

30 October 2025

MAY IT PLEASE THE PANEL CONVENER

1. This memorandum is provided on behalf of Canterbury Regional Council (**CRC**) in response to Minute 1 of the Panel Convener dated 22 October 2025 (**Minute**), regarding the Lodestone Energy Limited (**Lodestone**) application for approvals for the Haldon Solar Project.

Minute 1, Schedule 1 - Participant's estimated timeframe

2. CRC has identified a lack of ecological assessments of the site, as discussed in Table 1 below. It is requested that time is allowed for these surveys to be completed, as well as for CRC's Land Ecology team to review the results of the survey and comments on appropriate mitigations.
3. CRC also considers it necessary for the applicant to undertake further consultation with the relevant iwi authorities to inform the potential cultural effects of the proposal. CRC understands that the applicant is currently seeking further engagement with relevant iwi authorities, with a hui currently planned for 19 November 2025.
4. It is further requested that sufficient time is allowed to review and comment on draft conditions under section 70(2) of the FTAA. The appropriate period of time to comment on draft conditions will depend on their complexity and the extent to which matters remain in contention.
5. CRC is happy to discuss timeframes further at the Panel Convener Conference.

Minute 1, Schedule 2 – Matters to consider when preparing for conference

Approvals

[1] The number and range of approvals sought

4. Three approvals are sought from CRC for activities described in the RMA. One approval is required under section 9, and two under section 15 of the Resource Management Act 1991 (**RMA**), as follows:

- (a) Land use consent (s9) – Restricted discretionary activity – to use land over an aquifer for excavations, which includes:
 - (i) Establishing access tracks/roading throughout the site;
 - (ii) Trenching for electrical cables throughout the site; and
 - (iii) Ground preparation for concrete foundations required for various electrical equipment.
- (b) Discharge permit (s15) – Restricted discretionary activity – to discharge construction-phase stormwater to land, which includes:
 - (i) The discharge of construction-phase stormwater to land from construction phase activities related to land development / preparation / earthworks.
- (c) Discharge permit (s15) – Discretionary activity – to discharge operational stormwater to land, which includes:
 - (i) The discharge of stormwater from solar panel arrays to land; and
 - (ii) The discharge of stormwater from and electrical substation to land.

Complexity

6. **Table 1** below provides consideration of the matters set out in Schedule 2 of the Minute. The content in the first two columns of the table is copied directly from Schedule 2.

Table 1: consideration of complexity

Level of complexity	Specific provision	CRC comment
(a) Legal Complexity: novel or difficult legal issues	(i) involve untested law or interpretation of statute;	CRC does not consider that there is any legal complexity relating to untested law or interpretation of statute.
	(ii) involve application for multiple approvals;	Three approvals are sought, reflecting activities specified in sections 9 and 15 of the RMA. There are a number of activities within each approval, as described in [1] above.
	(iii) interface with two or more statutes; and	<p>Setting aside the FTAA, the RMA is the primary statute for this proposal.</p> <p>Within the RMA framework the following legislative documents apply to this proposal:</p> <ol style="list-style-type: none"> 1) National Policy Statement for Renewable Energy Generation 2011 2) National Policy Statement for Freshwater Management 2020 3) Canterbury Regional Policy Statement 2021 <p>The applicable regional plan for classifying the proposed activities is the Canterbury Land and Water Regional Plan (LWRP).</p> <p>The activities if bundled would have a discretionary activity status under the LWRP.</p>
	(iv) engage constitutional law and public law.	Constitutional and public law is not anticipated to apply.

<p>(b) Evidentiary Complexity: stemming from the volume, type, or technical nature of evidence</p>	<p>(i) include challenges like managing expert reports or dealing with conflicting factual or opinion evidence; and</p>	<p>CRC acknowledges that the applicant has undertaken consultation with a number of parties and commissioned a number of technical reports.</p> <p>Notwithstanding this, CRC considers that further discussions and investigations are necessary to gain a better understanding of potential effects.</p> <p>Specifically, CRC believes additional investigations are needed regarding the identification of ecological values at the site, mainly around lizard and invertebrate values, as well as further consultation between the applicant and the relevant iwi authorities around cultural effects.</p> <p>CRC Land Ecology advice is that lizard and invertebrate surveys could be carried out from present until the end of summer (28 February 2026) and could likely be completed within a week. CRC understands the applicant is in the process of engaging experts to undertake the appropriate surveys.</p> <p>Once those surveys have been undertaken, CRC's Land Ecology team would require time to review these and propose appropriate mitigation.</p> <p>For cultural consultation, CRC understands that the applicant's planned consultation with iwi authorities has been delayed. CRC considers that further consultation is necessary to understand the potential cultural effects of the proposal, as well as determining any mitigations or conditions to address potential cultural effects.</p> <p>As discussed with the applicant, further work is needed (generally) to refine the final condition set and ensure the appropriateness of proposed mitigation, especially pending further clarity on potential ecological and cultural effects.</p>
--	---	--

	(ii) often involve technical or scientific analysis	<p>The applicant submitted 13 appendices with the application, each addressing a specific potential effect of the proposal. The technical assessments relevant to the approvals relevant to CRC are:</p> <ol style="list-style-type: none"> 1) Geotechnical Assessment (Appendix 4) 2) Solar Array Flood Risk Assessment (Appendix 5A) 3) Substation Flood Risk Assessment (Appendix 5B) 4) Ecological Assessment (Appendix 7) <p>CRC science staff have undertaken a detailed review of these documents and discussions are underway with the applicant regarding aspects where further information or clarification is required.</p>
(c) Factual Complexity: arises from the volume and nature of evidence -	<p>(i) requires careful management of extensive information or reports, including expert opinion in specialised fields; and</p> <p>(ii) necessitates analysis if technical, scientific, or highly specialised subject matter are involved.</p>	<p>While the applicant has provided significant assessment in support of the application, the outstanding concerns of CRC are limited to ecological and cultural effects.</p> <p>As such, while time may be required to address the outstanding matters, the overall complexity of the proposal is not of concern.</p>

Issues

[3] In addition to the matters noted in the Minute, describe:

- (a) the issues that have arisen during pre-lodgement and post-lodgement consultation and engagement.*
- (b) if the application concerns an activity the same or similar to one previously lodged with a consent authority, state how requests for information pursuant to section 92 of the RMA have been addressed in this application.*
- (c) any statutory process that coincides with the 30-working day period (if proposed)*

7. At this stage, CRC has concerns around the identification of ecological values and potential cultural impacts at the site, as outlined above.
8. CRC is willing to engage with Lodestone to further refine the proposed conditions and will continue discussions in advance of a panel being appointed.

Panel membership [4]

Consider:

- (a) *the knowledge, skills and expertise required to decide the application under clause 7(1) of Schedule 3.*
 - (b) *whether there are factors that warrant the appointment of more than four panel members, such as:*
 - (i) *the circumstances unique to a particular district or region; or*
 - (ii) *the number of applications that have to be considered in that particular district or region; or*
 - (iii) *the nature and scale of the application under consideration; or*
 - (iv) *matters unique to any relevant iwi participation legislation.*
9. In relation to item [4(a)], CRC considers the following skills and areas of expertise would be beneficial for inclusion on the Panel:
 - (a) Planning and RMA expertise, given the issues outlined above; and
 - (b) Experience in condition drafting, to ensure that any approval is accompanied by conditions that are both monitorable and enforceable.
10. While the following areas fall outside CRC's core functions, discussions with Lodestone and Mackenzie District Council (**MDC**) suggest that the inclusion of the following skills and knowledge would also be valuable:

- (a) Landscape architecture expertise to assess the cumulative effects of large-scale solar installations on the Mackenzie Basin landscape. This expertise could come in the form of an expert to assist the panel; and
 - (b) Cultural understanding – CRC considers that an appreciation of cultural values is relevant to decision-making on this proposal. It is CRC’s preference that the relevant iwi authorities and Treaty settlement entities listed in Schedule 3 of the minute will be invited to nominate a panel member with the appropriate cultural expertise.
11. CRC and MDC have identified a number of potential Panel nominees who are considered to possess cultural skills and experience. These potential nominees can be provided to the Panel Convener when requested.
12. In relation to landscape architecture expertise, CRC does not have a current approved panel nominee to put forward. It may be something that the panel convenor wishes to consider when forming the panel.

Procedural requirements

[6] Consider and prepare to indicate:

- (a) *willingness to engage directly with the panel as necessary to advance progress of the application efficiently (briefings, meetings, conferencing).*
 - (b) *the timing of expert conferencing or wānanga;*
 - (c) *the referral of two or more participants or topics to mediation;*
 - (d) *the requirement for any form of hearing process including:*
 - (i) *disputed facts or opinions*
 - (ii) *proposed conditions; or*
 - (iii) *legal issues.*
12. CRC is willing to engage directly with the Panel as necessary. As noted above, CRC is happy to discuss specific matters with Lodestone in more detail and intends to continue ongoing discussions with Lodestone and other relevant parties.

13. CRC does not currently expect that any expert conferencing or mediation will be required. However, if significant ecological or cultural effects are identified from the additional assessments expected, expert conferencing may be appropriate to determine appropriate mitigations.

Anything else?

[7] Is there any other information needed to decide time frames or panel composition?

14. CRC does not consider that any other information, other than that discussed above, will be required.

Dated: 30 October 2025



Robyn Fitchett
General Counsel for Canterbury Regional Council