

Department of Conservation advice for EPA compliance assessment

Overview

Project name	Twizel Solar Project
Project applicant	Nova Energy Limited
EPA unique ref. no	FTAA-2604-1217
EPA Request Number	CRM:0139015778
Conservation approvals sought	Wildlife approval (as defined in clause 1 of Schedule 7 of the Act) (section 42(4)(h) of the Act)
EPA request summary	Please provide DOC's views on whether the documentation provided by the EPA regarding the above approval/s, as provided by the applicant, meet the requirements of sections 42 and 43 of the Act and has been provided in sufficient detail to satisfy the purpose for which it is required, in accordance with section 44 of the Act. In your response, please include: • whether any relevant matters listed in clause 2 of Schedule 7 (information required in application for wildlife approval) have not been addressed or have not been provided in sufficient detail.
Date due to EPA	17 June 2026

On 10/06/2026 the Department of Conservation (DOC) received a request from the EPA seeking its views whether the application meets the requirements of sections 42 and 43 of the Fast-track Approvals Act 2024 (the Act) and whether the information is in sufficient detail to satisfy section 44 of the Act.

The purpose of this document is to provide advice to assist the EPA in making its decision whether the application lodged by Nova Energy Limited on 05/05/2026 complies with the requirements of section 46(2) of the Act.

The advice covers compliance with the following:

- Information requirements for relevant approvals.

The advice also includes further observations of relevance to further processing of the application, for example where further information could be needed for a decision by the panel.

DOC understands that this document will be passed on to the applicant, the Panel Convener and the Panel.

Compliance with information requirements

Our detailed assessment of the information requirements for the relevant approval is provided in the attached table. In summary, DOC's advice is that **the Wildlife Approval application meets the requirements of sections 42, 43, and 44 of the Act.**

Further observations

Although the application is sufficient to be considered complete for the purposes of ss 42-44 of the Act, DOC considers that it could be improved, and it would likely be faster and more efficient to process, if the following matters were addressed by the applicant:

- Review avifauna species lists and references in the Avifauna Management Plan (AMP) and Assessment of Ecological Effects (AEE) for consistency;
- Consider cumulative effects on lizards with other development across their range;
- In section 9.2. of the Lizard Management Plan (LMP) add an additional objective to determine the recovery of lizards within the rodent control area;
- In the LMP add provision for monitoring to determine the success of rodent control in the areas of high-quality rocky habitat described as “the scarp and old river terrace in the central southern part of the site” (section 7.3.6) to ensure that perverse outcomes don't occur;
- Provide proof of consultation with hapū and iwi.

Further information

Although DOC's advice is that the application meets the requirements of sections 42, 43, and 44 of the Act in terms of the application for a Wildlife Approval, DOC considers that further information will be important for processing and deciding on the overall proposal. The purpose of the Act is to facilitate the delivery of the relevant projects, and we consider that the information outlined below is important to minimise the risk of delays and re-work in the processing of this application. We consider the following information should therefore be requested from the applicant.

- Details as to offsetting and / or compensation measures. The Expert Panels for the nearby Haldon and The Point Solar Farm projects have suggested that a substantial, upfront and secured funding commitment for avifauna recovery is likely to be necessary to address risks to threatened avifauna. Such compensation would be additional to a detailed adaptive management programme. DOC's understanding is that this application presents the same or greater risk to avifauna as those projects. Accordingly, it will be necessary for this applicant to give consideration to providing an upfront commitment, unless it

can provide evidence to show that the risk to avifauna is significantly less at this site;

- Population Viability Analysis should be undertaken up front for threatened avifauna species (at least kakī) to assist the Panel to understand the population risk of bird collisions with the solar panels or infrastructure;
- Further work is required on (a) bird carcass monitoring design by a suitably qualified biostatistician to ensure it is statistically robust, and (b) description of effective response measures that would apply if bird collision trigger thresholds are reached;
- There are significant occurrences of threatened plants around the perimeter of the site, which will require either further survey to confirm their locations and appropriate management; or protection through increased setbacks. (We understand this was Nova's intent, but it is not confirmed by the application documents);
- To avoid edge effects on threatened plants outside the site perimeter, the applicant should undertake a cross-check of the locations of restoration and enhancement areas with threatened plant information;
- The applicant should also provide a monitoring plan for effects on vegetation, which is currently absent. This should be statistically robust, and include response measures that would apply if trigger thresholds are reached.

Applications for wildlife approvals

Clause 2 of Schedule 7 outlines the information required in an application for a wildlife approval.

Relevant section	Is the information present?	Application document reference	Is the information provided in sufficient detail?	Comments
Schedule 7 clause 2(1) - For the purposes of section 43(3)(h), an application for a wildlife approval must include the following information:				
(a) specify the purpose of the proposed activity:	Y	Application 9.1 p155	Y	
(b) identify the actions the applicant wishes to carry out involving protected wildlife and where they will be carried out (whether on or off public conservation land):	Y	Actions: Application 9.2 p155 Location: Application 3.1.1 p27; LMP 1.1 p5	Y	The specified activities do not include handling or holding injured birds, although this is covered in the AMP. If not included in this application, separate approval under the standard Wildlife Act process would be required to cover those activities.
(c) include an assessment of the activity and its impacts against the purpose of the Wildlife Act 1953:	Y	Application 9.3 p156	Y	
(d) list protected wildlife species known or predicted to be in the area and, where possible, the numbers of wildlife present and numbers likely to be impacted:	Y	Lizards: Application 9.4.1 p157; AEE 7.1-7.2 p33; LMP 4.1-4.2 p10	Y for lizards ? for birds	Species listed for lizards are sufficient. An attempt to determine numbers has been made, and is reasonable, but DOC agrees with the applicant that it is difficult to estimate numbers and the most likely scenario is that more lizards

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		Avifauna: AEE 6.1-6.2 p29, Table 3 p34; AMP Appendix 2 p22		will be present than have been accounted for. While avifauna species are listed, there are some inconsistencies and gaps in how they are presented. Australasian bittern and spotless crane are referred to as known in the vicinity in Section 4.0 of the AMP and Section 6.2 of the AEE, but missing from the species list in Appendix 2 of the AMP. Pied shag (At risk, recovering) is known in the vicinity but not recorded anywhere in the application documents.
(e) outline impacts on threatened, data deficient, and at-risk wildlife species (as defined in the New Zealand Threat Classification System):	Y	Lizards: Application 9.5.2 p157; AEE 12.4 p60 Avifauna: Application 9.5.1 p157; AEE 12.3 p57	Y	Information provided for lizards is sufficient. Information provided for avifauna is sufficient, noting that birds being handled will already be dead (or injured, if that is included).
(f) state how the methods proposed to be used to conduct the actions specified under paragraph (b) will ensure that best practice standards are met:	Y	Lizards: Application 9.6.2 p158;	Y	The information provided for lizards is sufficient, with particular reference to Table 1 in the LMP.

Relevant section	Is the information present?	Application document reference	Is the information provided in sufficient detail?	Comments
		LMP Table 1 p6 Avifauna: Application 9.6.1 p158; AMP 6.7 p10		The approach to handling dead or injured birds aligns with DOC expected good practice.
(g) describe the methods to be used to safely, efficiently, and humanely catch, hold, or kill the animals and identify relevant animal ethics processes:	Y	Lizards: LMP 8.2 p26, 8.4 p27 Avifauna: AMP 6.11 p 11-12, 6.14 p 14	Y	The information provided for lizards is sufficient. The methods to hold dead birds are adequately described. The Avifauna Management Plan establishes protocols to hold injured birds and handle dead birds.
(h) state the location or locations in which the activity will be carried out, including a map (and GPS co-ordinates if available):	Y	Application 3.1.1 p27; LMP 1.1 p5 Lizard release: LMP 8.3 p27, Figure 4 p20	Y	The maps are sufficient, and GPS coordinates are not required.
(i) state whether authorisation is sought to temporarily hold or relocate wildlife:	Y	Application 9.2 p155 Lizards:	Y	

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		LMP 8.3 p27 Avifauna: AMP 6.14 p13		
(j) list all actual and potential wildlife effects (adverse or positive) of the proposed activity, including effects on the target species, other indigenous species, and the ecosystems at the site:	Y	Lizards: Application 9.7.3 – 9.7.4 p158; LMP 6.1 p16; AEE 12.4 p60 Avifauna: Application 9.7.1-9.7.2 p158	Y	Although the information for lizards is sufficient in terms of the direct effects of this proposal, it does not address the cumulative impacts of development across the range of these species. This point is not relevant for avifauna given that handled birds will already be dead.
(k) where adverse effects are identified, state what methods will be used to avoid and minimise those effects, and any offsetting or compensation proposed to address unmitigated adverse effects (including steps taken before the project begins, such as surveying, salvaging, and relocating protected wildlife):	Y	Lizards: Application 9.7.5 p159; AEE 13.3 p71; LMP 7.0 p18 Avifauna: Application 9.7.5 p159; AEE 13.6 p66; AMP 6.0 p6	Y	The information provided for lizards is appropriate, but DOC considers that two additions are required: 1. In section 9.2. add an additional objective to determine the recovery of lizards within the rodent control area. 2. Add provision for monitoring to determine the success of rodent control in the areas of high quality rocky habitat described as “the scarp and old river terrace in the

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				central southern part of the site” (section 7.3.6) to ensure that perverse outcomes don’t occur. The Avifauna Management Plan establishes protocols to handle dead and injured birds.
(l) state whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been convicted of any offence under the Wildlife Act 1953:	Y	Application 9.8 p160	Y	
(m) state whether the applicant or any company director, trustee, partner, or anyone else involved with the application has any current criminal charges under the Wildlife Act 1953 pending before a court:	Y	Application 9.8 p160	Y	
(n) provide proof and details of all consultation, including with hapū or iwi, on the application specific to wildlife impacts:	Y	Application 9.9 p160, Consultation Register, Consultation Summary	Y	Although the Applicant has provided descriptions and summaries of consultation, including with hapū and iwi, no proof of this is provided. For Wildlife Act approvals DOC would normally expect copies of correspondence or a letter of acknowledgement from the consulted parties to be provided.

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(o) provide any additional written expert views, advice, or opinions the applicant has obtained concerning their proposal.	N	N/A		