
MINUTE OF THE PANEL CONVENER

Advising of the expert panel appointment and timeframe for a decision
Lake Pūkaki Hydro Storage and Dam Resilience Works
[FTAA-2510-1120]

(12 February 2026)

[1] Meridian has lodged an application to operate Lake Pūkaki below the current minimum level of 518.0 m above mean sea level (m RL) for a threeyear period to 2028, and to undertake civil works at Pūkaki Dam to improve the structure’s resilience to wave action at lower operational lake levels. Meridian’s objective is to improve security of energy supply during a forecast three-year dry period. This period coincides with declining supplies of natural gas.

[2] A conference was held on 29 January 2026 to gather participant views on matters arising in relation to the application filed under the Fast-track Approvals Act 2024 (FTAA). A list of persons who attended the conference is attached to this minute and marked “A”.

[3] I have taken into consideration the views expressed when deciding both the timeframe for the decision and the composition of the panel.

Tekapo B Power Scheme

[4] Of the issues this application is likely to give rise too, the most significant concerns the operation and infrastructure of the Tekapo B Power Scheme owned/managed by Genesis Energy Ltd.

[5] Genesis was consulted before the application was lodged. The application records Genesis’ concern about the potential impact of lake lowering on the

Tekapo B power station and spillway; in response Meridian engaged Damwatch Engineering to assess those potential impacts.

[6] At the conference, Meridian advised that lowering the lake level will impact the Tekapo B infrastructure¹ and that additional surveys are underway to assess the potential effects on that infrastructure. Aside from this general overview, the specific matters concerning Genesis were not addressed.

[7] For example, does increasing the frequency and duration that lake levels are held below 518 m affect the operation and infrastructure of Tekapo B or, for that matter, the power scheme as a whole? If it does, what is the scale and significance of any change in risk, including to the security of energy supply? Understanding the issues that are likely to arise is relevant to the scale and complexity of the approvals sought, and hence to the timeframe. Meridian does not have to agree with Genesis' position. Whether agreed or contested, the panel will need to reach its own view about the effects of this application.

[8] Recommending the appointment of a civil engineer to the panel, Meridian's submission caused me to rethink the composition of the panel, and this has pushed the commencement date out to 23 February 2026.

[9] Meridian proposed a 30-working day timeframe with the decision being made before winter. I understand the importance of a short timeframe; a decision before winter provides Meridian a lead in time around which to plan whether access to use stored hydro water between 518 to 513m RL. The difficulty I have is that the twelve working days proposed by Meridian for the panel to consider and release its draft decision on the application is inadequate, and, I think, imprudent given the lack of information concerning the current concerns of Genesis.

¹ Meridian memorandum dated 26 January 2026.

[10] I will come back to timeframe shortly. For now, I comment that it would be helpful for the panel to receive the participants' views on the relevance of dam safety under the Fast-track Approvals Act 2024. The Regional Council reports Meridian as saying that this is a Building Act matter,² but notes that it holds a different, and possibly broader view than Meridian, of the range of effects able to be considered by the panel. Secondly, if not included in the application, Meridian should consider providing the conditions that attach the existing consents held in relation to the wider power scheme.

Kā Rūnaka

[11] Two matters remain live for Kā Rūnaka:

- (a) the inclusion of a trigger to ensure that the lowering of lake levels occurs in response to hydrological conditions and not because of “aggressive utilisation or management choice”; and
- (b) the inclusion of appropriate conditions, such as a cultural monitoring programme.

[12] While the inclusion of a trigger is problematic for Meridian, both participants remain engaged on this issue. One matter I flag for consideration is whether hydrological conditions are the controlling factor. Meridian has explained that the availability of natural gas and the forecast drier period, informs its planning around lake levels. I note that the Regional Council is also interested in the conditions under which the approvals will be implemented.

[13] The application has the potential to adversely affect values of interest and importance to Kā Rūnaka.³ However, I understand Kā Rūnaka to be presently satisfied with what is proposed in relation to those values. Further work is required in relation to the nohoanga entitlement in the area, having regard to the broader

² Canterbury Regional Council, s 46 completion comments.

³ Kā Rūnaka memorandum dated 26 January 2026 at [24].

purpose and use of the nohoanga.⁴

[14] I note Kā Rūnaka's desire that a person with expertise in Ngāi Tahu tikanga be appointed. Going forward, I would be better assisted if Ngāi Tahu could advise whether the tikanga relates to the processes of the Fast-track panel or to an aspect of mātauranga Māori that arises within te ao Māori.

Director-General of Conservation

[15] There has been extensive pre- and post-lodgement consultation between the applicant, the local authorities, and the Director-General of Conservation.

[16] The Director-General considers the Wildlife Approval to be of relatively low complexity and awaits further information to address inconsistencies between the ecological impact assessment and the LMP. That aside, two issues are being negotiated:

- (a) for the effects management hierarchy to be applied to this proposal; and
- (b) in relation to compensatory works, the monetary value of works at a different site.

[17] The Director-General is interested in the resource consent approvals and seeks further information on the effects of changes in lake levels and on wetlands that provide habitat for threatened plant and bird species. This information is relevant to the proposed conditions.

[18] Although the approvals are of relatively low legal, evidential, and factual complexity, the Director-General suggests that time be allowed should the panel wish to request further information or reports under section 67.

⁴ Te Rūnaka o Ngāi Tahu memorandum dated 26 January 2026.

Canterbury Regional Council

[19] Meridian and the Regional Council have worked closely to address information gaps and to resolve many of the issues noted at the time of the completeness assessment.

[20] Of the issues remaining the proposed consent conditions are likely the most substantive matter and under discussion with the applicant. It would assist the panel and the Regional Council if Meridian could explain at an early stage whether the proposed conditions of consent being considered in proceedings before the Environment Court are intended to apply to this application.⁵

Decision on timeframe

[21] I am uncertain about the issues raised by Genesis and, therefore, the potential implications of this application for wider supply of electricity. These are not trivial matters and nor does Meridian suggest otherwise. They are matters which the expert panel will need to consider and reach a view.

[22] Having considered feedback received during the Convenor's Conference, including from the Director-General, and having regard to the scale, nature, and complexity of the approvals sought in the substantive application, and to other matters raised by that application, the decision timeframe is set at 60 working days. I have relayed to the panel that the determination of this application is to be treated expeditiously. If it transpires that the panel does not require all the time allocated, it should endeavour to release its decision earlier.

[23] I understand that Meridian and Genesis have yet to agree on how the proposed lowering of lake levels will be managed and monitored. This work will now need to be progressed in parallel with this application. Meridian and Genesis

⁵ If I have not correctly stated the issue, Meridian and the Regional Council should confer with a view to agreeing on the issue to be determined.

are encouraged to narrow or resolve any matters in dispute, with Meridian to provide the further technical work to Genesis as soon as practicable.

[24] The panel commencement date, for the purpose of section 53 of the Act is 23 February 2025. The panel will invite comments from participants by 9 March 2026, and comments will be due by 8 April 2026. The applicant's comments in response will be due 15 April 2026. Subject to the processing of the application being suspended for any of the reasons outlined in section 60 of the Act, the decision on the application will be due on 3 July 2026.

The panel

[25] By 23 February 2026, I will appoint the following persons to the expert panel:

- (a) Kitt Littlejohn (Chair)
- (b) Tim Vial (Local Authority nominee)
- (c) Dr Kaley Crawford-Flett
- (d) Tony Cussins
- (e) John Iseli

[26] I have considered the skill set and experience required for the Panel and am satisfied that, collectively, it has the knowledge, skills, and expertise relevant to the approvals sought, including expertise in environmental matters. I consider that the circumstances set out in clause 3(7)(c) and (e) of Schedule 3 apply, warranting the appointment of more than three persons. I will appoint five panel members. Each panellist is an expert within their subject-matter fields; one of whom has relevant dams sector experience.

[27] The members also include individuals who understand te ao Māori and Māori development. The nomination of Tim Vial is notable in this context. Tim's whakapapa is to Te Rūnanga o Ōtākou and Kāti Huirapa Rūnaka ki Puketeraki and he brings capability in tikanga Māori, mātauranga Māori, and kaupapa Māori

decision-making contexts. Tim is presently employed as Kaiwhakamahere Matua (Senior Planner) – Wai Māori at Aukaha Limited.

[28] With that said, the panel members have satisfied me that they have no conflicts of interest.

The appointment will be effective on 16 February 2026 with the panel commencement date, for the purpose of s 53, being 23 February 2026.

A handwritten signature in black ink that reads "Jane". The letter "J" is large and stylized, with a long vertical stroke that curves at the top and bottom. The letters "ane" are written in a cursive, lowercase style.

Jane Borthwick
Panel convener for the purpose of the Fast-track Approvals Act 2024

Attachment A

Attendees for Lake Pūkaki Hydro Storage and Dam Resilience Works Panel
Convener Conference

Organisation	Personnel
Canterbury Regional Council	Susannah Black Jeremy Ecker Robyn Fitchett
Mackenzie District Council	Julie Shanks (relieved from the conference after the introductions)
Meridian Energy Limited (the applicant)	Kate Berkett Hamish Cuthbert Amy Callaghan Stephen Christensen
Ministry for the Environment	Michelle Flay
Department of Conservation	Amelia Wilkinson Susan Newell
Ka Rūnaka	Rachael Robilliard Daniel Diprose Lisa MacKenzie (Ngāi Tahu) Treena Davidson (Aoraki Environmental Consultancy Ltd)