

# Memorandum on Completeness and Scope

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<b>File</b>	FTAA-2510-1121
<b>Application</b>	Foxton Solar Farm
<b>To</b>	Ben Bond - Team Leader LOA
<b>From</b>	Keely Paler, Application Lead
<b>Date</b>	16 March 2026
<b>Subject</b>	Assessment whether the application complies with section 46(2) of the Fast-track Approvals Act 2024

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## Purpose

1. The purpose of this memo is to assist you in making your decision on whether the Foxton Solar Farm application, received by the Fast-track Team on 23/02/2026 lodged by Genesis Energy Limited complies with the requirements of section 46(2) of the Fast-track Approvals Act 2024 (**the Act**).

## Decision-maker

2. You have delegated authority to make the decision under section 46 of the Act under the instrument of delegation dated 5 February 2025.

## Conflict of interest

3. I confirm that I do not have any conflict of interest in this matter that would prevent me making this assessment.

## The application

4. For projects listed in Schedule 2 of the Act and referred projects, authorised persons may lodge a substantive application for approvals available under the Act.
5. The Foxton Solar Farm is a listed project.
6. The EPA received the substantive application for Foxton Solar Farm on 23/02/2026 by Genesis Energy Limited. The EPA must, in consultation with the relevant administering agencies and relevant

consent authorities, decide whether this substantive application complies with section 46 of the Act by 16/03/2026.

7. As set out in more detail below, the EPA must decide whether the application is complete and either:
  - provide the application to the Panel Convener for consideration and decision by the expert consenting panel (if complete and within scope); or
  - return it to the person who lodged it (if incomplete and not within scope).

## **Project and Scope**

8. The project is described in Schedule 2 of the Act as:

*Construct and operate a solar farm across approximately 400 hectares, and connect and supply electricity to the national grid*

9. The approximate geographical location is identified in Schedule 2 of the Act as:

*400 hectares at 304, 352, 364, and 508 Walls Road, Foxton and 191, 229, 231, and 447 Motuiti Road, Foxton*

10. The applicant has stated, on page 9 of the document entitled 'Fast Track Approvals Act Application Foxton Solar Farm', that the application is for the following activity:

*The construction, operation, maintenance and decommissioning of a Solar Farm and ancillary infrastructure (including a BESS) at 304-508 Wall Road and 447 Motuiti Road, Foxton. The proposal will also involve the installation of a grid connection via a new substation to the Transpower Bunnythorpe-Haywards (BPE-HAY) National Grid Transmission Lines.*

11. The description provided by the applicant is generally consistent with the activities listed in Schedule 2.
12. The definition of 'project' in the Act includes any activity that is involved in, or that supports and is subsidiary to, the project description in Schedule 2.
13. The ancillary activities outlined on page 43 of the Fast Track Approvals Act Application: Foxton Solar Farm are, in my view, of a type that support the construction and operation of the solar farm as described in Schedule 2.
14. Although the inclusion of a Battery Energy Storage System (BESS) and the new substation are not expressly referenced in the Schedule 2 project description, I consider it to be directly related to the connection and supply of electricity to the national grid, and therefore meets the definition of a 'project' as defined by the Act as they are involved in the solar farm project as described in Schedule 2.
15. While the approximate geographic location listed in Schedule 2 includes some addresses that will not form part of the final project area, the proposed site remains within the bounds of the approximate location identified.
16. Schedule 2 specifies that the project will cover approximately 400 hectares. The application identifies an actual project area of 436 hectares (page 42 of the Fast Track Approvals Act Application:

Foxtan Solar Farm). Although this is slightly larger than the area referenced in Schedule 2, the increase is less than 10%, and I consider it to fall within an acceptable margin of variance.

17. Accordingly, I consider that the application relates solely to the listed project.

## **Fast-track consenting application process**

### **Legislative context**

18. The EPA must decide whether the substantive application complies with section 46(2) of the Act. A substantive application complies with section 46(2) of the Act, if the application:

- complies with sections 42, 43 and 44;
- relates solely to a listed project or a referred project;
- the EPA considers that, on the face of the application, the project does not appear to involve an ineligible activity; and
- any fee, charge, or levy payable under the Fast-track Approvals (Cost Recovery) Regulations 2025 (the Regulations) in respect of the application is paid.

### **Section 42 Requirements**

19. Section 42 of the Act states that an authorised person may lodge a substantive application for one project or substantive applications for each stage of a project. Section 42(4) lists the approvals that may be sought under the Act.

20. This application has been lodged by Genesis Energy Limited. This person is an authorised person under Schedule 2 of the Act.

21. The approvals being sought are:

- a. Resource consent (section 42(4)(a) of the Act)

22. All of the above listed approvals are of the type set out in section 42(4) of the Act

23. For each of the approvals sought, the applicant is eligible to apply for any corresponding approval under a specified Act.

### **Section 43 Requirements**

24. Section 43 of the Act sets out the requirements for a substantive application. The substantive application was lodged in the form and manner approved by the EPA. Assessment of section 43 requirements is included at Appendix 1.

### **Section 44 Requirements**

25. Section 44 of the Act requires that the information provided by the applicant under section 43 must be specified in sufficient detail to satisfy the purpose for which it is required. Assessment of section 44 sufficiency is included at Appendix 1.

26. In assessing the sufficiency of information provided by the applicant, we rely on the information provided to us through consultation with each relevant administering agency and consent authority, as summarised in Appendix 2.
27. As set out in more detail in Appendix 2, Horowhenua District Council advised that the information required by section 44 is provided in sufficient detail to satisfy the purpose for which it is required.
28. Horizons Regional Council initially identified that additional information and assessment was needed against the rules of the One Plan and National Environmental Standard for Freshwater to confirm that all consents required have been applied for under Section 43(3)(a) – section 5(1) of Schedule 5 of the FTAA. Their consultation response can be found in full below at Appendix 2.
29. The Applicant was given 24 hours to provide this information and assessment. Their response<sup>1</sup> has been included within this assessment and was provided to Horizons Regional Council for their further feedback, which was as follows:

*“I have reviewed the response from the applicant and can confirm that Horizons consider the application meets the requirements of ss 42, 43, and 44 of the FTAA. Horizons accept the applicant’s comments that the questions posed by Horizons related to additional consent requirements and that no similar avenue to s91 of the RMA exists under the FTAA. However, we note that the Applicant providing this clarification at this point is likely to result in less requests for clarification further into the FTAA assessment process and we thank the applicant for clarifying these at this early stage.”*

### **Ineligibility**

30. The EPA needs to decide whether it considers that, on the face of the application, the project does not appear to involve an ineligible activity, as defined in section 5 of the Act. As the EPA has to consider this on the face of the application, the EPA is only able to consider information contained in the application materials.
31. The list of ineligible projects includes activities:
  - on land returned under a Treaty settlement, on identified Māori Land, on Māori customary land, on land set apart as Māori reservation, or in a customary marine title or protected customary rights area without written permission from the rights holder;
  - on Māori customary land, or land set apart as Māori reservation under Part 17 of Te Ture Whenua Māori Act 1993;
  - in a customary marine or protected customary rights area without written agreement from the rights holder/group;
  - within an aquaculture settlement area without the required authorisation;

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<sup>1</sup> The applicants response to the request for the information and assessment, as identified by Horizons Regional Council can be found here: [https://www.fasttrack.govt.nz/\\_data/assets/pdf\\_file/0020/22277/FTAA-2510-1121-Letter-to-the-EPA-regarding-missing-information-11-March-202671851458.1\\_Redacted.pdf](https://www.fasttrack.govt.nz/_data/assets/pdf_file/0020/22277/FTAA-2510-1121-Letter-to-the-EPA-regarding-missing-information-11-March-202671851458.1_Redacted.pdf) and [https://www.fasttrack.govt.nz/\\_data/assets/pdf\\_file/0021/22278/Appendix-One.pdf](https://www.fasttrack.govt.nz/_data/assets/pdf_file/0021/22278/Appendix-One.pdf)

- activities that would be prevented under section 165J, 165M, 165Q, 165ZC, or 165ZDB of the RMA (which deal with occupation of space in the common marine and coastal area); or
  - that require permissions on national reserves held under the Reserves Act 1977 ; or
  - on land listed under clauses 1 to 11 or 14 of Schedule 4 of the Crown Minerals Act 1991 (and clauses 12 and 13 for mining activities).
32. I consider that, on the face of the application, the project does not appear to involve an ineligible activity.

### **Fees and levies**

33. The EPA has received all fees, charges and levies payable by the applicant under the Regulations for the substantive application as follows:
- Application fee in the sum of \$250,000 plus GST;
  - Levy in the sum of \$140,000 plus GST

### **Consultation**

34. We have consulted with and considered consultation responses from the following relevant administering agencies and relevant consent authorities:
- with Horowhenua District Council and Horizons Regional Council for an approval described in section 42(4)(a) (resource consent).
35. A summary of the consultation is included at Appendix 2.

### **Assessment of compliance for each section of each application form**

36. We have assessed the application materials against the relevant checklists in the prescribed application form. Each assessment is contained within the appropriate approval checklist. These are included in Appendix 1 for ease of reference.
37. My view is that the application does comply with section 46 and the EPA may now notify the applicant of its decision.
38. The EPA must now decide whether the substantive application has a competing application under section 47(3) (under delegation from the Minister for Infrastructure under section 47(10)) within 10 working days from the date of the completeness decision.
39. Once the EPA has made the decision under section 47(3), the EPA can provide the application to the panel convener to commence consideration and decision of the application by the panel.

## **Appendix 1: Assessment of section 44 sufficiency**

This application seeks the following approval(s) under the Act:

- A resource consent, change to or cancellation of a resource consent: **checklist A**
- A resource consent, change to or cancellation of a resource consent: **checklist A1 – subdivision or reclamation**
- Information requirements for all applications **checklist J**.

## CHECKLIST A – Resource consent, change to or cancellation of a resource consent

Clause, Schedule 5	Information required for an approval described in section 42(4)(a) (resource consent) and/or section 42(4)(b) (change or cancellation of resource consent), Clauses 5-8 of Schedule 5	Application Reference	EPA
5(1)(a)	A description of the proposed activity	<b>Fast Track Approvals Act Application: Foxton Solar Farm, Section 4</b>	Addressed, as stated by the applicant. Refer to pages 42-61.
5(1)(b)	A description and map of the site at which the activity is to occur, including whether the site is within or adjacent to— <ul style="list-style-type: none"> <li>(i) a statutory area (as defined in the relevant Treaty settlement Act); or</li> <li>(ii) ngā rohe moana o ngā hapū o Ngāti Porou (as defined in section 11 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019); or</li> <li>(iii) a protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011</li> </ul>	<b>Fast Track Approvals Act Application: Foxton Solar Farm, Section 3 and Appendix G. The site is not within or adjacent any of the areas listed in (i) to (iii).</b>	Addressed, as stated by the applicant.
5(1)(c)	Confirmation that the consent application complies with section 46(2)(a), (b), and (d); being: <ul style="list-style-type: none"> <li>• section 42; and</li> </ul>	<b>Fast Track Approvals Act Application: Foxton Solar</b>	Addressed. <ul style="list-style-type: none"> <li>• Section 2.2.4 (page 15) confirms that the applicant is eligible to</li> </ul>

	<ul style="list-style-type: none"> <li>• sections 43 and 44; and</li> <li>• relates solely to a listed project or a referred project; and</li> <li>• any fee, charge, or levy payable under regulations in respect of the application is paid.</li> </ul>	<p><b>Farm, Section 2.7.7, Table 5. The application relates solely to a listed project, complies with sections 42, 43, and 44. The relevant levy and lodgement fee have been paid.</b></p>	<p>apply for the approvals sought, and states that the section 42(2)(a) is addressed.</p> <ul style="list-style-type: none"> <li>• Section 2.2.5 (page 15-19) provides evidence that Section 43 and 44 has been addressed.</li> <li>• Section 1.0 (page 10) confirms the application is for a listed project.</li> <li>• Table 2 (page 16) confirms the relevant fee, charge, or levy payable under regulations in respect of the application have been paid.</li> </ul>
5(1)(d) and 5(6)	<p>The full name and address of—</p> <ul style="list-style-type: none"> <li>(i) each owner of the site and of land adjacent to the site; and</li> <li>(ii) each occupier of the site and of land adjacent to the site whom the applicant is unable to identify after reasonable inquiry;</li> </ul>	<p><b>Fast Track Approvals Act Application: Foxton Solar Farm, Appendix F</b></p>	<p>Addressed, as stated by the applicant.</p>

	If the applicant is not able to supply the name and address of the owner and each occupier of the site and of land adjacent to the site because the land is Māori land in multiple ownership, the applicant must include a statement to that effect (clause 5(6)).		
5(1)(e)	A description of any other activities that are part of the proposal to which the consent application relates	<b>Fast Track Approvals Act Application: Foxton Solar Farm, Section 4</b>	Addressed, as stated by the applicant. Ancillary Works are outlined in Table 8 (pages 42-44)
5(1)(f)	A description of any other resource consents, notices of requirement for designations, or alterations to designations required for the project to which the consent application relates	<b>Fast Track Approvals Act Application: Foxton Solar Farm, Section 2.7.7, Table 5</b>	Addressed, as stated by the applicant. Refer to table 5 (page 21).
5(1)(g)	An assessment of the activity against sections 5, 6 and 7 of the Resource Management Act 1991	<b>Fast Track Approvals Act Application: Foxton Solar Farm, Section 11</b>	Addressed, as stated by the applicant. <ul style="list-style-type: none"> <li>• Section 11.1 (page 146) includes an assessment of the activity against s 5 of the RMA.</li> <li>• Section 11.2 (page 147) includes an assessment of the activity against ss 6(a), 6(e) and 6(h) of</li> </ul>

			<p>the RMA. The Applicant has assessed these sections as the only sections that are relevant to this application.</p> <ul style="list-style-type: none"> <li>Section 11.3 (pages 147-148) includes an assessment of the activity against the relevant section of s 7 of the RMA. The Applicant has assessed ss 7(h) as not relevant.</li> </ul>
<p>5(1)(h) (and also clauses 5(2) and 5(3))</p>	<p>An assessment of the activity against any relevant provisions in any of the following documents:</p> <ul style="list-style-type: none"> <li>a national environmental standard:</li> <li>other regulations made under the Resource Management Act 1991:</li> <li>a national policy statement:</li> <li>a New Zealand coastal policy statement:</li> <li>a regional policy statement or proposed regional policy statement:</li> <li>a plan or proposed plan:</li> <li>a planning document recognised by a relevant iwi authority and lodged with a local authority.</li> </ul>	<p><b>Fast Track Approvals Act Application: Foxton Solar Farm, Section 8 and 9</b></p>	<p>Addressed, as stated by the applicant.</p> <p>The following documents have been assessed:</p> <p>National policy statements for:</p> <ul style="list-style-type: none"> <li>Renewable electricity generation</li> <li>Highly productive land</li> <li>freshwater management</li> </ul> <p>National Environmental Standards for:</p> <ul style="list-style-type: none"> <li>Freshwater</li> </ul>

<p>This assessment must include an assessment of the activity against the requirements set out in clause 5(3) of Schedule 5 being:</p> <ul style="list-style-type: none"> <li>• any relevant objectives, policies or rules in the documents listed; and</li> <li>• any requirement, condition, or permission in any rules in any of those documents; and</li> <li>• any other requirements in any of those documents.</li> </ul>		<ul style="list-style-type: none"> <li>• Assessing and managing contaminants in soil to protect human health</li> </ul> <p>Plans:</p> <ul style="list-style-type: none"> <li>• Manawatū-Whanganui One Plan</li> <li>• Operative Horowhenua District Plan</li> </ul> <p>Planning document recognised by a relevant iwi authority and lodged with a local authority:</p> <ul style="list-style-type: none"> <li>• Rangitāne o Manawatū Environmental Management Plan</li> </ul> <p>Consultation with Horizons Regional Council indicated that not all relevant rules in the Manawatū-Whanganui One Plan and the NES-Freshwater were addressed sufficiently in the application, thereby not satisfying all of the requirements of clause 5(3).</p>
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			<p>The applicant subsequently provided an assessment against the rules that Horizons had identified as missing.</p> <p>I am therefore comfortable that this has now been sufficiently addressed for completeness purposes.</p>
5(1)(i)	<p>Information about any Treaty settlements that apply in the area covered by the consent application, including—</p> <ul style="list-style-type: none"> <li>(i) identification of the relevant provisions in those Treaty settlements; and</li> <li>(ii) a summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area</li> </ul>	<p><b>Fast Track Approvals Act Application: Foxton Solar Farm, Section 9</b></p>	<p>Addressed, as stated by the Applicant.</p> <p>Refer to pages 139-143.</p>
5(1)(j)	<p>A list of any relevant customary marine title groups, protected customary rights groups, ngā hapū o Ngāti Porou (where an application is within, adjacent to or directly affecting ngā rohe moana o ngā hapū o Ngāti Porou), or applicants under the Marine and Coastal Area (Takutai Moana) Act 2011;</p>	<p><b>Not applicable</b></p>	<p>Not applicable as stated by the Applicant.</p>
5(1)(k)	<p>The conditions that the applicant proposes for the resource consent.</p>	<p><b>Fast Track Approvals Act Application:</b></p>	<p>Addressed, as stated by the Applicant.</p>

		<b>Foxton Solar Farm, Appendix T</b>	
5(1)(l)	if a notice under section 30(3)(b) or (5) has been received,— (i) a copy of that notice showing that it was received within the time frame specified in section 30(6)(b); and (ii) if a notice has been received under section 30(5), any more up-to-date information that the applicant is aware of about the existing resource consent referred to in the notice.	<b>Fast Track Approvals Act Application: Foxton Solar Farm, Appendix D</b>	Addressed, as stated by the Applicant.
5(4)(a)	An assessment of the activity’s effects on the environment that includes the information required by clause 6.	<b>Fast Track Approvals Act Application: Foxton Solar Farm, Section 7</b>	Addressed, as outlined below.
5(4)(b)	An assessment of the activity’s effects on the environment that covers the matters specified in clause 7.	<b>Fast Track Approvals Act Application: Foxton Solar Farm, Section 7</b>	Addressed, as outlined below.

6	<p>(1) The assessment of an activity's effects on the environment must include the following information:</p> <ul style="list-style-type: none"> <li>(a) an assessment of the actual or potential effects on the environment:</li> <li>(b) if the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use:</li> <li>(c) if the activity includes the discharge of any contaminant, a description of— <ul style="list-style-type: none"> <li>(i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and</li> <li>(ii) any possible alternative methods of discharge, including discharge into any other receiving environment:</li> </ul> </li> <li>(d) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect of the activity:</li> <li>(e) identification of persons who may be affected by the activity and any response to the views of any persons consulted, including the views of iwi or hapū that have been consulted in relation to the proposal:</li> </ul>	<p><b>Fast Track Approvals Act Application: Foxton Solar Farm, Section 7</b></p>	<p>Addressed, as per the following sections of the main application document:</p> <ul style="list-style-type: none"> <li>a) Section 7 (pages 70-103) and Appendices B, H, I, J, K, L, M, N, Q, and R.</li> <li>b) Section 7.11 (pages 87-89) includes an assessment of the drains and any installations that may impact the hydrology of the site.</li> <li>c) Table 6 (page 24) states this is not applicable. However, further consultation with the applicant, following feedback from Horizons Regional Council, confirmed that there is potential for the discharge of contaminants. Additional detail on the nature of the discharge was provided in the applicant's response and in Appendix S. Appendix T also requires the Contaminated Soil Management Plan to outline procedures for soil disturbance in this area, which would encompass the management of any discharges.</li> </ul>
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	<p>(f) if iwi or hapū elect not to respond when consulted on the proposal, any reasons that they have specified for that decision:</p> <p>(g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how the effects will be monitored and by whom, if the activity is approved:</p> <p>(h) an assessment of any effects of the activity on the exercise of a protected customary right.</p>		<p>Therefore, this matter has now been addressed.</p> <p>d) Section 7 (pages 70-103) and Appendices H, I, K, L, M, and N.</p> <p>e) Section 5 (pages 61 - 67) and Appendices D and F.</p> <p>f) Not applicable as stated by the applicant (page 25).</p> <p>g) Not applicable as stated by the applicant (page 25), indicating that the applicant believes the scale and significance of effects are such that that monitoring is NOT required. Despite this, the applicant has provided details of the following monitoring to be undertaken:</p> <ul style="list-style-type: none"> <li>o Section 7.2.6 (page 75) - monitoring of plantings.</li> <li>o Section 7.7 (page 82) - noise monitoring, should any central inverters or transformers be proposed to be located within 150m from</li> </ul>
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			<p>any neighbouring property boundaries.</p> <ul style="list-style-type: none"> <li>○ Pages 93 and 94 specify that the CMP and the CTMP will include information on monitoring to be undertaken.</li> <li>○ Appendix T will require soil sampling to be undertaken to confirm whether potential contaminants are present at a level that could present a risk to human health.</li> </ul> <p>h) Not applicable as stated by the applicant (page 25).</p>
7	<p>The assessment of an activity's effects on the environment must cover the following matters:</p> <p>(a) any effect on the people in the neighbourhood and, if relevant, the wider community, including any social, economic, or cultural effects:</p> <p>(b) any physical effect on the locality, including landscape and visual effects:</p>	<p><b>Fast Track Approvals Act Application: Foxton Solar Farm, Section 7</b></p>	<p>Addressed, as per the following sections of the main application document:</p> <p>a) The following sections of the main application document are relevant:</p> <ul style="list-style-type: none"> <li>● 7.2.1-7.2.3 (Positive effects; pages 71-73),</li> <li>● 7.3 (Cultural effects; pages 75-76),</li> <li>● 7.6 (Glint and glare effects; pages 79-80),</li> </ul>

<p>(c) any effect on ecosystems, including effects on plants or animals and physical disturbance of habitats in the vicinity:</p> <p>(d) any effect on natural and physical resources that have aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:</p> <p>(e) any discharge of contaminants into the environment and options for the treatment and disposal of contaminants:</p> <p>(f) any unreasonable emission of noise:</p> <p>(g) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.</p>		<ul style="list-style-type: none"> <li>• 7.7 (Operational noise effects; page 81-85),</li> <li>• 7.8 (Operational traffic effects; page 85),</li> <li>• 7.13.5 (Construction traffic; pages 94-95),</li> <li>• 7.13.6 (Construction noise and vibration; pages 96),</li> <li>• 7.14 (rural character and amenity (including pleasantness, aesthetic coherence, and cultural and recreational attributes); pages 97-99).</li> </ul> <p>b) Section 7.5 (pages 76-79) and Appendix H.</p> <p>c) Section 7.12 (pages 89-91) and Appendix I.</p> <p>d) Sections 7.3 (Cultural effects; pages 75-76), 7.4 (archaeological (historical) effects; page 76), and 7.14 (rural character and amenity (including pleasantness, aesthetic coherence, and cultural and recreational attributes); page 97-99).</p>
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			<p>e) Section 7.13 and Appendix S indicate an area of the project site may have been subject to activities that caused soil contamination that are still present on the site. Therefore, there is the potential for soil disturbance in an area of contaminated soils, which could potentially be discharged. Appendix T specifies that the Contaminated Soil Management Plan must outline procedures for soil disturbance in this area to protect human health. Therefore this has been addressed.</p> <p>f) Section 7.7 (pages 81-85) and Appendix R.</p> <p>g) Sections 7.11 (page 87-89) and 8.11.3.2 (page 135), and Appendix J (Stormwater and Flood Risk Assessment).</p>
5(5)(a)	If a permitted activity is part of the proposal to which the consent application relates, a description that demonstrates that the activity complies with the requirements, conditions, and permissions for the permitted activity (so that a resource	<b>Fast Track Approvals Act Application: Foxton Solar</b>	Addressed

	<p>consent is not required for that activity under section 87A(1) of the Resource Management Act 1991)</p>	<p><b>Farm, Section 4 and Appendix P</b></p>	<p>Sections 4.21 (page 61), 7.1.1 (pages 70-71) and Appendix P provide details of the relevant permitted activities.</p> <p>Horizons Regional Council notes that <i>“The rule assessment in the main application document and Appendix P covers a number of permitted activities. However, there is no assessment of the activity that demonstrates how the proposal meets the permitted activity conditions. No information to support how the individual standards in those permitted activity rules has been provided.”</i></p> <p>In response, the applicant provided a clear demonstration of how the activity complies with all relevant requirements, conditions, and standards of the applicable permitted activity rule(s).</p>
<p>5(5)(b)</p>	<p>If the activity is to occur in an area that is within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011 or the environmental covenant prepared by ngā hapū o Ngāti Porou under section 19 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, an assessment of the activity</p>	<p><b>Not applicable</b></p>	<p>Not applicable, as stated by the applicant.</p>

	against any resource management matters set out in that document		
5(5)(c)	If the activity is to occur in an area that is taiāpure-local fishery, a mātaītai reserve, or an area that is subject to bylaws made under Part 9 of the Fisheries Act 1996, an assessment of the effects of the activity on the use or management of the area.	<b>Not applicable</b>	Not applicable, as stated by the applicant.

**CHECKLIST A1 – Subdivision or reclamation resource consent**

**CHECKLIST J – Listed project information requirements**

## Appendix 2: Consultation Summary

The following agencies were consulted with to inform the assessment of the application for completeness. Each agency was requested to confirm whether the application documentation provided by the EPA regarding the proposal as provided by the applicant meets the requirements of sections 42 and 43 of the Act and is provided in sufficient detail to satisfy the purpose of the Act in accordance with section 44 of the Act.

**1. Consultation with Horowhenua District Council and Horizons Regional Council** as the relevant consent authority for the following approvals under the Resource Management Act 1991:

- Resource consent (section 42(4)(a) of the Act)

### Response from Horowhenua District Council in verbatim received via the portal on 3 March 2026

We have reviewed the documents. We are happy that the documentation meets the requirements for the level of appropriate information for assessment.

3 March 2026

Environmental Protection Agency  
Private Bag 63002  
WELLINGTON 6140

Attention Keely Paler

Dear Keely,

**Fast Track Application FTAA-25101121 – Foxton Solar Farm – Horizons Comments on Completeness of Application**

Thank you for the invitation to provide comment on the application lodged by Genesis Energy Limited to construct and operate a solar farm near Foxton. You have requested Horizons provide comments and confirmation on whether the application documents meet the requirements of sections 42 and 43 of the Fast Track Approvals Act 2024 (FTAA).

Horizons Regional Council has the following comments on the application based on the requirements of sections 42 and 43 of the FTAA:

1. Section 43(3)(a) – section 5(1) of Schedule 5:
  - Section 3: The application notes that a PSI has been undertaken, with one site considered to be a ‘piece of land’ under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS). The application has been assessed against the land disturbance provisions of the NES-CS but has not considered the contaminated land in the context of the rules in the Regional Plan (One Plan). Rules LF-LAND-R1, R6 and R8 of the One Plan manages land disturbance and the ancillary discharge of sediment to land or water. However, these rules do not include the discharge of any other contaminants (other than sediment) such as those contained in contaminated material/soil. Noting that erosion and sediment controls do not treat/remove contaminants other than sediment from water, where discharges from these areas occur a Discharge Permit is often triggered. This has not been assessed or considered in the application. Horizons considers this should be addressed to confirm if an additional consent is required.
  - Section 3: The rule assessment in Appendix P has not assessed the proposal against Rule LF-LW-R29 of the One Plan which manages the discharge of cleanfill to land. This rule includes the importing of fill to site (rather than cut to fill which is included in the definition of land disturbance) and also includes the importing of roading aggregate. If the standards of Rule LF-LW-R29 cannot be met, then an additional consent not currently applied for would be required.
  - Section 3: The rule assessment in the main application document and Appendix P covers a number of permitted activities. However, there is no assessment of the activity that demonstrates how the proposal meets the permitted activity conditions. No information to support how the individual standards in those permitted activity rules has been provided.

- Section 3: The rule assessment in Appendix P includes Rule LF-AWBD-R63 of the One Plan (culverts), which suggests new culverts may be required. There is no information on culvert details in the application, except to note the existing culverts which provide a pathway for the pivot irrigator to pass over the existing drains. If works to culverts are required, expansion of the rule assessment (and inclusion of the culvert regulations in the National Environmental Standard for Freshwater) is warranted. If consents are required additional information on the culverts and the effects on waterbodies from those works will need to be provided.
- Section 3: The rule assessment in Appendix P makes reference to Rule LF-TUD-R49 (new drainage) in the event groundwater is encountered. If the Applicant is referring to the dewatering of trenches if they intercept groundwater and the subsequent disposal of that water, this should instead be assessed against Rule LF-TUD-R40 (take and use of groundwater), Rule LF-LW-R34 (discharge to water), Rule LF-LW-R35 (discharges to land not entering water) and Rule LF-LW-R36 (discharges to land that may enter water). If the standards of these rules cannot be met, then additional consents not currently applied for would be required.
- Section 3: The draft Erosion and Sediment Control Plan in Appendix O notes that water is proposed to be used for dust suppression. However, no details are provided on where this water is to be sourced from and therefore if any assessment against the rules of the One Plan is required. If this is to be sourced from surface water or a groundwater bore(s) assessment against the relevant rules in the One Plan is required to determine if consent is required.

I can confirm that the notice provided by Horizons under section 30 of the FTAA remains accurate and final as of the date of this letter.

In summary, we consider additional information and assessment against the rules of the One Plan and National Environmental Standard for Freshwater as discussed above is required to confirm that all consents required have been applied for under Section 43(3)(a) – section 5(1) of Schedule 5 of the FTAA. With respect to the remainder of sections 42 and 43 of the FTAA, we consider the application has met those requirements with respect to the consents currently applied for.

If you have any questions regarding the above comments, please do not hesitate to contact me.

Yours Sincerely,



Sara Westcott  
**TEAM LEADER CONSENTS**  
**HORIZONS REGIONAL COUNCIL**