the true left bank of the Takapō next to the Nohoanga Entitlement.

Moeraki requests that the Minister carefully considers the potential cumulative effects on the cultural associations, landscape, biodiversity, and economic growth (particularly on the film industry and associated tourism) that could come with allowing a concentration of large-scale solar farms to be located within Te Manahuna. In doing so, the Minister should consider Te Manahuna as a whole, rather than limiting consideration to the Project site only.

Decision sought

While Moeraki is supportive of renewable energy, in this case Moeraki do not support the referral request and seek that it is declined by the Minister.

We reserve the right to provide further comment if the application is referred to the fast-track process.

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Note: All comments will be made available to the public and the applicant when the Ministry for the Environment proactively releases advice provided to the Minister for the Environment.



Te Rūnanga o NGĀI TAHU

3rd June 2025

Ilana Miller
General Manager Delivery and Operations
Ministry for the Environment
WELLINGTON

Uploaded through the Fast-track Portal

Tēnā koe,

Te Rūnanga o Ngāi Tahu comments on referral application under the Fast-track Approvals Act 2024 – Twizel Solar Project FTAA-2504-1044

1. Introduction

- 1.1 Te Rūnanga o Ngāi Tahu (**Te Rūnanga**) welcomes the opportunity to provide comments on the referral application made by Nova Energy Limited (the **Applicant**) for the Twizel Solar Project, located between the Twizel and Ōhau rivers (Te Manahuna/Mackenzie Basin) (the **Project**).
- 1.2 While Te Rūnanga is supportive of renewal energy, in this case Te Rūnanga seeks that the referral application is **declined** by the Minister on the basis that it does not fully consider the Project's potential impacts on Ngāi Tahu Treaty settlements as well as the environment. Our full comments on the Project are set out below (see **Section 3**). Te Rūnanga also supports the comments made on behalf of respective Papatipu Rūnanga.
- 1.3 Te Rūnanga also supports the comments made by Te Rūnanga o Arowhenua, Te Rūnanga o Waihao and Te Rūnanga o Moeraki.

2. Te Rūnanga o Ngāi Tahu

- 2.1 These comments are made on behalf of Te Rūnanga o Ngāi Tahu (**Te Rūnanga**) which is the statutorily recognised representative tribal body of Ngāi Tahu Whānui, as provided by section 15 of the Te Rūnanga o Ngāi Tahu Act 1996 (**TRONT Act**).
- 2.2 Te Rūnanga encompasses five hapū, Kati Kurī, Ngāti Irakehu, Kati Huirapa, Ngāi Te Ruahikihiki, Ngāi Tūāhuriri and 18 Papatipu Rūnanga, who uphold the mana whenua and mana moana of their respective rohe.
- 2.3 Papatipu Rūnanga who have shared interest in Te Manahuna are:
 - Te Rūnanga o Arowhenua

Te Rūnanga o Ngāi Tahu
15 Show Place, Addington, Christchurch 8024
PO Box 13-046, Christchurch, New Zealand
Phone + 64 3 366 4344, 0800 KAI TAHU
Email: info@ngaitahu.iwi.nz
Website: www.ngaitahu.iwi.nz

- Te Rūnanga o Moeraki
- Te Rūnanga o Waihao

2.4 Ngāi Tahu holds and exercises rangatiratanga within the Ngāi Tahu Takiwā (see **Appendix One**) and has done so since before the Crown began exercising its powers in New Zealand from 1840. The Takiwā covers most of Te Waipounamu and its surrounding islands, constituting over half of New Zealand's landmass, coastlines and waterways. The Crown and Parliament recognise and affirm Ngāi Tahu rangatiratanga in our Takiwā through:

- a) Article II of Te Tiriti o Waitangi (**Te Tiriti**);
- b) the 1997 Deed of Settlement between Ngāi Tahu and the Crown; and
- c) the Ngāi Tahu Claims Settlement Act 1998 (**NTCSA**).

2.5 As recorded in the Crown Apology to Ngāi Tahu (see **Appendix Two**), the Ngāi Tahu Settlement marked a turning point, and the beginning of a “new age of co-operation”. The Crown apologised for its “past failures to acknowledge Ngāi Tahu rangatiratanga and mana over the South Island lands within its boundaries” and confirmed that “it recognises Ngāi Tahu as the tāngata whenua of, and as holding rangatiratanga within, the Takiwā of Ngāi Tahu Whānui”. Those commitments are fundamental to the fast-track regime.

2.6 Te Rūnanga requests that the Minister accord these comments with the status and weight of the tribal collective of Ngāi Tahu Whānui comprising over 85,000 registered iwi members. Notwithstanding its statutory status as the representative voice of Ngāi Tahu whānui “for all purposes”, Te Rūnanga accepts and respects the right of Papatipu Rūnanga to make their own comments. Te Rūnanga understands that respective Papatipu Rūnanga (and their Regional Environmental Entities) have been separately invited to comment on the Project.

3. Comments

3.1. Our comments on the referral application for the Twizel Solar Project are set out below.

Ngāi Tahu Settlement principles

3.2. Te Rūnanga considers the following Ngāi Tahu settlement principles are applicable for this referral application:

- Ngāi Tahu holds and exercises rangatiratanga within the Ngāi Tahu Takiwā¹.
- The Crown and agents of the Crown must act in good faith².
- The Crown committed to a new age of co-operation with Ngāi Tahu.
- All areas and places within the Ngāi Tahu takiwā are important and form part of an intertwined network of values, places and resources that are relevant to Ngāi Tahu tribal history, contemporary values and the future of the tribe.

¹ Further details are set out paragraph 2.5 above.

² The Crown's Apology recognises that previously the Crown failed to act in good faith, and left Ngāi Tahu in a state of poverty and deprived Ngāi Tahu the opportunity to develop.

- Settlement is a platform from which Ngāi Tahu can rebuild³.
- Settlement provided a basis for the continuing evolution from which Ngāi Tahu as a tribe and as a people⁴.

Ngāi Tahu Settlement Statutory Acknowledgement and Nohoanga

- 3.3. The proposed project site is immediately upstream of Te Ao Mārama (Lake Benmore) Statutory Acknowledgement Area. Ngāi Tahu association with the Te Ao Mārama (Lake Benmore) is detailed in schedule 59 of the NTCSA (refer to **Appendix Three**) and includes important Ngāi Tahu sites, histories and traditions. Further, Te Ao Mārama overlays the path of the Waitaki River as does Mahi Tikumu (Lake Aviemore) further downstream. Mahi Tikumu and the Waitaki River are also both Statutory Acknowledgement Areas (Refer to **Appendix Three**).
- 3.4. The Waitaki River (of which Te Ao Mārama is part of) is a significant element of being and identify to Ngāi Tahu Whānui and important as the pathway of waters from Aoraki to the sea⁵.
- 3.5. Te Ao Mārama and the surrounding water bodies (including the Ohau River which flows beside the proposed site), are important for mahinga kai. The Waitaki River Catchment and Aoraki was a major route from coast to coast and to Hawea and Wānaka forming part of the network of waterways, nohoanga and land-based seasonal mahinga kai, within the area. Knowledge of the traditional trails and utilisation of resources associated with the area continue to be held by whānau and hapū and is regarded as a taonga.
- 3.6. The importance of the area for mahinga kai has also been recognised in settlement through the allocation of land for the Holdon (Lake Benmore) Nohoanga Entitlement. While this entitlement is located on the true left of the Tekapo River, the proposed site of this application is within the area that those utilising the entitlement for mahinga kai would use. Under settlement, Nohoanga Entitlements are to enable Ngāi Tahu Whānui to temporarily occur land (camp) close to water ways, to have access for fishing and gathering of natural resources, following in the traditions of Ngāi Tahu Tīpuna.
- 3.7. Whilst the project site is not immediately adjacent to these areas it is within close proximity (within 1-3 kilometres). Te Ao Mārama (Lake Benmore) and the Waitaki catchment is a highly valued and important cultural area which forms part of the wider receiving environment. While we acknowledge that the applicant has been engaging with mana whenua and that the application has noted the Te Ao Mārama Statutory Acknowledgement area (which the applicant does not consider to be affected), it has not identified the Settlement Nohoanga nor recognise the importance the wider area, associations, and interconnection with these settlement provisions as outlined in the Manawhenua Report and settlement. Therefore, the applicant doesn't appear to have considered these provisions as part of the referral application.

³ For example, through the mechanisms which enable the purchase of Crown lands (Right of First Refusal) and enabling Ngāi Tahu to exercise their kaitiaki responsibilities through the engagement template created by Statutory Acknowledgements.

⁴ The settlement is acknowledging that Ngāi Tahu will continue to develop, create an economic footprint for the benefit of Ngāi Tahu people, form a basis from which Ngāi Tahu can express its ancestral relationship with the Ngāi Tahu takiwā into the future.

⁵ Schedule 37 Statutory Acknowledgment for Mahi Tikumu (Lake Aviemore) of NTCSA

- 3.8. Nor has the applicant considered the impact of the operation and construction of the project on these settlement provisions. For example, potential adverse effects from construction and stormwater discharges may be felt within Te Ao Mārama (Lake Benmore) as a potential end point for contamination pathways.

Ngāi Tahu Settlement Taonga Species

- 3.9. The special association Ngāi Tahu have with taonga species within the Ngāi Tahu Takiwā has been acknowledged by the Crown in the NTCSA⁶, with a list of taonga species provided in Schedule 97 (refer to **Appendix Four**) which includes 49 bird species, 54 plant species and 6 marine mammals.
- 3.10. In relation to Te Manahuna, taonga bird species include the critically endangered Kaikō (Black Stilt) which it is understood to be in the vicinity of the proposed area, along with Kāhu (Harrier), Karearea (Falcon), Tōrea (South Island pied oystercatcher) and threatened Tarapirohe (black fronted tern)⁷ and Pārera (Grey duck), with the latter three species having been observed at the project site.⁸ A number of taonga plant species have also been found as well as a number of threatened invertebrates and lizards.
- 3.11. While the ecological report has noted the potential effects on fauna, particularly during construction and vegetation clearance, it has not considered, as other similar applications have, the effects of use and the potential effects of bird strike with the solar panels. It is noted that a number of ecological management plans have been recommended.
- 3.12. Te Rūnanga also note the potential benefits of the activity in terms of improving pest control for the adjoining DOC managed land on the south-west boundary and improving wetlands to the northeastern boundary. Possibly providing an ecological and public access corridor between the two sides of the site could generate biodiversity benefits and maybe enhance the mahinga kai experiences for the nearby nohoanga users. Te Rūnanga would encourage discussion with Papatipu Rūnanga on this point.

Cumulative Effects of Solar Farms in Te Manahuna

- 3.13. Te Rūnanga wishes to bring to the Minister's attention the potential large number of solar farms proposed in Te Manahuna (including one adjoining this site). Whilst there are currently three solar farms in Te Manahuna that have been listed in Schedule 2 of the Fast-Track Approvals Act 2024, and another accepted for referral, we understand there could be more than nine large-scale solar farm projects proposed in Te Manahuna (with several proposed in close- proximity of each other). Accordingly, the cumulative impacts of solar farms in Te Manahuna is a live issue.
- 3.14. Within the very close proximity of proposed site of this application there are also two listed large solar farms proposed, Haldon Solar and The Point Solar Farm. The Point Solar Farm is between the Tekapo and Twizel River, and Haldon Solar is on the true left bank of the Tekapo River next to the Nohoanga Entitlement. The matters of concern for Te Rūnanga are the cumulative effect that these proposals will have on the settlement provisions within the Ngāi Tahu Settlement, the recognition of the importance of the area to Ngāi Tahu, and the ability of Ngāi Tahu Whānui to utilise the provisions as intended.
- 3.15. As such, Te Rūnanga requests that the Minister carefully considers the potential cumulative effects on the cultural associations, landscape, biodiversity and economic

⁶ Section 288 of the NTCSA. Ngāi Tahu association includes cultural, spiritual, historic, and traditional.

⁷ Tara (Terns) are broadly listed as a Taonga (bird) species under the NTCSA.

⁸ Assessment of Potential Ecological Effects of the proposed Nova Energy Solar Farm Near Twizel, Wildlands, updated March 2025.

growth (particularly on the film industry and associated tourism) that could come with allowing a concentration of large-scale solar farms to be located within Te Manahuna. In doing so, the Minister should consider Te Manahuna as a whole, rather than limiting consideration to the project site only.

4. Decision Sought

- 4.1 Te Rūnanga thanks the Minister for the opportunity to comment on the referral application.
- 4.2 Te Rūnanga considers that the referral application does not provide adequate information to determine the projects potential impacts on Ngāi Tahu Treaty settlements, as well as potential adverse effects on the environment that these provisions sit within. As such, Te Rūnanga does **not support** the referral application in its current form and seeks that the application is **declined** by the Minister.

Nuku noa nā,



Maru Rout
Programme Lead- Mauri
Te Rūnanga o Ngāi Tahu

Address for Service:
Rachael Pull
Senior Environmental Advisor
Te Rūnanga o Ngāi Tahu
Email: ttw@ngaitahu.iwi.nz
Ph s 9(2)(a) [REDACTED]

Cc:

Appendices:
Appendix One – Map of takiwā of Ngāi Tahu
Appendix Two – Crown Apology to Ngāi Tahu
Appendix Three- Relevant Statutory Acknowledgements
Appendix Four- Taonga Species Schedule

Appendix Four: Schedule 97 of the Ngāi Tahu Claims Settlement Act 1998 - Taonga species

Birds

Name in Māori	Name in English	Scientific name
Hoiho	Yellow-eyed penguin	<i>Megadyptes antipodes</i>
Kāhu	Australasian harrier	<i>Circus approximans</i>
Kākā	South Island kākā	<i>Nestor meridionalis meridionalis</i>
Kākāpō	Kākāpō	<i>Strigops habroptilus</i>
Kākāriki	New Zealand parakeet	<i>Cyanoramphus</i> spp
Kakaruai	South Island robin	<i>Petroica australis australis</i>
Kakī	Black stilt	<i>Himantopus novaezelandiae</i>
Kāmana	Crested grebe	<i>Podiceps cristatus</i>
Kārearea	New Zealand falcon	<i>Falco novaeseelandiae</i>
Karoro	Black-backed gull	<i>Larus dominicanus</i>
Kea	Kea	<i>Nestor notabilis</i>
Kōau	Black shag	<i>Phalacrocorax carbo</i>
	Pied shag	<i>Phalacrocorax varius varius</i>
	Little shag	<i>Phalacrocorax melanoleucos brevirostris</i>
Koekoeā	Long-tailed cuckoo	<i>Eudynamys taitensis</i>
Kōparapara or Korimako	Bellbird	<i>Anthornis melanura melanura</i>
Kororā	Blue penguin	<i>Eudyptula minor</i>
Kōtare	Kingfisher	<i>Halcyon sancta</i>
Kōtuku	White heron	<i>Egretta alba</i>
Kōwhiowhio	Blue duck	<i>Hymenolaimus malacorhynchos</i>
Kūaka	Bar-tailed godwit	<i>Limosa lapponica</i>
Kūkupa/Kererū	New Zealand wood pigeon	<i>Hemiphaga novaeseelandiae</i>
Kuruwhengu/Kuruwhengi	New Zealand shoveller	<i>Anas rhynchos</i>

Name in Māori	Name in English	Scientific name
Mātā	Fernbird	<i>Bowdleria punctata</i> <i>punctata</i> and <i>Bowdleria punctata</i> <i>stewartiana</i> and <i>Bowdleria punctata</i> <i>wilsoni</i> and <i>Bowdleria punctata</i> <i>candata</i>
Matuku moana	Reef heron	<i>Egretta sacra</i>
Miromiro	South Island tomtit	<i>Petroica macrocephala</i> <i>macrocephala</i>
Miromiro	Snares Island tomtit	<i>Petroica macrocephala dannefaerdi</i>
Mohua	Yellowhead	<i>Mohoua ochrocephala</i>
Pākura/Pūkeko	Swamp hen/Pūkeko	<i>Porphyrio porphyrio</i>
Pārera	Grey duck	<i>Anas superciliosa</i>
Pateke	Brown teal	<i>Anas aucklandica</i>
Pīhoihoi	New Zealand pipit	<i>Anthus novaeseelandiae</i>
Pīpīwharau	Shining cuckoo	<i>Chrysococcyx lucidus</i>
Pīwakawaka	South Island fantail	<i>Rhipidura fuliginosa fuliginosa</i>
Poaka	Pied stilt	<i>Himantopus himantopus</i>
Pokotiwaha	Snares crested penguin	<i>Eudyptes robustus</i>
Pūtakitaki	Paradise shelduck	<i>Tadorna variegata</i>
Riroriro	Grey warbler	<i>Gerygone igata</i>
Roroa	Great spotted kiwi	<i>Apteryx haastii</i>
Rowi	Ōkārito brown kiwi	<i>Apteryx mantelli</i>
Ruru koukou	Morepork	<i>Ninox novaeseelandiae</i>
Takahē	Takahē	<i>Porphyrio mantelli</i>
Tara	Terns	<i>Sterna</i> spp
Tawaki	Fiordland crested penguin	<i>Eudyptes pachyrhynchus</i>
Tete	Grey teal	<i>Anas gracilis</i>
Tīeke	South Island saddleback	<i>Philesturnus carunculatus</i> <i>carunculatus</i>

Name in Māori	Name in English	Scientific name
Tītī	Sooty shearwater/Muttonbird/Hutton's shearwater Common diving petrel South Georgian diving petrel Westland petrel Fairy prion Broad-billed prion White-faced storm petrel Cook's petrel Mottled petrel	<i>Puffinus griseus</i> and <i>Puffinus huttoni</i> and <i>Pelecanoides urinatrix</i> and <i>Pelecanoides georgicus</i> and <i>Procellaria westlandica</i> and <i>Pachyptila turtur</i> and <i>Pachyptila vittata</i> and <i>Pelagodroma marina</i> and <i>Pterodroma cookii</i> and <i>Pterodroma inexpectata</i>
Tītītipounamu	South Island rifleman	<i>Acanthisitta chloris chloris</i>
Tokoeka	South Island brown kiwi	<i>Apteryx australis</i>
Toroa	Albatrosses and Mollymawks	<i>Diomedea</i> spp
Toutouwai	Stewart Island robin	<i>Petroica australis rakiura</i>
Tūī	Tūī	<i>Prothemadera novaeseelandiae</i>
Tutukiwi	Snares Island snipe	<i>Coenocorypha aucklandica huegeli</i>
Weka	Western weka	<i>Gallirallus australis australis</i>
Weka	Stewart Island weka	<i>Gallirallus australis scotti</i>
Weka	Buff weka	<i>Gallirallus australis hectori</i>

Plants

Name in Māori	Name in English	Scientific name
Akatorotoro	White rata	<i>Metrosideros perforata</i>
Aruhe	Fernroot (bracken)	<i>Pteridium aquilinum</i> var <i>esculentum</i>
Harakeke	Flax	<i>Phormium tenax</i>
Horoeka	Lancewood	<i>Pseudopanax crassifolius</i>
Houhi	Mountain ribbonwood	<i>Hoheria lyalli</i> and <i>H. glabata</i>
Kahikatea	Kahikatea/White pine	<i>Dacrycarpus dacrydioides</i>
Kāmahi	Kāmahi	<i>Weinmannia racemosa</i>
Kānuka	Kānuka	<i>Kunzia ericoides</i>
Kāpuka	Broadleaf	<i>Griselinia littoralis</i>
Karaeopirita	Supplejack	<i>Ripogonum scandens</i>

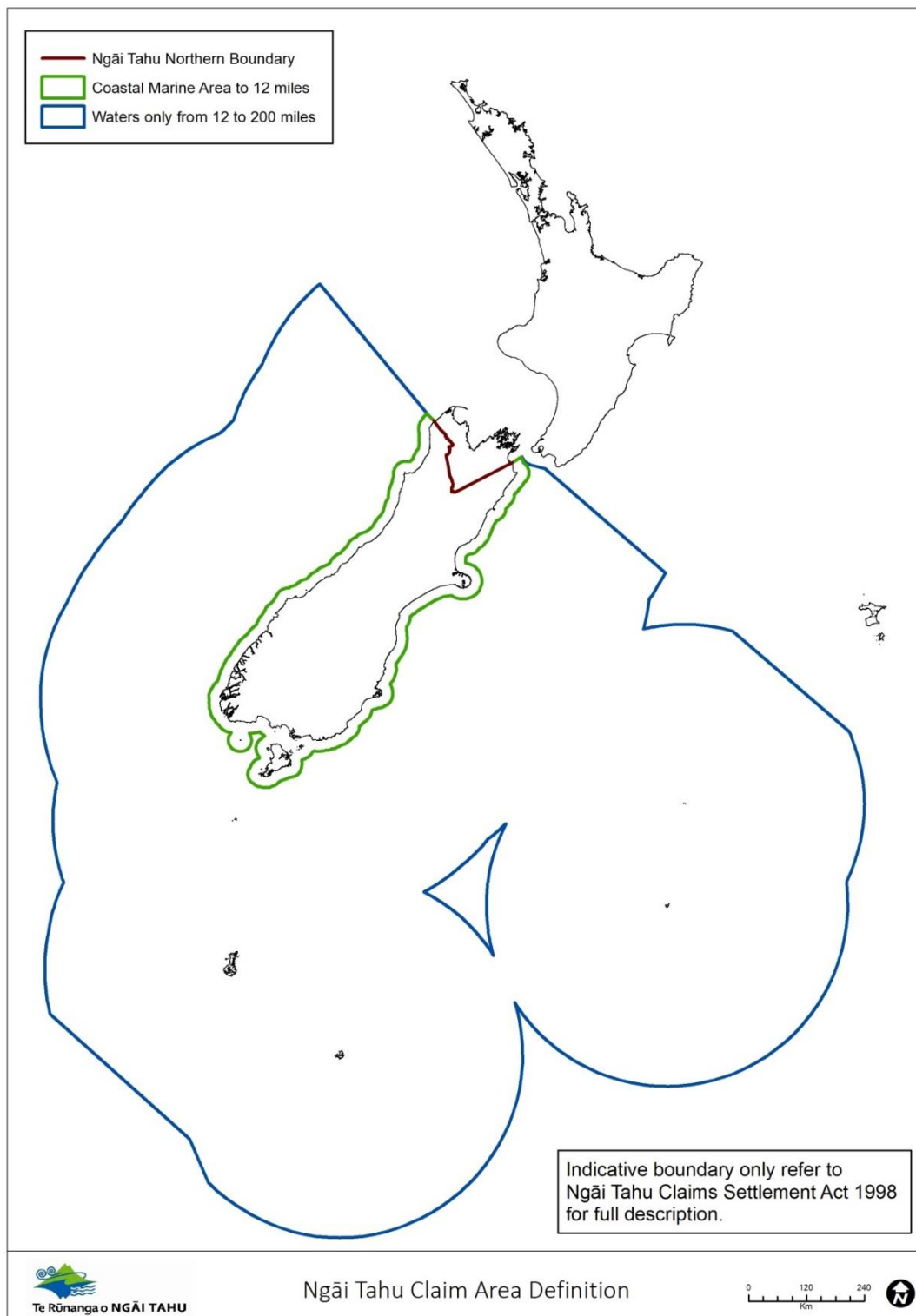
Name in Māori	Name in English	Scientific name
Karaka	New Zealand laurel/Karaka	<i>Corynocarpus laevigata</i>
Karamū	Coprosma	<i>Coprosma robusta, coprosma lucida, coprosma foetidissima</i>
Kātote	Tree fern	<i>Cyathea smithii</i>
Kiekie	Kiekie	<i>Freycinetia baueriana</i> subsp <i>banksii</i>
Kōhia	NZ Passionfruit	<i>Passiflora tetrandia</i>
Korokio	Korokio bush Wire-netting	<i>Corokia cotoneaster</i>
Koromiko/Kōkōmuka	Koromiko	<i>Hebe salicifolia</i>
Kōtukutuku	Tree fuchsia	<i>Fuchsia excorticata</i>
Kōwahi Kōhai	Kōwhai	<i>Sophora microphylla</i>
Mamaku	Tree fern	<i>Cyathea medullaris</i>
Mānia	Sedge	<i>Carex flagellifera</i>
Mānuka Kahikātoa	Tea-tree	<i>Leptospermum scoparium</i>
Māpou	Red matipo	<i>Myrsine australis</i>
Mataī	Mataī/Black pine	<i>Prumnopitys taxifolia</i>
Miro	Miro/Brown pine	<i>Podocarpus ferrugineus</i>
Ngaio	Ngaio	<i>Myoporum laetum</i>
Nīkau	New Zealand palm	<i>Rhopalostylis sapida</i>
Pānako	(Species of fern)	<i>Asplenium obtusatum</i>
Pānako	(Species of fern)	<i>Botrychium australe</i> and <i>B. biforme</i>
Pātōtara	Dwarf mingimingi	<i>Leucopogon fraseri</i>
Pīngao	Pīngao	<i>Desmoschoenus spiralis</i>
Pōkākā	Pōkākā	<i>Elaeocarpus hookerianus</i>
Ponga/Poka	Tree fern	<i>Cyathea dealbata</i>
Rātā	Southern rātā	<i>Metrosideros umbellata</i>
Raupō	Bulrush	<i>Typha angustifolia</i>

Name in Māori	Name in English	Scientific name
Rautāwhiri/Kōhūhū	Black matipo/Māpou	<i>Pittosporum tenuifolium</i>
Rimu	Rimu/Red pine	<i>Dacrydium cypressinum</i>
Rimurapa	Bull kelp	<i>Durvillaea antarctica</i>
Taramea	Speargrass, spaniard	<i>Aciphylla</i> spp
Tarata	Lemonwood	<i>Pittosporum eugenioides</i>
Tawai	Beech	<i>Nothofagus</i> spp
Tētēaweka	Muttonbird scrub	<i>Olearia angustifolia</i>
Tī rākau/Tī Kōuka	Cabbage tree	<i>Cordyline australis</i>
Tīkumu	Mountain daisy	<i>Celmisia spectabilis</i> and <i>C. semicordata</i>
Tītoki	New Zealand ash	<i>Alectryon excelsus</i>
Toatoa	Mountain Toatoa, Celery pine	<i>Phyllocladus alpinus</i>
Toetoe	Toetoe	<i>Cortaderia richardii</i>
Tōtara	Tōtara	<i>Podocarpus totara</i>
Tutu	Tutu	<i>Coriaria</i> spp
Wharariki	Mountain flax	<i>Phormium cookianum</i>
Whīnau	Hīnau	<i>Elaeocarpus dentatus</i>
Wī	Silver tussock	<i>Poa cita</i>
Wīwī	Rushes	<i>Juncus</i> all indigenous <i>Juncus</i> spp and <i>J. maritimus</i>

a) *Marine mammals*

Name in Māori	Name in English	Scientific name
Ihupuku	Southern elephant seal	<i>Mirounga leonina</i>
Kekeno	New Zealand fur seals	<i>Arctocephalus forsteri</i>
Paikea	Humpback whales	<i>Megaptera novaeangliae</i>
Parāoa	Sperm whale	<i>Physeter macrocephalus</i>
Rāpoka/Whakahao	New Zealand sea lion/Hooker's sea lion	<i>Phocarctos hookeri</i>
Tohorā	Southern right whale	<i>Balaena australis</i>

APPENDIX ONE: NGĀI TAHU TAKIWĀ



APPENDIX TWO: TEXT OF CROWN APOLOGY

The following is text of the Crown apology contained in the Ngāi Tahu Claims Settlement Act 1998.

Part One – Apology by the Crown to Ngāi Tahu

Section 5: Text in Māori

The text of the apology in Māori is as follows:

1. Kei te mōhio te Karauna i te tino roa o ngā tūpuna o Ngāi Tahu e totohe ana kia utu mai rātou e te Karauna—tata atu ki 150 ngā tau i puta ai tēnei pēpeha a Ngāi Tahu arā: “He mahi kai tākata, he mahi kai hoaka”. Nā te whai mahara o ngā tūpuna o Ngāi Tahu ki ngā āhuatanga o ngā kawenga a te Karauna i kawea ai e Matiaha Tiramōrehu tana petihana ki a Kuini Wikitoria i te tau 1857. I tuhia e Tiramōrehu tana petihana arā: ‘Koia nei te whakahau a tōu aroha i whiua e koe ki runga i ēnei kāwana... tērā kia whakakotahitia te ture, kia whakakotahitia ngā whakahau, kia ōrite ngā āhuatanga mō te kiri mā kia rite ki tō te kiri waitutu, me te whakatakoto i te aroha o tōu ngākau pai ki runga i te iwi Māori kia noho ngākau pai tonu ai rātou me te mau mahara tonu ki te mana o tōu ingoa.’ Nā konei te Karauna i whakaae ai tērā, te taumaha o ngā mahi a ngā tūpuna o Ngāi Tahu, nā rēira i tū whakaiti atu ai i nāiane i mua i ā rātou mokopuna.
2. E whakaae ana te Karauna ki tōna tino hēanga, tērā i takakino tāruaruatia e ia ngā kaupapa o te Tiriti o Waitangi i roto i āna hokonga mai i ngā whenua o Ngāi Tahu. Tēnā, ka whakaae anō te Karauna tērā i roto i ngā āhuatanga i takoto ki roto i ngā pukapuka ā-herenga whakaatu i aua hokonga mai, kāore te Karauna i whai whakaaro ki tāna hoa nā rāua rā i haina te Tiriti, kāore hoki ia i whai whakaaro ki te wehe ake i ētahi whenua hei whai oranga tinana, whai oranga ngākau rānei mō Ngāi Tahu.
3. E whakaae ana te Karauna tērā, i roto i tāna takakino i te wāhanga tuarua o te Tiriti, kāore ia i whai whakaaro ki te manaaki, ki te tiaki rānei i ngā mauanga whenua a Ngāi Tahu me ngā tino taonga i hiahia a Ngāi Tahu ki te pupuri.
4. E mōhio ana te Karauna tērā, kāore ia i whai whakaaro ki a Ngāi Tahu i runga i te ngākau pono o roto i ngā tikanga i pūtake mai i te mana o te Karauna. Nā tāua whakaaro kore a te Karauna i puaki mai ai tēnei pēpeha a Ngāi Tahu: “Te Hapa o Niu Tīreni”. E mōhio ana te Karauna i tāna hē ki te kaipono i ngā āhuatanga whai oranga mō Ngāi Tahu i noho pōhara noa ai te iwi ia whakatupuranga heke iho. Te whakatauāki i pūtake mai i aua āhuatanga: “Te mate o te iwi”.
5. E whakaae ana te Karauna tērā, mai rāno te piri pono o Ngāi Tahu ki te Karauna me te kawa pono a te iwi i ā rātou kawenga i raro i te Tiriti o Waitangi, pērā anō tō rātou piri atu ki raro i te Hoko Whitu a Tū i ngā wā o ngā pakanga nunui o te ao. E tino mihi ana te Karauna ki a Ngāi Tahu mō tōna ngākau pono mō te koha hoki a te iwi o Ngāi Tahu ki te katoa o Aotearoa.

6. E whakapuaki atu ana te Karauna ki te iwi whānui o Ngāi Tahu i te hōhonu o te āwhitu a te Karauna mō ngā mamaetanga, mō ngā whakawhiringa i pūtake mai nō roto i ngā takakino a te Karauna i takaongetia ai a Ngāi Tahu Whānui. Ewhakaae ana te Karauna tērā, aua mamaetanga me ngā whakawhiringa hoki i hua mai nō roto i ngā takakino a te Karauna, arā, kāore te Karauna i whai i ngā tohutohu a ngā pukapuka ā-herenga i tōna hokonga mai i ngā whenua o Ngāi Tahu, kāore hoki te Karauna i wehe ake kia rawaka he whenua mō te iwi, hei whakahaere mā rātou i ngā āhuatanga e whai oranga ai rātou, kāore hoki te Karauna i hanga i tētahi tikanga e maru motuhake ai te mana o Ngāi Tahu ki runga i ā rātou pounamu me ērā atu tāonga i hiahia te iwi ki te pupuri. Kore rawa te Karauna i aro ake ki ngā aurere a Ngāi Tahu.
7. E whakapāha ana te Karauna ki a Ngāi Tahu mō tōna hēanga, tērā, kāore ia i whai whakaaro mō te rangatiratanga o Ngāi Tahu, ki te mana rānei o Ngāi Tahu ki runga i ōna whenua ā-rohe o Te Wai Pounamu, nā rēira, i runga i ngā whakaritenga me ngā herenga a Te Tiriti o Waitangi, ka whakaae te Karauna ko Ngāi Tahu Whānui anō te tāngata whenua hei pupuri i te rangatiratanga o roto i ōna takiwā.
8. E ai mō ngā iwi katoa o Aotearoa e hiahia ana te Karauna ki te whakamārie i ngā hara kua whākina ake nei—otirā, ērā e taea i nāianei - i te mea kua āta tau ngā kōrero tūturu ki roto i te pukapuka ā-herenga whakaritenga i hainatia i te 21 o ngā rā o Whitu hei tīmatanga whai oranga i roto i te ao hōu o te mahinga tahi a te Karauna rāua ko Ngāi Tahu.

Section 6: Text in English

The text of the apology in English is as follows:

1. The Crown recognises the protracted labours of the Ngāi Tahu ancestors in pursuit of their claims for redress and compensation against the Crown for nearly 150 years, as alluded to in the Ngāi Tahu proverb 'He mahi kai takata, he mahi kai hoaka' ('It is work that consumes people, as greenstone consumes sandstone'). The Ngāi Tahu understanding of the Crown's responsibilities conveyed to Queen Victoria by Matiaha Tiramorehu in a petition in 1857, guided the Ngāi Tahu ancestors. Tiramorehu wrote:

“This was the command thy love laid upon these Governors ... that the law be made one, that the commandments be made one, that the nation be made one, that the white skin be made just equal with the dark skin, and to lay down the love of thy graciousness to the Māori that they dwell happily ... and remember the power of thy name.”
2. The Crown hereby acknowledges the work of the Ngāi Tahu ancestors and makes this apology to them and to their descendants.
3. The Crown acknowledges that it acted unconscionably and in repeated breach of the principles of the Treaty of Waitangi in its dealings with Ngāi Tahu in the purchases of Ngāi Tahu land. The Crown further acknowledges that in relation to the deeds of purchase it has failed in most material respects to honour its obligations to Ngāi Tahu as its Treaty partner, while it also failed to set aside adequate lands for Ngāi Tahu's use, and to provide adequate economic and social resources for Ngāi Tahu.
4. The Crown acknowledges that, in breach of Article Two of the Treaty, it failed to preserve and protect Ngāi Tahu's use and ownership of such of their land and valued possessions as they wished to retain.

5. The Crown recognises that it has failed to act towards Ngāi Tahu reasonably and with the utmost good faith in a manner consistent with the honour of the Crown. That failure is referred to in the Ngāi Tahu saying 'Te Hapa o Niu Tirenī' ('The unfulfilled promise of New Zealand'). The Crown further recognises that its failure always to act in good faith deprived Ngāi Tahu of the opportunity to develop and kept the tribe for several generations in a state of poverty, a state referred to in the proverb 'Te mate o te iwi' ('The malaise of the tribe').
6. The Crown recognises that Ngāi Tahu has been consistently loyal to the Crown, and that the tribe has honoured its obligations and responsibilities under the Treaty of Waitangi and duties as citizens of the nation, especially, but not exclusively, in their active service in all of the major conflicts up to the present time to which New Zealand has sent troops. The Crown pays tribute to Ngāi Tahu's loyalty and to the contribution made by the tribe to the nation.
7. The Crown expresses its profound regret and apologises unreservedly to all members of Ngāi Tahu Whānui for the suffering and hardship caused to Ngāi Tahu, and for the harmful effects which resulted to the welfare, economy and development of Ngāi Tahu as a tribe. The Crown acknowledges that such suffering, hardship and harmful effects resulted from its failures to honour its obligations to Ngāi Tahu under the deeds of purchase whereby it acquired Ngāi Tahu lands, to set aside adequate lands for the tribe's use, to allow reasonable access to traditional sources of food, to protect Ngāi Tahu's rights to pounamu and such other valued possessions as the tribe wished to retain, or to remedy effectually Ngāi Tahu's grievances.
8. The Crown apologises to Ngāi Tahu for its past failures to acknowledge Ngāi Tahu rangatiratanga and mana over the South Island lands within its boundaries, and, in fulfilment of its Treaty obligations, the Crown recognises Ngāi Tahu as the tāngata whenua of, and as holding rangatiratanga within, the Takiwā of Ngāi Tahu Whānui.
9. Accordingly, the Crown seeks on behalf of all New Zealanders to atone for these acknowledged injustices, so far as that is now possible, and, with the historical grievances finally settled as to matters set out in the Deed of Settlement signed on 21 November 1997, to begin the process of healing and to enter a new age of co-operation with Ngāi Tahu."

Appendix 3 – Statutory Acknowledgements

Schedule 59 - Statutory acknowledgement for Te Ao Mārama (Lake Benmore)

Statutory area

The statutory area to which this statutory acknowledgement applies is the lake known as Te Ao Mārama (Lake Benmore), the location of which is shown on Allocation Plan MD 130 (SO 19857 (Canterbury Land District) and SO 24748 (Otago Land District)).

Preamble

Under section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic, and traditional association to Te Ao Mārama, as set out below.

Ngāi Tahu association with Te Ao Mārama

While the man-made Te Ao Mārama is obviously a comparatively recent creation on the landscape, it overlays the path of the Waitaki River, which is very significant to Ngāi Tahu as the pathway of the waters from Aoraki to the sea. Ngāi Tahu Whānui always recognise and pay respects to Waitaki as a significant element of their being, and identity, a creation of the atua (gods), further moulded by Tū Te Rakiwhānoa and his assistants, one of whom was Marokura who stocked the waterways.

In addition, the lake now covers areas which have been very important in Ngāi Tahu history. The Ahuriri arm of the lake was the site of Te Ao Mārama, the nohoanga that Te Maiharoa was evicted from by the constabulary in the late 1800s. It is in memory of this that the lake is now referred to by the same name. A number of other nohoanga existed in the area the lake now covers, and these were among the 170 which one record lists as existing in the Waitaki basin. One of these was at Sailors Cutting, and was known as Te Whakapiri a Te Kaiokai.

Many wāhi tapu and wāhi taonga were also drowned by Te Ao Mārama, including a number of rock art sites, while others still survive. Urupā associated with the nohoanga in the area also lie under the lake. These are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. These are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

An important and productive fishery exists in the lake, with the Haldane and Ahuriri arms once rich in long-finned eels, although in more recent times the fishery has been depleted. Freshwater mussels (waikākahi) are also available in the Ahuriri shallows. Excellent stands of raupō grow on the edge of the lake, adjacent to the deep water. This hardy plant, which was traditionally used for kai and in the making of mōkihi (a type of waka, or canoe, used on inland waterways) is not affected by the heavy frosts of the area or cattle grazing. The Ahuriri arm was also an important waterfowl and weka habitat.

Strategic marriages between hapū strengthened the kupenga (net) of whakapapa and thus rights to use the resources of the area. These whakapapa rights and relationships still apply to the lake itself.

The area which the lake now covers was once a major route from coast to coast: to Hawea and Wanaka via the Lindis Pass, and to the West Coast via Ōkuru or Haast Pass. There was also a trail via the Lindis through into the Central Otago summer resorts, mahinga kai and pounamu resources. Trails linked to seasonal resource gathering lead into the Ōhau, Pūkaki and Takapo, Alexandrina and Whakarukumoana catchments. These were used in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whānau

and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the land and waterways.

Wai-para-hoanga meaning literally “water of grinding stone dirt” is a descriptive name for the water that once flowed unhindered in the Waitaki, sourced from Pūkaki, Takapo and Ōhau, and ultimately from Aoraki itself.

Notwithstanding more recent man-made changes to the landscape and waterways, the mauri of Te Ao Mārama represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the lake.

Purposes of statutory acknowledgement

Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- a) to require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and
- b) to require that consent authorities, Heritage New Zealand Pouhere Taonga, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to Te Ao Mārama, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and
- c) to empower the Minister responsible for management of Te Ao Mārama or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and
- d) to enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to Te Ao Mārama as provided in section 211 (clause 12.2.5 of the deed of settlement).

Limitations on effect of statutory acknowledgement

Except as expressly provided in sections 208 to 211, 213, and 215,—

- a) this statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and
- b) without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu’s association to Te Ao Mārama (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of Te Ao Mārama.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, Te Ao Mārama.

Schedule 37 - Statutory acknowledgement for Mahi Tīkumu (Lake Aviemore)

Statutory area

The statutory area to which this statutory acknowledgement applies is the lake known as Mahi Tīkumu (Lake Aviemore), the location of which is shown on Allocation Plan MD 492 (SO 19907 (Canterbury Land District) and SO 24731 (Otago Land District)).

Preamble

Under section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic, and traditional association to Mahi Tīkumu, as set out below.

Ngāi Tahu association with Mahi Tīkumu

While the man-made Mahi Tīkumu is obviously a comparatively recent creation on the landscape, it overlays the path of the Waitaki River, which is very significant to Ngāi Tahu as the pathway of the waters from Aoraki to the sea. Ngāi Tahu Whānui always recognise and pay respects to Waitaki as a significant element of their being and identity, a creation of the atua (gods), further moulded by Tū Te Rakiwhānoa and his assistants, one of whom was Marokura who stocked the waterways.

In addition, the lake now covers areas which have been very important in Ngāi Tahu history. A number of nohoanga existed along the former river basin, among the 170 which one record lists as existing in the Waitaki basin.

Many wāhi tapu and wāhi taonga were also drowned by Mahi Tīkumu, including a number of rock art sites. Other areas of the lake's catchment are awaiting survey for rock art. Urupā associated with the nohoanga in the area also lie under the lake. These are the resting places of Ngāi Tahu tūpuna and, as such, are the focus for whānau traditions. These are places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations.

An important and productive tuna (eel) fishery existed in the lake, although in more recent times the customary fishery has become depleted. Freshwater mussels (waikākahi) are also available in the shallows. Excellent stands of raupō grow on the edge of the lake, adjacent to the deep water. This hardy plant, which was traditionally used for kai and in the making of mōkihi (a type of waka, or canoe, used on inland waterways) is not affected by the heavy frosts of the area or cattle grazing.

The area which the lake now covers was once a major route from coast to coast: to Hawea and Wanaka via the Lindis pass, and to the West Coast via Ōkuru or Haast Pass. There was also a trail via the Lindis through into the Central Otago summer resorts, mahinga kai and pounamu resources. Trails linked to seasonal resource gathering lead into the Ōhau, Pūkaki and Takapo, Alexandrina and Whakarukumoana catchments.

The area covered by the lake was an integral part of a network of trails which were used in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the land and waterways.

Wai-para-hoanga, meaning literally "water of grinding stone dirt" is a descriptive name for the water that once flowed unhindered in the Waitaki, sourced from Pūkaki, Takapo and Ōhau, and ultimately from Aoraki itself.

Notwithstanding more recent man-made changes to the landscape and waterways, the mauri of Mahi Tīkumu represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a

life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the lake.

Purposes of statutory acknowledgement

Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- a) to require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to [section 207](#) (clause 12.2.3 of the deed of settlement); and
- b) to require that consent authorities, Heritage New Zealand Pouhere Taonga, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to Mahi Tīkumu, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and
- c) to empower the Minister responsible for management of Mahi Tīkumu or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and
- d) to enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to Mahi Tīkumu as provided in section 211 (clause 12.2.5 of the deed of settlement).

Limitations on effect of statutory acknowledgement

Except as expressly provided in sections 208 to 211, [213](#), and [215](#),—

- a) this statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and
- b) without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu's association to Mahi Tīkumu (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of Mahi Tīkumu.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, Mahi Tīkumu.

Schedule 72 - Statutory acknowledgement for Waitaki River

Statutory area

The statutory area to which this statutory acknowledgement applies is the river known as Waitaki the location of which is shown on Allocation Plan MD 118 (SO 24723).

Preamble

Under section 206, the Crown acknowledges Te Rūnanga o Ngāi Tahu's statement of Ngāi Tahu's cultural, spiritual, historic, and traditional association to the Waitaki, as set out below.

Ngāi Tahu association with the Waitaki

The name Waitaki (a South Island variant of the name Waitangi which is found throughout the North Island) is a common place name throughout Polynesia. Although the specific tradition behind the name has been lost in this case, it literally means "the waterway of tears", and the Waitaki is often referred to in whaikōrero (oratory) as representing the tears of Aoraki which spill into Lake Pūkaki and eventually make their way south along the river to the coast. This image is captured in the whakatauhākī: "Ko Waitaki te awa, kā roimata nā Aoraki i riringi" ("Waitaki is the river, the tears spilled by Aoraki").

For Ngāi Tahu, traditions such as this represent the links between the cosmological world of the gods and present generations, these histories reinforce tribal identity and solidarity, and continuity between generations, and document the events which shaped the environment of Te Wai Pounamu and Ngāi Tahu as an iwi.

The Ngāi Tahu association with the Waitaki extends back to the first human habitation of Te Wai Pounamu. As such, the river is an essential element of the identity of Ngāi Tahu as an iwi. A moa butchery site at the mouth of the river is one of the oldest recorded settlement sites in the island and other sites further up the river are also extremely ancient.

The Waitaki was a traditional route to the mahinga kai resources of inland North Otago and the once bush-clad Waitaki Valley. The use of mōkihi (river craft constructed from raupō, or reeds), to carry the spoils of hunting expeditions down the river is particularly associated with the Waitaki, one of the few places where the construction and navigation of these vessels is still practised to this day.

The river also led to the central lakes district – itself a rich source of mahinga kai – and from there across the Southern Alps to the treasured pounamu resource of Te Tai Poutini (the West Coast). The river served as a major highway for such travels from both North Otago and South Canterbury.

Thus there were numerous tauranga waka (or landing places) on the river. The tūpuna had an intimate knowledge of navigation, river routes, safe harbours and landing places, and the locations of food and other resources on the river. The Waitaki was an integral part of a network of trails which were used in order to ensure the safest journey and incorporated locations along the way that were identified for activities including camping overnight and gathering kai. Knowledge of these trails continues to be held by whānau and hapū and is regarded as a taonga. The traditional mobile lifestyle of the people led to their dependence on the resources of the river.

In 1877, the religious leader Te Maiharoa, a descendant of Te Rakaihautu, led his people up the Waitaki to establish a settlement at Te Ao Mārama (near modern-day Ōmārama), to demonstrate his assertion that the interior had not been sold by Ngāi Tahu, and therefore still belonged to the iwi. Although the settlement was eventually broken up by the constabulary, and the people forced to retreat back down the river, the episode is a significant one in the long history of Te Kerēme (the Ngāi Tahu Claim).

As well as acting as a route to the inland mahinga kai sources, the river itself provided many forms of kai for those living near it or travelling on it. The Waitaki was and still is noted for its indigenous fisheries, including tuna (eel), inaka, kōkopu and kōaro species (whitebait), kanakana (lamprey) and waikōura (freshwater crayfish); with aua (yellow-eyed mullet) and mōhoao (black flounder) being found at the mouth. Many of these species are diadromous (migrating between sea and freshwater to spawn).

The extensive wetland areas formerly associated with the river once provided important spawning, rearing and feeding grounds for all of these species and were among the richest mahinga kai areas on the river. Although many of these species have now been depleted, the Waitaki remains a nationally important fishery.

The tūpuna had considerable knowledge of whakapapa, traditional trails and tauranga waka, places for gathering kai and other taonga, ways in which to use the resources of the Waitaki, the relationship of people with the river and their dependence on it, and tikanga for the proper and sustainable utilisation of resources. All of these values remain important to Ngāi Tahu today.

The Waitaki Valley holds one of the country's major collections of rock art, and the river itself seems to have acted as a form of cultural "barrier" in rock art design. The surviving rock art remnants are a particular taonga of the area, providing a unique record of the lives and beliefs of the people who travelled the river.

Because of the long history of use of the river as both a highway and a mahinga kai, supporting permanent and temporary nohoanga (occupation sites), there are numerous urupā, wāhi tapu and wāhi taonga associated with the river. These are all places holding the memories, traditions, victories and defeats of Ngāi Tahu tūpuna, and are frequently protected by secret locations. Urupā are the resting places of Ngāi Tahu tūpuna and, as such, are a particular focus for whānau traditions.

The mauri of the Waitaki River represents the essence that binds the physical and spiritual elements of all things together, generating and upholding all life. All elements of the natural environment possess a life force, and all forms of life are related. Mauri is a critical element of the spiritual relationship of Ngāi Tahu Whānui with the river.

Purposes of statutory acknowledgement

Pursuant to section 215, and without limiting the rest of this schedule, the only purposes of this statutory acknowledgement are—

- a) to require that consent authorities forward summaries of resource consent applications to Te Rūnanga o Ngāi Tahu as required by regulations made pursuant to section 207 (clause 12.2.3 of the deed of settlement); and
- b) to require that consent authorities, Heritage New Zealand Pouhere Taonga, or the Environment Court, as the case may be, have regard to this statutory acknowledgement in relation to the Waitaki, as provided in sections 208 to 210 (clause 12.2.4 of the deed of settlement); and
- c) to empower the Minister responsible for management of the Waitaki or the Commissioner of Crown Lands, as the case may be, to enter into a Deed of Recognition as provided in section 212 (clause 12.2.6 of the deed of settlement); and
- d) to enable Te Rūnanga o Ngāi Tahu and any member of Ngāi Tahu Whānui to cite this statutory acknowledgement as evidence of the association of Ngāi Tahu to the Waitaki as provided in section 211 (clause 12.2.5 of the deed of settlement).

Limitations on effect of statutory acknowledgement

Except as expressly provided in sections 208 to 211, 213, and 215,—

- a) this statutory acknowledgement does not affect, and is not to be taken into account in, the exercise of any power, duty, or function by any person or entity under any statute, regulation, or bylaw; and
- b) without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngāi Tahu's association to the Waitaki (as described in this statutory acknowledgement) than that person or entity would give under the relevant statute, regulation, or bylaw, if this statutory acknowledgement did not exist in respect of the Waitaki.

Except as expressly provided in this Act, this statutory acknowledgement does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

Except as expressly provided in this Act, this statutory acknowledgement does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, the Waitaki.



04 MAY 2025

Hon Chris Bishop
Minister for Infrastructure
Parliament Buildings
Wellington

Fast-track Approvals Act referral application: Twizel Solar Project, FTAA-2504-1044

Dear Chris

Thank you for the opportunity to comment as Minister for Economic Growth on this application for referral under the Fast-track Approvals Act 2024 (the Act). I have considered whether this application is likely to have 'significant economic benefits', under s22(2)(a)(iv) of the Act, based on the information provided in the application. I will leave it to you and other relevant Ministers to assess the other criteria.

The Twizel Solar Project is a proposal to build a 500-hectare solar farm in Mackenzie Basin. It is expected to generate a maximum capacity of 300 megawatts of renewable electricity, enough to power approximately 75,000 households annually. The applicant did not provide an economic impact assessment and information on investment costs. The estimated number of jobs generated was also not given. However, the applicant expects economic benefits from the employment generated during the construction phase of the project and permanent jobs for engineering and maintenance work when it is operational.

This project will increase the supply of renewable electricity which would support a growing economy. Increasing electricity supply could put downward pressure on prices and address security of supply concerns. This would also have economic benefits.

Given that this 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).

Sincerely

A handwritten signature in black ink, appearing to read 'Nicola Willis'.

Hon Nicola Willis
Minister for Economic Growth

Minister for Oceans and Fisheries
Minister for Regional Development
Minister for Resources
Associate Minister of Finance
Associate Minister for Energy



Hon Chris Bishop
Minister for Infrastructure
Parliament Buildings
Wellington

Fast-track Approvals Act referral application – Twizel Solar Project (FTAA-2504-1044)

Dear Chris,

Thank you for the opportunity to comment on the Twizel Solar Project application for referral under the Fast-track Approvals Act (FTAA 2024).

This letter provides comments in my capacity as Minister for Regional Development. Based on Section 22 of the FTAA 2024, I have considered the project in terms of whether it:

- a. will deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure
- b. will deliver significant economic benefits.

Nova Energy has applied for Fast-track approval to construct and operate a 300-megawatt solar farm near Twizel that will connect to the National Grid via the Transpower Twizel Substation. The project would create enough electricity to power approximately 75,000 homes annually.

I consider that the construction and ongoing operation of the proposed project is likely to offer economic benefits to the region.

The proposed infrastructure and its energy supply could be regionally and nationally significant by attracting and supporting broader investment and industry, aligning with the Government's Regional Development goals of enhancing New Zealand's regional productivity and resilience.

Any comment on the project's impact on the energy system should come from the Minister for Energy. However, from a regional and national economic prosperity perspective, I suggest that an increase in generation capacity could have positive implications by increasing the supply and reducing the cost of power for consumers and businesses, including the large manufacturing sector in Canterbury.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'S. Jones'.

Hon Shane Jones

Minister for Regional Development

From: [Infrastructure Portfolio](#)
To: [FTAreferalls](#)
Subject: FW: FTAA-2504-1044 Twizel Solar Project | no comment
Date: Thursday, 15 May 2025 3:54:52 pm
Attachments: [image002.png](#)

From: Environment Portfolio <Environment.Portfolio@parliament.govt.nz>
Sent: Thursday, 15 May 2025 2:17 PM
To: Infrastructure Portfolio <Infrastructure.Portfolio@parliament.govt.nz>
Subject: FTAA-2504-1044 Twizel Solar Project | no comment

Good afternoon,

Thank you for the below invitation to comment.

Please be advised that Minister Simmonds has reviewed this application and does not wish to provide comment.

Kind regards,



Nicola Tynan (she/her)

Private Secretary – Environment | Office of Hon Penny Simmonds
Minister for the Environment | Minister for Vocational Education
Associate Minister for Social Development | MP for Invercargill

Mobile: 027 385 9827 Email: nicola.tynan@parliament.govt.nz Website: www.beehive.govt.nz
Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand

From: Infrastructure Portfolio <Infrastructure.Portfolio@parliament.govt.nz>
Sent: Wednesday, 7 May 2025 1:04 PM
To: Nicola Willis (MIN) <N.Willis@ministers.govt.nz>; Shane Jones (MIN) <S.Jones@ministers.govt.nz>; Simon Watts (MIN) <S.Watts@ministers.govt.nz>; Penny Simmonds (MIN) <P.Simmonds@ministers.govt.nz>; Tama Potaka (MIN) <T.Potaka@ministers.govt.nz>
Cc: FTAreferalls <ftareferalls@mfe.govt.nz>
Subject: Invitation to comment on Fast-track referral application for the Twizel Solar Project under the Fast-track Approvals Act 2024 – FTAA-2504-1044

To:

Minister for Economic Growth
Minister for Regional Development
Minister for Energy
Minister for Climate Change
Minister of Conservation
Minister for the Environment

Dear Ministers,

Hon Chris Bishop, the Minister for Infrastructure (the Minister), has asked for me to write to you on his behalf.

The Minister has received an application from Nova Energy Ltd for referral of the Twizel Solar Project project under the Fast-track Approvals Act 2024 (the Act) to the fast-track process (application reference FTAA-2504-1044).

The purpose of the Act is to facilitate the delivery of infrastructure and development projects with significant regional or national benefits.

Invitation to comment on referral application

I write in accordance with section 17 of the Act to invite you to provide written comments on the referral application. I have provided summary details of the project below.

If you wish to provide written comments, these must be received by **return email** within **20 working days** of receipt of this email. The Minister is not required to consider information received outside of this time frame. Any comments submitted will contribute to the Minister's decision on whether to accept the referral application and to refer the project.

If you do not wish to provide comments, please let us know as soon as possible so we can proceed with processing the application without delay.

If a Conflict of Interest is identified through any stage of providing comments, please inform my office immediately so we can initiate a transfer of this responsibility.

If the Minister decides to accept the application and to refer the project, the Applicant will need to complete any preliminary steps required under the Act and then lodge their substantive application for the approvals needed for the project. An expert panel will be appointed to decide the substantive application.

Process

The application documents are accessible through the Fast-track portal. Please note that application documents may contain commercially sensitivity information and should not be shared widely. If you haven't used the portal before, you can request access by emailing ftareferrals@mfe.govt.nz. Once you are registered and have accepted the terms and conditions, you will receive a link to view the documents. Existing users will be able to see application documents via the request when logging into the portal. Should you need for your agency to provide any supplementary information, a nominated person can be provided access to the portal, access can be requested by emailing ftareferrals@mfe.govt.nz.

To submit your comments on the application, you can either provide a letter or complete the attached template for written comments and return it by replying to this email, infrastructure.portfolio@parliament.govt.nz.

Before the due date, if you have any queries about this email or need assistance with using the portal, please email contact@fasttrack.govt.nz. Further information is available at <https://www.fasttrack.govt.nz/>.

Project summary

Project name	Twizel Solar Project
Applicant	Nova Energy Limited
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> <ul style="list-style-type: none">• general earthworks and site establishment including the construction of operational and management buildings, inverters, internal roads/tracks• solar panels situated on solar tables with a single axis tracking system covering 500 hectares of the 868-hectare site• 33 kilovolts overhead transmission lines to connect the project to the Transpower New Zealand Twizel Substation• establishment of exclusion areas and buffers to protect significant native vegetation, habitat and wetlands.

Yours sincerely

Hon Chris Bishop
Minister for Infrastructure



Office of Hon Chris Bishop

Minister of Housing, Minister for Infrastructure, Minister Responsible for RMA Reform,
Minister for Sport & Recreation, Leader of the House, Associate Minister of Finance

Email: christopher.bishop@parliament.govt.nz Website: www.beehive.govt.nz

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand

Your written comments on a project under the Fast-track Approvals Act 2024

Project name	Twizel Solar Project
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Before the due date, for assistance on how to respond or about this template or with using the portal, please email contact@fasttrack.govt.nz or phone 0800 FASTRK (0800 327 875).

All sections of this form with an asterisk (*) must be completed.

1. Contact Details

Please ensure that you have authority to comment on the application on behalf of those named on this form.

*Portfolio	Climate Change / Energy
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2. Officials advise you provide a comment on this application for referral

From a preliminary review, officials consider that you may like to provide a comment on the climate mitigation and energy aspect of the application.

3. If recommended, please provide your comments on this application

The Minister of Climate Change and Energy considers that the project will support climate change mitigation and that this factor should be taken into account in your consideration of whether the project is an infrastructure or development project that would have significant regional or national benefits.

It also would provide geographic diversity in NZ's solar development capacity. This project is therefore considered to deliver new regionally or nationally significant infrastructure, as per s22(2)(a)(ii) of the FTAA, in the form of large-scale energy generation.

Minister's signoff



Hon Simon Watts

Minister of Climate Change
Minister for Energy

Date

01 JUN 2025

APPENDIX 1 – SUPPLEMENTARY ADVICE

Project	Adaptation and Mitigation Mitigation comment	Adaptation comment	Possible comment to enter in fast-track portal
<p>The project involves the establishment and operation of a solar farm which will generate up to 300 megawatts (MW) of renewable electricity and will connect to the National Grid via the Transpower Twizel Substation. The project will create enough electricity to power approximately 75,000 homes annually. The development is proposed as a single-stage construction project.</p>	<p>As part of your consideration of whether the project is an infrastructure or development project that would have significant regional or national benefits you may consider whether the project will support climate change mitigation, including the reduction or removal of greenhouse gas emissions (s 22(2)(vii) of the Fast-track Approvals Act 2024).</p> <p>This project is expected to deliver significant renewable electricity generation capacity to the national grid, which will help reduce the overall dependence on fossil fuels for electricity generation.</p>	<p>As part of your consideration of whether the project is an infrastructure or development project that would have significant regional or national benefits you may consider whether the project will support climate adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards (s 22(2)(viii) of the Fast-track Approvals Act 2024).</p> <p>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>Significant issues / red flags</p> <p>The applicant notes that a portion of the proposed project falls within the Mackenzie District Plan mapped Hydro Inundation layer. This layer provides the potential extent of inundation from a dam or canal breach, but does not provide detailed information on depth, velocity and timing.</p> <p>The applicant does not see this as a risk to their application. We anticipate that the applicant will provide a more detailed assessment of this in their substantive application</p>	<p>The Minister of Climate Change considers that the project will support climate change mitigation and that this factor should be taken into account in your consideration of whether the project is an infrastructure or development project that would have significant regional or national benefits.</p> <p>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>

Your written comments on a project under the Fast Track Approvals Act 2024

4 June 2025

Project name	Twizel Solar Project – Nova Energy Limited (Project)
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Before the due date, for assistance on how to respond or about this template or with using the portal, please email contact@fasttrack.govt.nz or phone 0800 FASTRK (0800 327 875).

All sections of this form with an asterisk (*) must be completed.

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	Transpower New Zealand Limited (Transpower)		
*First name	Jo		
*Last name	Mooar		
Postal address	PO Box 1021 Wellington 6011		
*Contact phone number	s 9(2)(a)	Alternative	
*Email	s 9(2)(a)		

2. Please provide your comments on this application
<p>Transpower has been identified as an “other person” for the purpose of section 17(5) of the Fast-track Approvals Act 2024 (Act). Thank you for the opportunity to provide comments about the Project, and its potential impact on National Grid assets.</p> <p>Transpower notes 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 (section 22(2)(a)(ii) of the Act).</p> <p>The Landscape Assessment notes that a National Grid line crosses the northwestern end of the site, on the upper terrace (page 17). The solar panels are not proposed to be located in this area. However, it appears that the main site access could cross under the existing lines to the Twizel Substation (Landscape Assessment, Appendix 2, page 3). Any development, including earthworks or access directly under a line, could compromise the line, contrary to the protection afforded by policy 10 of the National Policy Statement on Electricity Transmission (NPSET). Appropriate</p>

conditions will need to be placed on any consent, to ensure Project works are appropriately set back from the line.

The applicant proposes to connect to the National Grid via the Twizel Substation. Transpower and the applicant have discussed the Project, including the connection at Twizel Substation. The 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. At this stage, it appears that the Transpower works to connect the generation to the Substation will be contained within the existing substation designation and/or the immediately adjacent area.

Note: All comments will be made available to the public and the applicant when the Ministry for the Environment proactively releases advice provided to the Minister for the Environment.

Your written comments on a project under the Fast Track Approvals Act 2024

Project name	Twizel Solar Project
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Before the due date, for assistance on how to respond or about this template or with using the portal, please email contact@fasttrack.govt.nz or phone 0800 FASTRK (0800 327 875).

All sections of this form with an asterisk (*) must be completed.

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	NZ Transport Agency Waka Kotahi		
*First name	Nicola		
*Last name	Foran		
Postal address			
*Contact phone number	s 9(2)(a)	Alternative	
*Email	environmentalplanning@nzta.govt.nz		

2. Please provide your comments on this application
<p>NZTA thanks the Minister for the opportunity to comment on the referral of this application into the fast track approvals process.</p> <p>NZTA has had pre-application engagement with the applicant regarding this project in January 2025. This consisted of a discussion with the applicant's consultant and a NZTA representative. The information provided at the time was also assessed by internal NZTA subject matter experts.</p> <p>As per the matters set out in the invitation to comment, NZTA provides the following commentary:</p> <p><i>1. Upgrades to State Highway 8.</i></p> <p>NZTA would need to see the substantive application to be able to determine actual impacts on the state highway network, however developments of this nature usually impact the network through increased heavy vehicle movements during site development and construction, and a sustained minor increase in traffic volumes at the completion of the development.</p>

Insert Fast-track logo

As part of the initial pre-application engagement the applicant undertook with NZTA, no significant concerns or adverse effects were identified by NZTA. It was noted that the access to the site shall be upgraded in accordance with Diagram E of the Planning Policy Manual 2007.

As part of the substantive application, NZTA would expect to see a comprehensive Integrated Transport Assessment prepared, along with a construction management plan, and mitigation measures to address any adverse effects on the state highway resulting from this development, including dust.

2. Whether there are relevant requirements that could affect the applicants' ability to undertake the work.

NZTA has no prior experience with this applicant, other than some pre-application engagement in January 2025. Whether any upgrades are required to accommodate the development (either for construction or operation) cannot be determined without further information – if upgrades are required, the developer would be required to work with NZTA and fund any works required. Therefore, based on the information provided, NZTA has no concerns with this project, Twizel Solar Farm, being referred into the fast track approvals process. NZTA would welcome the opportunity to provide comments on any substantive application in due course.

Note: All comments will be made available to the public and the applicant when the Ministry for the Environment proactively releases advice provided to the Minister for the Environment.

Managers signoff

[Manager Name]

Date

Your written comments on a project under the Fast Track Approvals Act 2024

Project name	Twizel Solar Farm
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Before the due date, for assistance on how to respond or about this template or with using the portal, please email contact@fasttrack.govt.nz or phone 0800 FASTRK (0800 327 875).

All sections of this form with an asterisk (*) must be completed.

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	Meridian Energy Limited		
*First name	Kate		
*Last name	Berkett		
Postal address			
*Contact phone number	s 9(2)(a)	Alternative	
*Email	s 9(2)(a)		

2. Please provide your comments on this application
If you need more space, please attach additional pages. Please include your name, page numbers and the project name on the additional pages.

Note: All comments will be made available to the public and the applicant when the Ministry for the Environment proactively releases advice provided to the Minister for the Environment.

Thank you for the opportunity to comment on the Twizel Solar Project under the Fast-track Approvals Act 2024.

Meridian understands that the Applicant (Nova Energy) intends to establish and operate a Solar Farm on land adjacent to Meridian owned land, near Twizel.

Meridian 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 on Meridian's land.

Meridian has reviewed the referral application and currently does not have any concerns with the proposal. Meridian seeks the opportunity to review and comment on the Substantive application when it is lodged.

Insert Fast-track logo

A handwritten signature in black ink, appearing to read 'Kate Berkett', with a small flourish at the end.

Kate Berkett
Environmental Manager
Meridian Energy Ltd.