

Before the Panel Convener

Under the Fast-track Approvals Act 2024 (**FTAA**)

And

In the matter of an application for approvals by Nova Energy Limited to establish and operate a 300-megawatt solar plant over 565 hectares of an 868-hectare site to the east of Twizel Township, Mackenzie District, within the Canterbury region
(**Twizel Solar Project**)

Memorandum on behalf of Nova Energy Limited in response to
Panel Convener's Minute 4

Dated 5 August 2026

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MAY IT PLEASE THE PANEL CONVENER

INTRODUCTION

1. We act for Nova Energy Limited (**Nova**) in respect of its substantive application under the Fast-track Approvals Act 2024 (**FTAA** or **the Act**) for the Twizel Solar Project (**Project**).
2. We refer to Minute Four of the Panel Convener dated 30 July 2026 in which the Panel Convener sought the following information:
 - (a) The date that Nova will respond to the requests for further information made by Canterbury Regional Council (**ECan**), Mackenzie District Council (**MDC**) and the Department of Conservation (**DOC**);
 - (b) The indicative date when supplementary reports will be filed by Nova addressing cumulative effects, if the final decision of the Expert Panel is to grant approval for the Haldon Solar Farm Project and that decision is not subject to appeal;
 - (c) Whether the Applicant agrees to a timeframe exceeding 90 working days.
3. The purpose of this memorandum is to respond to those matters.

PROVISION OF FURTHER INFORMATION SOUGHT BY LOCAL AUTHORITIES AND DOC

4. Since the Panel Convener conference, Nova has contacted ECan, MDC and DOC to confirm that:
 - (a) Nova is not preparing any further information sought by MDC as this information is either not required¹ or not required at this stage.²

¹ Specifically, an assessment of the Project against the Biodiversity chapter of the Mackenzie District Plan, which Mr Boyes (MDC) confirmed at the Panel Convener Conference does not apply to the Project.

² Comprising assessments of cumulative effects of the Project alongside other proposed solar farms. Cumulative effects assessments will be provided at the appropriate time, as discussed further in this memorandum.

- (b) Nova is actively working on preparing most of the further information sought by ECan and DOC. Where information is not being prepared, Nova has explained the reasons for that.
 - (c) Nova will provide drafts of the further information to ECan, MDC, DOC and mana whenua as soon as possible. This will enable advance engagement on the materials before it is finalised and filed with the EPA.
5. Nova intends to submit the further information to the EPA, following engagement, on 11 September 2026. As indicated at the Panel Convener Conference, Nova has already been working towards this submission date on the basis that it allowed for provision of the information before the issuing of invitations to comment, based on the original indicative start date of 31 August 2026. If any further information is available to be submitted before this date, then Nova is willing to provide it early, in increments, if that is desired.

**INDICATIVE DATE WHEN SUPPLEMENTARY REPORTS WILL BE FILED
ADDRESSING CUMULATIVE EFFECTS IF HALDON SOLAR FARM APPROVED**

6. As indicated at the Panel Convener Conference, Nova's expert team have already prepared preliminary cumulative effects assessments which consider the Project alongside the Haldon Solar Farm Project. If Haldon Solar Farm Project is approved, Nova's expert team will be able to update and finalise these reports without any significant delay.
7. If a decision to grant the application for Haldon Solar Farm is issued on 13 August 2026, which Nova understands is the current due date for a decision, then Nova proposes that it submits the reports to the EPA by 11 September 2026, alongside the further information materials to be submitted as discussed above.
8. Following the Panel Convener conference, Nova has confirmed that under section 97 of the Act, a consent granted under the FTAA commences on the date on which the panel's decision document for the approval is issued, unless otherwise specified in the decision document. Therefore, an appeal

does not automatically stay the commencement of a consent³ and Nova would not wait until after the appeals period has closed to determine whether to prepare cumulative effects assessments. If a stay of the consent was granted by the High Court pursuant to the appeal, Nova would address the implications of this for the cumulative effects assessment directly with the Panel.

9. Nova understands that the applicant for the Haldon Solar Project may request suspension of the application for a further short period to allow further time for stakeholders to comment on conditions.⁴ As discussed at the Panel Convener Conference, the timeframe for filing cumulative effects assessments therefore should remain flexible in order to accommodate any changes to timeframes.
10. In the event that a decision on the Haldon Station Project is delayed beyond 28 August 2026,⁵ Nova will submit cumulative effects assessments to the Panel as soon as possible, and anticipates it will be able to do so within two weeks of the decision (subject to reviewing the detail of the final decision).

WHETHER THE APPLICANT AGREES TO A TIMEFRAME EXCEEDING 90 WORKING DAYS

11. Nova has considered the comments made by stakeholders at the Panel Convener Conference regarding the need for a longer timeframe to account for resourcing capacity and consideration of cumulative effects issues. Having regard to those comments, Nova acknowledges that a longer timeframe than originally suggested (50 working days) may be appropriate.
12. However, Nova does not agree to a timeframe exceeding 90 working days, for the reasons set out in paragraphs 44-46 of its Memorandum of Counsel dated 23 July 2026 and discussed at the Panel Convener Conference. In addition:
 - (a) The Panel Convener has indicated that the start date is likely to be delayed by approximately one month, primarily to accommodate

³ As would be the case under section 116 of the Resource Management Act 1991.

⁴ Lodestone Energy Limited, response to conditions workshop, 30 July 2026.

⁵ Being two weeks before Nova's intended submission date for the further information materials (11 September 2026).

Panel availability. Nova is using this time to engage further with stakeholders and provide them with the further information they have requested, with a view to narrowing issues.

- (b) The Panel Convener's Minute suggests that a longer timeframe could be justified if approvals are granted for the Point Solar Project and Ruataniwha Solar Project.⁶ At present there is uncertainty regarding the timeframe for decisions on the Point Solar Project and the Ruataniwha Solar Project, and whether they will be approved.⁷ Nova's team is prepared to update its cumulative effects assessments expeditiously (Nova anticipates within 2 weeks) to deal with changes to the "environment" during the course of processing, thus providing stakeholders and the Panel with a reasonable time period to consider them.⁸
- (c) A timeframe of more than 90 working days would be longer than the 80 working days allocated to the Point Solar Farm and Haldon Solar Farm Projects. Nova acknowledges comments at the Panel Convener Conference that longer timeframes may have been beneficial for those projects but also notes the comments by conference participants that Nova's application appears to be more comprehensive than those applications and informed by more extensive engagement. Nova also has the benefit of learnings from those projects to the extent they are relevant.

⁶ Minute 4, paragraph 2(c).

⁷ One relevant factor in this regard is that Nova assumes that the applicants for these projects will also need to update their cumulative effects assessments to accommodate Haldon Solar Project if the latter is approved. Nova has no knowledge of how this may affect decision-making timeframes.

⁸ In the event that this was not possible, Nova would engage directly with the Panel about how this process step fits into overall process having regard to the context at the time and if any suspension may be preferable.

13. Nova is grateful for the Panel Convener's attention to this memorandum.

DATED this 5th day of August 2026

A handwritten signature in blue ink, appearing to read 'Stephanie de Groot' or 'Kate Storer', written in a cursive style.

Stephanie de Groot / Kate Storer
Counsel for Nova Energy Limited