

# Fast-track Approvals Act 2024

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## **MINUTE #6 OF THE EXPERT PANEL**

Directions as to Conditions  
Haldon Solar [FTAA-2508-1097]

AND

## **MINUTE #7 OF THE EXPERT PANEL**

Directions as to Conditions  
The Point Solar Farm [FTAA-2508-1100]

2 March 2026

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[1] This Minute is issued jointly by the Haldon Solar (Haldon) and The Point Solar Farm (The Point) Expert Panels.

[2] In relation to both the Haldon and The Point applications the Expert Panels acknowledge the work by the two Applicants in providing draft sets of conditions as a part of the substantive applications and in responses to comments of the s53 parties. The Expert Panels also acknowledge the comments on the draft conditions from the s53 parties.

[3] We record that no decisions have been made on the applications or should be implied by this Minute. Further it should not be assumed that the two applications are being considered jointly with the attitude being that if one application is approved or declined, the result will be the same for the other. This is not so. Many of the issues that arise in each application are different.

[4] However, acknowledging the stage that the condition sets have reached so far and the fact that if the applications or an application are or is declined the issues may not arise, we consider that there is benefit to the Applicants, the Expert Panels, the administering

authorities, and the s53 parties in the condition sets for the two applications being, to the extent practicable, the same in structure and formulation. For example, the conditions relating to the stormwater discharge, with any appropriate discharge standard for either site, could be the same. Similarly, some of the conditions requiring management plans could be identical across both applications. Equally, it may be that conditions around ecological matters may be different, reflecting the differing environments and issues.

[5] Given the close physical proximity and the close timing of the two decisions, we request that the experts for The Point and Haldon work together to develop revised condition sets for each application that have the same condition wording, unless there is a need for a difference. In addition, we expect that the Applicants' condition experts work with experts in the administering authorities and to seek agreement where possible, and if not set out disagreement with reasons. The experts are also expected to consult any s53 party that requested further input into conditions, especially mana whenua for ongoing kaitiaki group arrangements.

[6] While we do not consider it necessary to specify any more detail as to the process to be followed, a workshop on conditions would seem a sensible step. The Expert Panels will consider providing more direction, or representation at any conditions workshop, if requested by either Applicant or the administering authorities.

[7] To assist the re-drafting of the conditions, we have set out some instructions in Appendix A to this Minute.

[8] We record Panels' acceptance that management plan conditions can be appropriate. However, at this stage, there appears to be an over-reliance on them in the condition sets drafted to date. The Panels' expectation is that the conditions will be outcome focussed with an emphasis on standards and limits, to which management plans, where required, will provide the process as to how any such standards and limits will be achieved. The purpose of conditions is not to defer important decisions that go to the merits of the application to a later point of time and a different decision maker.

[9] The Panels acknowledge that there is a substantial amount of work to do on this matter, which will also be affected by the assessments and surveys currently being

undertaken. Therefore, we set a deadline for revised sets of conditions of 10 April 2026.

[10] If either Applicant has any difficulty with the contents of this Minute they should advise the Application Lead of this within 24 hours of its receipt.

[11] The Condition experts for the Applicants should initiate the processes that are envisaged in this Minute.

[12] For completeness we record that The Point is not required to provide a further suite of revised conditions by 3 March 2026.

A handwritten signature in black ink that reads "Raynor Asher". The signature is written in a cursive, slightly slanted style.

Hon Raynor Asher KC

**Haldon Solar and The Point Expert Panel Chair**

## **Appendix A - Panels' requests to improve the proposed conditions of consent**

### **General**

A separate condition set is to be prepared for each resource consent required, i.e. not separated across general conditions and consent-specific conditions.

Numbering of the conditions is to be consecutive, starting at 1., for each condition set.

All significant mitigations, off-sets or compensation are to be secured by way of conditions.

Consistent use of acronyms, terms and language throughout. Certain and enforceable language and condition structures is essential.

Conditions need to be specific, measurable, achievable, relevant and time bound.

The conditions are presumed to be advanced on an *Augier* basis, unless specifically identified.

### **Management Plans:**

All management plan conditions are to be paired with separate and enforceable conditions specifying the standards, outcomes, or requirements to be met by the management plan.

All management plan condition sets to be complete and stand-alone for each management plan.

A draft of all management plans is to be provided.

All management plan conditions to be accompanied by a separate document that:

1. shows how cl21 of the Panel Convenor's Practice and Procedure Guidance has been taken into account; and
2. includes a table or checklist that shows how each of the requirements of a management plan are included (e.g. who it is to be prepared by, timeframe for submitting it, its objectives/ purpose, certification against what and by who, process for amendments, details of what the plan must include, confirmation that the activity must comply with the management plan)

### **Adaptive management conditions:**

All conditions proposing an adaptive management approach are to be supported by a separate document that confirms<sup>1</sup>:

1. there will be good baseline information about the receiving environment;
2. the conditions provide for effective monitoring of adverse effects using appropriate indicators;
3. thresholds are set to trigger remedial action before the effects become overly damaging; and
4. effects that might arise can be remedied before they become irreversible.

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<sup>1</sup> *Sustain Our Sounds Inc v New Zealand King Salmon Co Ltd* [2014] 1 NZLR 673 (SCNZ).