

IN THE MATTER

of the Fast-Track Approvals Act 2024 (FTAA)

AND

IN THE MATTER

**of an application by Nova Energy Limited under
section 42 of the FTAA for the construction of the
Twizel Solar Farm**

APPLICATION NO.

FTAA-2604-1217

**TE RŪNANGA O MOERAKI AND TE RŪNANGA O WAIHAO
RESPONSE TO MINUTE 3 OF THE PANEL CONVENER**

23 July 2026

Address for Service:

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[REDACTED]

INTRODUCTION

1. This response is prepared by Aukaha on behalf of Te Rūnanga o Moeraki (Moeraki) and Te Rūnanga o Waihao (Waihao) in response to Minute 3 (the 'Minute') of the Panel Convener dated 15 July 2026, regarding the Nova Energy Limited substantive application for the Twizel solar farm.
2. The Twizel solar farm is located within the shared takiwā of Te Rūnanga o Moeraki (Moeraki), Te Rūnanga o Waihao (Waihao) and Te Rūnanga o Arowhenua.
3. The takiwā of Te Rūnanga o Moeraki centres on Moeraki and extends from the Waitaki to the Waihemo (Shag River), and inland to Kā Tiritiri o te Moana (Main Divide). This includes shared interests with other Papatipu Rūnanga in Te Manahuna (Mackenzie Basin).
4. The takiwā of Te Rūnanga o Waihao centres on Wainono, sharing interests with Te Rūnanga o Arowhenua to the Waitaki, and extending inland to Ōmārama and the Main Divide.
5. Aukaha is a mana whenua owned organisation that delivers services across the takiwā of our Papatipu Rūnaka shareholders, which include Moeraki and Waihao.
6. Aukaha are mandated by Moeraki and Waihao to provide advice and act on its behalf in respect of environmental policy, planning and strategy matters. This mandate includes representation on proposals being processed under the Fast-track Approvals Act 2024. An Aukaha representative is available to attend the scheduled conference alongside a representative from Aoraki Environmental Consulting (AECL) and Te Rūnanga o Ngāi Tahu (Ngāi Tahu).
7. The Minute seeks participants views prior to a Convener's Conference on 29 July 2026 that will inform the Convener's decisions regarding:
 - a) Appointment of panel members.
 - b) The timing of the panel decision.
 - c) Matters to consider when preparing for conference.

Issue (a) – Appointment of Panel Members

8. The Ngāi Tahu Treaty settlement is relevant to this Application. Cultural redress mechanisms under the Ngāi Tahu Claims Settlement Act 1998 include:

- a) the statutory acknowledgement of Ngāi Tahu's cultural, spiritual, historic, and traditional association with Te Ao Mārama (Lake Benmore).¹
 - b) a one-hectare nohoaka entitlement on the Haldon Arm near Te Ao Mārama (Lake Benmore). Nohoaka entitlements provide seasonal occupation sites for traditional practices of gathering food and other natural resources;² and
 - c) acknowledgement of the special association of Ngāi Tahu with taonga species of birds, plants and animals, including kakī/black stilts, pārerā/grey ducks, tara pirohe/black fronted terns, and kāmana/southern crested grebes.³
9. Moeraki and Waihao consider it is highly desirable that at least one member of the panel have expertise in Ngāi Tahu tikanga, given the significance of Te Ao Mārama (Lake Benmore), Ōhau River, Whakatipu/Twizel River, and taonga species to the iwi and the centrality of tikanga to the approach adopted by Moeraki and Waihao.

Issue (b) – Timing of Panel Decision

- 10. Aukaha recognises that the Fast Track process is largely driven by the Applicant; therefore, it is up to the Applicant to set realistic time frames. At the time of writing, the Applicant's views on timing were not available.
- 11. In Aukaha's experience with FTAA-2509-1100 and FTAA-2508-1097, the default timeframes are not sufficient, particularly with regards to accommodating additional information requests and enabling open and constructive engagement between the Applicant and mana whenua given the legal, factual and evidential complexity of the application. A direct consequence for these applications was the need for the Applicants to suspend the process to enable the additional information to be collated, analysed and circulated.
- 12. Aukaha is cognisant of the procedural principles of the Fast-track Approvals Act and the requirement for the Expert Panel to adopt timely, efficient, consistent, and cost-effective processes. Aukaha have attempted to create a schedule based on the timeframes experienced with FTAA-2509-1100 and FTAA-2508-1097, which is attached as Appendix 1 to this response.

¹ Ngāi Tahu Claims Settlement Act 1998, schedule 59

² Ngāi Tahu Claims Settlement Act 1998, schedule 95

³ Ngāi Tahu Claims Settlement Act 1998 schedule 97

13. Aukaha considers that additional time will be necessary beyond the statutory defaults, in accordance with s79(2), and is open to discussing this further at the conference.

Issue (c) – Matters in Issue for the Conference

14. The constructive engagement between Nova Energy, Te Rūnanga o Moeraki, Te Rūnanga o Waihao, Te Rūnanga o Arowhenua, Te Rūnanga o Ngāi Tahu and the Regional Environmental Entities (Aukaha and AECL), is acknowledged. This engagement has included site visits and hui prior to lodgement of the substantive application.
15. Planners from Aukaha, AECL, and Te Rūnanga o Ngāi Tahu, are engaged on this project on behalf of Te Rūnanga o Moeraki, Te Rūnanga o Waihao, and Te Rūnanga o Arowhenua.
16. The cumulative effects of the solar farm applications in Te Manahuna and the effects of the Twizel Solar farm on taonga species are principal issues in contention.
17. Aukaha notes that there are three solar farms proposed in the Haldon Arm of Te Ao Mārama, respectively FTAA-2604-1217 (Twizel Solar Farm), FTAA-2509-1100 (The Point Solar Farm) and FTAA-2508-1097 (Haldon Solar). Lodestone Energy has provisionally been granted consent for the Haldon Solar Farm, with comments received on conditions. The cumulative effects of solar farms in the Haldon Arm are an issue of contention for the Expert Panel.
18. The effects of the Twizel Solar Farm on taonga species is a complex matter, and a precautionary approach is required. The effects of the Twizel Solar Farm on taonga species can be addressed in part by conditions, including comprehensive avifauna management conditions. However, the environmental offset and compensation package for the residual effects on taonga species remains an issue in contention.
19. Aukaha, AECL and Te Rūnanga o Ngāi Tahu Planners have proposed specific mana whenua conditions and have provided feedback on the draft conditions. The draft suite of conditions and the mana whenua specific conditions will require further revision to establish a suite of conditions that are robust and fit for purpose. Nova has sought further engagement with the mana whenua planners to refine the conditions.
20. Collectively, these matters are likely to require further engagement, technical consideration and refinement of the proposed conditions before they can be appropriately resolved. Aukaha therefore considers that sufficient procedural flexibility should be maintained to enable these matters to be properly addressed during the determination of the application.

CONCLUSION

21. Aukaha confirms the willingness of Moeraki and Waihao to engage directly with Nova and the Expert Panel to progress this substantive application for the Twizel Solar Farm.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'Cory Neale', with a stylized, cursive script.

Cory Neale

Chief Executive, Aukaha

Dated: 23 July 2026

Task	Working days	Twizel Solar Farm (Suggested timing)	Comments
Panel commencement	31 August 2026 (nominal)	25 working days 3 September 2026	This allows approximately 25 working days (excluding the day of the conference and the panel commencing the day after the 25 working days). This time will allow for engagement to continue with applicant to try to work through some of the outstanding issues/matters.
Invite comment from relevant parties	10 working days later	10 WD	
Comments close (SS 53 & 54)	20 working days later	20 WD	Note- it is understood that under section 79 (Timing of Decisions)- the timeframe- (2) (ii) does not exceed 90 working days after the date specified under section 54 for receiving comments under section 53 , unless the applicant agrees in writing to the time frame.
Timeframe Starts from here			
Comments close for applicant (SS 55)	5 working days later	5 WD	Note- the applicant can request a suspension to the application to work through and respond to comments (if needed)
Any other procedural steps, evaluation and decision writing	XX working days later	15-30 working days*	*applicant would need to consider potential increase to timeframe of decision to exceed 90 working days. Allows time for a hearing to be held and/or workshops/ conferencing between various experts (if needed/ if there are points of disagreement). Note- for both of the current solar farm applications ¹ there have been numerous s67 requests for further information, with some subsequent input/ opportunities to comment provided to s53 parties as well as the applicant and other relevant parties.

¹ Haldon Solar and The Point Solar Farm

			There have also been independent experts appointed by the Panel to inform evaluation and decision making. There is also substantive volumes of information and procedural steps (under the FTAA 2024), the panel will need to work through to write the decision.
Draft Decision to approve			
Draft decision and conditions to Ministers (s 72)	XX working days later	5 working days	
Response from Ministers (S 72)	10 working days later	10 WD	
Applicant response to Ministers comments (if any)	XX working days later	5 working days	
Draft conditions and decision to participants (s 70 (1))	XX working days later	5 working days	
Participant comments on draft conditions (s 70 (2))	XX working days later	15 working days	Note- if there haven't been direct discussions on the draft conditions this provides additional time for some further engagement (i.e. between the participants and the applicant) prior to putting in comments on draft conditions.
Applicant response to participants on conditions (s 70 (4))	5 working days later	5 WD	
If not agreed, procedural step in relation to draft conditions.	XX working days later	10 working days	Allows time for a workshop to be held or other types of engagement between participants and the applicant to try to work through outstanding matters.
Evaluate and finalise decision	XX working days later	10 working days	
Decision release	XX working days later	5 working days	
TOTAL		90- 105 Working days	Note- The applicant would need to agree to extend beyond the 90 working days.

		This total appears to better align with timings observed for the two current solar farm applications ² .
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² 80 working days total was allowed for a decision for each, but with the inclusion of suspensions to the application, both have exceeded 130 WD to date. If the applicants did not suspend the application, it would have likely made it extremely difficult for the respective Panels to get to the point in the process each application is at today. It is understood that during these suspensions, the Panels have been able to use the time to continue their work.