Version
as at 8 July 2023

COVID-19 Recovery (Fast-track Consenting) Referred Projects (Rangiriri Solar Farm and Waerenga Solar Farm) Amendment Order 2023

(SL 2023/52)

COVID-19 Recovery (Fast-track Consenting) Referred Projects (Rangiriri Solar Farm and Waerenga Solar Farm) Amendment Order 2023: revoked, on 8 July 2023, by Schedule 1 clause 1(1) of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (2020 No 35).

Rt Hon Dame Helen Winkelmann, Administrator of the Government

Order in Council

At Wellington this 11th day of April 2023

Present:
The Right Hon Chris Hipkins presiding in Council

This order is made under section 27 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 on the advice and with the consent of the Executive Council and on the recommendation of the Minister for the Environment.

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This order is administered by the Ministry for the Environment.

4 New Schedules 68 and 69 inserted 2

Schedule 3
New Schedules 68 and 69 inserted

Order

1 Title

This order is the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Rangiriri Solar Farm and Waerenga Solar Farm) Amendment Order 2023.

2 Commencement

This order comes into force on 14 April 2023.

3 Principal order

This order amends the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020.

4 New Schedules 68 and 69 inserted

After Schedule 67, insert the Schedules 68 and 69 set out in the Schedule of this order.

Schedule
New Schedules 68 and 69 inserted

cl 4

Schedule 68
Rangiriri Solar Farm

cl 5

Project referred to expert consenting panel

1 Name of project

The name of the project is the Rangiriri Solar Farm (the **project**).

2 Authorised person

The authorised persons for the project are Rangiriri Solar Farm Limited and Transpower New Zealand Limited.

3 Description of project

(1) The scope of the project is to develop approximately 275 hectares of land in Rangiriri West, Waikato by—

(a) constructing and operating a solar farm on approximately 58 hectares of the land (with an output of approximately 130 megawatts peak) for the purpose of supplying electricity to the national grid; and

(b) constructing or installing associated buildings, infrastructure, and structures, including—

(i) a 220-kilovolt substation and a transmission line for the purpose of supplying electricity to the national grid; and

(ii) an energy storage facility; and

(iii) underground and overhead electricity cables; and

(iv) culverts; and

(c) upgrading roads; and

(d) carrying out landscaping and planting (including for boundary screening and for enhancing streams and natural wetlands).

(2) The solar farm is proposed to include—

(a) approximately 200,000 photovoltaic panels; and

(b) inverter cabinets, arrays, and mounting structures.

4 Description of activities involved in project

The project may involve the following activities:

(a) carrying out earthworks (including earthworks that disturb potentially contaminated soil and earthworks within 10 metres of natural wetlands):

(b) removing vegetation (including within 10 metres of natural wetlands):

(c) taking, using, and diverting groundwater:

(d) discharging stormwater, groundwater, and contaminants onto land or into water:

(e) constructing or installing buildings, infrastructure, and other structures, including—

(i) approximately 200,000 photovoltaic panels; and

(ii) inverter cabinets, arrays, and mounting structures; and

(iii) a substation and a transmission line for the purpose of supplying electricity to the national grid; and

(iv) an energy storage facility; and

(v) underground and overhead electricity cables; and

(vi) private accessways for vehicles; and

(vii) parking areas; and

(viii) culverts; and

(ix) fencing; and

(x) poles on which CCTV monitors are mounted:

(f) upgrading roads:

(g) operating a solar farm:

(h) landscaping and planting (including for boundary screening and for enhancing streams and natural wetlands):

(i) carrying out any other activities that are—

(i) associated with the activities described in paragraphs (a) to (h); and

(ii) within the scope of the project as described in clause 3 of this schedule.

5 Approximate geographical location

(1) The project will occur on approximately 275 hectares of land (the **project site**) at Glen Murray Road, Rangiriri West, Waikato.

(2) The legal description of the project site is as follows:

(a) Lot 1 Deposited Plan South Auckland 32155 (SA29A/28):

(b) Lot 1 Deposited Plan South Auckland 85511 and Lots 1 to 3 Deposited Plan South Auckland 83549 (SA67C/102):

(c) Section 1 Block VII Rangiriri Survey District and Lot 12 Deposited Plan 12275 (684754):

(d) Allotments 364 and 365 Parish of Whangape (SA49D/644).

(3) The project site is generally shown in Attachment 3 of the report on the application for referral of the project that was obtained under section 17 of the Act.

6 Persons who must be invited to comment on project

An expert consenting panel must invite comments on any consent application or notice of requirement relating to the project from the following persons (in addition to the persons listed in clause 17(6) of Schedule 6 of the Act):

(a) the Minister of Energy and Resources:

(b) the Minister of Agriculture:

(c) Te Kupenga o Ngāti Hako:

(d) the Ngāti Koheriki Claims Committee:

(e) the trustees, acting in their capacity as trustees, of Ngāti Maru Rūnanga Trust:

(f) Marutūāhu Rōpū Limited Partnership:

(g) Taonga o Marutūāhu Trustee Limited:

(h) the trustees, acting in their capacity as trustees, of Ngā Muka Development Trust.

7 No further provision required

No further provision is necessary to give effect to decisions made by the Minister under section 24 of the Act in respect of the project.

Statement of reasons

This statement of reasons is published for the purposes of clause 4 of Schedule 3 of the Act

The Minister for the Environment (the **Minister**) has accepted this application for referral. The Minister considered the application against the criteria in the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the **Act**) and the Act's purpose, and sought and considered written comments from the following:

- the relevant Ministers listed in section 21(6) of the Act:
- the Minister of Energy and Resources:
- Waikato District Council:
- Waikato Regional Council.

The Minister has accepted this application for the following reasons:

- the project will help to achieve the purpose of the Act because—
  - it has the potential to generate approximately 100 to 120 direct full-time equivalent jobs (**FTE jobs**), over a 15- to 18-month construction period and approximately 7 to 9 ongoing FTE jobs; and

- it has the potential to provide infrastructure that will contribute to improving economic and employment outcomes; and
- it has the potential to contribute to New Zealand's efforts to mitigate climate change and transition more quickly to a low-emissions economy by generating renewable energy; and
- it is likely to progress faster than would otherwise be the case under the Resource Management Act 1991 standard processes:

- any actual and potential effects on the environment, and proposed measures to avoid, remedy, mitigate, offset, or compensate for any adverse effects, can be appropriately tested by an expert consenting panel against Part 2 of the Resource Management Act 1991 and the purpose of the Act.

Schedule 69
Waerenga Solar Farm

cl 5

Project referred to expert consenting panel

1 Name of project

The name of the project is the Waerenga Solar Farm (the **project**).

2 Authorised person

The authorised persons for the project are Waerenga Solar Farm Limited and Transpower New Zealand Limited.

3 Description of project

(1) The scope of the project is to develop approximately 385 hectares of land in Waerenga, Waikato by—

(a) constructing and operating a solar farm on approximately 81 hectares of the land (with an output of approximately 180 megawatts peak) for the purpose of supplying electricity to the national grid; and

(b) constructing or installing associated buildings, infrastructure, and structures, including—

(i) a 220-kilovolt substation and a transmission line for the purpose of supplying electricity to the national grid; and

(ii) an energy storage facility; and

(iii) underground and overhead electricity cables; and

(iv) culverts; and

(c) upgrading roads; and

(d) carrying out landscaping and planting (including for boundary screening and for enhancing streams and waterways).

(2) The solar farm is proposed to include—

(a) approximately 290,000 photovoltaic panels; and

(b) inverter cabinets, arrays, and mounting structures.

4 Description of activities involved in project

The project may involve the following activities:

(a) carrying out earthworks (including earthworks that disturb potentially contaminated soil and earthworks within 10 metres of natural wetlands):

(b) removing vegetation (including within 10 metres of natural wetlands):

(c) taking, using, and diverting groundwater:

(d) discharging stormwater, groundwater, and contaminants onto land or into water:

(e) constructing or installing buildings, infrastructure, or structures for the purposes of the solar farm, including—

(i) approximately 290,000 photovoltaic panels; and

(ii) inverter cabinets, arrays, and mounting structures; and

(iii) a substation and a transmission line for the purpose of supplying electricity to the national grid; and

(iv) an energy storage facility; and

(v) underground and overhead electricity cables; and

(vi) private accessways for vehicles; and

(vii) parking areas; and

(viii) culverts; and

(ix) fencing; and

(x) poles on which CCTV monitors are mounted:

(f) upgrading roads:

(g) operating a solar farm:

(h) landscaping and planting (including to restore natural wetlands and streams):

(i) carrying out any other activities that are—

(i) associated with the activities described in paragraphs (a) to (h); and

(ii) within the scope of the project as described in clause 3 of this schedule.

5 Approximate geographical location

(1) The project will occur on approximately 385 hectares of land at Waerenga Road, Keith Road, and Awariki Road in Waerenga, Waikato (the **project site**).

(2) The legal description of the project site is—

(a) Lot 1 Deposited Plan South Auckland 3501 (SA3A/1296):

(b) Part Allotment 352 and 353 and Part Allotment 355 Parish of Whangamarino and Lot 12 Deposited Plan 33199 (SA20B/562):

(c) Lot 1 Deposited Plan South Auckland 1097 (SA1053/289):

(d) Allotment 173 Parish of Whangamarino and Part Allotment 331 Parish of Whangamarino (SA22/199):

(e) Section 374 Parish of Whangamarino (SA43/152):

(f) Allotment 626 Parish of Whangamarino (SA44D/512):

(g) Allotment 625 Parish of Whangamarino (SA44D/511):

(h) Lot 2 and 3 Deposited Plan South Auckland 13167 (SA11B/453):

(i) Lot 3 Deposited Plan South Auckland 90795 (SA71D/538):

(j) Lot 2 Deposited Plan 381162 (325250):

(k) Lot 2 Deposited Plan South Auckland 88867 (SA70B/256):

(l) Lot 4 Deposited Plan South Auckland 88867 (SA70B/257):

(m) Lot 5 Deposited Plan South Auckland 88867 (SA70B/258):

(n) Lot 1 Deposited Plan South Auckland 90795 (SA71D/536):

(o) Lot 2 Deposited Plan South Auckland 90795 (SA71D/537):

(p) Lot 173A Parish of Whangamarino (SA23/236):

(q) Part Deposited Plan 2338 (SA221/253):

(r) Lot 1 Deposited Plan South Auckland 83558 (SA66B/76).

(3) The project site is generally shown in Attachment 1 of the report on the application for referral of the project that was obtained under section 17 of the Act.

6 Persons who must be invited to comment on project

An expert consenting panel must invite comments on any consent application relating to the project from the following persons (in addition to the persons listed in clause 17(6) of Schedule 6 of the Act):

(a) the Minister of Energy and Resources:

(b) the Minister of Agriculture:

(c) the Ngāti Koheriki Claims Committee:

(d) the Hauraki Māori Trust Board:

(e) the trustees, acting in their capacity as trustees, of Ngā Muka Development Trust.

7 No further provision required

No further provision is necessary to give effect to decisions made by the Minister under section 24 of the Act in respect of the project.

Statement of reasons

This statement of reasons is published for the purposes of clause 4 of Schedule 3 of the Act

The Minister for the Environment (the **Minister**) has accepted this application for referral. The Minister considered the application against the criteria in the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the **Act**) and the Act's purpose, and sought and considered written comments from the following:

- the relevant Ministers listed in section 21(6) of the Act:

- the Minister of Energy and Resources:
- Waikato District Council:
- Waikato Regional Council.

The Minister has accepted this application for the following reasons:

- the project will help to achieve the purpose of the Act because—
  - it has the potential to generate approximately 130 to 160 direct full-time equivalent jobs (**FTE jobs**), over a 15- to 18-month construction period, and approximately 13 to 17 ongoing FTE jobs; and
  - it has the potential to provide infrastructure that will contribute to improving economic and employment outcomes; and
  - it has the potential to contribute to New Zealand's efforts to mitigate climate change and transition more quickly to a low-emissions economy by generating renewable energy; and
  - it is likely to progress faster than would otherwise be the case under the Resource Management Act 1991 standard processes:
- any actual and potential effects on the environment, and proposed measures to avoid, remedy, mitigate, offset, or compensate for any adverse effects, can be appropriately tested by an expert consenting panel against Part 2 of the Resource Management Act 1991 and the purpose of the Act.

Rachel Hayward,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on 14 April 2023, amends the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020. The effect of the amendment is to refer 2 projects to an expert consenting panel for the purpose of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the **Act**). The referred projects are the projects named and described in *new Schedules 68 and 69*.

The effect of the referral is—

- to authorise—
  - Rangiriri Solar Farm Limited and Transpower New Zealand Limited to apply under the Act, instead of under the Resource Management Act 1991, for resource consents relating to the project described in *new Schedule 68*; and

  - Transpower New Zealand Limited to lodge notices of requirement under the Act, instead of under the Resource Management Act 1991, for designations or to alter designations relating to the project; and
- to authorise—
  - Waerenga Solar Farm Limited and Transpower New Zealand Limited to apply under the Act, instead of under the Resource Management Act 1991, for resource consents relating to the project described in *new Schedule 69*; and
  - Transpower New Zealand Limited to lodge notices of requirement under the Act, instead of under the Resource Management Act 1991, for designations or to alter designations relating to the project.

The expert consenting panels will be appointed under Schedule 5 of the Act and make decisions in accordance with Schedule 6 of the Act.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 13 April 2023.

Notes

1 General

This is a consolidation of the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Rangiriri Solar Farm and Waerenga Solar Farm) Amendment Order 2023 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 Legal status

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 Editorial and format changes

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 Amendments incorporated in this consolidation

COVID-19 Recovery (Fast-track Consenting) Act 2020 (2020 No 35): Schedule 1 clause 1(1)

Wellington, New Zealand:
Published under the authority of the New Zealand Government—2023