

FTAreferalls

From: Helen Willis
Sent: Tuesday, 20 May 2025 4:20 pm
To: FTAreferalls
Subject: FW: Fast-track Approvals Application: Lake Pūkaki Hydro Storage and Dam Resilience Works
Attachments: FW_ MFE consultation.pdf; 12656630- Meridan MfE letter FTA Lake Pūkaki Hydro Storage and Dam Resilience Works.pdf; CRC185833 compliance history letter 19-05-2025.pdf; L200525 - Meridian Energy Limited - FTA - s13(4)(x).pdf; MEL Lizard Addendum.pdf

From: Amy Callaghan s 9(2)(a)
Sent: Tuesday, 20 May 2025 4:11 pm
To: Helen Willis s 9(2)(a)
Subject: RE: Fast-track Approvals Application: Lake Pūkaki Hydro Storage and Dam Resilience Works

MFE CYBER SECURITY WARNING

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Good Afternoon Helen

Further to your email below, we provide the following responses in relation to Meridians Fast Track Approvals Application

1. The full list of parties likely to be affected by the project are as follows:

- Environment Canterbury
- Mackenzie District Council
- Department of Conservation
- NZTA
- Te Rūnanga o Moeraki
- Te Rūnanga o Arowhenua
- Te Rūnanga o Waihao

2. Describe how consultation has informed the project

Eased access to contingent storage

The need to lower lake levels in certain circumstances is not a 'new activity', per se, in that it is provided for under the current planning framework and under consents obtained by Meridian in 2012.

As part of the 2012 consenting process, Meridian undertook extensive consultation and entered into a number of agreements which remain in effect today. Refer to **Appendix A** of the referral application. These agreements underpin the mitigation and monitoring efforts to be undertaken if lake levels fall below 518 mRL and have helped Meridian determine an acceptable level of effects in terms of lake lowering activities. Meridian proposes to implement these agreements as part of the current application and has prepared a management framework to guide the planning and implementation of agreed mitigation and compensation measures.

During winter 2024, Meridian contacted all agreement holders. Only one landowner raised concerns, and this was regarding the impact that lowered lake levels would have on their water intake structure. Consequently, the referral application includes an initial assessment of the effects of low lake levels on surrounding infrastructure, including the intake structure. Discussions with this landowner will resume prior to lake levels reaching 518 mRL.

More recently Meridian initiated consultation with Waitaki Rūnaka, ECan, MDC, Fish and Game and LINZ. Fish and Game have confirmed their satisfaction that the 2012 agreement addresses their primary concerns. LINZ has also indicated that they have no concerns with the proposal.

Consultation with Waitaki Rūnaka and key stakeholders will continue, and it is anticipated that feedback will further refine the Project. The substantive application will include an update on how recent consultation has informed the Project.

Rock armouring works

During winter 2024, when it was looking increasingly likely that Lake Pūkaki would fall below 518 mRL, Meridian started planning for the necessary rock armouring works. A construction methodology was developed by the preferred contractor and engagement with Ngāi Tahu, Waitaki Rūnaka, ECan, MDC and MCAS was initiated.

Discussions with MDC and MCAS focused on the temporary closure of the carpark and the subsequent relocation of the MCAS shop and MDC's toilet facilities. These discussions also helped to inform the development of triggers (potential lake levels) that would be used to initiate the relocation of facilities from the carpark.

MDC also requested the safe re-routing of the A2O trail around the construction site. This requirement has been included in the construction methodology.

Ngāi Tahu and Waitaki Rūnaka requested that Meridian engage with Aoraki Environmental Services to initiate the development of an environmental monitoring programme for when lake levels drop below 518 mRL. These discussions commenced but were paused as lake levels began to rise.

Discussions with ECan focused on how Meridian would report on planning for the potential lake level lowering and the scope of powers under s330 of the Resource Management Act to undertake physical rock armouring work and ultimately to ensure compliance with consent conditions when the lake level lowered.

3. Consultation with MfE

Please see attached email and letter initiating consultation with MfE.

4. A description of the applicant's legal interest in the land, and a **statement of how that affects the applicant's ability to undertake the work**. Please also include how any interests/encumbrances on land titles making up the project site will affect the ability to undertake the work

Meridian owns land and the bed of Lake Pūkaki in the vicinity of and including the Pūkaki Dam and holds an easement in gross over the bed and margin of the remainder of the lake (operating easement granted by Land Information New Zealand (LINZ)). Titles and the Operating Easement are included in **Appendix D** of the referral application.

As Meridian owns the land in the vicinity of and including the Pūkaki Dam, they can undertake rock armouring works without seeking further landowner approval. The Mt Cook Alpine Salmon (MCAS) shop, located between the dam wall and State Highway 8, is situated on land owned by Meridian and leased to Mackenzie District Council and sub-leased to MCAS. This shop will be closed during the construction works. The adjacent car park, and public toilets also on Meridian-owned land and used as a viewing area, will be closed to the public during construction works. Meridian's lease arrangements for these facilities allow for closure.

Meridian's easement in gross over the bed and margin of the lake has been granted by LINZ conferring the right to store water within the operating levels established under resource consent or other approvals, and the right to discharge, drain, and convey water into and along any waterway, watercourse, and water catchment that forms part of the easement. LINZ has been contacted and advised about the proposal. The proposed activities do not require any approvals or permissions from LINZ, accordingly LINZ is not an Administering Agency under the Fast-track Approvals Act for this application. LINZ have indicated that the proposal would undergo an internal review process. Their initial feedback was that they had no concerns with the proposal.

5. S13(4)(x) requirement to include a summary of the compliance or enforcement actions taken against the applicant under a specified Act and the outcome of those actions. This includes historical and current actions, so please provide more clarity on this matter.

Please see attached letters from Environment Canterbury and Meridian Energy Legal Counsel regarding Meridian's compliance history. While the Environment Canterbury Letter relates specifically to the lake lowering consents, the letter from Meridian's Legal Counsel pertains to Meridian's wider operations.

6. Redacted Application

Please use the following link to download a Redacted Version of the Application

Out of Scope

Out of Scope

7. Application Addendum

Please see attached letter titled MEL Lizard Addendum which sets out our request to include a Wildlife Authorisation in the suite of consents that are being sought under this application.

I trust that our responses address all of the matters that you have sought additional information on. If you do have any further questions or clarifications please don't hesitate to contact me.

Kind Regards

Amy

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Kia ora Amy

Thank you for taking the time to speak on the phone earlier today. As discussed, the Ministry for the Environment (MfE) are currently working through the completeness check for the Lake Pūkaki Hydro Storage and Dam Resilience Works (the project) under the Fast-track Approvals Act 2024 (the Act) and there are a few matters which we are seeking additional information on:

1. See section 13(4)(j) of the Act – requirement to provide a list of the persons and groups who the applicant considers are likely to be affected by the project, including the parties in (i)(viii). This includes identification of relevant authorities. Please provide a full list of parties who are likely to be affected by the project.
2. See section 13(4)(k) of the Act – requirement to include a summary of the consultation undertaken for the purpose of section 11, and any other consultation undertaken with the parties in 13(4)(j), including **a clear description of how consultation has informed the project.**
3. Further to point 2, consultation with the MfE is required as the relevant administering agency under the Resource Management Act 1991. We are aware that this is not immediately obvious, so have set up a system whereby applicants can fulfil this obligation. To do so, we direct you to the email address: adminagencyftaa@mfe.govt.nz. Please send an email to this address informing them that you would like to complete the section 11(1)(e) consultation requirement with MfE. Please include a summary of the proposal and a site/development plan with the email. The team operating that email address will assist you further if you have any questions on this requirement.
4. See section 13(4)(s) of the Act – requirement to include a description of the applicant's legal interest in the land, and a **statement of how that affects the applicant's ability to undertake the work.** Please also include how any interests/encumbrances on land titles making up the project site will affect the ability to undertake the work.

5. See section 13(4)(x) – requirement to include a summary of the compliance or enforcement actions taken against the applicant under a specified Act and the outcome of those actions. This includes historical and current actions, so please provide more clarity on this matter.
6. We note that you did not provide a copy of the application with proposed redactions. As is stated on the application form, MfE intends to proactively publish your referral application on the Fast-track Approvals website. Any personal contact details in application documents will not be made publicly available, so please provide a copy of the application with all personal contact details redacted. Additionally, MfE may also redact certain information from publication in accordance with the Official Information Act 1992. If you think your application contains information which should be withheld, please clearly identify it and provide an explanation as to why it should be withheld.

As you will likely be aware, there is a statutory timeframe to decide on whether a referral application is complete and within scope. Therefore, it is important that these requirements are met expediently. Please comply with this request as soon as possible, with the latest possible date we can receive the information being Tuesday the 20th of May midday. Failing to do so will result in the application being returned as incomplete. Should that occur, we can arrange a meeting to discuss next steps/a new application if you wish.

Regarding your question on providing an addendum to the application materials already provided, you are welcome to send this with this further information request. The 10-working day statutory timeframe for the completeness check will not be reset, however, so should the additional information materially change the scope of the application or our assessment of it, it may still be returned as incomplete.

Any questions, feel free to contact us.

Ngā mihi,

Helen Willis ([she/her](#))

Advisor / kaiwhakahaere

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