

BEFORE AN EXPERT PANEL

UNDER THE Fast-Track Approvals Act 2024

IN THE MATTER An application for resource consents and a concession application in relation to The Point Solar Farm

BY FAR NORTH SOLAR FARM LIMITED

**STATEMENT OF EVIDENCE OF LAILA ALKAMIL
(PLANNING)**

Dated: 26 February 2026

INTRODUCTION

Qualifications and Experience

1. My name is Laila Alkamil. My evidence is given on behalf of Far North Solar Farm Limited (**FNSF**) in relation to the proposed The Point Solar Farm (**the Project**), in response to comments made under s53 of the Fast-track Approvals Act 2024 (**FTAA**).
2. The purpose of my evidence is to summarise my key responses on planning matters raised under s53 of the FTAA to assist the Panel.
3. Comments were received from the following parties (**the section 53 parties**):
 - (a) Ministers for Treaty of Waitangi Negotiations; Climate Change; Māori Development; RMA Reform; Infrastructure; the South Island; Hunting and Fishing; the Environment; Energy;
 - (b) Te Rūnanga o Ngāi Tahu;
 - (c) Te Rūnanga o Arowhenua;
 - (d) Te Rūnanga o Moeraki and Te Rūnanga o Waihao;
 - (e) Canterbury Regional Council (CRC);
 - (f) Mackenzie District Council (MDC);
 - (g) Department of Conservation (DOC);
 - (h) Royal Forest & Bird Protection Society (**F&B**);
 - (i) Environmental Defence Society (**EDS**);
 - (j) NZ Transport Agency;
 - (k) Transpower NZ Ltd; and
 - (l) Meridian Energy Ltd.
4. In preparing my evidence, I have read all comments and feedback received from section 53 parties and statutory stakeholders.
5. I have, for the purposes of efficiency, grouped feedback by theme in my evidence; recognising there is overlap in the matters raised by a number of section 53 parties and stakeholders.

Qualifications

6. I am a Senior Planner employed by Williamson Water & Land Advisory (**WWLA**), a firm founded in January 2015 specialising in water, rural and contaminated land related resource management.
7. I hold the qualifications of Bachelor of Urban Planning (First Class Honours) from the University of Auckland. I am a full member of the New Zealand Planning Institute and a member of the Resource Management Law Association. I have approximately 9 years' experience in natural resource and infrastructure planning and policy development, largely specialising in renewable energy, wastewater, water supply, electricity, and transport infrastructure projects throughout New Zealand.
8. I have been involved in the following projects that are related to solar farm consenting. These projects have given me an understanding of the planning issues relevant to renewable energy generation and development:
 - (a) Preparation of district and regional resource consent applications for FNSF for the following projects:
 - (i) Greytown Solar Farm;
 - (ii) Waipara Solar Farm;
 - (iii) Taranaki Solar Farm;
 - (iv) Pukenui Solar Farm; and
 - (v) Marton Solar Farm;
 - (b) Preparation of notices of requirement and regional consent applications for Transpower New Zealand Ltd (**Transpower**), associated with the development and maintenance of their National Grid assets.
9. I have been involved in this Project since January 2023.

CODE OF CONDUCT

10. While I am providing this evidence in an FTAA application process, I wish to confirm to the Panel that I have read the Environment Court Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023 and agree to comply with it. I confirm that the opinions expressed in my evidence are within my area of expertise except where I state that I have relied on the evidence of other persons. I have not omitted to consider materials or facts known to me that might alter or detract from the opinions I have expressed.

SCOPE OF EVIDENCE

11. In my evidence, I address:
- (a) Proportionality under the FTAA (benefits vs adverse effects);
 - (b) The relevant policy framework applicable to the Project;
 - (c) Further consents identified and scope of the application; and
 - (d) Proposed conditions.

PROPORTIONALITY UNDER THE FTAA (BENEFITS VS ADVERSE EFFECTS)

12. Comments made by F & B and EDS assert that adverse effects of the Project are significant in relation to ecological and outstanding landscape values of the Site and outweigh any benefits.
13. F & B states in their submission¹:

The information contained in the Application is deficient in terms of surveys, monitoring and risk assessment, and is lacking in support for its broadly asserted economic and social benefits. Overall, the risk of significant adverse effects outweighs any significant regional or national benefits established in the Application.

¹ Para.128.

14. EDS submits that², despite the obvious need for the Panel to assess and quantify the regional and national benefits of the Project, the application does not include an economic assessment, and that the assertions of “significant national benefits” are unsupported.
15. I disagree with these comments made by F & B and EDS, noting the following:
 - (a) The February 2026 Wildlands Vegetation and Habitat Surveys (Contract Report 6621h-vi) provide the detailed, site-specific understanding of ecological and habitat values that EDS and F & B correctly note are important foundations for the conclusions reached in the landscape assessment. The survey results show very low ecological values inside the operational solar farm footprint (e.g. exotic pasture dominant, only resurrection lichen in 10 plots and onion orchid in two plots, no Threatened or At - Risk vascular plants present). This confirms that the modified terrace constituting the application site makes only a minimal contribution to the broader Outstanding Natural Landscape’s ecological character. Higher value Stonefield drylands, gullies, and river margins are located on the periphery and are either avoided entirely or included within the 81 ha Ecological Enhancement Zone.
 - (b) The information provided by the recent Wildlands surveys closes the information gap highlighted by EDS and F & B regarding potential for significant ecological adverse effects.
 - (c) Whilst it is acknowledged that some level of uncertainty is unavoidable, given the broader Outstanding Natural Landscape’s ecological character and the relatively recent advent of large-scale solar farm development in New Zealand, this level of uncertainty is not unusual and is commonly found in ecological effects assessments. The proposed conditions aim to provide for

² Para 32.

an adaptive management approach and are being drafted in consultation with both DOC and mana whenua.

- (d) In terms of economic and social benefits, the Substantive Application details the benefits of the Project. As stated in the Substantive Application, it is undeniable that the Project will provide a significant contribution towards renewable energy and improve the resilience of New Zealand's electricity network. In addition to this, the Applicant's revised ecological enhancement package, including a contribution of \$1,000,000 upfront to support an Avifauna Compensation Strategy with DoC as well as predator control programmes that benefit braided-river birds, is a quantifiable benefit that will provide significant ecological benefit alone.
- (e) Whilst further specific information may assist the Panel, the wider economic and social benefits can be derived from those Project aspects for the purposes of determining the application under Section 85(c) of the FTAA without detailed economic assessments.

16. In turning my mind to the mechanisms for how the proportionality test applies under the FTAA, I note s85(3) states the following:

Approval may be declined if adverse impacts out of proportion to regional or national benefits

(3) A panel may decline an approval if, in complying with section 81(2), the panel forms the view that—

(a) there are 1 or more adverse impacts in relation to the approval sought; and

(b) those adverse impacts are sufficiently significant to be out of proportion to the project's regional or national benefits that the panel has considered under section 81(4), even after taking into account—

(i) any conditions that the panel may set in relation to those adverse impacts; and

(ii) any conditions or modifications that the applicant may agree to or propose to avoid, remedy, mitigate, offset, or compensate for those adverse impacts.

17. The key aspect of s85(3) in the context of FNSF's application is whether the Panel considers there to be sufficiently significant adverse impacts from the Project remaining, even after taking into account all mitigation

and compensation measures, put forward by FNSF, that it considers exercising its discretion to decline the approvals sought by FNSF.

18. Given the Applicant's proposed compensation measures and the findings of the recent Wildlands survey, I am of the view there is sufficient information to conclude that any residual adverse effects are not out of proportion to the significant regional and national benefits of the Project's renewable electricity generation, as per the purpose of the FTAA.

RELEVANT POLICY FRAMEWORK

Decision Making Framework under the FTAA for Resource Consent Approvals

19. Under the FTAA, the Panel's decision-making framework for resource consent approvals is prescribed primarily in Schedule 5, Clause 17, which sets out the matters the Panel must consider when determining whether to approve a fast-track project and conditions to impose.
20. Under Schedule 5, Clause 17, a panel must "take into account":
- (a) The purpose of the FTAA³ being to "*facilitate the delivery of infrastructure and development projects with significant regional or national benefits*";
 - (b) The following decision-making provisions of the Resource Management Act 1991 (**RMA**):
 - (i) Sections 5,6 and 7;
 - (ii) Part 3, including section 17 duties to avoid, remedy or mitigate adverse effects;
 - (iii) Part 6, including section 104 (but not section 104D), which includes actual and potential effects on the environment, conditions that offset or compensate for any adverse effect on the environment and relevant provisions of national environment standards, national policy

³ Section 3 of the FTAA.

statements, regional policy statements and regional and district plans.

21. Considering these provisions, I agree with the EDS's comments that the purpose of the FTAA does not trump the relevant decision-making provisions under the RMA.
22. However, clause 17(1) expressly states that the purpose of the FTAA must be given the greatest weight by the Panel in its decision-making, hence the relevant decision-making provisions of the RMA must be given less weight. The use of the phrase "*take into account*" indicates that the listed statutory provisions must be properly considered and given appropriate weight (according to the hierarchy recorded in clause 17(1)), but they are not determinative of the outcome.
23. In practical terms, this means that inconsistency with particular plan or policy statement policies or objectives does not, in itself, preclude the grant of approval under the FTAA. Rather, the Panel must consider the degree of conflict, the significance of the values affected, the effectiveness of proposed mitigation, offsetting and compensation, and the extent to which the Project contributes to the purpose of the FTAA.

National Policy Statement for Renewable Energy Generation

24. Several section 53 parties noted changes in the planning framework that have been made since the Substantive Application was lodged. Notably, these changes include amendments to national direction instruments, including the National Policy Statement for Renewable Electricity Generation (**NPS-REG**), which sit at the top of the planning hierarchy as well as the resolution of appeals throughs Stage 3 and 4 of the review of the Mackenzie District Plan (**MDP**).
25. An assessment against the relevant updated National Policy Statements was provided to the Panel in November 2025. No changes to that assessment are proposed, however further consideration of the Project against the subsequent December 2025 amendments to the NPS-REG is provided below.

26. F & B notes that under the amended NPS-REG, it is entirely possible to “recognise and provide for the importance of” enabling renewable electricity generation (**REG**) activities broadly, while concluding that a specific proposal would not be appropriate for a specific place or time. I agree with this view that the NPS-REG does not mean all applications for REG activities must be approved.
27. Policy F of the NPS-REG sets forward a strong directive to enable all REG activities in “*all locations and environments*”; this however is qualified by the requirements under Policy F(2) which require the policy to be read in conjunction with other relevant national direction, regional policy statements and regional and district plans where section 6 RMA matters of national importance are affected. The proposed Point Solar Farm is in an Outstanding Natural Landscape and therefore this means the NPS-REG must be read alongside the Canterbury Regional Policy Statement (**CRPS**) and MDP.
28. I address relevant matters regarding the MDP below, noting the resolution of the Stage 3 Plan Review that has occurred subsequent to the lodgement of the Substantive Application.
29. A detailed assessment of CRPS provisions was provided in the Substantive Application and I am not aware of any changes to the CRPS since the Substantive Application was lodged. On that basis, I remain of the view that the Project is generally consistent with the relevant provisions of the CRPS and I note CRC in their section 53 comments reached a similar conclusion⁴.
30. Policy F(4) of the NPS-REG also directs that decision-makers must have particular regard to the use of adaptive management measures. Noting these requirements, I consider that the Project meets Policy F(4) taking into account the comprehensive compensation package proposed by FNSF and the adaptive management measures that are being

⁴ Para.2

incorporated currently into the consent conditions. The site-specific February 2026 Wildland surveys and revised final draft management plans show that effects on section 6 values are minor and localised inside the panel footprint, higher-value areas are avoided or enhanced, and any residual risk is appropriately compensated. When these measures are considered alongside the strong enabling direction in Policies B and F of the NPS-REG, it is my opinion that the Project qualifies as regionally and nationally significant infrastructure that both the NPS-REG and the FTAA are designed to facilitate and enable.

31. The amended NPS-REG now records a strong focus on enabling REG activities and supports the granting of approvals sought for this Project. I consider the Project to be consistent with this national policy direction.

MACKENZIE DISTRICT PLAN

32. As set out in MDC's section 53 comments⁵, the recent resolution of appeals relating to Stage 3 of the MDP review and the narrow scope of the appeals lodged in relation to the provisions in Stage 4 of the MDP review, mean the MDP provisions introduced through the plan review process are now either operative, or must be treated as such pursuant to s86F of the RMA.
33. MDC provides a summary of the Project against the most recent MDP provisions, including REG-P6 which, as noted by several section 53 parties, is of particular relevance to the FNSF application.
34. Policy REG-P6 states:

Provide for renewable electricity generation activities (not otherwise specified in REG-P3 and REG-P4) within areas of significant indigenous vegetation and significant habitats of indigenous fauna, Outstanding Natural Landscapes, Outstanding Natural Features, Sites and Areas of Significance to Māori, riparian areas, or within area of Highly Productive Land, where:

1. *there is a functional need or operational need for the activity to be in that location;*

⁵ Para. 27.

2. *adverse effects on the values of the area are avoided as far as practicable, including through site, route or method selection, design measures and other management methods;*
3. *adverse effects on the values of the area that cannot be avoided are remedied or mitigated, where practicable;*
4. *other adverse effects (that do not affect the values of the area) are avoided, remedied or mitigated as far as practicable;*
5. *regard is had to any proposed offsetting measures or environmental compensation (including considering Policy 4 in Section 19 and Appendix Z), where there are significant residual adverse effects that cannot be avoided, remedied or mitigated; and*
6. *particular regard is had to the practical constraints associated with renewable electricity generation activities, including the:*
 - a. *location and efficient use of existing electricity generation, transmission and distribution infrastructure; and*
 - b. *the need to locate the renewable electricity generation activity where the renewable energy resource is located.*
7. *following application of 1-6 above, consideration is given to whether the benefits of the activity outweigh any significant residual adverse effects on the values of the area.*

The direction in REG-P6 does not apply in relation to managing adverse effects on the outstanding natural landscape and features of Te Manahuna/the Mackenzie Basin where REG-2 applies.

35. The Substantive Application assessed that there is both a functional and operational need to locate the proposed solar farm in its specific location. I remain of the view that the Project meets REG-P6(1) – i.e. that there is both a functional and operational need to locate the proposed solar farm on that site given its proximity to appropriate National Grid infrastructure, high solar irradiance, size and topography.
36. REG-P6 does not prohibit adverse effects, it clearly anticipates some level of adverse effect on the “*values of the site*”. However, there is no threshold provided for what is considered overall to be acceptable, noting this policy is not concerned with ecological effects specifically, but rather any ‘significant residual’ effects.
37. F & B asserts in their section 53 comments⁶ that any offsetting and compensation measures relating to ecology values, such as the proposed financial contributions to DOC, should be prepared in a manner consistent with Policy 4 of Section 19 (biodiversity offsets) and Appendix Z (biodiversity compensation) of the MDP.

⁶ Para 92.

38. I do not consider that it is required that offsetting or compensation measures considered under NPS-P6 *must* be prepared to those MDP criteria – rather, REG-P6 requires decision-makers to “*consider*” those criteria. This is an important distinction, as F & B appear to suggest that offsetting or compensation that is not prepared strictly in accordance with those criteria are not consistent with REG-P6.5.
39. I agree with MDC’s comments that REG-P6(7) sets a higher bar than the FTAA in terms of effects management, however it is similar to the proportionality test under Section 85(3) of the FTAA in which the Project’s benefits must be weighed alongside any adverse impacts. I therefore refer to my earlier comments.

FURTHER CONSENTS IDENTIFIED AND SCOPE OF APPLICATION

Infrastructure Provisions

40. I consider the Infrastructure provisions of the MDP to be applicable to those parts of the Project defined as electricity network assets – being Transpower’s GIP substation and any ancillary works. On that basis, I agree with MDC (paragraph 117 of their section 53 comments) that, in taking a cautious approach, resource consent under INF-R11 – ‘Any Infrastructure not Otherwise Listed’ should be applied for. This consent was not sought under the Substantive Application and therefore I consider it would need to be applied for separately under the RMA process.
41. I agree with MDC’s assessment of relevant objectives and policies under the Infrastructure provisions of the MDP.

Contamination

42. Both CRC and MDC question whether consents are sought under the provisions of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (**NES-CS**).

43. The Substantive Application does not include a Preliminary Site Investigation (**PSI**), however a requirement to provide one prior to works commencing on site is included as a condition of consent. It is expected that if a PSI identifies a HAIL⁷ activity on site, contamination would be localised and would likely be able to be managed as a permitted activity under the NES-CS. In the event that permitted activity status did not apply and a consent was required under the NES-CS or regional plan discharge standards, this would be progressed separately under the RMA and not under this FTAA process given the specific and discrete scope of a consent to authorise management of any subsequently identified contamination.
44. Notwithstanding that however, the consent conditions proposed still require a Detailed Site Investigation (**DSI**), a Remedial Action Plan (**RAP**) and monitoring of soils for heavy metals every 5 years. These consent conditions are offered by FNSF adopting a precautionary approach and would be additional to any requirements under a NES-CS and / or regional discharge consent, should that be required.

Regional Consents

45. Several section 53 parties, including CRC, noted that given the Project anticipates sheep grazing around and below the solar arrays, this would require a farming land use (**FLU**) consent under the Waitaki sub-regional Plan under Rules 15.b.5.8-12 of the Land and Water Regional Plan (**LWRP**). As noted by CRC, the FLU consent would be held by the owner of the sheep to be grazed on site; FNSF itself is not required to apply for a FLU consent as part of its FTAA application as it is not the person grazing the sheep. I agree with this assessment.
46. As noted in response to the Panel's further questions on 23 February 2026, a construction-phase stormwater discharge permit for the solar farm is sought. I note CRC considers this consent to be within the scope of the Substantive Application because the relevant rule requiring consent is identified in the Application.

⁷ Hazardous Activities and Industries List.

47. CRC asserts that works along the access road through Bendrose Farm could not be considered within scope due to procedural requirements in relation to how the site is described and identified, which would require additional landowners to be invited to comment under section 53(2) of the FTAA. I agree with this view and consider the additional works associated with the access road not to be within scope of the Substantive Application. FNSF will progress these arrangements outside of the FTAA process.

CONSENT CONDITIONS

48. Several section 53 parties commented that further work on conditions were required, specifically in regard to including details on the ecological compensation methods currently being developed, including adaptive management approaches and clear and robust monitoring requirements.
49. CRC and MDC provided detailed comments on conditions which in general we are in agreement with, including from their technical specialists.
50. Te Rūnanga o Ngai Tahu and Te Rūnanga o Arowhenua suggested changes to the form and function of the Kaitiaki Governance Group and the establishment of a Cultural Monitoring programme. FNSF has agreed to incorporate these conditions.
51. We acknowledge all comments received on conditions from section 53 parties, and changes are being incorporated into the updated condition set to be provided to the Panel on 3 March 2026. The updated condition set will address relevant comments by including more specific ecological management, particularly in relation to avifauna and the proposed compensation package developed with DoC. We acknowledge that further refinement may be necessary, particularly as engagement with mana whenua is ongoing.

52. It may be of assistance to the Panel if expert conferencing occurs to resolve outstanding matters or issues of disagreement between experts once the updated condition set on 3 March 2026 is provided.
53. I note that there may be further opportunities to consider further refinement of conditions as provided for in section 70 of the FTAA.

Laila Alkamil

Dated 26 February 2026