

Under the	FAST-TRACK APPROVALS ACT 2024
In the matter of	an application for replacement resource consents in relation to the Tekapo Power Scheme
By	GENESIS ENERGY LIMITED
	Applicant

**JOINT MEMORANDUM OF COUNSEL IN RESPONSE TO MINUTE 3 OF THE
PANEL CONVENER**

12 June 2025

MAY IT PLEASE THE PANEL CONVENER:

1. This memorandum of counsel is filed on behalf of Genesis Energy Limited (**Genesis**) and Canterbury Regional Council (**CRC**) as directed by the Panel Convener.¹

Response to paragraphs 2 – 3

2. CRC and Genesis have been discussing the application since mid-2018.
3. CRC's team and technical experts have reviewed the technical reports accompanying the application:
 - (a) the final draft technical reports were sent to CRC on 18 November 2021 for CRC to undertake a review;
 - (b) the CRC technical experts all provided comments on those reports to Genesis;
 - (c) Genesis' experts considered all comments from the CRC technical experts;
 - (d) Genesis updated the technical reports to respond to the s 92 request as appropriate;
 - (e) the proposed consent conditions, AEE and final technical reports were provided to CRC the day the application was lodged under the Fast-track Approvals Act 2024 (**FTAA**) on 11 April 2025; and
 - (f) CRC was advised that the technical reports were largely the same as those that had been lodged with CRC in July 2023.
4. Therefore, both parties have a good understanding of the issues between them. This allows CRC to reach an informed position and both parties to move efficiently through the FTAA process. As mentioned below, the parties are establishing a process to commence shortly for them, and experts, to meet as required to resolve or narrow issues. This will ensure that CRC can meet the timeframes proposed in **Appendix One**.

Response to paragraph 4

5. As above, Genesis and CRC have been engaging since 2018 on this application. There have been extensive discussions, agreement, provision of

¹ Minute 3 of the Panel Convener dated 11 June 2025 at [10].

information and debate over the years. As above, both parties understand the issues between them.

6. All parties are learning the process under the FTAA. At the meeting today CRC and Genesis discussed implementing efficient and pragmatic engagement, and potential resolution, processes.

Response to paragraph 5

7. CRC did not intend to introduce delays through the filing of its memorandum. Subsequent to discussions with Genesis, engagement with other councils, and further consideration of EPA guidance, CRC has gained a more comprehensive understanding of the FTAA process and its associated timeframes. CRC now recognises that several procedural steps may occur concurrently and acknowledges the need to act in accordance with the compressed statutory timeframes. CRC recognises the tight FTAA timeframes. Further, Genesis and CRC are establishing a focused and efficient process to resolve / narrow issues that will achieve the timelines proposed in **Appendix One**.
8. In the meeting today, while Genesis's preference is for 30 working days, CRC and Genesis agreed to propose an extra 10 working days to be added to the process to address CRC's concerns. As set out in **Appendix One**:
 - (a) 5 extra working days for the panel to issue draft conditions;
 - (b) 2 extra working days for comments on the draft conditions (excluding the applicant); and
 - (c) 3 extra working days provided to the panel following receipt of the applicant's comments on the draft conditions.

Response to paragraph 6

9. The issues are as identified in CRC's memorandum of 10 June. But, as above, a process is now being established to quickly and efficiently work through those matters. The proposed extra 10 working days appropriately reflects these issues and provides reasonable timing for the panel.

Response to paragraph 7

10. As stated at paragraphs 9(d) and (e) of its memorandum of 9 June, Genesis has support for the proposed conditions from all persons / groups consulted with except for CRC.
11. Transpower supports the renewal of the consents. It expressed concern as to the wording of an existing condition that may limit Genesis from accessing contingent storage in line with the intent of the condition. This is a minor point that can readily be addressed through the process proposed as needed.
12. The FTAA specifically provides a process for identifying and inviting persons to provide comments should they chose to do so. At this stage of the process, it is not known who may provide comments on the project and the conditions.

Response to Directions in paragraph 8

13. CRC:
 - (a) is, at this stage, but depending on the outcomes of the process, intending to provide comments on the project to the panel; and
 - (b) considers 20 working days is sufficient time for its experts to respond given the approach now to be adopted with Genesis and the pre-existing knowledge of the project.

Response to Paragraph 9

14. The parties have completed discussions in line with this paragraph. A process is being developed and will be implemented promptly. CRC is satisfied that this process will enable it, and all its experts, to deliver as required through the process.

15. CRC and Genesis agree that while there is much information, that information is well summarised in the AEE and understood by them. For a panel the information demands on reading and understanding are not overly complex to warrant any greater (noting a 25% increase in time is proposed) timeframes.

Dated this 12th day of June 2025



David Allen / Chelsea Easter
Counsel for the Applicant



Robyn Fitchett
Counsel for the Canterbury Regional
Council

APPENDIX ONE: UPDATED TIMETABLE (40 WORKING DAYS)

Step	Timeframe	Date
1. Panel commencement	N/A	Monday 23 June 2025
2. Invite comments from relevant parties (s 53)	10 working days after Step 1	Monday 7 July 2025
3. Comments close (s 54)	20 working days after Step 2	Monday 4 August 2025
4. Genesis may respond to any comments received (s 55)	5 working days after Step 3	Monday 11 August 2025
5. Draft conditions issued for comment (s 70(1))	15 working days after Step 4	Monday 1 September 2025
6. Invite comments from Minister for Māori Crown Relations: Te Arawhiti and Minister for Māori Development on the draft decision, including any draft conditions (s 72(1))	18 working days after Step 4	Thursday 4 September 2025
7. Comments close on draft conditions (excluding applicant) (s 70(2)(a))	7 working days after Step 5	Wednesday 10 September 2025
8. Comments close on draft conditions for applicant (s 70(4))	5 working days after Step 7	Wednesday 17 September 2025
9. Minister for Māori Crown Relations: Te Arawhiti and Minister for Māori Development may provide comments (s 72(2))	10 working days after Step 6	Thursday 18 September 2025
10. Decision release (s 79)	8 working days after Step 9	Monday 29 September 2025