



BEFORE THE FAST-TRACK EXPERT PANEL

IN THE MATTER of the Fast-Track Approvals Act 2025
(FTAA)

AND

IN THE MATTER of an application by Far North Solar
Farm Limited under section 42 of the
FTAA for the construction of The Point
Solar Farm in the Mackenzie Basin
ONL

APPLICATION NO. FTAA-2509-1100

**Planning Review Comments by Nick Boyes on behalf of
the Mackenzie District Council**

Dated: 19 February 2026

Introduction

- 1 Far North Solar Farm Limited (the Applicant) proposes to construct, operate, maintain and decommission a solar farm on approximately 670ha of land legally described as Section 3 SO 384036 within Te Manahuna/the Mackenzie Basin Outstanding Natural Landscape (ONL). The project involves the generation of approximately 450 megawatts-peak (MWp) capacity of renewable electricity. Further details of the proposal and site are set out in the substantive application and supporting documentation¹.
- 2 My name is Nicholas (Nick) Brian Boyes and I have been engaged by the Mckenzie District Council (MDC) to review and comment on the planning

¹ <https://www.fasttrack.govt.nz/projects/the-point-solar-farm/substantive-application>.

aspects of the above Fast-Track application. I am an independent planning consultant, having been self-employed for four years (Core Planning and Property Ltd). I hold a Bachelor of Science (majoring in Plant and Microbial Science and Geography) from the University of Canterbury (1997) and a Master of Science (Resource Management) (Hons) from Lincoln University (1999).

- 3 I have 26 years' planning experience, which includes working in both local government and the private sector. My experience includes district plan development and preparing and processing resource consent applications and notices of requirement for territorial authorities and private clients. I am currently assisting the MDC with their District Plan Review and was the author of Plan Changes 23 (Natural Environment Values and the General Rural Zone Topics) and Plan Change 30 (Airport Special Purpose Zone and Glentanner Special Purpose Zone). I have recent experience in the processing and preparation of resource consent applications for solar farms, including within the Mackenzie and Waitaki Districts.
- 4 Although this is not an Environment Court Hearing, I have read the Code of Conduct for Expert Witnesses (contained in the Environment Court Practice Note 2023) and agree to comply with it. Except where I state I rely on the technical advice of another person, I confirm that the issues addressed in these comments are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.
- 5 I visited the site on 2 February 2024 as part of the processing of a previous resource consent for effectively the same project (MDC Ref RM230057²). This involved observing the proposed access route, walking and driving over the site of the proposed solar farm and its margins, and viewing the proposed site from the vicinity of the Ohau C Power Station.

Scope of Comments

- 6 These comments are provided in response to the invitation to comment issued by the Panel under section 53(2) of the FTAA on 21 January 2026 (Minute 2). They primarily address relevant matters relating to the MDC's statutory planning assessment of the substantive application for The Point Solar Farm made under the FTAA.

² This resource consent application was withdrawn by the Applicant on 12 February 2025 following inclusion of The Point Solar Farm in Schedule 2 of the FTAA.

- 7 I previously prepared planning comments (dated 2 February 2026) in relation to the Haldon Solar Project [FTAA-2508-1097]. The projects are similar in nature (being renewable electricity generation by way of solar) and the two sites are close to each other. On that basis there is some repetition in my comments regarding the statutory planning assessment of the two projects.
- 8 In preparing these comments the following documents have been reviewed:
- (i) The substantive application dated 25 August 2025 (including all attachments), which was accepted as complete pursuant to section 46 of the FTAA on 16 October 2025;
 - (ii) The further information provided by the Applicant on 9 February 2026 in response to the Request for Further Information (RFI) attached to Panel Minute 3 (dated 23 January 2026).
- 9 As set out in Minute 4, the Panel has extended the time for the Applicant to provide quantitative surveys relating to indigenous vegetation, invertebrates and lizards to 23 February 2026. In accordance with Minute 5, all comments relating to ecological matters (including any consequential updates made by the Applicant to the ecological effects assessment and management plans) will be provided by 27 February 2026. On that basis ecological matters are not commented in detail herein.
- 10 The 9 February 2026 RFI response includes a set of updated proposed conditions (dated 5 February 2026)³. These revised proposed conditions addressed (in part) the various matters set out at section 1.9 of the Panel's RFI (listed on page 4).
- 11 The MDC shares the Panel's concerns in relation to the structure of the proposed conditions, and in particular:
- (i) Which consents the proposed conditions apply too, so that it can be seen how the conditions relate to the specific consent/activity sought; and
 - (ii) As a result of the above, the uncertainty as to which relevant consent authority has jurisdiction to certify and monitor management plan conditions.

³ It is noted that an updated set of conditions was provided on 18 February 2026. This timing did not provide for any review or particular comment on those conditions for the purpose of this reporting.

- 12 The MDC considers that the conditions framework could be improved by having a separate set of proposed consent conditions listed for each particular consent sought. As proposed, there remains a level of duplication and potential confusion as to the jurisdiction of the relevant consent authority to certify, implement and monitor the various conditions (which are listed in a single set). Whilst a cross reference table and various headings are included therein to seek to address the above concerns, it is considered that separation would greatly assist and otherwise address many of the concerns already raised.
- 13 The MDC continues to work with the Applicant to compile a full suite of MDC land use and subdivision proposed consent conditions. It is anticipated that a revised document outlining agreed conditions will be provided to the Panel in due course. Consequently, MDC would welcome further opportunity to participate in the process of refinement of any conditions that Council may ultimately be required to administer should approval be granted.
- 14 The proposed conditions set dated 5 February 2026 have been reviewed as part of the MDC assessment (including the supporting peer review and Technical Advice); with comments and suggested changes or additions to these conditions being recommended where appropriate.
- 15 These planning comments have been prepared with guidance from Council staff and independent technical experts, which are referred to throughout, including:
 - (a) Landscape and Visual Amenity – Ben Espie (Vivian Espie Ltd): **Annexure 1**
 - (b) Transport – Nick Fuller (Novo Group Ltd): **Annexure 2**
 - (c) Terrestrial Ecology – Dr Jean Jack (Environment Canterbury): attached as Appendix 1 to Canterbury Regional Council comments
- 16 These comments are structured into the following sections:
 - (a) Statutory Requirements
 - (b) National and Regional Benefits
 - (c) Mackenzie District Plan Assessment
 - (d) Canterbury Regional Policy Statement Assessment
 - (e) Assessment of applicable National Policy Statements
 - (f) Summary of Key Findings

Statutory Requirements

- 17 The purpose of the FTAA *“is to facilitate the delivery of infrastructure and development projects with significant regional and national benefits”* Section 3, FTAA).
- 18 On review of the FTAA, these comments have focussed on the matters set out in section 85(3) therein, which sets out that the Panel *may* decline an approval where 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.*
- 19 Comments regarding the adverse effects, or impacts of the proposal, and their proportionality relative to regional or national benefits are set out as part of the Mackenzie District Plan assessment below.
- 20 The updated substantive application submitted by the Applicant includes an assessment of the environmental effects (AEE) of the project. That assessment is undertaken in accordance with the relevant requirements of Schedule 5 (clause 5(4), clause 6 and clause 7) of the FTAA.
- 21 Section 81(3)(a) of the FTAA sets out that the matters in Clauses 17 to 22 of Schedule 5 must be applied, including the ‘criteria and other matters for assessment of a consent application’. Notably Clause 17(1) sets out that greatest weight must be given to the purpose of the FTAA, over the provisions of Part 2 of the Resource Management Act 1991 (RMA).

National and Regional Benefits

- 22 As set out above, the national and regional benefits of the proposal are an important factor in assessing the proposal in terms of section 81(4) and the section 85 ‘proportionality’ assessment under the FTAA.
- 23 The AEE states that the construction and operation of The Point Solar Farm will generate a number of significant national and regional benefits, including a significant contribution to the economy and enhanced environmental outcomes through the generation of renewable electricity. These findings are not disputed. It is noted that these benefits are largely attributed to the temporary construction activity (local scale) and the on-going benefit of additional renewable electricity generation (national scale). In that regard they are not particularly site or project specific.

Mackenzie District Plan Assessment

- 24 The proposal is administered under the Mackenzie District Plan (District Plan), which is in the final stages of being reviewed.
- 25 Stages 1 and 2 (Plan Changes 20 and 21) of the District Plan Review were made operative on 28 April 2023. The Council's decisions on submissions on Stage 3 (Plan Changes 23 to 27) were notified on 5 August 2024, with appeals lodged by a number of parties. Of particular note in terms of this proposal are:
- (i) PC26, which included the provisions contained in the Renewable Electricity Generation (REG) and Infrastructure (INF) chapters; and
 - (ii) PC27, which included the provisions contained in the Earthworks (EW), Subdivision (SUB) and Transport (TRAN) chapters.
- 26 The Applicant's substantive application AEE is dated 27 August 2025 and therefore the District Plan assessment set out therein does not account for updates since that date.
- 27 The appeals lodged in relation to Stage 3 (including PC26) have now all been resolved, with the Environment Court issuing its Determination on 7 November 2025 (Decision No. [2025] NZEnvC 364). The resolution of those appeals now means that the provisions included within Stage 3 of the District Plan Review can be treated as operative.
- 28 The Council notified Stage 4 (Plan Changes 28 to 30) on 5 November 2024 and released its decisions on submissions on 24 July 2025. Of relevance to this proposal are PC28 (Hazards and Risks) and PC29 (Noise). It is noted that while some of these Stage 4 provisions remain under appeal, they are limited in scope and do not otherwise affect the assessment of this solar project. On that basis the provisions contained in PC28 and PC29 relating to the consideration of this proposal can also be treated as operative and no assessment of the previous plan rules is required.
- 29 This means that the District Plan assessment is now more straightforward than it was at the time the substantive application and AEE was prepared and lodged.

Zoning and Overlays

- 30 The application site is located within the General Rural Zone (GRUZ). The Introduction to the GRUZ chapter sets out that the "*purpose of the General Rural Zone is to enable a range of primary production activities, as well as other compatible activities that rely on or support the natural resources*

within rural areas of the District, including tourism and conservation along with those activities that have an operational need or functional need to locate in the zone”.

- 31 The underlying property subject to this application is included within the following District Plan Overlays/Notations (either wholly or in part):
- (i) Outstanding Natural Landscape (ONL)
 - (ii) Areas of Visual Vulnerability (High and Low);
 - (iii) Flood Hazard Assessment Overlay;
 - (iv) Liquefaction Assessment Overlay⁴;
 - (v) Hydro Inundation Hazard Overlay⁵; and
 - (vi) Transmission Lines: The 220kV Benmore to Islington (“BEN-ISL-A”) National Grid transmission line traverses through the middle of the site running north/south as shown in **Figure 1** below (this is the line to which the solar farm will connect).
- 32 Despite being lodged after the notification of Stage 4 provisions (including PC28), the substantive application does not make any reference to either the Flood Hazard Assessment, Liquefaction Assessment, or Hydro Inundation Hazard District Plan Overlays. At section 3.1 of the updated substantive application the AEE states:

There are no identified natural hazards on the site, including no fault lines or flood prone areas.

- 33 It is acknowledged this comment is made on the basis that the above Overlays for the most part immediately adjoin the site, and where they do impinge on the underlying site boundary, do not appear to include that part of the site on which the proposed solar arrays are to be located, as shown in **Figure 1** below.

⁴ It should be noted that provisions relating to the Liquefaction Assessment Overlay are restricted to subdivision.

⁵ The provisions relating to the Hydro-Inundation Overlay are restricted to new occupied buildings, camping grounds, community facilities and rural tourism activities that provide overnight accommodation, so do not apply to the proposed activity. Furthermore, the hydro Inundation provisions are in a separate chapter to the balance of the Natural Hazards provisions, and therefore are not included within the provisions applying to REG activity in accordance with Table 1 in the REG chapter set out below.

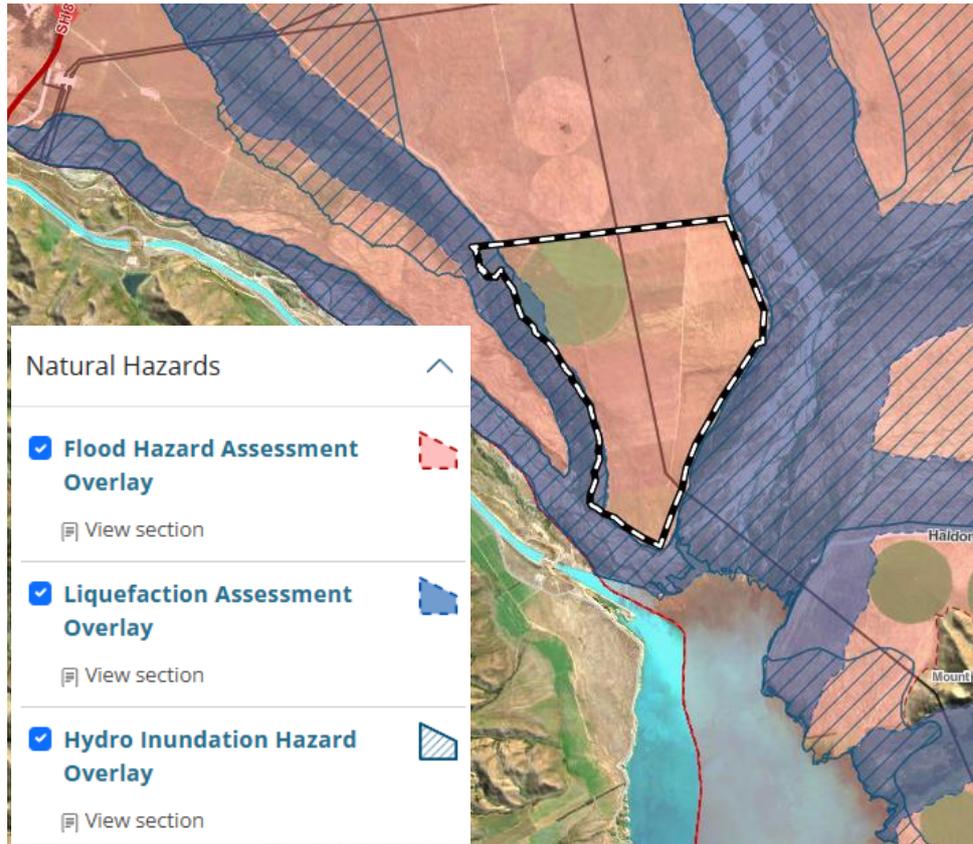


Figure 1: Mackenzie District Plan Natural Hazard Overlays (Source: Mackenzie District EPlan)

- 34 As noted in the substantive application, Sites of Natural Significance (SONS) have been identified in the District Plan in the immediate vicinity of the application site, but not on the site itself. These include SONS11 (Ohau River) and SONS45 (Tekapo/Pūkaki Rivers), as set out in **Figure 2** below.

District Plan Consents Required

- 35 The proposal includes both land use and subdivision components, which require separate resource consents from the MDC pursuant to section 9 and section 11 of the RMA respectively.

Subdivision – Activity Status

- 36 There is no permitted activity subdivision within the Mackenzie District Plan.
- 37 Based on the Applicant’s RFI response dated 9 February, a typical fee simple subdivision is sought. All lease arrangements relate to land areas to be held in a separate Record of Title (following subdivision). On that basis my understanding is that no proposed lease arrangement will constitute a deemed subdivision in terms of section 218 of the RMA.

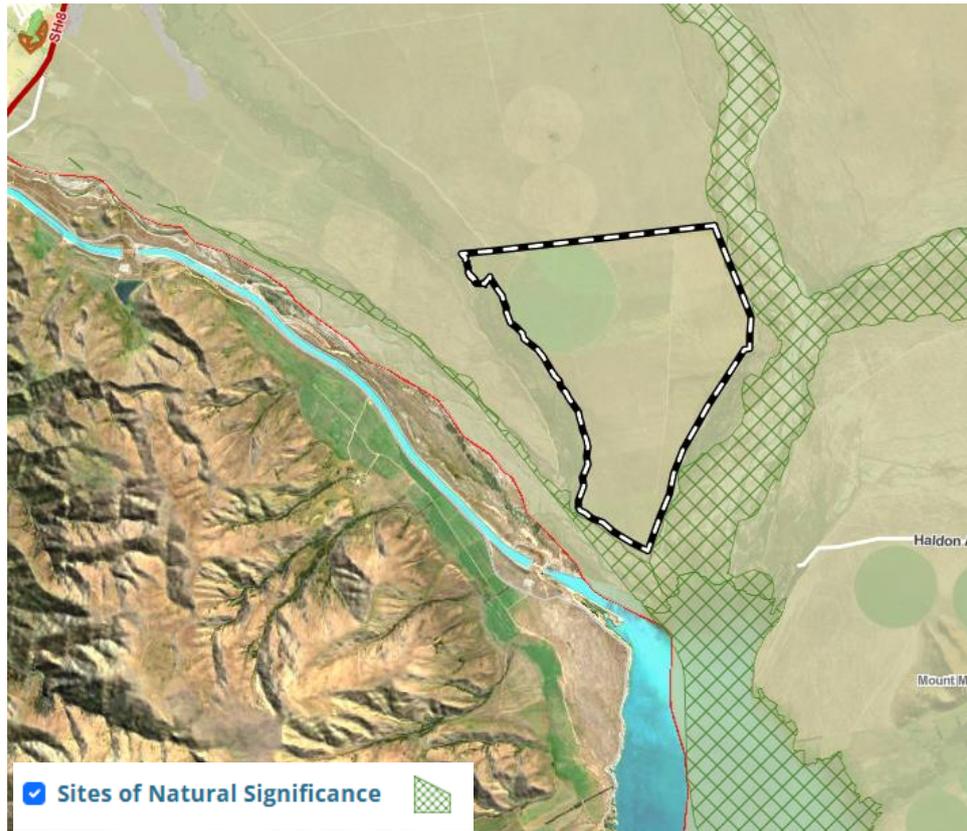


Figure 2: Mackenzie District Plan SONS (Source: Mackenzie District EPlan)

- 38 The proposed subdivision layout is included as Appendix N to the substantive application document. Four separate allotments are proposed. Proposed Lot 1 (289ha) is to separate the area of existing centre-pivot irrigation from the balance of the solar farm site to enable continued farming operations. Lot 2 (678ha) is the area in which the solar arrays are located, whilst Lots 3 and 4 (0.634ha and 0.348ha) are required for Transpower’s substation and switchyard components respectively.
- 39 PC27 introduced new subdivision provisions as part of Stage 3 of the Mackenzie District Plan Review. A number of these provisions are relevant to the proposed subdivision:
- SUB-R3 ‘Subdivision to Create Access, Reserve, or Infrastructure Sites’ (RDIS status). This includes (SUB-R3.2) any balance allotment that *“complies with the requirements set out in the SUB - Standards relevant to the allotment so that no new non-compliance with the standards is created by the subdivision”*. In this case that would apply to proposed Lot 1, which exceeds the 200ha minimum allotment area for the GRUZ within Te Manahuna / Mackenzie Basin ONL set out in SUB-S1.
 - SUB-R5 ‘Subdivision within the National Grid Subdivision Corridor’ (RDIS status). The presence of the 220kV Benmore to Islington

("BEN-ISL-A") National Grid transmission line means the application site falls within the National Grid Subdivision Corridor⁶.

- SUB-R7B 'Subdivision where any part of any proposed allotment is within the Flood Hazard Assessment Overlay' (RDIS status where a Flood Hazard Assessment for each proposed allotment is issued in accordance with NH-S1 and is provided to Council). The substantive application includes Appendix Z – a Flood Assessment undertaken by AECOM. This would satisfy the requirement that the building platform for the substation is outside a 'High Flood Hazard Area'.
- SUB-R7C 'Subdivision where any part of any proposed allotment is within the Liquefaction Assessment Overlay' (RDIS status). As shown in Figure 1 above, two small parts along the western boundary of the underlying site are within the Liquefaction Assessment Overlay. To retain RDIS status, the application must include a site-specific subsurface liquefaction assessment has been completed to at least a Level B assessment – 2017 MBIE/MFE Liquefaction Guidance (SUB-R7C.1). I am not aware on specific liquefaction assessment having been provided. Notwithstanding, any application not providing this information retains an RDIS status. Matters of discretion are restricted to:
 - a) The potential effects of liquefaction on the buildings and structures.
 - b) The effectiveness of methods proposed to manage the potential effects of liquefaction on buildings and structures.
- SUB-R7E 'Subdivision where any part of any proposed allotment is within the Hydro Inundation Hazard Overlay' (RDIS status). As shown in Figure 1 above, two small areas at the northern and southern ends of the western site boundary are within the Hydro Inundation Hazard Overlay. Matters of discretion are restricted to:
 - a) The potential effects of hydro inundation on people, buildings and structures
 - b) The potential for the subdivision to result in reverse sensitivity effects that may affect the operation of the Waitaki Power Scheme

⁶ As defined in the District Plan means the area measured either side of the centreline of above ground national grid transmission lines as follows (and illustrated in the definition itself):

- a) 16 metres for 110 kV transmission lines on pi poles;
- b) 37 metres for 220 kV transmission lines;
- c) 39 metres for 350 kV transmission lines.

The corridor does not apply to designated assets.

40 In addition to the provisions listed above, SUB-R8 applies to ‘Subdivision outside of a Farm Base Area in the Te Manahuna/Mackenzie Basin ONL’. All such activity has a DIS activity status. No exceptions for subdivision creating infrastructure sites under SUB-R3 are provided therein. On that basis the proposed subdivision is assessed as a fully **Discretionary** (DIS) activity.

Land Use Consent – Activity Type

41 In terms of the land use consent there are two aspects to the proposed activity:

- a) The solar farm activity falling under the definition of Renewable Electricity Generation (REG); and
- b) The Grid Injection Point (GIP)/substation where electricity flows from the solar farm to the National Grid⁷. Based on the recent definitions included in both the NPS-REG and NPS-EN, it is considered that this aspect of the proposed activity is defined as an ‘electricity network asset’ and therefore excluded from the definition of REG. This would mean the substation is assessed under the Infrastructure (INF) rules in the District Plan.

42 An assessment of these two aspects of the proposed land use activity are set out below.

Renewable Electricity Generation (REG)

43 The provisions in the REG chapter apply district-wide. The Introduction states that beyond the provisions listed in Table 1, “no other provisions in this plan apply to renewable electricity generation activities, except where specified within the provisions of this chapter”. Table 1 is as set out below:

Topic	Plan Provisions that Apply to Activities Managed in this Chapter
Strategic Directions	All provisions in the ATC, MW, NE and UFD chapters
Contaminated Land	All provisions in the Contaminated Land Chapter
Natural Hazards	All provisions in the Natural Hazards Chapter
Hazardous Substances	HAZS-O1, HAZS-O2, HAZS-P1, HAZS-P2, HAZS-R1, HAZS-R2
Historic Heritage	All provisions in the Historic Heritage Chapter

⁷ Noting that the substantive application states that the connection between the existing lines and the new GIP is outside of the scope of this application and Transpower will obtain any necessary consents under the NESETA (now NPS-EN).

Notable Trees	All provisions in the Notable Trees Chapter
Ecosystems and Indigenous Biodiversity	Section 19 – Ecosystems and Indigenous Biodiversity - Rules 2.1.1 and 2.2.1 (relating to the Waitaki Power Scheme and Opuha Scheme) and the Objective and Policies 1, 5, 7 and 8 but only insofar as they apply to the activities managed by Rules 2.1.1 and 2.2.1
Activities on the Surface of Water	All provisions in the Activities on the Surface of Water Chapter
Lighting	All provisions in the Light Chapter
Noise	All provisions in the Noise Chapter
Signs	All provisions in the Signs Chapter

- 44 On that basis the REG chapter as amended by PC26 is now more enabling of new renewable energy projects within Te Manahuna/the Mackenzie Basin ONL. Particularly given that there is no requirement to consider the Natural Features and Landscape (NFL) chapter of the District Plan.
- 45 Rules REG-R1 to REG-R7 set out the District Plan provisions relating to REG. The proposed activity is not otherwise covered by rules REG-R1 to REG-R6, so falls under REG-R7 ‘*Any renewable electricity generation activities not otherwise listed including associated clearance of indigenous vegetation and earthworks for roads and access tracks*’. As the application site is within an identified ONL, and also within an area of significant indigenous vegetation or significant habitat of indigenous fauna, the activity status is **Discretionary** (DIS).
- 46 The proposal is supported by Objective REG-O1 ‘General Output’ and Policy REG-P1 ‘Benefits’, which state:
- REG-O1**
The output from renewable electricity generation activities in the District for national, regional and local use is increased to support achievement of the New Zealand Government’s national target for renewable electricity generation.
- REG-P1**
Recognise and provide for the national, regional, and local benefits of renewable electricity generation activities and assets, including avoiding, reducing, or displacing greenhouse gas emissions.
- 47 REG-O2 ‘Adverse Effects’ seeks to ensure that “*the adverse effects of renewable electricity generation activities are appropriately managed*”. Further policy guidance is set out in REG-P6, which is the key policy in

guiding the management of adverse effects associated with the REG activities⁸.

- 48 Policy REG-P6 'Other Renewable Electricity Generation Activities – Within areas of significant indigenous vegetation and significant habitats of indigenous fauna, ONLs, ONFs, riparian areas and SASM or on highly productive land' is a key policy for the assessment of the proposal, as follows:

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;*
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

⁸ REG-P2 relates specifically to 'Te Manahuna / Mackenzie Basin ONL – Renewable Energy'. However, the text of the policy itself makes it clear that it only applies to "development of renewable energy generation and transmission infrastructure and operations within the footprint of current operations or on land owned by infrastructure operators...". REG-P3, REG-P3A, REG-P4 and REG-P5 are not applicable to the Project: REG-P3 'Lakeside Protection Areas' relates specifically to the Waitaki Power Scheme, REG-P3A relates only to the Opuha and Waitaki Schemes, REG-P4 addresses investigation activities and small-scale renewable electricity generation activities; and REG-P5 relates to 'Other' REG activities not otherwise covered by REG-P6.

features of Te Manahuna/the Mackenzie Basin where REG-P2 applies.

- 49 In terms of functional and operational need and the practical constraints associated with REG activities, I agree with the Applicant that a solar farm needs to be located where the solar resource is located, as well as having the ability to connect to the National Grid. The AEE notes that the project site is located within an area of high solar irradiance (receiving well above average sunlight hours), and the existing BEN-ISL-A 220 kV National Grid transmission line that traverses the application site providing the ability to efficiently connect to the National Grid.
- 50 REG-O2 and REG-P6 set a higher bar in terms of effects management (namely requiring adverse effects on the values of the area are avoided as far as practicable), but are otherwise not dissimilar to the proportionality assessment set out in section 85(3) of the FTAA. However, while some degree of adverse effect is contemplated, the policy framework does not set a threshold for what is considered acceptable. REG-P6 clearly anticipates the implementation of the typical effects management hierarchy, including conditions requiring offsetting or compensation (REG-P6.5).
- 51 The following sets out an assessment of the ecological, transportation and construction related effects of The Point Solar Farm. Other effects/impacts are considered in subsequent sections below in the same order as the District Plan topics/chapters listed in REG Table 1 above.

Ecological Effects

- 52 Whilst further information relating to ecological assessment is pending at the time of writing; it appears at this stage that there are potential adverse ecological effects (and on avifauna in particular) that require additional assessment and are likely to engage consideration of offsetting or compensation under REG-P6.5 in order that they are “*appropriately managed*”. As identified by Dr Jack, key areas of concern relate the residual ecological effects regarding avifauna, specifically potential effects including bird strike and loss of feeding and breeding habitat. These potential effects on avifauna were considered more than minor (without mitigation) by the Applicant’s Ecological Report (see Appendix G; page 30-31). Secondly, Dr Jack remains concerned around the efficacy of the various ecological management plans proposed to address these adverse effects should they arise.
- 53 It is noted that the Applicant has made reference to making a contribution of \$1,000,000 over the duration of the consent support predator control programmes that benefit braided-river birds, including kakī (see RFI

Response, Appendix 6). This is in addition to the site-wide predator control programme that will be operated for the life of the project. To date this compensation has not been explicitly included in the proposed conditions. Furthermore, in the absence of the baseline ecological survey information it is difficult to assess whether this figure is sufficient to proportionally offset the adverse effects in the context of the regional and national benefits associated with the increase in renewable electricity generation from this project.

- 54 Further comment on the ecological effects of the proposal will be provided by 27 February 2026 once the additional ecological information has been received.

Landscape Effects

- 55 The application included a Landscape Assessment Report prepared by Rough Milne and Mitchell (RMM), dated 25 May 2023 (the RMM report). RMM subsequently provided an Addendum Landscape Assessment Report (dated 30 April 2025) and an RFI response (Appendix 5, dated 9 February 2026). This information has been peer reviewed by Mr Ben Espie on behalf of the MDC and his review report is attached as **Annexure 1**.
- 56 The peer review confirms the approach taken in the RMM report is comprehensive and has appropriately been guided by Te Tangi A Te Manu, Aotearoa New Zealand Landscape Assessment Guidelines (TTatM)⁹.
- 57 Overall, Mr Espie finds the conclusions set out in the RMM Landscape Report regarding the effects on landscape values to be “*generally logical, plausible and appropriate*” (paragraph 38).
- 58 Mr Espie describes the changes to the ecological mitigation now forming part of the revised proposal and the impact that might have to the visual screening of the project. The only concern raised is the proposal to irrigate the proposed landscape plantings by way of tanker trucks. Mr Espie notes that irrigation of the proposed plantings is required in order to achieve effective screening as depicted in the visual simulations provided, which is estimated to take between four to ten years.
- 59 Mr Espie describes irrigating 10.7ha of plantings by way of tanker as inefficient. Reviewing the detail set out in the RMM RFI response, the landscape planting strips are up to 40m wide (southern boundary), but include a 2m wide “walkway” along the security fence, and two x 5m wide

⁹ ‘Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines’. Tuia Pita Ora New Zealand Institute of Landscape Architects, July 2022.

accessways. Subsequently this will result in two x 9m wide, and one x 10m wide planting strips. The provision of the 5m wide access strips does assist in facilitating water tanker access for irrigation purposes; however, I share Mr Espie's concerns regarding the efficiency and practicality of utilising water tankers to irrigate landscape plantings over such a large area.

- 60 The landscape mitigation plantings are shown at 3m tall in the visual simulations, which assumes good irrigation and plant health. The RMM Addendum (paragraph 2.4) notes that the tilting single axis solar panels vary in height between 1.5 – 2.2m tall. On that basis the RMM Addendum notes that the vegetation “*does not need to be 3m tall to fully screen the solar farm from specific viewing catchments*”. This contrasts with proposed condition 72, which refers to the solar panels and array tables being constructed to have a maximum tilted height of no more than 4.5m (RFI Response, Appendix 12). Based on the information contained in the RMM assessment that maximum 4.5m figure should be reduced to 3m (or less). At present there is the potential for the solar panels and array tables to be constructed at a height double that assessed by RMM. This needs to be clarified.
- 61 Mr Espie considers that the highest degree of visual effect will be experienced from McAughtries/Falston Road within the elevated area adjacent to Ohau C power station and above (south of) the campground (as depicted in Viewpoint 9 of the RMM graphic attachment). Overall, Mr Espie agrees that the degree of adverse effect in relation to this location can be described as ‘moderate’.
- 62 Mr Espie makes the observation that rather than an assessment of visual effects as perceived from particular viewpoints; the more relevant resource management issue is likely to be the cumulative effects of numerous solar farms on the overall character and values associated with Te Manahuna/the Mackenzie Basin ONL, i.e. effects on the way the community perceive, characterise and value this outstanding landscape. The matter of cumulative effects of the development of numerous solar projects within Te Manahuna/the Mackenzie Basin is a key consideration to protect the ONL values from inappropriate use and development (as required by section 6(b) of the RMA).
- 63 Mr Espie goes onto state that a relevant factor to consider in relation to the assessment and overall consideration of these issues will be the trajectory that the Te Manahuna/Mackenzie Basin ONL is on (with or without solar farms); noting that no landscape is frozen in time.

- 64 The number and scale of solar projects present a cumulative challenge to the landscape character of Te Manahuna/the Mackenzie Basin ONL. It is not immediately obvious as to whether the FTAA process allows adequate strategic consideration of the future environment, noting that there appears to be no ability to undertake a comparative assessment of the various solar projects; whether in terms of their effects, or their efficiency or effectiveness at delivering national benefit in terms of increased renewable electricity generation.
- 65 Mr Espie raises concerns that this southern part of Te Manahuna/the Mackenzie Basin would be the most affected area in relation to cumulative effects of solar farms, with these effects being of a 'moderate-high' degree in terms of landscape character. Mr Espie notes that the area adjacent to the Ohau canal and experienced from McAughtries Road would begin to be dominated by electricity generation in terms of its landscape character. In the context of the identified ONL values of Te Manahuna/the Mackenzie Basin this presents a matter requiring further assessment.

Transportation Effects

- 66 The MDC has engaged Mr Nick Fuller of Novo Group Ltd to peer review the transportation aspects of the substantive application. Namely this consists of the 'Transport Impact and Construction: Traffic Management Plan' prepared by Renewable Energy Group dated 28 January 2026 and supplied as Appendix 2 to the Applicant's RFI Response (TIA report). Mr Fuller's report and recommended changes to the traffic related conditions proposed by the Applicant are included in his report attached as **Annexure 2**.
- 67 Mr Fuller has undertaken an assessment of the likely transport non-compliances with the District Plan; and concluded that these effects are anticipated to be less than minor, or else can be addressed by way of appropriate conditions to achieve compliance.
- 68 The operational nature of the proposed solar farm is such that transport effects are predominantly confined to the construction stage. Mr Fuller largely agrees with the overall conclusion that transport related effects can be managed through an appropriately drafted and implemented Construction Traffic Management Plan (CTMP).
- 69 Mr Fuller notes that many of the recommendations made in the TIA report are not included in the proposed conditions; and notes that these matters can be addressed in the CTMP, which he considers would need to be certified by MDC to ensure it meets the intended purpose. Mr Fuller has focussed on ensuring key matters are satisfactorily addressed through the

proposed MDC land use consent conditions. The suggested amendments are described in Mr Fuller's peer review and set out in detail in Attachment 2 to his review. On the basis that the recommendations to the proposed conditions set out in Mr Fuller's Peer Review are incorporated into any approval; construction and operational transport related effects of the project are considered to be appropriately managed.

Construction Effects

- 70 Construction is expected to take place over 36 months¹⁰. A construction related effect of some concern to MDC is the ability to efficiently accommodate workers over the construction period without disrupting the local housing market and in particular rental prices for local families.
- 71 It is the Council's experience that Twizel and Takapō/Lake Tekapo currently have accommodation shortages, particularly over peak summer tourist period. Notwithstanding, many of the residential buildings in these townships are used as holiday homes/baches and are not permanently occupied. The demand for short to medium term worker accommodation over the construction period may encourage homeowners to consider renting currently unoccupied baches.
- 72 The concern has a cumulative aspect, and the ability to house workers will become more challenging should more than one solar project be under construction at any one time. However, it is acknowledged that should this be the case then it is likely that private enterprise will provide temporary accommodation options should demand exceed supply.
- 73 Another construction related effect could be the change in the employment market. It is understood that many of the construction roles are not highly specialised and can provide employment opportunities for those in the local area. It is acknowledged that this could result in some local businesses having difficulty recruiting staff during the construction period. However, it is acknowledged that any such impacts are likely to be off-set by the influx of additional workers (and families) coming into the area, likely generating significant economic benefit for local businesses.
- 74 In terms of any proportionality assessment, any temporary adverse effects in regard to housing and employment are considered to be minor and outweighed by the local economic benefits accruing from the employment opportunities and economic benefits arising from having additional workers in the local area.

¹⁰ WWLA Substantive Application, Section 6.7.2, page 48.

Strategic Direction

- 75 The Strategic Direction included in the District Plan contains a series of objectives under the following chapter headings:
- a. A Thriving Community (ATC)
 - b. Mana Whenua (MW)
 - c. Natural Environment (NE)
 - d. Urban Form and Development (UFD)

76 There are no rules in these chapters. As assessment of those relevant to the consideration of this proposal (i.e., excluding those relating to UFD) is set out below.

(a) A Thriving Community (ATC)

77 The proposed solar farm is largely supported by the provisions in the ATC chapter, including ATC-O1, which seeks that *“The Mackenzie District is a desirable place to live, work, play and visit...”*. In particular ATC-O1 refers to there being a range of business activities to meet community needs; providing for appropriate economic development opportunities; and maintaining and enhancing anticipated amenity values and character of different areas.

78 ATC-O3 recognises and provides for the importance of infrastructure, particularly nationally and regionally significant infrastructure, to the District and beyond.

79 ATC-O4 is specific to renewable electricity and states:

The local, regional and national benefits of the District’s renewable electricity generation and electricity transmission activities and assets are recognised and their development, operation, maintenance and upgrade are provided for and reverse sensitivity effects on those activities and assets are avoided.

(b) Mana Whenua (MW)

80 The strategic objectives in relation to MW include MW-O1 *“The role of mana whenua is recognised and their historic and contemporary relationship with the District’s land, water bodies, indigenous species and other sites and areas of significance are recognised and provided for”*.

81 Mana Whenua involvement in resource management decision making is recognised in MW-O2, which enables active involvement in decision making that affects mana whenua values and interests, as well as exercise their kaitiakitaka responsibilities.

82 Papatipu Rūnanga can speak with authority regarding cultural effects. As separate comment is being provided to the Panel from the relevant iwi authority (Te Rūnanga o Ngāi Tahu); as well as the local Runanga (Te Rūnanga o Arowhenua, Te Rūnanga o Moeraki and Te Rūnanga o Waihao), no additional comments are provided by the MDC.

(c) **Natural Environment (NE)**

83 The Introduction to the NE chapter recognises that the Mackenzie District contains many natural resources of importance. These include (but are not limited to): resources valued by mana whenua for mahika kai; the Aoraki Mackenzie International Dark Sky Reserve; outstanding natural features and landscapes; indigenous biodiversity; renewable energy resources and the District's wetlands, lakes and rivers and their margins.

84 There is a single strategic objective set out in the NE Chapter, as follows:

The values of the natural environment, including those that make the District unique, contribute to its character, identity and well-being, or have significant or outstanding intrinsic values, are recognised and provided for, and where appropriate protected and enhanced. This includes, but is not limited to, values associated with the following important natural resources:

1. mahika kai resources;
2. night sky darkness;
3. outstanding natural features and landscapes;
4. significant indigenous biodiversity; and
5. water bodies and their margins.

85 How these important values are managed, including how they are recognised and provided for, and which require protection and enhancement, is guided through the District Plan. In relation to the proposed REG activity, that is primarily set out in the provisions of the REG chapter introduced through PC26 (as set out above). Those provisions have been prepared to give effect to the higher order policy direction set out in the [previous] NPS-REG and recognise and provide for the matters of national importance set out in section 6 of the RMA.

Contaminated Land (CL)

86 The District Plan does not include any rules relating to contaminated land, as these are included in the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES-CS).

87 The substantive application states at Section 3.1 that a “review of the Mackenzie District Council’s GIS Viewer indicates no HAIL activities on the site”. The Applicant has not provided a Preliminary Site Investigation (PSI).

To date it is not entirely clear whether the NES-CS does or does not apply to the proposed activity.

Natural Hazards (NH)

- 88 Table 1 in the REG chapter sets out that all provisions within the NH chapter apply. For the purpose of this chapter, I note that the proposed solar farm would fall under the definition of ‘critical infrastructure’, which includes “*National, regional and local electricity generation activities*”.
- 89 NH-R4 sets out that ‘New Critical Infrastructure’ is a permitted activity within the Flood Hazard Assessment Overlay, where:
1. *It is located outside a High Flood Hazard Area as stated in a Flood Hazard Assessment issued in accordance with NH-S1; and*
 2. *The Flood Hazard Assessment is provided to Council.*
- 90 Flood Risk Assessments for the project were submitted with the substantive application as Appendices M and Z. Based on that assessment the proposal complies with NH-R4 and is similarly considered to accord with the associated NH policy framework.
- 91 There does not appear to be a geotechnical assessment included as part of the updated substantive application. This is relevant in this instance given that at least part of the site proposed to be subdivided is located within the ‘Liquefaction Assessment Overlay’ and therefore has a RDIS activity status under SUB-R7C. The application therefore does not include a site-specific subsurface liquefaction assessment has been completed to at least a Level B assessment – 2017 MBIE/MFE Liquefaction Guidance (as set out in SUB-R7C.1).
- 92 Another Natural Hazard addressed in the District Plan and relevant to solar projects is fire risk. The substantive application includes a Fire Risk Assessment prepared by the Renewable Engineering Group (Appendix W). Furthermore, proposed condition 90 addresses fire as part of a Construction Stage Emergency Response Plan, whilst proposed conditions 91 to 101 address the Operational Stage Emergency Response Plan and other ‘operational fire risk mitigation measures’.
- 93 These appear to be comprehensive and adequately manage fire risk on the application site from the proposed activities, including development of the Emergency Response Plans with Fire and Emergency New Zealand (FENZ).
- 94 For the sake of completeness, it is noted that none of the above natural hazards are considered to represent a significant risk in terms of section

106A of the RMA. Given the information available the proposed solar farm is not considered to accelerate, worsen, or result in material damage to land or other land and structures, or result in adverse effects on the health or safety of people.

Hazardous Substances (HAZS)

- 95 Operational activities (including the substation transformers) will require the storage and use of potentially hazardous substances on the site (diesel and oil).
- 96 Under HAZS-R1, the 'Use and/or Storage of Hazardous Substances, Excluding a Major Hazard Facility', is permitted where located outside of a High Flood Hazard Area. It is assumed for the purpose of this assessment that the proposed solar farm and associated infrastructure (i.e., substation and associated transformers) do not fall within the definition of a 'Major Hazard Facility'.
- 97 The matter of hazardous substances was addressed specifically in the Applicants RFI response dated 9 February 2026. In particular the document contained as Appendix 1 to that response prepared by the Renewable Engineering Group). This document states that *"There will be no storage of hazardous substances within a High Flood Hazard Area on the site and therefore no consent triggers under the Mackenzie District Plan apply"*.
- 98 As recognised in the HAZS chapter introduction hazardous substances are primarily managed by the Hazardous Substances and New Organisms Act 1996 (HSNO), the Health and Safety at Work (Major Hazard Facilities) Regulations 2016, and the Health and Safety at Work (Hazardous Substances) Regulations 2017. An advice note on any consent granted could advise the consent holder that all hazardous substances must be identified, handled and stored in accordance with the requirements of the HSNO Act 1996.

Historic Heritage and Notable Trees (HH and TREE)

- 99 These provisions are not applicable to the assessment of this proposal.

Ecosystem and Indigenous Biodiversity (ECO)

- 100 Table 1 of the REG chapter sets out that it is only Rules 2.1.1 and 2.2.1 (relating to the Waitaki Power Scheme and Opuha Scheme) and Objective and Policies 1, 5, 7 and 8 apply, but only insofar as they apply to the activities managed by Rules 2.1.1 and 2.2.1, that are relevant. On that basis the provisions contained in the Ecosystem and Indigenous

Biodiversity chapter, as introduced through PC18, are not relevant to the assessment of this proposal.

Activities on the Surface of Water (ASW)

101 These provisions are not applicable to the assessment of this proposal.

Lighting (LIGHT)

102 Te Manahuna/the Mackenzie Basin has some of the clearest night skies in the world. The application site is located within the Aoraki Mackenzie International Dark Sky Reserve, created in 2012. The Dark Sky Reserve is important to the District as it attracts local, national and international visitors and includes the Mt John Observatory operated by the University of Canterbury. The maintenance of dark sky is essential for the continuation of the Dark Sky accreditation; as well as the associated tourism and research activities.

103 The Applicant's proposed suite of proposed conditions does not appear to include any matters relating to outdoor lighting. These conditions should include the matters set out in LIGHT-S1 to S5 to reflect the sensitivity of the application site in terms of night sky, these should include:

- (i) Restricting the hours of outdoor lighting and requiring shielding so that light shines below the horizontal;
- (ii) Requiring security lighting to be fitted with motion sensors;
- (iii) Ensuring that lighting is directed away from public roads and Te Ao Mārama / Lake Benmore; and
- (iv) Setting limits on colour temperature, emission type and light spill.

104 Inclusion of such conditions would meet all associated policy requirements; namely preservation of the values associated with the Aoraki Mackenzie International Dark Sky Reserve (LIGHT-P2).

Noise (NOISE)

105 Construction noise is sought to be managed through proposed condition 86, which relies on compliance with the New Zealand Standard NZS 6803: 1999 "Acoustics – Construction Noise"; and condition 87, requiring the preparation and certification of a Construction Noise Management Plan.

106 I am not convinced that a separate Construction Noise Management Plan is required, and that matters relating to construction noise can otherwise appropriately be included as part of the more general Construction Management Plan (as required by proposed condition 30).

- 107 The substantive application included an Acoustic Memo prepared by Marshall Day Acoustics (Appendix R). This Memo did not recommend any particular noise limits, but otherwise noted that the predicted noise levels at the closest sensitive receivers “*would readily comply with any District Plan noise limit*”. No doubt this is due in part to the remote nature of the application site and the resultant distance from the nearest sensitive receptors.
- 108 Proposed conditions 106 and 107 set out operational noise limits for the solar farm and the substation respectively. In each case these are different to the limits included in the District Plan.
- 109 The operative District Plan standards set out in NOISE-R6 and NOISE-TABLE 1 – Noise Limits, which are expressed in dB LA_{eq(15 min)} over timeframes simply described as daytime (7.00am to 10.00pm) or nighttime (10.00pm to 7.00am). I recommend that the proposed noise conditions 106 and 107 are combined into a single condition covering operational noise limits and amended to be consistent with the standards set out in NOISE-TABLE 1 – Noise Limits for the GRUZ.
- 110 Overall, the remote nature of the application site and the operational nature of a solar farm are such that no adverse noise effects are anticipated. On that basis no technical peer review was undertaken for the purpose of these comments. The Applicant has volunteered conditions, and subject to the amendments referred to above will require compliance with the permitted noise standards found in the District Plan.

Signs (SIGN)

- 111 These provisions are not applicable to the assessment of this proposal.

Infrastructure (INF)

- 112 The District Plan definition of infrastructure has the same meaning as in section 2 of the RMA, and includes:
- d. *facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines, and support structures if a person—*
 - a. *uses them in connection with the generation of electricity for the person’s use; and*
 - b. *does not use them to generate any electricity for supply to any other person*
- 113 The District Plan rules contained in the INF Chapter were not assessed as part of the Substantive Application.

- 114 My understanding of the planning framework is that the NES-EN applies to existing National Grid transmission lines, but does not apply to the construction of GIP and/or substations. The proposed GIP/substation is therefore subject instead to the rules of the district and regional plans.
- 115 As noted above the 220kV Benmore to Islington (“BEN-ISL-A”) National Grid transmission line traverses the site. My understanding is that this transmission line forms part of the National Grid Yard, being defined as:
- a. *the area located 12m either side of the centreline of any overhead 110kV, 220kV, or 350kV National Grid transmission line on pi poles or towers (including steel monopoles where these replace steel lattice towers); and*
 - b. *the area located 12m in any direction from the outer visible edge of a National Grid support structure.*
- 116 Therefore, to connect to BEN-ISL-A, it is my understanding that INF-R18 ‘Network Utility Operation, Infrastructure and Electricity Generation that Connects to the National Grid within the National Grid Yard’ is also relevant to this project. This activity is permitted where INF-S4 can be met. INF-S4 requires:
1. *Any buildings or structures in the National Grid yard must comply with the New Zealand Electrical Code of Practice for Safe Electrical Distances (NZECP34:2001).*
 2. *Any building, structure or activity within the National Grid yard must not permanently physically impede vehicular access to a National Grid support structure.*
- 117 Compliance then depends on the timing and which works are the responsibility of the Applicant versus those works undertaken by Transpower NZ Ltd (Transpower). Overall, a cautious approach would consider the GIP/substation and any ancillary works required to be a **Discretionary** (DIS) activity under INF-R11 ‘Any Infrastructure not Otherwise Listed’. This was the approach taken in the recent Haldon Solar project and the above compliance assessment was supported by the planning experts for that Applicant.
- 118 The Introduction to the INF chapter, like the REG chapter, includes Table 1 setting out which other District Plan provisions apply. That Table is identical to that of the REG chapter set out above, with the exception that SASM-R5 and SASM-R6 also apply to INF activity. As the application site is not located within a SASM, those rules do not apply to this project and all applicable rules have already been assessed above in the context of the REG Chapter.

Mackenzie District Plan Summary

- 119 The resolution of the appeals relating to Stage 3 of the District Plan Review, and the narrow scope of the appeals lodged in relation to the provisions included in Stage 4, mean there is now no need to refer to the previous District Plan provisions. More specifically, the resolution of the appeals on Table 1 of the REG chapter make it clear what other District Plan provisions apply to REG activity.
- 120 The REG provisions introduced through PC26 provide a more standalone set of provisions and related policy that better reflect national direction and are therefore more enabling of renewable electricity development than those of the previous plan.
- 121 The REG chapter facilitates an increase in renewable electricity generation to support achievement of national targets, but that still requires that any adverse effects of REG activities are managed in a way that recognises the full effects management hierarchy, including offsetting or environmental compensation. Following application of the above matters (as set out in REG-P6), consideration must be given to whether the benefits of the proposed activity outweigh any significant residual adverse effects on the values of the area. In this way the REG policy framework is similar to the proportionality assessment set out in the FTAA.
- 122 The updated substantive application does not include a PSI or any geotechnical/liquefaction assessment. These are relevant matters in terms of the proposed subdivision and change of use proposed.
- 123 Based on the assessment above and relying on the various technical advice received, there are minor matters of additional and/or amended conditions that are recommended in terms of traffic, outdoor lighting and noise.
- 124 Outstanding matters relate to the required height of the proposed landscape mitigation/screening planting, the ability to practically provide irrigation to this planting by way of water tankers, and the potential adverse ecological effects (namely on avian species). The high potential impact on threatened bird species is such that the matter of appropriate adaptive management and the potential requirement for offsetting and/or compensation remain in question. The Applicant has made progress in this regard, but the detail of that 'package' is not yet reflected in the proposed conditions.

Canterbury Regional Policy Statement Assessment

- 125 The nature of solar farm proposal is that various chapters of the Canterbury Regional Policy Statement (CRPS) are relevant to the MDC assessment of the proposal. The key Chapters of the CRPS relevant to this solar project are Chapter 5 'Land Use and Infrastructure', Chapter 9 'Ecosystems and Indigenous Biodiversity', Chapter 12 'Landscape', Chapter 15 'Soils', and Chapter 16 'Energy'.
- 126 Each of these are assessed in the substantive application and the only aspects I wish to provide any additional comment on relate to Chapters 5, 9 and 16.
- 127 Chapter 5 – Land Use and Infrastructure, Objective 5.2.2 recognises the benefits of regionally significant infrastructure, but only where it promotes sustainable management in accordance with the RMA. The second part of the Objective seeks to ensure that *“adverse effects resulting from the development or operation of regionally significant infrastructure are avoided, remedied or mitigated as fully as practicable”* (Objective 5.2.2.2(b)). The focus on the avoidance, remedy or mitigation of adverse effects is continued in Policy 5.3.2.1 and Policy 5.3.9.3(b). Policy 5.3.9.3(c) specifically refers to sensitive environments subject of section 6 of the RMA.
- 128 In terms of Chapter 9 – Ecosystems and Indigenous Biodiversity, Objective 9.2.1 is *“Halting the decline of Canterbury’s ecosystems and indigenous biodiversity”*. Objective 9.2.3 refers to the identification of significant indigenous vegetation and habitats so that their values and functions are protected.
- 129 Policy 9.3.1 states that significance, with respect to ecosystems and indigenous biodiversity, will be determined by assessing areas and habitats for representativeness, rarity or distinctive features, diversity and pattern, and ecological context. An area of habitat is considered to be significant if it meets one or more of the criteria in listed in Appendix 3 of the CRPS.
- 130 Policy 9.3.1.3 states that *“Areas identified as significant will be protected to ensure no net loss of indigenous biodiversity or indigenous biodiversity values as a result of land use activities”*. Whilst the assessment against the policy cannot be confirmed until the additional ecological information is provided, it supports the inclusion of greater detail of the Applicant’s compensation package in the proposed conditions.
- 131 Chapter 16 - Energy is enabling of the proposed activity. Objective 16.2.2 seeks a reliable and resilient generation and supply of energy for the

region, with particular emphasis on renewal energy, including recognition of the locational constraints in the development of renewable electricity generation activities; and...

avoids any adverse effects on significant natural and physical resources and cultural values or where this is not practicable, remedies or mitigates;

- 132 Policy 16.3.3 recognises the benefits of renewable energy generation facilities. The substantive application includes that there will be regional and national benefits of The Point Solar Farm project in meeting New Zealand's renewable energy requirements.
- 133 As described above the provisions of Chapters 5 and 16 are supportive of the proposal, whilst Chapter 9 requires a relatively high threshold in terms of applying the effects management hierarchy. This tension is also evident within REG-P6 of the District Plan. As referred to above, the District Plan has recently been through a thorough review process and on that basis has been prepared to give effect to the CRPS in accordance with section 75(3)(c) of the RMA.

National Policy Statement Assessment

- 134 An assessment of National Policy Statements is specifically referred to in Clause 5 of the FTAA and therefore forms part of the decision-making process as referred in section 81(3)(a).
- 135 Many of the National Policy Statements, including those relevant to the assessment of this application, have recently been amended. It is noted by virtue of the timing of those amendments, the assessment set out in the substantive application refers to the previous versions.

National Policy Statement for Renewable Electricity Generation 2011 (Amended 2025)

- 136 The recent amendments came into force on 15 January 2026. In summary the amendments strengthen the policy direction in order to accelerate renewable energy projects.
- 137 The NPS-REG applies to all renewable electricity generation activities associated with the construction, operation, maintenance and decommissioning of The Point Solar Farm and provides the most relevant national planning direction. The definition of 'renewable electricity generation activities' contained in the NPS-REG has been updated as part of the recent amendments, as follows:

Renewable electricity generation (REG) activities include the full range of activities required for REG, including small-scale and community-scale REG, including:

- (a) the investigation, construction, operation, monitoring, maintenance, upgrade, repowering, decommissioning and removal of REG assets;*
- (b) the storage of generated electricity, whether connected to REG, the electricity network or directly to a site or community;*
- (c) the conveyance of generated electricity to electricity networks or directly to end users;*
- (d) all ancillary REG activities;*
- (e) but does not include electricity network assets as defined by the National Policy Statement for Electricity Transmission 2008 and its amendments*

138 The objective of the NPS-REG now includes to:

- (a) ensure the national, regional and local benefits of REG are provided for;*
- (b) enable REG capacity and output to significantly increase;*
- (c) enable REG to support the social, economic and cultural wellbeing of people and communities, and for their health and safety;*
- (d) enable REG to provide greater security of electricity supply and resilience to supply disruptions to all people and communities;*
- (e) enable REG to support achieving New Zealand's emission reduction target and implementation of the emissions reduction plan under the Climate Change Response Act 2002; and*
- (f) ensure REG is developed and operated in a safe, efficient and effective manner while managing the adverse effects from or on REG activities.*

139 Key changes include more directive, stronger policy language. The policy shifts from *"shall have particular regard to"*, to stronger, more directive language, requiring decision-makers to *"recognise and provide for the national significance and the national, regional and local benefits of REG activities"* (Policy A).

140 New policy recognises the *"operational need"* or *"functional need"* for REG assets and activities to be in certain locations and environments (Policy C)¹¹.

¹¹ Operational need and Functional need having the same definitions as set out in the NZ Planning Standards 2019.

141 The more significant changes made to the NPS-REG is the introduction of a new Policy F, which is *‘Enabling and managing the effects of REF assets and activities on the environment’*:

- 1) *Decision-makers must enable REG assets and activities in all locations and environments.*
- 2) *Where REG assets and activities are proposed to locate in or are likely to have adverse effects on environments and values provided for in section 6 of the Act, the provisions of this policy must be read alongside other relevant national direction, regional policy statements and regional and district plans.*
- 3) *Where (2) does not apply, the adverse effects of REG assets and activities must be, where practicable, avoided, remedied or mitigated.*
- 4) *Decision-makers must have particular regard to the use of adaptive management measures.*
- 5) *When considering any residual adverse effects of REG assets and activities that cannot be avoided, remedied or mitigated, decision-makers shall have regard to offsetting measures or environmental compensation, including measures or compensation that benefit the local environment and community affected.*

142 Whilst additional ecological information is pending, based on the Technical Advice received at the time of writing, the nature of the application site is such that section 6(c) *“the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:”* is relevant to the consideration of this application.

143 Many of the potential adverse effects of the project can be addressed through the use of adaptive management. In particular I refer to effects on birds and the proposed inclusion of an Avian Management Plan and Avian Collision Management Plan. The potential risk to Nationally Threatened species may also guide decision-makers toward offsetting measures or environmental compensation as is being suggested by the Applicant. However, this needs to be incorporated into the proposed conditions and assessed against the full range of adverse impacts/effects resulting from the proposal.

National Policy Statement for Electricity Networks 2008 (Amended 2025)

144 This document replaces the previous National Policy Statement on Electricity Transmission 2008. The amendments expand the previous transmission-focused policy to include electricity distribution. It also mandates that decision-makers *“recognise and provide”* for the national significance of the EN (Policy 1); and *“recognise the benefits”* of EN to include by *“supporting new, expanded or increased renewable electricity generation”* (Policy 2(1)(e)(i)).

145 In this instance a minor upgrade of the existing transmission line is required to establish the grid injection point (GIP). The substantive application states that the Applicant has been in consultation with Transpower to confirm the GIP arrangements and that the proposed solar farm can be accommodated in a manner that does not negatively impact Transpower's wider assets in accordance with the new NPS-EN.

National Policy Statement for Freshwater Management 2020 (Amended 2025)

146 For the purpose of these comments matters relating to the assessment of the NPS-FM are more appropriately left to others as freshwater management is beyond the jurisdiction of the MDC.

National Policy Statement for Indigenous Biodiversity 2023 (Amended 2025)

147 The recent amendments to the NPS-IB retain Clause 1.3(3), which sets out the scope of its application. On that basis the NPS-IB does not apply to REG activity.

National Policy Statement for Highly Productive Land 2022 (Amended 2025)

148 The NPS-HPL provides protection of highly productive land from inappropriate subdivision, use and development to ensure its availability for primary production. Given the classification of the application site the NPS-HPL does not apply.

Summary of Key Findings

149 Effects in terms of Landscape and Visual Amenity, Traffic, Natural Hazards, Hazardous Substances, Noise and Lighting can all be appropriately managed including by way of conditions, some of which are recommended to be subject to minor amendment and/or addition. There remains a tension between the mitigation offered by the proposed landscape mitigation planting (3m) and the potential maximum height of the solar panels (4.5m) which needs to be resolved. The efficiency and practicality of irrigating the proposed landscape mitigation planting by way of water tanker also needs to be resolved. Otherwise, the effective visual screening (up to a height of 3m) could take longer than the maximum 10 years referred to in the RMM RFI Response (noting consents are only sought for 35 years).

150 Effects on birds can be addressed through the preparation of an Avian Management Plan and an Avian Collision Management Plan (as is proposed). These should include details around the use of adaptive

management and any offset and/or compensation package if monitoring finds that the project is having an adverse effect on the mortality of Threatened and At-Risk bird species in the area.

- 151 The more recent resolution of the appeals relating to Stage 3 of the District Plan Review, and the narrow scope of the appeals lodged in relation to the provisions included in Stage 4, mean that the District Plan provisions introduced through recent plan changes as part of the District Plan Review are now either operative, or can be treated as such.
- 152 The matter of cumulative effects is an important consideration for solar proposals within Te Manahuna/the Mackenzie Basin ONL, including the way the community perceive and value the Te Manahuna/Mackenzie Basin ONL landscape at a broader scale. The effects of this proposal in conjunction with the Haldon Solar project are such that this southern part of Te Manahuna/the Mackenzie Basin ONL (such as is experienced from McAughtries Road) will begin to be dominated by electricity generation at the expense of ONL values.
- 153 The matter of cumulative effects on ONL values aside, the planning assessment as described above has not identified any fundamental issues that cannot be resolved through amendments/additions to the proposed conditions and additional work by the Applicant to address the loss of significant indigenous biodiversity values. To date details of the proposed offset and/or compensation package have not been formally included in the proposed conditions. As such the Applicant's proposed conditions do not currently provide a framework by which to achieve appropriate indigenous biodiversity outcomes in proportion to the national benefit from increased renewable electricity generation. In accordance with the direction set out in Minute 5, further comment on ecological matters will be provided on 27 February 2026.

Nick Boyes

Consultant Planner

On behalf of the Mackenzie District Council

19 February 2026