

**Version
as at 8 July 2023**



COVID-19 Recovery (Fast-track Consenting) Referred Projects (Harmony Energy Solar Farms) Amendment Order 2023

(SL 2023/115)

COVID-19 Recovery (Fast-track Consenting) Referred Projects (Harmony Energy Solar Farms) 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).

Cindy Kiro, Governor-General

Order in Council

At Wellington this 6th day of June 2023

Present:

Her Excellency the Governor-General 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.

Contents

		Page
1	Title	2
2	Commencement	2
3	Principal order	2

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	Clause 3 amended (Interpretation)	2
5	New schedules inserted	2

Schedule
New Schedules 77 to 79 inserted

Order

1 Title

This order is the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Harmony Energy Solar Farms) Amendment Order 2023.

2 Commencement

This order comes into force on 9 June 2023.

3 Principal order

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

4 Clause 3 amended (Interpretation)

In clause 3(1), insert in its appropriate alphabetical order:

natural inland wetland has the meaning given in regulation 3 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020

5 New schedules inserted

After the last schedule,—

- (a) insert the schedules set out in the Schedule of this order; and
- (b) make all necessary consequential amendments.

Schedule
New Schedules 77 to 79 inserted

cl 5

Schedule 77
Harmony Energy Solar Farm—Marton

cl 5

Project referred to expert consenting panel

1 Name of project

The name of the project is the Harmony Energy Solar Farm—Marton (the **project**).

2 Authorised person

The authorised person for the project is Harmony Energy NZ #3 Limited.

3 Description of project

(1) The scope of the project is to do the following on approximately 120 hectares of land in Marton, Rangitikei:

- (a) construct and operate a solar farm on approximately 93 hectares of the land (with an output of approximately 65 megawatts peak) for the purpose of supplying electricity to the national grid;
- (b) construct or install associated infrastructure and structures, including—
 - (i) 28 power stations, 2 substations, and a transformer; and
 - (ii) underground electricity cables; and
 - (iii) private accessways for vehicles;
- (c) upgrade roads;
- (d) carry out landscaping and planting (including for enhancing the Tutaenui Stream and for boundary screening);
- (e) operate educational visits to the solar farm.

(2) The solar farm is proposed to include—

- (a) approximately 103,000 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—
 - (i) earthworks that disturb potentially contaminated soil; and

- (ii) earthworks within, or within 10 metres of, natural inland wetlands;
- (b) removing vegetation (including within, or within 10 metres of, natural inland wetlands);
- (c) diverting groundwater;
- (d) discharging stormwater, groundwater, and contaminants onto land or into water;
- (e) constructing or installing infrastructure and structures, including—
 - (i) approximately 103,000 photovoltaic panels; and
 - (ii) inverter cabinets, arrays, and mounting structures; and
 - (iii) 28 power stations, 2 substations, and a transformer; and
 - (iv) underground electricity cables; and
 - (v) private accessways for vehicles; and
 - (vi) parking areas; and
 - (vii) fencing; and
 - (viii) poles on which CCTV monitors are mounted;
- (f) upgrading roads;
- (g) operating a solar farm;
- (h) landscaping and planting (including for enhancing a stream and for boundary screening);
- (i) operating educational visits;
- (j) carrying out any other activities that are—
 - (i) associated with the activities described in paragraphs (a) to (i); and
 - (ii) within the scope of the project as described in clause 3 of this schedule.

5 Approximate geographical location

The project will occur on the following land at Marton:

- (a) 122 and 196 Whales Line;
- (b) 379 Pukepapa Road;
- (c) the road reserve that is part of Pukepapa Road (to enable connection to the substation at 362 Pukepapa Road that is operated by Transpower New Zealand Limited).

6 Further information to be submitted

- (1) A landscape assessment must be submitted to the panel with any consent application relating to the project (in addition to the information required by clause 9 of Schedule 6 of the Act).
- (2) The landscape assessment is to assess—
 - (a) any visual effects of the solar farm on the biophysical features and rural character of the surrounding landscape (from the vantage points of both public and private land); and
 - (b) any cumulative visual effects of solar farms on those features and that character.
- (3) In this clause, a reference to a **solar farm** includes a reference to the infrastructure and structures that are associated with the solar farm.

7 Persons who must be invited to comment on project

The 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) Transpower New Zealand Limited;
- (d) the Tūwharetoa Māori Trust Board;
- (e) the trustees, acting in their capacity as trustees, of the Tūwharetoa Settlement Trust;
- (f) Te Runanga o Raukawa Incorporated;
- (g) Ngā Kaitiaki o Ngāti Kauwhata Incorporated.

8 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;

- Rangitikei District Council;
- Manawatū-Whanganui Regional Council;
- Transpower New Zealand Limited.

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 contribute to improving economic and employment outcomes through the provision of infrastructure; and
 - it has the potential to generate—
 - approximately 87 direct full-time equivalent jobs (**FTE jobs**) over a 12-month construction period, or approximately 130 direct FTE jobs over an 18-month construction period; and
 - 5 ongoing FTE jobs; 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 78

Harmony Energy Solar Farm—Opunake

cl 5

Project referred to expert consenting panel

1 Name of project

The name of the project is the Harmony Energy Solar Farm—Opunake (the project).

2 Authorised person

The authorised person for the project is Harmony Energy NZ #4 Limited.

3 Description of project

(1) The scope of the project is to do the following on approximately 151 hectares of land in Opunake, South Taranaki:

- (a) construct and operate a solar farm on approximately 58 hectares of the land (with an output of approximately 94 megawatts peak) for the purpose of supplying electricity to the national grid;
- (b) construct or install associated infrastructure and structures, including—
 - (i) 26 power stations, 2 substations, a transformer, and a transmission line; and
 - (ii) underground electricity cables; and
 - (iii) private accessways for vehicles;
- (c) upgrade roads;
- (d) carry out landscaping and planting (including for enhancing the Otahi Stream and natural inland wetlands and for boundary screening);
- (e) operate educational visits to the solar farm.

(2) The solar farm is proposed to include—

- (a) approximately 142,650 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—
 - (i) earthworks that disturb potentially contaminated soil; and
 - (ii) earthworks within, or within 10 metres of, natural inland wetlands;
- (b) removing vegetation (including within, or within 10 metres of, natural inland wetlands);

- (c) diverting groundwater;
- (d) discharging stormwater, groundwater, and contaminants onto land or into water;
- (e) constructing or installing infrastructure and structures, including—
 - (i) approximately 142,650 photovoltaic panels; and
 - (ii) inverter cabinets, arrays, and mounting structures; and
 - (iii) 26 power stations, 2 substations, a transformer, and a transmission line; and
 - (iv) underground electricity cables; and
 - (v) private accessways for vehicles; and
 - (vi) parking areas; and
 - (vii) fencing; and
 - (viii) poles on which CCTV monitors are mounted;
- (f) upgrading roads;
- (g) operating a solar farm;
- (h) landscaping and planting (including for enhancing streams and natural inland wetlands and for boundary screening);
- (i) operating educational visits;
- (j) carrying out any other activities that are—
 - (i) associated with the activities described in paragraphs (a) to (i); and
 - (ii) within the scope of the project as described in clause 3 of this schedule.

5 Approximate geographical location

The project will occur at land at 915 Ihaia Road, Opunake, South Taranaki that is comprised in Lot 2 DP 19301 and Part Lot 8 DP 792.

6 Persons who must be invited to comment on project

The 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) Transpower New Zealand Limited.

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 Agriculture;
- the Minister of Energy and Resources;
- South Taranaki District Council;
- Taranaki Regional Council;
- Transpower New Zealand Limited.

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 contribute to improving economic and employment outcomes through the provision of infrastructure; and
 - it has the potential to generate—
 - approximately 179 direct full-time equivalent jobs (**FTE jobs**) over a 12-month construction period, or approximately 286 direct FTE jobs over an 18-month construction period; and
 - 5 ongoing FTE jobs; 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 79
Harmony Energy Solar Farm—Carterton

cl 5

Project referred to expert consenting panel

1 Name of project

The name of the project is the Harmony Energy Solar Farm—Carterton (the project).

2 Authorised person

The authorised person for the project is Harmony Energy NZ #2 Limited.

3 Description of project

(1) The scope of the project is to do the following on approximately 218 hectares of land in Carterton:

- (a) construct and operate a solar farm on approximately 148 hectares of the land (with an output of approximately 133 megawatts peak) for the purpose of supplying electricity to the national grid;
- (b) construct or install associated infrastructure and structures, including—
 - (i) 32 medium voltage power stations, 2 substations, a transformer, and a transmission line; and
 - (ii) underground electricity cables; and
 - (iii) private accessways for vehicles;
- (c) upgrade roads;
- (d) carry out landscaping and planting (including for enhancing streams and natural inland wetlands and for boundary screening);
- (e) operate educational visits to the solar farm.

(2) The solar farm is proposed to include—

- (a) approximately 201,500 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—
 - (i) earthworks that disturb potentially contaminated soil; and
 - (ii) earthworks within, or within 10 metres of, natural inland wetlands;
- (b) removing vegetation (including within, or within 10 metres of, natural inland wetlands);

- (c) diverting groundwater;
- (d) discharging stormwater, groundwater, and contaminants onto land or into water;
- (e) constructing or installing infrastructure and structures, including—
 - (i) approximately 201,500 photovoltaic panels; and
 - (ii) inverter cabinets, arrays, and mounting structures; and
 - (iii) 32 medium voltage power stations, 2 substations, a transformer, and a transmission line; and
 - (iv) underground electricity cables; and
 - (v) private accessways for vehicles; and
 - (vi) parking areas; and
 - (vii) fencing; and
 - (viii) poles on which CCTV monitors are mounted;
- (f) upgrading roads;
- (g) operating a solar farm;
- (h) landscaping and planting (including for enhancing streams and natural inland wetlands and for boundary screening);
- (i) operating educational visits;
- (j) carrying out any other activities that are—
 - (i) associated with the activities described in paragraphs (a) to (i); and
 - (ii) within the scope of the project as described in clause 3 of this schedule.

5 Approximate geographical location

The project will occur on the following land at Carterton:

- (a) land at 271 Perrys Road that is comprised in Lot 4 DP 89025 and Part Section 157 Taratahi District;
- (b) land at 510 Hughes Line that is comprised in Lot 5 DP 582960 and Section 158 Taratahi Plain Block;
- (c) land at 303 East Taratahi Road that is comprised in Part Section 74 Taratahi Plain Block and Part Defined on Application Plan 1737;
- (d) the following road reserves (to enable connection to the substation at 113 Cornwall Road that is operated by Transpower New Zealand Limited):
 - (i) the road reserve that is part of Hughes Line;
 - (ii) the road reserve that is part of Cornwall Road.

6 Persons who must be invited to comment on project

The 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) Transpower New Zealand Limited;
- (d) the New Zealand Transport Agency;
- (e) the Wairarapa Moana Statutory Board.

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;
- Carterton District Council;
- Wellington Regional Council;
- Transpower New Zealand Limited.

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 contribute to improving economic and employment outcomes through the provision of infrastructure; and
 - it has the potential to generate—
 - approximately 202 direct full-time equivalent jobs (**FTE jobs**) over a 12-month construction period, or approximately 303 direct FTE jobs over an 18-month construction period; and
 - 5 ongoing FTE jobs; 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 9 June 2023, amends the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020. The effect of the amendment is to refer 3 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 77 to 79*.

The effect of the referral is—

- to authorise Harmony Energy NZ #3 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 77*; and
- to authorise Harmony Energy NZ #4 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 78*; and
- to authorise Harmony Energy NZ #2 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 79*.

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*: 8 June 2023.

Notes

1 General

This is a consolidation of the COVID-19 Recovery (Fast-track Consenting) Referred Projects (Harmony Energy Solar Farms) 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)