

11 December 2025

Raynor Asher
Panel Chair
Fast Track Approvals
By e-mail: info@fasttrack.govt.nz

Dear Raynor,

Memorandum 5: FTAA-2508-1097 Haldon Solar - Response to Minute 5

Lodestone appreciates the Panel's consideration of process matters relating to the Haldon Station and The Point applications. We provide this memorandum requesting that the Panel make an order that publication of information relating to the Haldon Station application be structured in order to avoid unreasonable prejudice to Lodestone's commercial interests.

Competitive and procedural context

Lodestone and Far North Solar Farm Limited (*FNSF*) are direct competitors, and the Haldon Station and The Point proposals are competing solar projects. Both applications are before a common Panel, and the processes are staggered – The Point progresses approximately 2 weeks after each equivalent step for Haldon Station.

This sequencing will, unless intentionally managed, result in information from each step of Lodestone's application being published before *FNSF*'s application progresses through the equivalent step. This creates a material commercial disadvantage to Lodestone, by enabling a competitor to adjust its presentation, evidence and framing with reference to information available only because Lodestone's process occurs earlier.

Statutory framework

As the Panel will no doubt be aware, the Fast-track Approvals Act 2024 (*FTAA*) contains specific provisions empowering the Panel to make orders in relation to its procedures to avoid unreasonable prejudice of the nature described above - sch. 3, s11 of the *FTAA* provides that, when a panel is assessing a proposed approval under the Resource Management Act 1991 (*RMA*), section 42 of the *RMA* applies with any necessary modifications, as if the panel were a board of inquiry.

As applied, s42 provides that a Panel may make an order prohibiting or restricting the publication or communication of any information supplied to it, or obtained by it, in the course of any proceedings, whether or not the information may be material to any proposal, application, or requirement, where the Panel is satisfied that the order is necessary to:

- i. avoid unreasonable prejudice to the commercial position of the person who supplied, or is the subject of, the information; and
- ii. in the circumstances of the particular case, the importance of avoiding such prejudice outweighs the public interest in making that information available.

Prejudice and public interest

The relevant prejudice here arises from the timing of publication, not its content: as detailed above, advance release of Lodestone's information to a competitor with an application for a competing project, being considered before a common panel, creates a clear information imbalance and material unreasonable prejudice to Lodestone's commercial position; precisely the kind of imbalance s42 is designed to avoid.

A process for timing of disclosure, structured to ensure that information relating to Lodestone's application is not published or communicated prior to *FNSF*'s application proceeding through the equivalent step in the application process, is likely to only require a delay of 2-3 weeks in each instance. We consider that this is reasonable when balancing the importance of avoiding unreasonable prejudice against a party, with the public interest in making that information available.

Request

On the basis described above, Lodestone respectfully requests that the Panel exercise its powers under FTAA sch. 3, s11 / RMA s42 to:

Restrict publication of any information supplied to, or obtained by, the Panel in relation to the Haldon Station application until the equivalent stage of The Point application has been completed.

Conclusion

This request seeks only a temporary, proportionate deferral, not permanent non-publication. Once both applications have advanced through the same stage, Lodestone supports full transparency. A short delay will ensure both applicants engage with the Panel on a fair and even footing.

Regards,

A handwritten signature in black ink, appearing to read "Daniel Cunningham".

Daniel Cunningham

GM, Development - Lodestone Energy Limited