

Before the panel convener appointed under
the Fast-track Approvals Act 2024

FTAA-2604-1217

Under **the Fast-track Approvals Act 2024**

In the matter of the Twizel Solar Project

By **NOVA ENERGY LIMITED**

**RESPONSE OF CANTERBURY REGIONAL COUNCIL TO MINUTE 3 OF THE
PANEL CONVENER**

22 JULY 2026

MAY IT PLEASE THE PANEL CONVENER

1. This memorandum is provided on behalf of Canterbury Regional Council (**CRC**) in response to Minute 3 of the Panel Convener dated 15 July 2026, regarding the Nova Energy Limited (Nova) application for approvals for the Twizel Solar Project.

MINUTE 3, SCHEDULE 2 - PARTICIPANT'S ESTIMATED TIMEFRAME

2. CRC proposes the timeline in Appendix 1. Reasons for the timeframe is included in the CRC comments/reasoning column, however a brief consideration is given below.
3. As advised in the s46 letter, CRC considered the application to be complete and with further discussion and work to be done around the Mackenzie District Council (MDC) and CRC conditions to progress towards a decision on the application. CRC's s46 letter included a summary of technical advice on the proposal. To further assist the Panel Convener in understanding where progress has been made in addressing any outstanding matters, the summary is included as Appendix 2 with an additional column providing commentary on subsequent progress. Further discussions with the Applicant around permitted activity requirements have also occurred since the s46 comments. Therefore, this matter is considered resolved.
4. There will be some areas of technical consideration where adverse effects on the environment are not adequately addressed in CRC's view. CRC notes these will be matters for the Panel to consider when making their determination.
5. CRC proposes the timeline in Appendix 1 for further discussion regarding conditions, and to account for capacity at CRC to review ecological conditions on behalf of MDC.
6. CRC consider that 30 additional working days are needed to work through the conditions
7. CRC is happy to discuss timeframes further at the Panel Convener Conference.

MINUTE 3, PARAGRAH [7] – MATTERS TO CONSIDER WHEN PREPARING FOR CONFERENCE

(a) comment on the extent of engagement by the applicant both before and following lodgement of the application;

8. CRC notes that the Applicant has had thorough engagement before the lodgement of the substantive application, which has enabled the efficient incorporation of CRCs advice. This engagement included multiple rounds of review of the draft application and associated documents. This engagement is reflected in a comprehensive and considered substantive application. CRC notes that the consultation between the Applicant and CRC (referred to as Environment Canterbury (ECan)) described in the substantive application documents¹ is accurate.
9. In relation to engagement after the lodgement of the substantive application, CRC notes that there has been some engagement. Particularly working through

¹ [Attachment 3.14 - Consultation Register](#)

planning matters raised in CRCs s46 response². CRC received email correspondence on 26 June 2026 providing further assessment and additional detail to confirm that permitted activity requirements are met and there are no triggers for further consents. CRC notes that there has been no further correspondence from the Applicant following lodgement of the substantive application, including in relation to matters raised by CRC, being:

- i. Appropriately addressing adverse ecological effects and compensation requirements (esp. avifauna) upfront rather than relying on adaptive management conditions to define the level of appropriate compensation after granting of consent (if granted).
- ii. Improving conditions in order to adequately address the full suite of potential adverse effects of the activity, and, to the extent appropriate, achieving consistency with comparable solar farm conditions.

(b) the applicant aside, identify in-house experts and external consultants engaged on this project;

10. CRC has engaged the same external and internal technical experts for this project that are being used for both Haldon Solar Farm and The Point Solar Farm applications. Therefore, CRC considers that the appropriate technical resourcing has already taken place. CRC also note that it has confirmed with MDC that it will be taking the lead on ecology related matters that would normally sit with MDC.

(c) where there is a difference of opinion between the applicant and any other participant, identify;

(i) the principal issues in contention; and

(ii) those issues capable of resolution through conditions of approval

11. The remaining principal issues in contention from CRC's perspective are;

- i. The need to appropriately address adverse ecological effects and compensation requirements (esp. avifauna) upfront rather than relying on adaptive management conditions to define the level of appropriate compensation after granting of consent (if granted).
- ii. The need to improve conditions in order to adequately address the full suite of potential adverse effects of the activity.

12. CRC does not consider the issue raised at i) to be resolvable solely through conditions. Rather CRC's expectation is that additional information would be provided by the Applicant that would appropriately address adverse effects or specify appropriate compensation. Suitable conditions of consent would then reflect the proposed mitigation and / or compensation

13. CRC considers that the issue raised at ii) could be resolved by way of suitably worded conditions.

(d) record processes agreed with the applicant to narrow or reduce any issues relevant to the application and the decision that the panel is required to make;

²[ECan S46 check letter](#)

14. No specific processes have been agreed with the Applicant to date. However, CRC is willing to engage constructively with the Applicant through expert conferencing to discuss and resolve outstanding technical matters, and to participate in condition workshops with administering agencies and local authorities to collaboratively develop and refine conditions with the aim of reaching agreement where possible. CRC notes that this process may be assisted via direction of a future panel as done in similar applications³.

(e) identify any changes made, or currently underway, to the application since lodgement, whether as a result of engagement with participants or other work undertaken by the applicant, including any new or supplementary reports and draft conditions;

15. To CRC's knowledge, the only changes to the substantive application relate to the provision of additional assessment of permitted activity rule assessments to confirm that no further consents are required under CRC's regional planning documents. CRC is not aware of any supplementary technical reports or revised condition sets.

(f) describe the complexity of this application;

16. This is described below in Appendix 3 Consideration of Complexity. In short the application represents Moderate to high complexity.

(g) state whether the drafting of proposed consent conditions (including any draft management plan filed) is accepted; and;

17. As stated above, the remaining principal issues in contention from CRC's perspective are;

- i. The need to appropriately address adverse ecological effects and compensation requirements (esp. avifauna) upfront rather than relying on adaptive management conditions to define the level of appropriate compensation after granting of consent (if granted).
- ii. The need to improve conditions in order to adequately address the full suite of potential adverse effects of the activity

CRC would welcome the opportunity to refine proposed consent conditions in collaboration with the Applicant and other relevant parties (administering agencies and local authorities).

(h) propose efficient processes to enable the panel to understand, resolve or narrow the scope of any likely issues and indicate how these processes may be accounted for under the decision timeframe.

18. As noted above in relation to (d), CRC considers that a condition workshop and expert conferencing, where appropriate and necessary, would provide an efficient and collaborative process to resolve outstanding matters. CRC also notes that guidance on conditions may be obtained from similar applications once finalised, in particular we note the Haldon Solar application, which has progressed to a draft decision by its respective panel.

³The Point Solar Farm and Haldon Solar Farm

PROCEDURAL REQUIREMENTS

19. CRC is willing to engage directly with the Panel as necessary. As noted above, CRC is happy to discuss specific matters with Nova in more detail and intends to continue ongoing discussions with Nova and other relevant parties.

ADDITIONAL INFORMATION.

Approvals

20. Although not explicitly asked in Minute 3, based on other similar fast-track applications CRC considers it beneficial to highlight to the Panel Convenor the approvals sought from CRC.
21. Nova, in their application, seeks 3 approvals from CRC for activities described in the RMA.
22. Two approvals are required under section 15, and one under section 9 of the Resource Management Act 1991 (**RMA**), as follows:
 - a. Section 9 - Land use consent for earthworks over an aquifer. The applicant identified that earthworks contained in this proposal will not meet the conditions of permitted activity Rule 5.175 and therefore will fall under Rule 5.176 as a restricted discretionary activity.
 - b. Section 15 - Discharge consent for construction phase stormwater. The applicant has identified the discharge of construction phase stormwater will not meet Rule 5.94A and therefore will fall under Rule 5.94B as a restricted discretionary activity.
 - c. Section 15 - Discharge consent for operational phase stormwater. The applicant has identified the discharge of operational phase stormwater will not meet Rule 5.96 therefore will fall under Rule 5.97 as a discretionary activity.

CONFIRMATION OF PANEL ATTENDANCE

23. The following CRC staff will attend the panel conveners conference scheduled for 10am Tuesday 28 July:
 - a. Jeremy Ecker - CRC Senior Consents Planner
 - b. Victoria Kingsbury - CRC Principal Consents Planner
 - c. Dwayne Daly - CRC Principal Consents Planner

Dated: 22 July 2026

Ngā mihi nui,



Dwayne Daly

Principal Consents Planner

APPENDICES

Appendix 1: Schedule 1 – Participants' Estimated Timeframe

Appendix 2: CRC Technical Advice Summary – progress documented

Appendix 3: Consideration of Complexity

APPENDIX 1: SCHEDULE 1 - PARTICIPANTS' ESTIMATED TIMEFRAME

Task	Working days	Date	CRC comments/reasoning
Panel commencement date	N/A	31 August 2026	Nominal date provided by Minute 3 of the Panel Convener.
Invite comment from relevant parties	10 W/D later	11 September 2026	CRC considers this to be a reasonable timeframe for the Panel to familiarise itself with the application and supporting information prior to seeking comment. It would be beneficial for comments from relevant parties to be requested within statutory timeframes so that Panel receives that information as soon as possible to assist their consideration
Comments close (s 53 & 54)	20 W/D later	8 October 2026	CRC notes timeframe specified within the Fast-track Approvals Act 2024 (FTAA). CRC will provide comment under section 53 of the FTAA as a relevant local authority. CRC will be able to provide comments within 20 working days noting all technical experts have been engaged and are considering the application. CRC notes that section 54 does not pertain to CRC.
Comments close for applicants (s 55)	5 W/D later	14 October 2026	Not applicable to CRC. Nova may provide the Panel with a response within 5 working days after the date specified in s54(1) of the FTAA
Any other procedural steps, evaluation and decision writing	30 W/D later	25 November 2026	CRC consider 30 working days is reasonable to resolve matters resulting from S53 comments. CRC notes based on previous experience with similar applications for solar farms under the FTAA, that discussing ecological concerns and drafting associated conditions can be complex. Therefore, CRC

			recommends additional time to allow for this. CRC does not anticipate any need for a hearing. Should the Panel have any specific questions for CRC experts, we suggest these could be addressed through a minute.. Acknowledging the quantity of technical reports accompanying the application, CRC considers that the Panel may benefit from some additional time. CRC suggests an additional 30 days to consider the proposal including preparation of draft conditions to be appropriate.
Draft decision is to approve			
Draft decision and conditions to Ministers (s 72)	5 W/D later	1 December 2026	CRC considers that while this proposal may not be as large scale as many other Fast Track applications, some extra time for the decision to be prepared would be beneficial for the Panel. Extra time has been provided for this within the previous step. As such CRC has left this as per Fast-track Approval Act 2024(FTAA).
Response from Ministers. (s 72)	10 W/D later	14 December 2026	
Applicant response to Ministers comments (if any)	5 W/D later	18 December 2026	CRC considers Nova is best to advise on this.
Draft conditions and decision to participants (s 70(1))	5 W/D later	1 December 2026	CRC notes that this step can occur simultaneously with s72. CRC has suggested aligning both steps to 14/12/2026.
Participant comments on draft conditions (s70(2))	10 W/D later	14 December 2026	10 WD is sufficient time for CRC to provide comment on draft conditions as we anticipate having continual discussions with Nova on conditions throughout the process.
Applicant response to participants on conditions (s 70(4))	5 W/D later	18 December 2026	CRC considers Nova is best to advise on this.

If not agreed, procedural steps in relation to draft conditions.	5 W/D later	14 January 2027	CRC notes the RMA clock over Christmas/New Years is likely to be followed. CRC considers an extra 5 working days would likely to be sufficient to resolve conditions though expert caucusing or other method.
Evaluate and finalise decision	10 W/D later	27 January 2027	CRC notes this is a brief period of time should comment on draft conditions be substantive and require rework by the Panel.
Decision release	5 W/D later	10 February 2027	CRC notes a decision may be released sooner than 5 working days.

APPENDIX 2: CRC TECHNICAL ADVICE SUMMARY FROM S46 LETTER WITH ADDITIONAL PROGRESSION

Technical Team	Technical expert considers all expected technical reports are provided	Technical expert has identified gaps in the provided technical reports [<i>Consent Planner clarifying comments</i>]	Technical expert considers the conditions are appropriate	Planner Comments	Progression since S46 Comments
Contaminated Land	Yes. Technical expert reviewed the 'Preliminary Site Investigation' and is satisfied that the relevant contaminated land matters raised at pre-application have been addressed.	None identified.	Yes.	<i>The soil monitoring plan conditions and the no Per- and Polyfluoroalkyl substances (PFAS) condition will provide for the concern of scientists.</i> The contaminated land matters raised in the preapplication advice stage (22/4/2026) on the draft application have been addressed in the draft consent conditions.	No further progression necessary as no concerns identified.
Surface water Resources	Yes.	Technical Expert has identified further information would be beneficial specifically identification of additional small streams, or channels of the Twizel River which have effectively been incorporated	Yes. Mostly agree however further development of setback condition around wetlands could be supported by riparian planting.	Conditions could be further refined or linked to a management plan to include riparian planting and ecological enhancement work around waterbodies/wetlands that have a setback.	No further progression at this stage.

		into previous development of existing farming operations. These would likely become preferential flow paths, particularly after heavy rain.			
Groundwater Resources	Yes.	Technical Expert recommends that a draft decommissioning/remediation plan be provided prior to consent granting, rather than only at decommissioning	Yes, mostly agree however consider that the PFAS condition could be expanded to include that "outer glass encapsulation layer must be free of fluorinated compounds with external components must be assessed regularly and replaced if it is damaged."	Recommend amending Condition 6 of the operational phase stormwater discharge to land consent to address the matters raised in the science comments.	No further progression at this stage.
Land Resources	Yes.	The Technical Expert recommends that a draft decommissioning plan be provided to the Expert Panel for consideration, to ensure that expectations for site remediation are clearly understood and addressed if the approvals are granted. Similar to the Soil Monitoring Plan or draft Erosion Sediment Control Plan. Regarding excavations on site, the topsoil (A-horizon) should	Recommend the following amendments: Clearly define surface water ponding within the conditions. Amend revegetation requirement after construction from 2 to 1 week under high erosion risk periods.	Recommend amending the conditions to provide for Technical Expert comments. Recommend that the Applicant provide a draft decommission/remediation plan for the site to be approved by the Expert Panel.	No further progression at this stage.

		be separated from B and/or C horizons. These separated horizons should be stockpiled/stored separately and where required, returned in the reverse order.			
Natural Hazards	Yes.	None identified.	Yes, no issues with conditions.	The Technical Expert notes that the solutions proposed mitigate their previous concerns.	No further progression necessary as no concerns identified.
Indigenous Biodiversity See Attachment 5 for full advice.	Partly. The application now includes a more complete suite of ecological management plans and proposed conditions, and some previously raised matters have been partly addressed.	The proposal still relies heavily on uncertain or unproven management responses to address residual effects on avifauna and terrestrial invertebrates. In particular, the proposal does not address the loss of habitat extent that will result from this development. Uncertainty remains regarding bird strike risk, the adequacy and timing of compensation, the efficacy of invertebrate salvage/translocation and	The substantive application considers residual effects on invertebrates will remain. For this, CRC recommend upfront offsetting or compensatory provisions are provided. Apply consistent terminology and structure across management plans. Clear objectives and ecological outcomes; a. measurable performance standards;	As raised in the body of the letter above. CRC is of the view that the conditions relating to compensation, should be defined in consultation with DOC and provided upfront within the conditions of the proposal. Recommend amending the proposed MDC conditions to align with science recommendations	No further progression at this stage.

		habitat enhancement, the long-term protection of 'enhancement areas', the feasibility of pest mammal control, cumulative effects, and the assessment of effects on the outwash plain ecosystems. Potential data deficiencies exist for indigenous vegetation values at the site. A spring survey inform the site's indigenous vegetation values & thereby inform effects management. This survey would also confirm if <i>Lepidium solandri</i> occurs at the site. Neither the AMP nor the AEE determines the quantum of compensation for kakī deaths in a concrete way.	b. monitoring methods linked to those standards; c. trigger levels or thresholds; d. adaptive management responses; e. roles & responsibilities; f. timeframes; g. reporting requirements h. audit criteria; and i. compensation requirements, where relevant (avifauna, lizards & invertebrates). Edit management plans to adopt "must/will" language rather than "should" directives. This will improve the clarity and enforceability. in addition, ensure condition sets reflect essential details of the management plans. Condition 8 – amend the management plan submission timeframes so that the relevant management plans are submitted earlier, and before any pre-construction activities covered by those draft management plans are undertaken.		
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			Amend botanical management plan to include provision for botanical survey in line with conditions 12 and 13. Clarify salvage areas in condition 16 as currently unclear. Include provision for DOC and/or qualified and experienced ecologist in condition 23. Amend Condition 41 for the Lizard Management Plan to refer to lizard rather than avifauna objectives. Require the LMP to provide for compensation within its adaptive management approach and to be of appropriate quantum (Condition 43). Edit Condition 46(e)(i) to align with Avifauna Management Plan – minimum duration for 36 months from post-construction. Edit Condition 51 to include <i>Threatened, At Risk and protected ground-nesting avifauna</i>.		
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			Edit timeframes to be more realistic within condition 71 to allow time for condition 74 provisions. Amend conditions 79 and 80 to Edit to require audits to assess whether each management plan's performance standards, adaptive management triggers and reporting requirements have been met.		
Invertebrate Ecology	Partly. Technical Expert has reviewed the invertebrate-related reports and management plans but considers additional survey/assessment would be beneficial.	Somewhat disagree with the conclusion overall that effects on invertebrates from habitat removal via earthworks are expected to be minor. (This) seems to be inconsistent with that assessment that notes the environment supports notable invertebrates. Further noting that (5.1.2) earthworks will cause "removal and destruction of notable invertebrates". Figure 1 from the Draft terrestrial invertebrate management plan states that it shows the location of the solar panels and rows however it does not.	Technical Expert considers that predator-proof fencing for the proposed protected areas should be considered, over the long-term with a covenant or similar agreement put in place so that they are protected in perpetuity irrespective of future changes in ownership or management of the site.	There is uncertainty and potential disagreement over the level of effects on invertebrates. Recommend that the Applicant consider how to address the technical auditor's concerns. Additional mitigation could reasonably be proposed to limit the scale of effects. For example, CRC recommend amending the pest management plan to provide for more comprehensive predator proofing and predator control.	No further progression at this stage.

		The pest management plan should be expanded upon to consider predator-proof fencing of protected areas not just hedgehog control. This is in addition to removing predators from these sites. The applicant has provided little comment on effects on invertebrate biodiversity in general at the site but rather has focussed only on “notable species”. Consider more information should be provided in this area.			
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APPENDIX 3: CONSIDERATION OF COMPLEXITY

Table 1: Consideration of complexity		
Level of complexity	Specific provision	CRC comment
(a) Legal Complexity: novel or difficult legal issues	(i) involve untested law or interpretation of statute;	CRC considers that the proposal does not involve untested law or interpretation of statute.
	(ii) involve application for multiple approvals;	The Applicant has applied for 3 approvals from CRC involving section 9 and 15 of the RMA. The applicant has also applied for an approval from the Mackenzie District Council involving section 9 of the RMA. The scale of effects associated with these approvals vary significantly. In addition, the substantive application has also applied for three approvals (Wildlife Permit) under the Wildlife Act, however this is under the jurisdiction of DOC.
	(iii) interface with two or more statutes; and	Setting aside the FTAA, the application seeks approval under both the RMA and the Wildlife Act. The RMA is the primary statute for this proposal. Within the RMA framework the following legislative documents apply to this proposal: 1. Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011; 2. National Policy Statement for Freshwater Management 2020 (NPS-FM) 3. National Policy Statement for Renewable Energy Generation 2011 (NPS-REG) 4. National Policy Statement for Natural Hazards 2025 (NPS-NH) 5. National Policy Statement for Electricity Networks 2008 (NPS-EN); 6. Canterbury Regional Policy Statement 2021 (CRPS) The applicable regional plans for classifying the proposed activities are the Canterbury Land and Water Regional Plan (LWRP) and the Waitaki Catchment Water Allocation Regional Plan (WCWARP). The activities, if bundled, would have a discretionary activity status under the CLWRP, noting that the proposed activities meet

		permitted activity requirements under the WCWARP.
	(iv) engage constitutional law and public law.	CRC considers that there are no complexities associated with constitutional and public law.
(b) Evidentiary Complexity: stemming from the volume, type, or technical nature of evidence	(i) include challenges like managing expert reports or dealing with conflicting factual or opinion evidence; and	CRC science experts have reviewed the information supplied with the substantive application and, while some questions have been raised around the level of detail in the application, there is general agreement that the assessments provided are appropriate with the main exception being ecological mitigation / compensation. The applicant has provided assessments and records of consultation with relevant parties, and CRC experts generally consider it appropriate to adopt the recommendations in the technical assessments provided by the applicant. Areas where further information would assist in the assessment of the proposal include: 1. The supply of revised conditions and management plans that are similar to the ones provided for other similar fast-track solar farm applications. 2. Further consideration of ecological mitigation and / or compensation would be required to address CRC's current concerns. Resolving disagreement over these matters, particularly ecological matters, may involve additional reporting or assessment from experts and further discussion amongst the parties.
	(ii) often involve technical or scientific analysis	The applicant submitted several technical assessments and information documents as appendices with the application. The technical assessments relevant to the approvals relevant to CRC are: 1. Nova Energy Twizel Solar Project Substantive application 2. Attachment 2.3 - NPS-Natural Hazards Assessment 3. Attachment 2.7 - Preliminary Site Investigation - Contaminated Land 4. Attachment 2.12 - Additional Lizard, Vegetation, and Invertebrate Surveys 5. Attachment 2.13 - Tekapo Ground Wētā Tracking Tunnel Survey 6. Attachment 2.14 - Assessment of Potential Ecological Effects of the proposed Nova Energy Solar Farm Near Twizel 7. Attachment 2.14 - Assessment of Potential Ecological Effects of the proposed Nova Energy Solar Farm Near Twizel 8. Attachment 2.14 - Assessment of Potential Ecological Effects of the proposed Nova Energy Solar Farm Near Twizel 9. Attachment 3.2 - Proposed Conditions of Consent (Resource Consents)

		10. Attachment 3.4 - Erosion and Sediment Control Plan 11. Attachment 3.5 Stormwater Management Plan 12. Attachment 3.6 Statutory Planning Rules Assessment 13. Attachment 3.7 Statutory Planning Policy Assessment 14. Attachment 3.9 - Biosecurity and Vegetation Management Plan 15. Attachment 3.10 - Pest Mammal Management Plan 16. Attachment 3.11 - Terrestrial Invertebrate Management Plan 17. Attachment 3.12 - Lizard Management Plan 18. Attachment 3.17 - Schedules of Management Plan Conditions and Adaptive Management Conditions CRC science staff have undertaken a detailed review of these documents and are generally satisfied with the content of these assessments. Except where CRC has noted otherwise, see appendix 2 above.
(c) Factual Complexity: arises from the volume and nature of evidence -	(i) requires careful management of extensive information or reports, including expert opinion in specialised fields; and (ii) necessitates analysis if technical, scientific, or highly specialised subject matter are involved.	As noted above, there are many technical reports, which have in turn been reviewed by CRC technical experts. For some areas, CRC technical experts have identified adverse effects of this proposal and while mitigation measures have been considered, CRC considers such options may not go far enough, therefore further mitigations could be put forth. Or their simply may be adverse effects of the proposal for the Panel to consider when making their determination.