



FTAA-2607-1261: Application received for referral of the project under the Fast-track Approvals Act 2024 – Stage 2 decisions

Project Name: Tauhei Solar Farm Extension

Date submitted	25 September 2026	Tracking	26-BRF-02684
Security level	In-Confidence	Priority	Urgent

To	Action sought	Response by
Hon Chris Bishop Minister for Infrastructure	Decisions on recommendations	2 October 2026

Actions for Minister's Office staff	Return the signed briefing to: <i>FTAreferrals@mcert.govt.nz</i> . Approve the attached notice of decisions letter.
Number of appendices: 6	Appendices: 1. Statutory framework for making decisions 2. Application documents for the Tauhei Solar Farm Extension project 3. Stage 1 Briefing Note and decisions 4. Section 18 report on Treaty settlements and other obligations, including the comments received from Māori groups 5. Comments received from all other invited parties 6. Draft notice of decisions letter

Ministry contacts

Name	Position	Telephone	1 st contact
Ashiley Sycamore	Principal Author		
Max Gander-Cooper	Acting Manager	s 9(2)(a)	✓
Stephanie Frame	Acting General Manager	s 9(2)(a)	



Project location

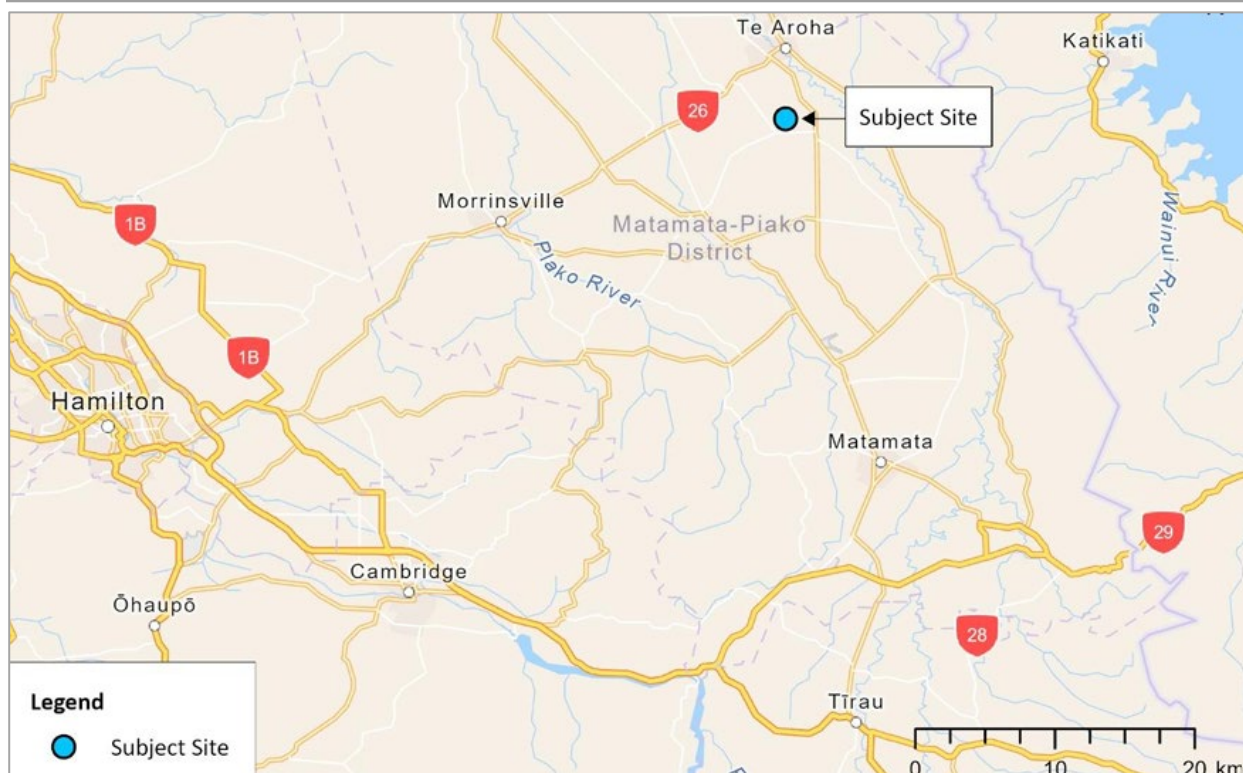


Figure 1: Approximate location of subject site (blue circle)

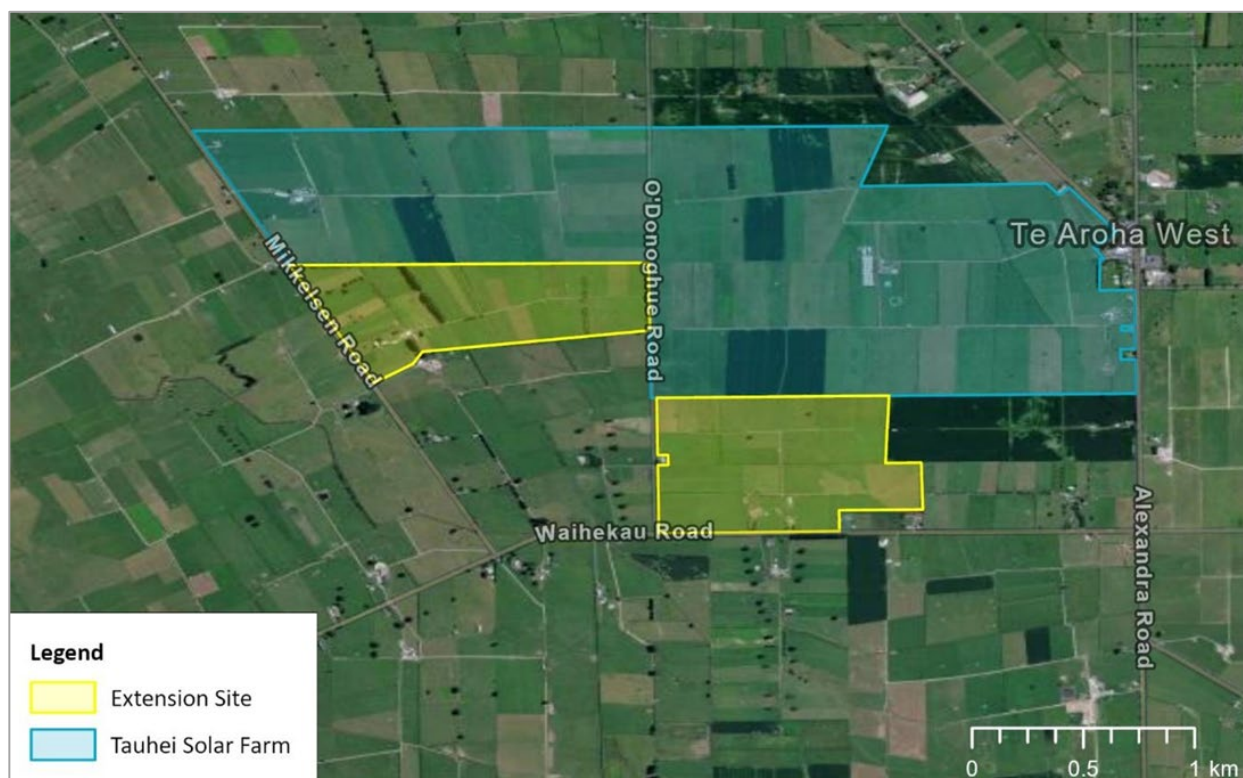


Figure 2: Project area (yellow) in relation to the existing Tauhei Solar Farm (blue)



Key messages

1. This briefing seeks your decisions under section 21 of the Fast-track Approvals Act 2024 (the Act) on the application from Harmony Energy NZ #10 Limited (the applicant) to refer the Tauhei Solar Farm Extension project (the project) to the fast-track approvals process.
2. A copy of the application is in Appendix 2. This is the second briefing on this application. The first Stage 1 briefing (26-BRF-02221) with your initial decisions annotated is in Appendix 3.
3. Since the Stage 1 briefing, the applicant has requested that Harmony Energy NZ #10 Limited be substituted as the applicant and authorised person to lodge any substantive application in place of Harmony Energy NZ Limited. The applicant has confirmed that Harmony Energy NZ #10 Limited has not been subject to any compliance or enforcement action. We have no concerns with this change and have reflected it in the draft notice of decisions letter.
4. The project involves the construction, operation, and maintenance of an extension to the existing Tauhei Solar Farm in the Matamata-Piako District, Waikato Region. The extension would generate up to 50 megawatts of alternating current (MW AC) renewable electricity, which the applicant states is sufficient to meet the annual electricity requirements of approximately 15,500 households.
5. The project area comprises approximately 95.6 hectares of rural land at Te Aroha West. The project area is located immediately south of the existing Tauhei Solar Farm and spans three land parcels across two titles. The project area is bounded by Mikkelsen Road to the west, Waihekau Road to the south, and is bisected by O'Donoghue Road.
6. The project comprises:
 - a. approximately 115,000 solar panels and associated electricity infrastructure with an installed capacity of approximately 50 MW AC
 - b. underground cabling and associated electricity infrastructure to connect the project to Transpower's Waihou Substation and national grid via either the existing Tauhei Solar Farm or a standalone connection
 - c. internal access roads, vehicle crossings, earthworks, dewatering and in-stream works primarily for the installation of culverts
 - d. security fencing, lighting, monitoring equipment, operational buildings and other operational infrastructure
 - e. temporary construction facilities and associated construction activities
 - f. landscaping, ecological restoration and planting, including riparian and wetland restoration works
 - g. ongoing agricultural activities, including sheep grazing
 - h. other ancillary works required to support the construction, operation and maintenance of the solar farm
 - i. minor consequential changes to the existing Tauhei Solar Farm consent as required.
7. The applicant seeks the following approvals via the fast-track approvals process to authorise the project, including wildlife approvals sought at this stage on a precautionary basis, subject to further investigations prior to any substantive application:



- a. resource consents under the Resource Management Act 1991 (RMA), including standard freshwater fisheries activities (culverts)
 - b. a change or cancellation of a resource consent condition that would otherwise be applied for under the RMA
 - c. wildlife approvals under the Wildlife Act 1953.
8. We recommend you **accept** the referral application as we consider the project meets the criteria set out in section 22 and does not appear to involve an ineligible activity.
9. We seek your decisions on the recommendations, the proposed directions to the applicant and expert panel, and the notification of your decisions.

Assessment against statutory framework

10. The statutory framework for your decision-making is set out in Appendix 1. You must apply this framework when you are deciding whether to accept or decline the referral application and when deciding on any further requirements or directions associated with referral of the project.
11. Before making a decision on the project, you must consider the following:
 - a. the application (in Appendix 2)
 - b. the section 18 Treaty settlements and other obligations report (in Appendix 4), including the comment received from Te Whakakitenga o Waikato contained in Attachment 8 to that report, which was received within the specified timeframe
 - c. the comments received from all other invited parties under section 17 within the specified timeframe (in Appendix 5).
12. Following that, you may accept the application if you are satisfied that it meets the criteria in section 22 of the Act and if there are no reasons meaning you must decline the application. We provide our advice on these matters below.

Section 18 Treaty settlements and other obligations report

13. A Treaty settlements and other obligations report (the report) prepared under section 18 of the Act is attached in Appendix 4.
14. The report identifies Ngāti Hauā Iwi Trust, Te Puāwaitanga o Ngāti Hinerangi Trust, Ngāti Tumutumu Trust, Ngāti Tara Tokanui Trust, Hako Tūpuna Trust, Ngāti Maru Rūnanga Trust, Ngāti Tamaterā Treaty Settlement Trust, Te Whakakitenga o Waikato (representing Waikato-Tainui), Pare Hauraki Cultural Redress Trust/Pare Hauraki Whenua Limited Partnership/Pare Hauraki Ngāhere Limited Partnership, and Ngaati Whanaunga Incorporated Society as relevant Māori groups for the application.
15. The report identifies the Ngāti Hauā Claims Settlement Act 2014, Ngāti Hinerangi Claims Settlement Act 2021, Ngāti Rāhiri Tumutumu Claims Settlement Act 2026, Ngāti Tara Tokanui Claims Settlement Act 2026, and the Pare Hauraki Collective Redress Bill and Pare Hauraki collective redress deed as relevant Treaty settlement legislation and instruments.
16. The report notes that part of the project area is subject to a statutory acknowledgement under the Ngāti Hinerangi Claims Settlement Act 2021 in relation to the Waihou River and its tributaries. The

report concludes that the process of inviting comment from Ngāti Hinerangi under the Act is comparable to the notification requirements that would otherwise apply under the RMA and relevant Treaty settlement legislation.

17. The report notes that the project area is located within the Waihou and Piako catchments that are subject to proposed redress arrangements under the Pare Hauraki Collective Redress Bill. While those arrangements are not yet operative, the report notes they may be in place by the time a substantive application is lodged and may be relevant to the panel's consideration of the application.
18. The report identifies conservation relationship agreements associated with the Ngāti Hauā and Ngāti Hinerangi settlements that may be relevant to consideration of any Wildlife Act 1953 approvals sought for the project. The report notes that a panel may wish to have regard to the consultation processes set out in those agreements should a substantive application be lodged. The report further notes that additional conservation relationship agreements associated with Ngāti Tara Tokanui, Ngāti Rāhiri Tumutumu, and the Pare Hauraki collective redress arrangements may be in force by the time a substantive application is considered.
19. Comments were received on the referral application from Te Whakakitenga o Waikato, on behalf of Waikato-Tainui. Waikato-Tainui does not oppose the project progressing to the substantive stage, but notes this should not be interpreted as support for the proposal or its effects. Waikato-Tainui considers the scale and strategic nature of the project may warrant progression to the substantive phase and recommends continued engagement with mana whenua and further assessment against the relevant provisions of *Tai Tumu*, *Tai Pari*, *Tai Ao* (Waikato-Tainui Environmental Plan).
20. The report does not identify any matters which would make it more appropriate for the proposed approvals to be authorised under another Act or Acts.

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

21. Consistent with the section 18 report prepared for the project, we have not identified any relevant matters under section 16 of the Act.

Written comments received

22. Comments were received under section 17 of the Act from Waikato Regional Council (WRC), Matamata-Piako District Council (MPDC), the Minister of Climate Change, the Minister for Regional Development, the Minister for Economic Growth, the Minister for Māori Crown Relations: Te Arawhiti and Minister for Māori Development, the Department of Conservation (DOC), Transpower New Zealand Limited (Transpower), and Waikato-Tainui. The Minister for the Environment responded with no comments.
23. Under section 17(7)(a) of the Act, you must consider any comments received within the timeframe specified under section 17(6). Comments from Transpower were received outside the specified timeframe and may be considered at your discretion under section 17(7)(b). All other comments were received within the specified timeframe and must be considered.
24. The key points of relevance to your decision are summarised in Table A. Full copies of the comments received from Māori groups are included in Attachment 8 to the section 18 report in Appendix 4. Copies of all other comments received are attached in Appendix 5.
25. A summary of the comments received from Māori groups is provided under the section 18 assessment above. Other comments received are summarised below.

26. WRC does not identify any competing applications, ineligible activities, or reasons to decline the application. WRC notes that any substantive application should address matters relating to highly productive land, ecology, wetlands, flooding, the regional drainage network, and acid sulphate soils.
27. MPDC does not identify any competing applications, ineligible activities, or reasons to decline the application. MPDC notes the benefits of the conventional consenting pathway for local participation but acknowledges the efficiencies of the fast-track process. MPDC considers the project's effects can be appropriately managed, while highlighting the need for robust construction management and monitoring.
28. The Minister of Climate Change supports the project, noting its contribution to renewable electricity generation, emissions reduction, and sustainable development.
29. The Minister for Regional Development considers the project would provide meaningful local economic benefits during construction and notes its significance relates primarily to its contribution to electricity supply, resilience, and affordability.
30. The Minister for Economic Growth considers the project is likely to deliver significant regional and national economic benefits through investment, employment, and increased renewable electricity generation.
31. The Minister for Māori Crown Relations: Te Arawhiti and Minister for Māori Development support the application progressing and encourage the applicant and expert panel to have regard to relevant Treaty settlement legislation and instruments, and any feedback received from relevant Māori groups.
32. DOC does not identify any reason the project should not be referred and considers the information provided is adequate to inform a referral decision. DOC notes that ecological effects and Treaty settlement obligations will require further consideration through the substantive process.
33. Transpower supports the project and notes that the proposed works are not located in close proximity to National Grid infrastructure.

Transportation effects

34. The project area is located approximately 3 kilometres from the nearest state highway. Given the location and nature of the proposed activity for a solar farm extension, NZ Transport Agency Waka Kotahi (NZTA) was not invited to provide comments under section 17 of the Act, as no potential effects on the state highway network were identified at the referral stage.
35. We note the existing Tauhei Solar Farm was consented under the COVID-19 Recovery (Fast-track Consenting) Act 2020. NZTA was not an invited party in relation to those applications (at both the referral and substantive stage), and no effects on the state highway network were identified in the substantive decision¹.
36. MPDC identified increased construction activity is likely to place additional demands on the local road network and noted the need to consider appropriate road safety, maintenance, and traffic management measures. These matters are likely to be assessed at the substantive stage, with MPDC to be invited to comment again at that stage as a required invitee.

¹ [Tauhei_Solar_Farm-DECISION_FINAL_17-Oct-22.pdf](#)

Further information

37. You did not request any further information from the applicant, relevant local authorities, or relevant administering agencies under section 20 of the Act.

Reasons to decline

38. The statutory framework in Appendix 1 sets out the situations where you must decline the application for referral under section 21(3). We do not consider you must decline this application.
39. You may also decline the application for any other reason under section 21(4). The Act gives some guidance on matters you could consider when deciding whether to decline an application and these are set out in Appendix 1.
40. Invited parties have identified a range of environmental, infrastructure, cultural, and planning matters that would require further consideration through any substantive application. These include matters relating to highly productive land, ecology, wetlands, indigenous biodiversity, flooding, drainage networks, acid sulphate soils, rural character, landscape values, traffic, dust, noise, glint and glare effects, Treaty settlement arrangements, and engagement with mana whenua.
41. However, no invited party has recommended that the referral application be declined. WRC and MPDC do not identify any reasons to decline the application, DOC does not identify any reason the project should not be referred, and Waikato-Tainui does not oppose the project progressing to the substantive phase. Comments received were primarily directed towards matters that should be assessed through the substantive application process.
42. We consider the applicant has provided sufficient information to enable your decision on the referral application. While invited parties have identified a range of matters requiring further assessment, we consider these matters are more appropriately addressed through a substantive application supported by detailed technical assessments.
43. We have also considered whether the applicant's compliance history provides a basis to decline the application. While MPDC notes that the applicant did not fully adhere to the approved Construction Traffic Management Plan during construction of the existing Tauhei Solar Farm, no formal enforcement action was required and MPDC advises the applicant responded promptly when concerns were raised. The applicant has not identified any compliance or enforcement actions taken against it under a specified Act, and DOC has not identified any compliance concerns. On balance, we do not consider the applicant has a poor compliance history that would justify declining the application.
44. We consider an expert panel is best placed to assess the significance of any adverse effects with the benefit of a substantive application, detailed technical assessments, additional comments from relevant parties, and the ability to impose conditions or decline the substantive application if appropriate.
45. We have considered the matters above and these are discussed in Table A. We do not consider these matters warrant declining the application at the referral stage and instead consider they are more appropriately assessed through the substantive application process.
46. Ultimately, we recommend you do not decline the referral application for these reasons, or any other grounds under section 21(4) or (5) of the Act.



Reasons to accept

47. The statutory framework in Appendix 1 also sets out the reasons you can accept a referral application and refer a project to the fast-track approvals process.
48. Our assessment of these matters is detailed in Table A. To summarise, we consider the project for an extension to an existing solar farm aligns with the referral criteria under section 22, as:
- a. it is an infrastructure project that would have significant regional and national benefits because it:
 - i. will deliver new regionally or nationally significant infrastructure [section 22(2)(a)(ii)] by increasing renewable electricity generation capacity and supporting the resilience, reliability, and security of New Zealand's electricity system
 - ii. will deliver significant economic benefits [section 22(2)(a)(iv)] by supporting economic activity, employment, and private investment in renewable electricity infrastructure
 - iii. will support climate change mitigation, including the reduction or removal of greenhouse gas emissions [section 22(2)(a)(vii)] by increasing renewable electricity generation and reducing reliance on fossil fuel generation, including avoiding an estimated 53,000 tonnes of CO₂-equivalent emissions annually compared with gas-fired generation
 - b. referring the project would facilitate its delivery by enabling the required approvals to be considered through a single integrated process, avoiding the longer timeframes, hearings, and appeal processes that may otherwise apply under standard approval pathways
 - c. the project is unlikely to materially affect the efficient operation of the fast-track approvals process because it is an extension of an existing solar farm with key supporting infrastructure already in place and does not raise novel issues beyond the scope of what a panel would typically assess.
49. If you agree with our recommendations, you may accept the referral application and refer the project to the fast-track approvals process.

Conclusions

50. We consider the project meets the section 22 criteria and you could accept the referral application under section 21 of the Act and refer the project to the fast-track approvals process with the specifications outlined below.
51. Notwithstanding our recommendations, you retain discretion to determine the outcome of the referral application, including whether the project meets the section 22 criteria.
52. We consider that if you decide to refer the project, you should specify under section 27 of the Act that the panel must invite comments from Ngaati Whanaunga Incorporated Society and Transpower on any substantive application for the project. Ngaati Whanaunga Incorporated Society and Transpower have been identified as parties with relevant interests in the project that may not otherwise be captured by section 53.
53. A detailed assessment of the matters you may specify under section 27(3) and our reasoning for these specifications is provided in Table A.

Next steps

54. The Secretary for the Environment (the Secretary) must give notice of your decisions on the referral application, and the reasons for them, to the applicant and anyone invited to comment under section 17 and publish the notice on the Fast-track website.
55. If you decide to refer the project, the Secretary must also give notice of your decision to:
 - a. the panel convener
 - b. any additional iwi authorities or Treaty settlement entities that you consider have an interest in the matter other than those invited to comment under section 17
 - c. the Environmental Protection Authority (EPA)
 - d. the relevant administering agencies.
56. You must also provide all of the information you received that relates to this application to the EPA and the panel convener, including:
 - a. the referral application
 - b. any comments received under section 17
 - c. the report obtained under section 18.
57. We will undertake this action on your behalf.
58. We have attached a notice of decisions letter to the applicant based on our recommendations (refer Appendix 6) and we will provide it to all relevant parties. We will provide you with an amended letter if required.
59. Our recommendations for your decisions follow.



Recommendations

60. We recommend that you:

- a. **Note** section 21(3) of the Fast-track Approvals Act 2024 (the Act) requires you to decline the referral application from Harmony Energy NZ #10 Limited (the applicant) if you are satisfied that the project involves an ineligible activity, or you consider that you do not have adequate information to inform the decision under this section or if you are not satisfied that the Tauhei Solar Farm Extension project (the project) meets the referral criteria in section 22 of the Act.

Noted

- b. **Agree** that before deciding on the referral application under section 21(1) of the Act you have considered:

- i. the application in Appendix 2
- ii. the report obtained under section 18 in Appendix 4, including the comments received from Māori groups contained in Attachment 8 to that report, which were received within the specified timeframe
- iii. the comments received under section 17 from all other invited parties within the specified timeframe in Appendix 5.

Yes / No

- c. **Agree** to exercise your discretion under section 17(7)(b) to consider the late comments in Appendix 5 received from the Transpower New Zealand Limited after the timeframe specified under section 17(6) of the Act.

Yes / No

- d. **Agree** you are satisfied the project will meet the referral criteria in section 22 of the Act as:

- i. the project, for an extension to an existing solar farm in the Waikato Region, is an infrastructure project that would have significant regional and national benefits [section 22(1)(a)] because it:

- (A) will deliver new regionally or nationally significant infrastructure [section 22(2)(a)(ii)] by:

- providing up to an additional 50 megawatts of alternating current (MW AC) renewable electricity generation connected to the national grid through existing infrastructure at the Tauhei Solar Farm and Waihou substation
- increasing renewable electricity generation capacity and supporting the resilience and reliability of New Zealand's electricity system
- generating sufficient electricity to power approximately 15,500 households annually

- (B) will deliver significant economic benefits [section 22(2)(a)(iv)] by:



- supporting approximately \$21 million in gross domestic product (GDP), \$11 million in wages and salaries, and 117 full-time equivalent (FTE) years of employment during construction
 - representing a substantial private-sector investment in renewable electricity infrastructure
 - contributing to New Zealand's future electricity supply and supporting economic activity through increased renewable generation capacity
- (C) will support climate change mitigation, including the reduction or removal of greenhouse gas emissions [section 22(2)(a)(vii)] by:
- increasing the supply of renewable electricity generation
 - reducing reliance on fossil fuel generation
 - avoiding an estimated 53,000 tonnes of CO₂-equivalent emissions annually compared with gas-fired generation
- ii. referring the project to the fast-track approvals process would facilitate its delivery [section 22(1)(b)(i)], including by enabling it to be processed in a more timely and cost-effective way than under normal processes as:
- (A) the scale and complexity of the project, and the potential for notification, hearings, and appeals under standard approval processes, could result in increased costs and longer approval timeframes
 - (B) appeals under the Act are only to the High Court rather than the Environment Court and are limited to points of law
 - (C) the Act precludes public and limited notification
- iii. referring the project is unlikely to materially affect the efficient operation of the fast-track approvals process [section 22(1)(b)(ii)] because:
- (A) the project is an extension of an existing solar farm with key supporting infrastructure already in place
 - (B) while the project raises a range of technical matters, these are matters that would typically be considered through a resource consent process and do not raise novel issues that would be difficult for an expert panel to assess.
- Yes / No
- e. **Agree** to accept the referral application under section 21(1)(c) and refer the whole project to the fast-track approvals process under section 26(2)(a).
- Yes / No
- f. **Agree** to specify Harmony Energy NZ #10 Limited as the person who is authorised to lodge a substantive application for the project.
- Yes / No



- g. **Agree**, under section 27(3)(b)(i) of the Act, to specify a deadline of two years from the date of the notice of decisions letter for the applicant to lodge the substantive application.

Yes / No

- h. **Agree**, under section 27(3)(b)(iii) of the Act, to specify Ngaati Whanaunga Incorporated Society and Transpower New Zealand Limited as groups the panel must invite comments from in addition to those specified in section 53.

Yes / No

- i. **Agree** that the Secretary for the Environment will provide your notice of decisions to:
- i. anyone invited to comment on the application, which includes the relevant administering agencies
 - ii. the panel convener
 - iii. the Environmental Protection Authority (EPA).

Yes / No

Signatures

Stephanie Frame
Acting General Manager – Investment Strategy and Operations

Hon Chris Bishop
Minister for Infrastructure

Date:

Table A: Stage 2 analysis

Recommendation	Accept the referral application and refer the project to the fast-track approvals process.		
Project details	Project Name	Applicant	Project Area
	Tauhei Solar Farm Extension (the project)	Harmony Energy NZ #10 Limited (the applicant)	Approximately 95.6 hectares of rural land at Te Aroha West in the Matamata-Piako District, Waikato Region. The project area is located immediately south of the existing Tauhei Solar Farm and spans three land parcels across two titles. The project area is bounded by Mikkelsen Road to the west, Waiheka Road to the south, and is bisected by O'Donoghue Road.
Project description	The project involves the construction, operation, and maintenance of an extension to the existing Tauhei Solar Farm in the Matamata-Piako District, Waikato Region. The extension would generate up to 50 megawatts of alternating current (MW AC) renewable electricity, which the applicant states is sufficient to meet the annual electricity requirements of approximately 15,500 households. The project comprises: a. approximately 115,000 solar panels and associated electricity infrastructure with an installed capacity of approximately 50 MW AC b. underground cabling and associated electricity infrastructure to connect the project to Transpower's Waihou Substation and national grid via either the existing Tauhei Solar Farm or a standalone connection c. internal access roads, vehicle crossings, earthworks, dewatering and in-stream works primarily for the installation of culverts d. security fencing, lighting, monitoring equipment, operational buildings and other operational infrastructure e. temporary construction facilities and associated construction activities f. landscaping, ecological restoration and planting, including riparian and wetland restoration works g. ongoing agricultural activities, including sheep grazing h. other ancillary works required to support the construction, operation and maintenance of the solar farm i. minor consequential changes to the existing Tauhei Solar Farm consent as required. The applicant seeks the following approvals via the fast-track approvals process to authorise the project, including wildlife approvals sought at this stage on a precautionary basis, subject to further investigations prior to any substantive application: a. resource consents under the Resource Management Act 1991 (RMA), including standard freshwater fisheries activities (culverts) as described in section 42(4)(a) of the Fast-track Approvals Act 2024 (the Act) b. a change or cancellation of a resource consent condition that would otherwise be applied for under the RMA as described in section 42(4)(b) of the Act c. wildlife approvals under the Wildlife Act 1953 as described in section 42(4)(h) of the Act.		
Minister invites comments	Comments from invited parties		
	<i>The following section provides a summary of the comments received from invited parties under section 17 of the Act. Full copies of the comments received from Māori groups are included in Attachment 8 of the section 18 report (Appendix 4). Full copies of all other comments received are attached in Appendix 5. Under section 17(7)(a) of the Act, you must consider any comments received within the timeframe under section 17(6). The comments from the Chief Executive of Transpower New Zealand Limited (Transpower) were received after the specified timeframe. You may consider these comments, at your discretion, under section 17(7)(b). All other comments were received within the specified timeframe for this application and must be considered.</i> Local authorities <i>Matamata-Piako District Council (MPDC)</i> MPDC does not identify any competing applications, ineligible activities, or inconsistencies with relevant Treaty settlements, and notes that the existing Tauhei Solar Farm was approved through a similar fast-track process. MPDC considers the conventional consenting pathway would provide greater opportunities for public participation and local decision-making, particularly given local residents experienced construction-related effects, including dust and traffic, during development of the existing solar farm. However, MPDC acknowledges the efficiencies of using the fast-track process. MPDC considers it is unlikely the project would result in significant adverse environmental effects if appropriately managed, but emphasises the importance of robust consent conditions and monitoring, particularly in relation to traffic, dust, road maintenance, landscape, noise, and potential glint and glare effects. MPDC also notes that, while the applicant did not fully adhere to the approved Construction Traffic Management Plan for the existing solar farm, no formal enforcement action was required and the applicant responded promptly to concerns raised by the Council. <i>Waikato Regional Council (WRC)</i> WRC does not identify any competing applications, ineligible activities, or reasons to decline the referral application. WRC notes that the project is located on highly productive land and considers that any substantive application should address the requirements of the National Policy Statement for Highly Productive Land, including demonstrating any functional or operational need for the development to be located on that land. WRC also identifies a range of matters requiring further assessment, including ecological effects on wetlands, birds, bats and lizards, impacts on the regional drainage network, flooding, and acid sulphate soils. WRC requests that any substantive application include detailed ecological assessments, management plans, flood modelling, and assessments of drainage and land use effects, together with confirmation of the resource consents required for the project.		

	Ministers <i>Minister for the Environment</i> The Minister advised that no comments would be provided on the referral application. <i>Minister for Māori Crown Relations: Te Arawhiti & Minister for Māori Development</i> The Ministers support the application progressing and encourage the applicant and expert panel to have due regard to relevant Treaty settlement legislation and instruments, and to consider any feedback received from relevant Māori groups, as set out in the section 18 report. <i>Minister of Climate Change</i> The Minister supports the project, noting its contribution to renewable electricity generation, greenhouse gas emissions reduction, and sustainable development. <i>Minister for Regional Development</i> The Minister considers the project would provide meaningful but temporary local economic benefits during construction, including an estimated 78 to 94 full-time equivalent jobs and a \$21 million contribution to the district economy, equivalent to approximately 0.7 per cent of Matamata-Piako district GDP. The Minister notes that the benefits would be limited at a regional scale and minor once operational. The Minister considers the project's regional and national significance relates primarily to its potential contribution to electricity supply, system resilience, and electricity affordability. The Minister notes that impacts on the energy system and primary production are matters for the Ministers for Energy and Primary Industries respectively. <i>Minister for Economic Growth</i> The Minister considers the project is likely to deliver significant regional and national economic benefits under section 22(2)(a)(iv) of the Act. The Minister notes that the project is estimated to involve \$70 million in capital expenditure, contribute approximately \$21 million to the Waikato regional economy during the 15 to 18-month construction period, and support 117 FTE-years of employment. The Minister also notes that the project would generate approximately 108.4 GWh of renewable electricity annually through use of existing grid infrastructure, with national benefits arising from increased renewable electricity generation and efficient use of existing infrastructure. The Minister notes these benefits would outweigh the estimated economic opportunity cost associated with forgone dairy production. Māori Groups <i>Te Whakakitenga o Waikato (representing Waikato-Tainui)</i> Waikato-Tainui does not oppose the project progressing to the substantive stage but notes that this should not be interpreted as support for the proposal or its effects. Waikato-Tainui considers the scale and strategic nature of the project may warrant progression to the substantive stage, subject to consideration of relevant sector advice and broader growth and infrastructure strategies. Waikato-Tainui acknowledges the applicant's engagement with mana whenua to date and recommends that engagement continues should the project proceed. Waikato-Tainui also notes the applicant's assessment of the project against Tai Tumu, Tai Pari, Tai Ao (Waikato-Tainui Environmental Plan) and considers a more detailed assessment should be undertaken during the substantive phase, including how the objectives and policies of the plan have informed the project. Administering agencies <i>Department of Conservation (DOC)</i> DOC does not identify any reason why the project should not be referred. DOC considers the information provided is adequate to inform a referral decision and has not identified any ineligible activities, grounds for declining the application, issues with the applicant's compliance history, or competing conservation approvals. DOC notes that the project may require approval under the Wildlife Act 1953 for the salvage and relocation of lizards and considers that any environmental effects could be appropriately managed through conditions and ecological management measures. DOC also notes that Treaty settlement obligations may be relevant to the project area. Any other persons or groups <i>Transpower</i> <i>Note: the comments from Transpower were received after the specified time frame. We recommend you consider these comments, at your discretion, under section 17(7)(b).</i> Transpower supports the project and notes that the proposed works associated with this stage of the development will be located a reasonable distance from existing National Grid transmission lines, with no works proposed in close proximity to the National Grid. Transpower advises that it is available to provide guidance and technical assistance should future works be proposed closer to National Grid infrastructure.
The Minister must decline an application if the Minister is satisfied that the project involves an ineligible activity [section 21(3)(b)]	We consider you can be satisfied that the project does not involve an ineligible activity because it: – would not occur on identified Māori land, Māori customary land or a Māori reservation as confirmed by the relevant records of title – would not occur in a customary marine title area or protected customary rights area – is not an aquaculture activity or activity that is incompatible with aquaculture activities – would not require an access arrangement which cannot be granted under the Crown Minerals Act (including s61(1A)) – would not be prevented by section 165J, M, Q, ZC or ZDB of the RMA – would not occur on Schedule 4 land, a national reserve, or any other reserve held under the Reserves Act 1977 as confirmed by the relevant records of title – is not a prohibited activity or decommissioning activity under the EEZA, 15B or 15C of the RMA

	– is not for the purpose of an offshore renewable energy project. No comments raised by parties invited to comment have indicated that the project would involve an ineligible activity.
The Minister must decline an application if the Minister considers they do not have adequate information to inform the decision [section 21(3)(c)]	We consider you have adequate information to inform your decision on the referral application.
Relevant considerations and procedural requirements in Treaty settlement, Mana Whakahono ā Rohe, joint management agreement, or the Marine and Coastal Area (Takutai Moana) Act 2011 or the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 [section 16]	Consistent with the section 18 report prepared for the project, we have not identified any relevant matters under section 16 of the Act.
Section 22 assessment criteria	
The project is an infrastructure or development project that would have significant regional or national benefits [section 22(1)(a)]	<i>The Minister <u>must</u> consider a relevant Government policy statement (GPS) [s22(1A)]</i> The only current GPS is the GPS on Grocery Competition. This is not relevant to your decisions for a solar farm project. You <u>may</u> consider any of the following matters, or any other matters the Minister considers relevant. The applicant considers the project is an infrastructure project that would have significant regional and national benefits. <i>Will deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure [s22(2)(a)(ii)]</i> The applicant considers the project will deliver new regionally and nationally significant infrastructure by providing an additional 50 MW AC of renewable electricity generation connected to the national grid via the Tauhei Solar Farm and Waihou substation. The applicant considers the project meets the Waikato Regional Policy Statement definition of regionally significant infrastructure and would generate sufficient electricity to power approximately 15,500 households or approximately 69,700 electric vehicles annually. The applicant states the project will integrate with existing infrastructure at the Tauhei Solar Farm and considers it will contribute to the resilience and reliability of New Zealand's electricity supply by increasing renewable generation capacity, supporting diversification of the electricity mix, and reducing reliance on fossil fuels and hydroelectric generation during periods of low rainfall. The Minister for Regional Development considers the project's regional and national significance relates primarily to its contribution to electricity supply, system resilience, and affordability. The Minister for Economic Growth considers the project is likely to deliver significant regional and national benefits through increased renewable electricity generation and associated investment and employment benefits. The Minister of Climate Change supports the project, noting its contribution to renewable electricity generation and emissions reduction. Transpower supports the project and notes that the proposed works are not located in close proximity to National Grid infrastructure. While the project is not itself transmission infrastructure, it would deliver additional renewable electricity generation connected to the national grid through existing electricity infrastructure. We consider the scale of generation proposed, its integration with the existing Tauhei Solar Farm and Waihou substation, and its contribution to the resilience and reliability of New Zealand's electricity supply are relevant considerations under this criterion. On balance, we consider the project would deliver regionally and nationally significant infrastructure in the form of additional renewable electricity generation capacity. Accordingly, <u>we consider this criterion is met</u> and consider you could refer the project on this basis. <i>Will deliver significant economic benefits [s22(2)(a)(iv)]</i> The applicant considers the project would generate significant economic benefits during construction, supporting approximately \$21 million in gross domestic product (GDP), \$11 million in wages and salaries, and 117 full-time equivalent (FTE) years of employment over the estimated 15–18 month construction period. The applicant also states the project represents a substantial private-sector investment in renewable energy infrastructure and would support New Zealand's future electricity supply. The applicant considers the project would provide ongoing economic benefits by increasing low-marginal-cost electricity generation, which may improve competition in the wholesale electricity market and moderate electricity price growth over time. The applicant states the economic benefits of the project outweigh the forgone economic output associated with the site's current dairy farming use, with continued agrivoltaic grazing potentially reducing this impact. As noted above, the Minister for Economic Growth considers the project is likely to deliver significant regional and national economic benefits through investment, employment, and increased renewable electricity generation. The Minister for Regional Development similarly considers the project would provide meaningful local economic benefits during construction and notes its significance relates primarily to its contribution to electricity supply, resilience, and affordability.

Based on the applicant's assessment and the comments received from the Minister for Economic Growth and Minister for Regional Development, **we consider the project meets this criterion**, as it is likely to deliver significant economic benefits through investment, employment, increased economic activity during construction, and additional renewable electricity generation capacity. Accordingly, we consider you could refer the project on this basis.

Will support primary industries, including aquaculture [s22(2)(a)(v)]

The applicant states the project will be designed to integrate and allow for the ongoing grazing of stock (sheep) on the land below the solar panels. WRC notes that some primary production activity is proposed as part of the development and supports this approach. However, WRC also notes that much of the project area comprises highly productive land and considers further assessment will be required regarding the use of that land for the proposed activity.

While the project may enable ongoing sheep grazing through an agrivoltaic land use model, we consider this is ancillary to the project's primary purpose of generating renewable electricity. On balance, we do not consider the information provided demonstrates that the project will support primary industries to a degree that would result in significant regional or national benefits. Accordingly, **we consider this criterion is not met**. We note the applicant retains the ability to provide further analysis on this matter with a substantive application to assist the expert panel in assessing the extent of the project's benefits.

Will support development of natural resources, including minerals and petroleum [s22(2)(a)(vi)]

The applicant identifies the project will utilise irradiance (sunlight), being a natural resource, to generate electricity.

While the project would utilise a naturally occurring resource to generate renewable electricity, we do not consider this amounts to the development of natural resources in the manner contemplated by this criterion. Rather, we consider the project's benefits are more appropriately recognised under other criterion relating to regionally or nationally significant infrastructure, renewable electricity generation, economic benefits, and climate change. Accordingly, **we consider this criterion is not met**.

Will support climate change mitigation, including the reduction or removal of greenhouse gas emissions [s22(2)(a)(vii)]

The Economic Assessment (Attachment 4) estimates the net greenhouse gas emissions displaced by the project. The applicant states that gas-fired generation is the generation source most likely to be displaced and considers the project will avoid approximately 53,000 tonnes of CO₂-equivalent emissions annually compared with gas-fired generation, equivalent to approximately 2.4% of New Zealand's annual electricity generation emissions from gas, and supporting New Zealand's statutory climate objectives and the Emissions Reduction Plan 2026–2030.

As noted above, the Minister of Climate Change supports the project, noting its contribution to renewable electricity generation, emissions reduction, and sustainable development.

Based on the applicant's assessment and the comments received from the Minister of Climate Change, **we consider the project meets this criterion**, as it would increase renewable electricity generation and is likely to contribute to the reduction of greenhouse gas emissions by displacing higher-emitting electricity generation sources. Accordingly, we consider you could refer the project on this basis.

Will support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards [s22(2)(a)(viii)]

The applicant considers the project will support climate change adaptation by increasing the diversity and resilience of New Zealand's electricity generation mix, including by complementing hydroelectric generation during periods of low rainfall and contributing to grid reliability. The applicant states the project has been designed to be resilient to natural hazards, with solar panels and key infrastructure proposed to be elevated approximately 300mm above the 100-year flood level and geotechnical inputs informing the design and construction to address risks associated with natural hazards, including wind.

While the applicant considers the project will support climate change adaptation through increasing the diversity and resilience of New Zealand's electricity generation mix, we note that comments received from the Minister of Climate Change focused on the project's contribution to renewable electricity generation, emissions reduction, and sustainable development, rather than climate change adaptation. We consider the information provided at the referral stage does not provide a sufficient basis to conclude that the project will support climate change adaptation, reduce natural hazard risks, or support recovery from natural hazard events to a degree that would result in significant regional or national benefits. Accordingly, **we consider this criterion is not met**. We note the applicant retains the ability to provide further analysis on this matter with a substantive application to assist the expert panel in understanding the extent of the project's climate adaptation and natural hazard resilience benefits.

Will address significant environmental issues [s22(2)(a)(ix)]

The applicant considers the project will address significant environmental issues by increasing the supply and diversity of New Zealand's renewable electricity generation. The applicant states that additional renewable generation is needed to meet growing electricity demand, support the transition to a low-emissions economy, improve the resilience of the electricity system, and reduce reliance on fossil fuel generation. The applicant states the project will contribute approximately 50 MW of renewable electricity generation to New Zealand's electricity mix and considers this will support energy security, increase resilience to climate-related risks affecting electricity supply, and reduce greenhouse gas emissions by displacing fossil fuel generation.

While the project may contribute to addressing broader environmental challenges associated with greenhouse gas emissions and the transition to renewable energy, we consider these benefits are more appropriately considered under the criteria relating to renewable electricity generation and climate change mitigation. We do not consider the information provided at the referral stage demonstrates that the project will directly address a significant environmental issue to a degree that would result in significant regional or national benefits. Accordingly, **we consider this criterion is not met**. We note the applicant retains the ability to provide further analysis on this matter with a substantive application should they wish to further demonstrate how the project addresses significant environmental issues.

Is consistent with local or regional planning documents, including spatial strategies [s22(2)(a)(x)]

The applicant considers the project is consistent with the Waikato Regional Policy Statement and Waikato Regional Plan, noting it would deliver regionally significant renewable electricity infrastructure, contribute to reducing reliance on fossil fuels, support climate change resilience and adaptation, and increase renewable electricity generation capacity. The applicant further considers the project is consistent with the Matamata-Piako District Plan because it would provide regionally significant infrastructure while managing effects on natural character, landscape, biodiversity, water resources, transport networks, and natural hazards. The applicant

	states the project is appropriate within the rural environment, would not compromise soil productivity, and has been designed to support the safe and efficient operation of infrastructure and transport networks. The applicant further states the project is consistent with the Future Proof Strategy as it is not located within identified urban growth areas and would contribute to reducing greenhouse gas emissions. WRC notes that the project is located on highly productive land and considers that any substantive application should demonstrate a functional or operational need for the project to be located on that land, together with further assessment of ecological, freshwater, drainage, and natural hazard matters. MPDC notes that renewable energy development is generally anticipated within the Rural Zone but considers further assessment is required in relation to rural character, landscape, transport, and amenity effects. Waikato-Tainui considers a more detailed assessment against Tai Tumu, Tai Pari, Tai Ao should be undertaken if the project proceeds. While the applicant considers the project is consistent with the relevant planning framework, invited parties have identified a number of matters that they consider require further assessment at the substantive stage. We consider that the extent of the project's consistency with local and regional planning documents is more appropriately assessed by an expert panel following detailed consideration of the proposal and its effects. Accordingly, we do not consider there is a sufficient basis at the referral stage to conclude that this criterion is met, and therefore consider this criterion is not met. We note the applicant retains the ability to provide further analysis on this matter with a substantive application to assist the expert panel in assessing the extent of the project's benefits and consistency with the relevant planning framework. <u>Conclusion</u> Based on the assessment above, we consider the project is an infrastructure project that would have significant regional and national benefits in line with the criteria for accepting a referral application under section 22(1)(a) of the Act. Specifically, we consider the project meets the criteria in sections 22(2)(a)(ii), 22(2)(a)(iv), and 22(2)(a)(vii) relating to the delivery of new regionally or nationally significant infrastructure, significant economic benefits, and climate change mitigation. If you agree with this recommendation and are satisfied that the whole project meets the criteria in section 22, you may accept the referral application and refer the whole project to the fast-track approvals process in accordance with section 26 of the Act.
Referring the project to the fast-track approvals process [section 22(1)(b)]	<i>Would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes [s22(1)(b)(i)]</i> The applicant considers the project meets this criterion. The applicant states that the scale of the project and the relative novelty of large-scale solar developments in New Zealand could result in extended consenting timeframes under standard RMA processes, including through notification, hearings, appeals, and further delays arising from limited experience with large-scale solar projects. The applicant estimates a traditional consenting process could take around 200 days, excluding any delays associated with further information requests, and notes this timeframe could at least double if appeals occur. The applicant further considers the fast-track approvals process would provide a more timely and cost-effective pathway by excluding public notification, limiting appeal rights, and streamlining decision-making, reducing approval timeframes and the costs associated with consenting and construction delays. MPDC notes that the conventional consenting pathway would provide greater opportunities for public participation and local decision-making, but acknowledges the efficiencies associated with using the fast-track approvals process. No other invited parties identified any matter that would suggest the project is unsuitable for consideration through the fast-track approvals process. Overall, we generally agree with the applicant's assessment that referring the project to the fast-track approvals process would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes. Accordingly, we consider the project meets this criterion. <i>Is unlikely to materially affect the efficient operation of the fast-track approvals process [s22(1)(b)(ii)]</i> The applicant considers the project meets this criterion, as it will be prepared by suitably qualified and experienced experts and as the applicant has experience preparing applications that address relevant environmental, cultural, and operational matters. The applicant states the project is a relatively straightforward increase in renewable generation capacity, as it extends an existing solar farm and key supporting infrastructure is already in place. While the project will require consideration of a range of technical matters, including highly productive land, ecology, flooding, drainage, and natural hazards, we have not identified any matter that would suggest referral of the project would materially affect the efficient operation of the fast-track approvals process. We also note that the project is an extension of an existing consented solar farm and does not raise any novel issues that would appear difficult for an expert panel to consider through the substantive process. Overall, we generally agree with the applicant's assessment and consider that referring the project is unlikely to materially affect the efficient operation of the fast-track approvals process. Accordingly, we consider the project meets this criterion.
Reasons to decline	
Minister <u>must</u> decline [section 21(3)]	<i>The Minister <u>must</u> decline a referral application if:</i> <i>The application may not be accepted under subsection 1 (meets referral criteria)</i> As detailed above, we consider that the project is an infrastructure project that meets the criteria for accepting a referral application under section 22(1) of the Act. If you agree, there is no reason to decline the application under this subsection. <i>The Minister is satisfied the project involves an ineligible activity</i> As detailed above, we consider you can be satisfied that the project does not involve an ineligible activity. If you agree, there is no reason to decline the application under this subsection. <i>The Minister considers that they do not have adequate information to inform the decision under this section</i> As detailed above, we consider you have adequate information to inform your decision on the referral application. If you agree, there is no reason to decline the application under this subsection. To conclude, we have not identified any reason that you must decline the application under section 21(3).

Minister may decline [section 21(4) and 21(5)(a-h)]

The Minister may decline a referral application for any other reason, whether or not it meets the criteria in section 22.

Reasons to decline a referral application under subsection 4 include, without limitation:

The project would be inconsistent with a Treaty settlement, Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, Marine and Coastal Area (Takutai Moana) Act 2011, a Mana Whakahono ā Rohe, or a joint management agreement

DOC has not identified any inconsistency with any relevant Treaty settlement, statutory acknowledgement, or conservation-related obligation. WRC and MPDC similarly do not identify any inconsistency with a Treaty settlement, Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, the Marine and Coastal Area (Takutai Moana) Act 2011, a Mana Whakahono ā Rohe, or a joint management agreement. The section 18 report also does not identify any inconsistency with a Treaty settlement or related instrument. Accordingly, we have not identified any reason to decline the application on this basis.

It would be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts

No comments received from invited parties or the section 18 report identify any reason why the project would be more appropriately dealt with under another Act or Acts. While MPDC notes that the conventional consenting pathway would provide greater opportunities for public participation and local decision-making, it acknowledges the efficiencies of the fast-track approvals process. Accordingly, we do not consider you should decline the referral application for this reason.

The project may have significant adverse effects on the environment

Comments received from invited parties identify a range of environmental matters that would require further assessment through any substantive application. These include potential effects on highly productive land, wetlands, indigenous biodiversity, birds, bats, lizards, flooding, drainage networks, acid sulphate soils, rural character, landscape values, traffic, dust, noise, and glint and glare effects. WRC, MPDC, DOC, and Waikato-Tainui all identify matters that would benefit from further assessment and consideration through the substantive application process.

However, none of the invited parties consider these matters provide a basis to decline the referral application. DOC does not identify any reason the project should not be referred and considers environmental effects can be appropriately managed through conditions and ecological management measures. MPDC similarly considers it is unlikely the project would result in significant adverse environmental effects if appropriately managed and notes that robust consent conditions and monitoring will be important.

We consider the applicant has provided sufficient information to enable a decision on the referral application. The matters raised by invited parties relate primarily to the scope of assessment required at the substantive application stage, rather than matters that prevent a decision being made on the referral application. We consider an expert panel is best placed to assess the significance of any adverse effects with the benefit of a substantive application, detailed technical assessments, further comments from relevant parties, and the ability to impose conditions or decline the application if appropriate. Accordingly, we do not consider you should decline the project on this basis.

The applicant(s) has a poor compliance history under a specified Act that relates to any of the proposed approvals

The applicant has not identified any compliance or enforcement actions taken against it under a specified Act relevant to the proposed approvals. While MPDC notes that the applicant did not fully adhere to the approved Construction Traffic Management Plan during construction of the existing Tauhei Solar Farm, no formal enforcement action was required and MPDC advises the applicant responded promptly when concerns were raised. DOC has not identified any issues with the applicant's compliance history. Accordingly, we do not consider the applicant has a poor compliance history under a specified Act that would justify declining the application.

The project area includes land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes

No invited parties, the section 18 report, or information provided by the applicant suggest that the project area includes land necessary for Treaty settlement purposes. We note that the project area does not include public land. Accordingly, we do not consider you should decline the project for this reason.

The project includes an activity that is a prohibited activity under the Resource Management Act 1991

The applicant states that the project does not include a prohibited activity under the RMA. WRC and MPDC do not identify any prohibited activities and do not consider the project involves an ineligible activity. Accordingly, we do not consider you should decline the project for this reason.

A substantive application for the project would have one or more competing applications.

WRC confirms it is not aware of any competing applications and MPDC similarly confirms there are no competing applications that would affect the project. We note that the applicant and the EPA will be required to reassess whether any competing applications exist at the substantive application stage. Based on the information currently available, we do not consider you should decline the project for this reason.

In relation to any proposed approval of the kind described in section 42(4)(a) (resource consents), there are one or more existing resource consents of the kind referred to in section 30(3)(a)

WRC confirms there are no existing resource consents to which section 124C(1)(c) of the RMA would apply if the approvals sought were applied for as resource consents under that Act. We note that section 165ZI of the RMA relates to aquaculture activities only. Accordingly, we do not consider you should decline the project for this reason.

Any other matter

We have not identified any other matters or reasons to consider declining the referral application.

	<i>Conclusion</i> We have not identified any matters that would warrant declining the referral application under sections 21(4) or 21(5) of the Act and, accordingly, <u>do not recommend</u> that you decline the application. We note, however, that section 21(4) provides you with discretion to decline a referral application for any other reason, regardless of whether the project meets the criteria in section 22.
Specified matters for an accepted referral application	
The Minister may specify any of the matters under section 27(3)	<i>The Minister <u>may</u> specify any or all of the following under section 27(3) in the notice of decisions letter for an accepted referral application.</i> <i>Restrictions that apply to the project (for example, on its geographical location, its duration, or the aspects of the project that may be carried out)</i> We have not identified any restrictions that we consider should apply to the project. <i>In relation to a substantive application for the project:</i> <i>A deadline for lodging the application, unless section 27(3)(c) applies</i> The applicant anticipates construction for the project is expected to commence in Quarter 4 of 2027. We consider the standard deadline for lodging the substantive application under section 28(3)(d)(ii) is suitable, which would be the date that is two years after the notice is given to the applicant. <i>Information that must be submitted with the application</i> WRC recommends that any substantive application include further information relating to highly productive land, ecology, wetlands, birds, bats, lizards, flooding, the regional drainage network, acid sulphate soils, and resource consent requirements. MPDC similarly identifies the need for further assessment of rural character, landscape, transport, dust, noise, and glint and glare effects. Waikato-Tainui considers a more detailed assessment should be undertaken against the relevant provisions of <i>Tai Tumu, Tai Pari, Tai Ao</i> (Waikato-Tainui Environmental Plan), including how the objectives and policies of that plan have informed the project. We consider the comments received from invited parties identify a range of matters that should be addressed through any substantive application. However, we consider the information requirements already prescribed by the Act, together with the expert panel's ability to request further information if required, are sufficient to support an effective assessment of the project. Following a decision on the referral application, the applicant will also have access to the comments received from invited parties and can have regard to those comments when determining the scope of information and technical assessments to include with any substantive application. Accordingly, we do not recommend specifying any additional information requirements under section 27(3)(b)(ii) of the Act. Notwithstanding this recommendation, you retain discretion to specify any further information that must be submitted with the substantive application if you consider it appropriate to do so. <i>The persons or groups from whom a panel must invite comments in addition to those specified in section 53</i> If you decide to accept the referral application, we recommend specifying in the notice of decision that Ngaati Whanaunga Incorporated Society and Transpower be invited to comment on the substantive application. Ngaati Whanaunga Incorporated Society has been identified as a Māori group with other relevant interests under section 18(2)(k) of the Act and may not otherwise be captured by the parties specified in section 53. Transpower has also identified an interest in the project due to its relationship with the National Grid and existing electricity infrastructure and may not otherwise be captured by section 53. We note you retain discretion to decide not to specify that either of these parties be invited by the panel to comment at the substantive application stage. You may also specify that any other persons or groups of your choosing be invited to comment. You do not need to specify the parties already captured under section 53, as those parties must be invited to comment on a substantive application by the expert panel. This includes relevant local authorities, relevant iwi authorities and Treaty settlement entities, relevant administering agencies, the Minister for the Environment and other relevant portfolio Ministers, and owners and occupiers within or adjacent to the land to which the substantive application relates. <i>Whether the substantive application would have any competing applications</i> Not applicable – As noted above, we have not identified any competing applications at this stage. We note the applicant and the EPA are required to reassess this matter at the substantive application stage. <i>Whether, in relation to any proposed approval of the kind described in section 42(4)(a) (resource consent), there are any existing resource consents of the kind referred to in section 30(3)(a)</i> Not applicable – As noted above, we have not identified any existing resource consents of the kind referred to in section 30(3)(a) at this stage. We note the applicant and the EPA are required to reassess this matter at the substantive application stage. <i>Conclusion</i> We recommend specifying under section 27(3)(b)(iii) that Ngaati Whanaunga Incorporated Society and Transpower be invited to comment on any substantive application. This is reflected in our recommendations above. We have not identified any other specified matters for the accepted referral application.

Appendix 1: Statutory framework summary

1. You are the sole decision maker for referral applications. If you accept a referral application, then the whole or part of the project will be referred to the fast-track approvals process.
2. If a Treaty settlement, the Marine and Coastal Area (Takutai Moana) Act 2011, the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, a Mana Whakahono ā Rohe or a joint management agreement provides for consideration of any document or procedural requirements, you must, where relevant:
 - a. give the document the same or equivalent effect through this process as it would have under any specified Act; and
 - b. comply with any applicable procedural requirements.
3. You must decline a referral application if:
 - a. you are satisfied the project does not meet the referral criteria in section 22
 - b. you are satisfied the project involves an ineligible activity (section 5)
 - c. you consider you do not have adequate information to inform your decision.
4. You may decline an application for any other reason, including those set out in section 21(5) and even if the application meets the section 22 referral criteria.
5. You can decline an application before or after inviting comments under section 17(1). However, if comments have been sought and provided within the required timeframe, you must consider them, along with the referral application, before deciding to decline the application.
6. If you do not decline a referral application at the initial stage you must copy the application to, and invite written comments from:
 - a. the relevant local authorities
 - b. the Minister for the Environment, the Minister for Māori Crown Relations: Te Arawhiti, and the Minister for Māori Development
 - c. any other relevant portfolio Ministers
 - d. the relevant administering agencies
 - e. the Māori groups identified by the responsible agency
 - f. the owners of Māori land in the project area (if applicable)
 - g. you may provide the application to and invite comments from any other person.
7. You can request further information from an applicant, any relevant local authority or any relevant administering agency at any time before you decide to decline or accept a referral application (see section 20 of the Act).
8. However, if further information has been sought and provided within the required timeframe you must consider it, along with the referral application, before deciding to decline the application.