

Your written comments on a project under the Fast Track Approvals Act 2024

Project name	Clutha Pumped Hydro
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Before the due date, for assistance on how to respond or about this template or with using the portal, please email contact@fasttrack.govt.nz or phone 0800 FASTRK (0800 327 875).

All sections of this form with an asterisk (*) must be completed.

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	Central Otago District Council		
*First name	Fiona		
*Last name	Garrett		
Postal address	PO Box 122, Alexandra		
*Contact phone number	s 9(2)(a)	Alternative	
*Email	s 9(2)(a)		

2. Please provide your comments on this application
<p>Response to request for specific comments on the referral application under section 17 (3) of the Fast-track Approvals Act 2024:</p> <ol style="list-style-type: none"> <p><i>Any applications that have been lodged with the Council that would be a competing application or applications if a substantive application for the project were lodged. If no such applications exist, please provide written confirmation.</i></p> <p>No applications have been lodged that would be a competing application if a substantive application for the project were lodged.</p> <p><i>In relation to projects seeking approval of a resource consent under section 42(4)(a) of the Act, whether there any existing resource consents issued where sections 124C(1)(c) or 165ZI of the Resource Management Act 1991 (RMA) could apply, if the project were to be applied for as a resource consent under the RMA. If no such consents exist, please provide written confirmation.</i></p> <p>Four resource consents were granted to NIWA and MBIE for environmental monitoring and exploratory geotechnical and hydrological works in the context of the MBIE led Battery Project to which section 124 (1)(c) could apply.</p>

Insert Fast-track logo

NIWA holds two weather monitoring consents (RC 210185 & 210186) to establish a monitoring bouy on Lake Onslow and a climate station on Mt Teviot, both with a 35-year lapse time.

MBIE holds to consents for geotechnical investigations (RC 210508 and RC 220110).

Copies of these consents are attached.

Note: All comments will be made available to the public and the applicant when the Ministry for the Environment proactively releases advice provided to the Minister for the Environment.

Managers signoff



Ann Rodgers

Planning Manager (acting)

Date: 21 January 2025

RC210185 and RC210186

14 July 2021

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Dunedin North
Dunedin 9059

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Email: s 9(2)(a)

Dear Sir/Madam

Application for Resource Consent: RC210185 & RC210186

This is to advise that the application for land use consent to install monitoring buoy on Lake Onslow (RC210185) and a climate station on Mount Teviot (RC210186) on a site is legally described as Lot 1 Deposited Plan 456324, held in Record of Title 589511 has been approved by the Planning Manager, subject to the following conditions:

CONDITIONS:

RC210185

1. The proposed activity shall be undertaken in general accordance with the plans attached as Appendix 1 to this decision and the information provided with the resource consent application, received by the Council on 21 June 2021, except where modified by the following conditions.
2. The monitoring buoy must be removed in its entirety at the end of the monitoring program or 35 years from the date of issue of this consent.
3. No new tracks or access roads are to be established to or at the site.
4. No fuel is to be stored at the site and any batteries that are not in service or good condition must be removed from the site as well as all rubbish and surplus materials.
5. All equipment bought into the site will be free of introduced plants, seeds and water.
6. All equipment must be washed down before departing the site.
7. In accordance with Section 128 of the Resource Management Act 1991, the conditions of this consent may be reviewed on and in the period within 6 (six) months upon each anniversary of the date of this consent, if, on reasonable grounds, the consent authority finds that:
 - a) There is or is likely to be an adverse environmental effect as a result of the exercise of this consent, which was unforeseen when the consent was granted;
 - b) Monitoring of the exercise of the consent has revealed that there is or is likely to be an adverse environmental effect; or
 - c) There has been a change in the circumstances and the conditions of consent are no longer appropriate in terms of the purpose of the Act.

8. The consent holder must pay to the Council all required administration charges fixed by the Council pursuant to section 36 of the Act in relation to:
 - a) Administration, monitoring and inspection relating to this consent; and
 - b) Charges authorised by regulations

Advice Note:

1. Signage must not exceed 3m² in area or additional resource consents will be required.

RC210186

1. The proposed activity shall be undertaken in general accordance with the plans attached as Appendix 2 to this decision and the information provided with the resource consent application, received by the Council on 21 June 2021.
2. The climate station must be removed in its entirety at the end of the monitoring program or 35 years from the date of issue of this consent.
3. No new tracks or access roads are to be established to or at the site.
4. The box housing must be painted an earthy brown non reflective colour and the 6m mast must be a dull grey non reflective colour.
5. The outside face of the solar panel must be black and must be inclined at 45 degrees so that any reflected light above the skyline so will not be seen from the Lake Onslow Road.
6. No fuel is to be stored at the site and any batteries that are not in service or good condition must be removed from the site as well as all rubbish and surplus materials.
7. All equipment bought into the site will be free of introduced plants, seeds and water.
8. All existing weeds at the site must be controlled while the climate station is at that location.
9. In accordance with Section 128 of the Resource Management Act 1991, the conditions of this consent may be reviewed on and in the period within 6 (six) months upon each anniversary of the date of this consent, if, on reasonable grounds, the consent authority finds that:
 - a) There is or is likely to be an adverse environmental effect as a result of the exercise of this consent, which was unforeseen when the consent was granted;
 - b) Monitoring of the exercise of the consent has revealed that there is or is likely to be an adverse environmental effect; or
 - c) There has been a change in the circumstances and the conditions of consent are no longer appropriate in terms of the purpose of the Act.
10. The consent holder must pay to the Council all required administration charges fixed by the Council pursuant to section 36 of the Act in relation to:
 - a) Administration, monitoring and inspection relating to this consent; and
 - b) Charges authorised by regulations.

Advice Note:

1. Signage must not exceed 3m² in area or additional resource consent will be required.

Following consideration of the application it has been determined that any effects on the environment will be no more than minor and that granting consent will not be contrary to the objectives and policies of the relevant district plan.

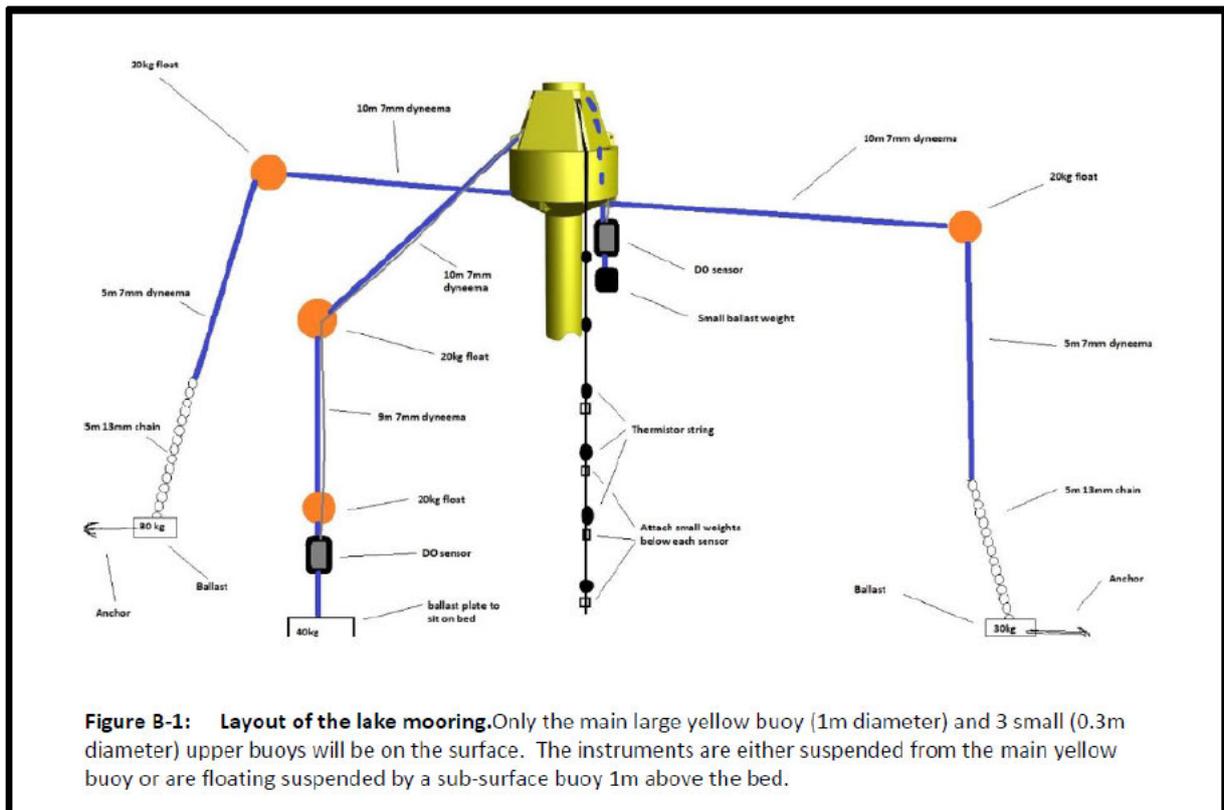
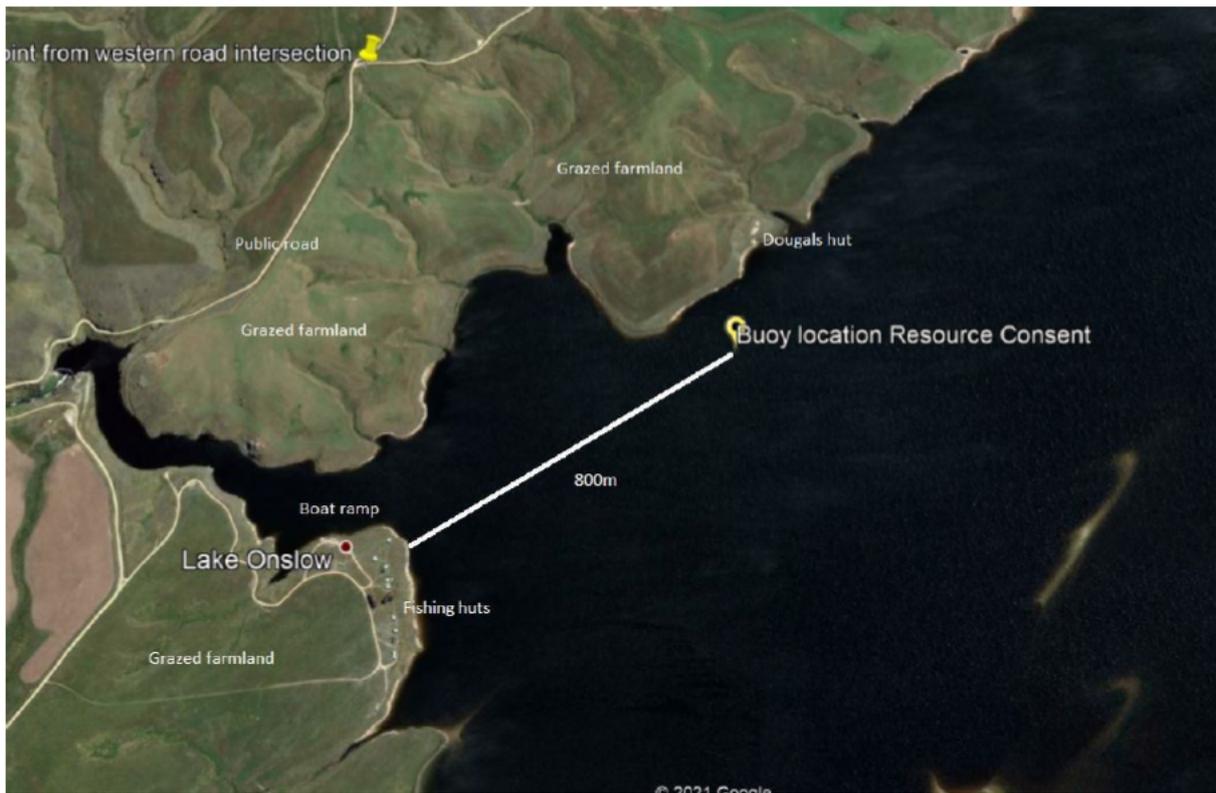
I draw your attention to Section 357C of the Resource Management Act 1991 which confers a right of objection to the Council to the conditions of consent, which must be done within 15 working days of receipt of this decision.

Yours faithfully

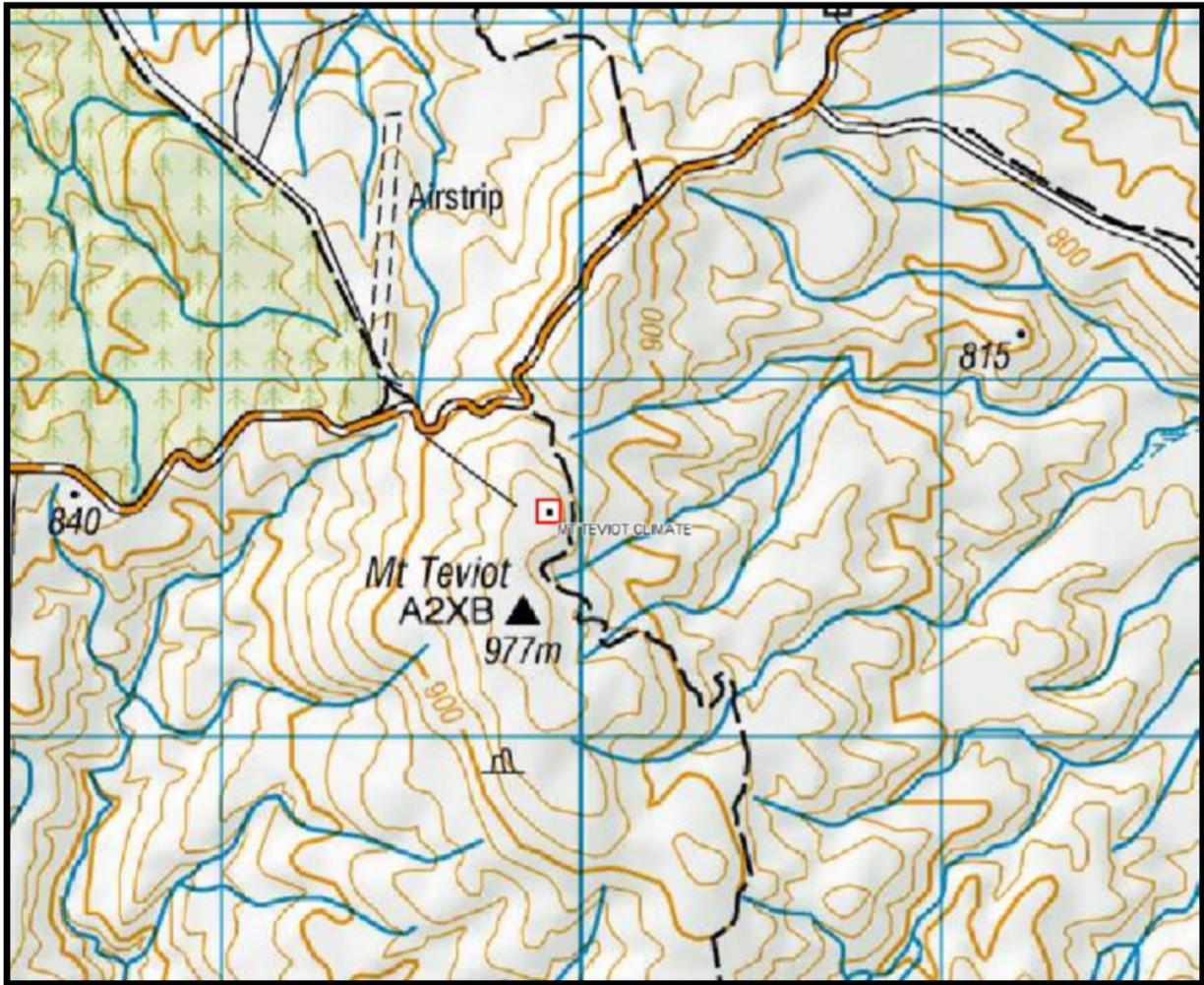
A handwritten signature in blue ink that reads "Kirstyn Lindsay". The signature is written in a cursive, flowing style.

KIRSTYN LINDSAY
PLANNING CONSULTANT

Appendix 1: Approved Plans for RC210185



Appendix 2 – Approved Plans for RC210186





17 February 2022

Ministry of Business, Innovation and
Employment
Deborah Rowe
C/O Boffa Miskell Ltd
PO Box 1028,
Queenstown 9348



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Via email: § 9(2)(a)

Dear Deborah

RESOURCE CONSENT APPLICATION: RC210508
VARIOUS LOCATIONS WITHIN THE
LAKE ONSLOW AREA

Your application for resource consent was processed on a non-notified basis in accordance with sections 95A to 95G of the Resource Management Act 1991. The application was considered by the Planning Manager, under delegated authority, on 17 February 2022.

The Council has granted consent to the application with conditions. The assessment of the application, including the reasons for the decision, is set out in the report attached to this letter. The consent certificate is attached to this decision.

The consent certificate outlines the conditions that apply to your proposal. Please ensure that you have read and understand all of the consent conditions.

You may object to this decision or any condition within 15 working days of the decision being received, by applying in writing to the Central Otago District Council.

You may request that the objection be considered by an independent commissioner. The Council will then delegate its functions, powers and duties to an independent hearings commissioner to consider and decide the objection. Please note that you may be required to pay for the full costs of the independent hearings commissioner.

Alternatively, there may be appeal rights to the Environment Court. Please refer to section 120 of the Resource Management Act 1991. It is recommended that you consult a lawyer if you are considering this option.

You will be contacted in due course if you are due a partial refund or you have to pay additional costs for the processing of your application.

Please feel free to contact me if you have any questions.

Yours faithfully

A handwritten signature in cursive script, appearing to read 'Kirstyn Lindsay'.

Kirstyn Lindsay
Consultant Planner

APPLICATION	RC210508
APPLICANT	MINISTRY OF BUSINESS, INNOVATION AND EMPLOYMENT
ADDRESS	VARIOUS LOCATIONS WITHIN THE LAKE ONSLOW AREA
LEGAL DESCRIPTION	<p>1. LANDOWNER: MINZION STATION LIMITED</p> <p>A. SECTION 1, 6-7, 10, 15-16, 19, 21, 23, 40 SURVEY OFFICE PLAN 22593 AND PART SECTION 1 BLOCK X AND PART SECTION 3 BLOCK XV LONG VALLEY SURVEY DISTRICT AND LOT 3 DEPOSITED PLAN 451594, CONTAINED WITHIN RECORD OF TITLE 575971</p> <p>B. LOT 1 DP 451594, CONTAINED WITHIN RECORD OF TITLE 575969</p> <p>C. LOT 1, 3 DEPOSITED PLAN 23197, CONTAINED WITHIN RECORD OF TITLE 374353</p> <p>D. SECTION 1 SO 22594, CONTAINED WITHIN RECORD OF TITLE OT14B/498</p> <p>E. SECTION 2 SO 19695, CONTAINED WITHIN RECORD OF TITLE 137071</p> <p>2. LANDOWNER: GRAFTON FARM LIMITED</p> <p>A. LOT 1 DP 364531, CONTAINED WITHIN RECORD OF TITLE 262110</p> <p>3. LANDOWNERS: EOIN REAY HAMILTON GARDEN, NOELINE ETHEL GARDEN, HGW TRUSTEES LIMITED AND EOIN AUSTIN GARDEN</p> <p>A. LOT 18 DP 389879 AND SECTION 1 BLOCK VI LAMMERLAW SURVEY DISTRICT, BEING PART OF THE LAND CONTAINED WITHIN RECORD OF TITLE 360597</p> <p>4. ROAD RESERVE: LAKE ONSLOW ROAD, UNNAMED ROADS (X2)</p>
ACTIVITY STATUS	DISCRETIONARY

BACKGROUND

The purpose of the NZ Battery project is to investigate options to resolve New Zealand's dry year risk problem in a highly renewable electricity system. Dry year risk refers to the shortfall in electricity generation than can occur in a year where inflows to hydro lakes are significantly below normal and the lake levels are low 'dry'. Currently, New Zealand relies on coal and gas fired generation to ensure reliable electricity supply in a dry year. Dry year risk is a contributing factor to high electricity prices because the electricity market factors the cost of scarcity into electricity forward prices. The NZ Battery project will investigate ways to reduce this effect, thereby allowing electricity price to better follow the downwards trend of new electricity generation investment costs.

Pumped hydro schemes are used internationally as a way of storing and using water independently of natural inflows. They are able to be specifically designed to meet daily demand peaks, and/or store a large amount of energy for a long period to meet dry year energy storage requirements. Pumped hydro typically consists of a lower water resource and an upper storage reservoir. During periods of high electricity supply/low electricity prices water is pumped up to the upper reservoir and stored. Water is then released to generate electricity from the upper reservoir during periods of high electricity demand and/or low levels of renewable generation.

The main components of possible pump storage scheme at Lake Onslow include:

- An upper dam and reservoir based around the existing Lake Onslow
- A lower intake associated with the Clutha River
- Tunnels, shafts and an underground powerhouse.
- Connections into the electricity supply network and associated infrastructure, vehicle access
- and earthworks.

As part of determining solutions to New Zealand's low energy period ('dry year' problem) via the NZ Battery Project, MBIE proposes to determine the feasibility of the proposed Lake Onslow pumped hydro storage scheme. The aim of this work is to investigate the environmental feasibility of the Lake Onslow base case to inform Cabinet on geotechnical, geological, hydrogeological and environmental constraints to inform a decision whether to proceed; and recommend which technically feasible option (or options), should proceed into further engineering design and consenting.

DESCRIPTION OF ACTIVITY

The applicant seeks to undertake geotechnical, geological and hydrogeological investigations to support the feasibility assessment for a pumped hydro storage scheme at Lake Onslow. Proposed works include

- To construct drill holes for the purposes of geological investigation, sampling, testing and the installation of groundwater monitoring instrumentation,
- Excavating test pits for the purposes of geological investigation, sampling and testing,
- The extraction of a small volume of rock material for the purposes of conducting geological investigation, sampling and testing,
- Establishment of drill platforms, temporary storage and the extraction of water and storage for drilling,
- Subsequent rehabilitation (as applicable to different types of investigative locations),
- Aerial access by helicopter (if access to sites is not available via alternative means).

Geotechnical investigations are an important component of the feasibility assessment and broadly involve a range of desktop based and physical investigations. The applicant states that the required physical works associated with the geotechnical, geological and hydrogeological investigations will specifically include the following activities:

- The construction of drillholes to facilitate geophysical investigations, and for the installation and operation of monitoring equipment and associated telemetry.

- The excavation of test pits for the purposes of enabling geophysical investigations of near surface earth material, and for the subsequent rehabilitation of those areas.
- The excavation of a rock sample from an existing road cutting or similar disturbed ground location
- Small water sampling from surface water bodies for chemical testing purposes
- The formation and use of two temporary construction storage areas associated with the geological investigations to store contractors' equipment, core samples and toilets within a fenced area.
- The extraction of up to 25,000 litres per day of water from a manmade pond formed within a historic gravel extraction site, together with subsequent storage within a 30,000 litre holding tanks, and use of that water as part of the drilling activities.
- To undertake land disturbance and earthworks for the purposes of undertake test pitting, establishing a level bench for the support of drilling equipment.

In order to avoid adverse effects on sensitive values, the applicant has excluded areas of land and no intrusive investigative works will be located within these areas, except where specifically identified in this application. A site selection protocol (SSP) will be adopted for all locations not yet identified. The applicant also proposes that all works be undertaken in accordance with a comprehensive Construction Environment Management Plan (CEMP). A draft CEMP framework has been prepared and submitted with the application.

Drill holes

The applicant proposes to construct drill holes at 11 locations identified within the application plus up to 9 additional as yet unidentified drill hole locations to undertake geological investigations. The applicant advises that the locations of the 11 identified drillholes have been chosen for a particular purpose, however, the applicant recognises that it may be desirable and necessary to adjust drillhole locations to accommodate ground conditions and to avoid the sensitive areas and values. The applicant therefore seeks to enable micro-siting of each of the identified drillholes to within + / - 50m of the identified locations.

The application states that each drillhole location consists of two drillholes of approximately 150mm in diameter located within 5m of each other. A mobile drilling rig will be used to create a 150mm maximum diameter drill hole to the target depth (see Image 1). While drilling is in progress at each drillhole location, it is expected there will be up to three drilling crew, and a geologist present, with a further two people during testing and very occasional visitors.



Image 1: Mobile Drilling Rigs (source Application)

The applicant advises that the purposes of each drillhole are to allow for the initial collection of core samples, and for the installation of piezometers and other monitoring equipment; and to establish a further dedicated piezometer, typically at shallower depths. Each pair of drillholes will be connected with communication cables within a trench. Drillholes will only be located within the land owned by Minzion Station, Grafton Farms Ltd, the Garden's or road reserve, administered by the Central Otago District Council. Drill holes will not be located in excluded land and the remaining nine locations will be chosen using the SSP referred to above.

The applicant advises that although each drillhole location has been selected on the basis of creating least disturbance it is possible that contractors will need to excavate a level platform for the drill rig to safely operate. As such the applicant seeks consent for the creation of a level platform at each drillhole location, where this becomes necessary because of slope angle. The applicant advises that platform creation will not be required at every location. Platform creation will typically involve cutting a bench into the slope approximately 20m long by 6m wide, with the maximum area of disturbance being 120m². The applicant assumes a maximum cut height of 1m and equivalent fill, the maximum volume of proposed earthworks at each drillhole is 60 m³.

BH_D105 is located in close proximity to Te Awa Makarara/Teviot River. The applicant advises that BH_D105 will not involve any earthworks, instead it is proposed to construct a cantilevered platform above the drill site so as to avoid earthworks in close proximity to Te Awa Makarara/Teviot River, and to avoid disturbance to the induced wetland in the vicinity of this location.

Upon completion of drilling, the applicant advises that the proposal is to cover each drillhole and to install permanent monitoring equipment within each drillhole (see Image 2). Piezometers will be installed down the borehole to enable long term monitoring of water levels and pressures. Multiple piezometers will be required at each position at varying depths; this may require drilling an adjacent additional hole (within a couple of metres). The applicant advises that drillholes for additional piezometers are typically shallower, and drilled quickly using a solid drilling bit with no core recovery or testing and take an additional day or two.



Image 2: Fenced Upstand Cover (Source Application)

The applicant proposes to operate three or four drilling rigs with the typical programme to undertake drilling by a single drilling rig, once physical access has been established, set out below:

- 1 – 2 days for establishment and moving the rig and equipment onto site
- 10 – 20 days to undertake drilling – where the duration varies based on target depth
- 2 – 3 days to undertake in-situ testing with a further day for geophysical investigations
- 1 – 2 days for piezometer and monitoring instrument installations
- 1 – 2 days for disestablishment

The applicant advises that telemetry systems will be established to allow remote reading of piezometers (water levels) thereby reducing the need to visit the site regularly. Subject to landowner approval and the project continuing, the applicant expects that piezometers will be monitored for multiple years and may be revisited on occasion for repair and maintenance. The telemetry system will comprise a pole standing up to 5m above ground level with a solar panel and enclosed data-logger and telecommunication unit.

The applicant confirms that no drillhole will be left without being backfilled. Where no instrumentation is to be installed the borehole will be backfilled with cement grout and the surface reinstated. In all cases, the disturbed areas will be reinstated and grassed.

Test Pits

The applicant also seeks to excavate up to 12 identified test pits, plus an additional eight non-identified test pits to be identified using the SSP. The purpose of the test pits is to make direct observations of near surface soil and rock material and to collect samples for laboratory testing. Each test pit will be typically 3m long, 1m wide and 5m deep (See Image 3 below). The applicant advises that test pit construction involves scraping the surface top soil and placing to one side, excavating the pit and placing that material to the other side of the test pit, obtain samples of material, backfilling the hole with excavated material and replacing top soil topsoil and surface material will be reinstated and to place grass seed or other agreed vegetation. A geologist will log the excavated soils and collect samples while the pit is open.



Image 3: Typical Test Pit (Source Application)

The application states that each test pit can be excavated, logged and reinstated within approximately three hours. Test pits will not be left unattended whilst open. Temporary fencing will be installed to delineate the worksite. The applicant proposes to rely on existing farm tracks or level ground across cultivated paddocks to gain access.

Test pitting will involve two people: an excavator operator and geologist. All earthworks associated with the test pits will be supervised by an archaeologist due to the potential for discovery of archaeological material.

Rock Sampling

The applicant proposes to take rock samples in five locations. Each rock sample will be approximately 1 tonne (approximately 1m³) and will be taken from existing exposed road cuttings. Material taken from site will be transported to a laboratory for processing and testing. The final sampling points will be selected by the engineering geologist based on a number of criteria including the need to maintain stability of the cut slope. The applicant advises that sampling will not be undertaken at locations where excavation would be detrimental to the stability of the slope. Sampling locations will be cleared of loose material on completion of sampling.

Work at each location will take between 2-3 hours depending on access and traffic management requirements. The final site selection of the rock sampling locations will be subject to input from an ecologist through the SSP to ensure that they do not adversely affect indigenous vegetation that may be present. All earthworks associated with the rock sampling will be supervised by an archaeologist due to the potential for undiscovered archaeology to be unearthed, and to ensure that the appropriate steps are followed if this occurs.

Contractors Storage Area

The applicant proposes to establish a temporary storage area within the vicinity of the existing Lake Onslow dam and located partially within the road reserve, and partially on land owned by Minzion Station Limited. The storage area is approximately 650m² in area.

The applicant notes that the storage area will be used to store vehicles, construction related equipment, waste bins, core samples, toilets and if required will be fenced (max height of 1.8m). Typically, storage will be within secure shipping containers with a maximum of two shipping containers to be used. One portable toilet will be located within the storage area. The storage area will be established and used for the period of investigations and thereafter disestablished.

Hazardous substances will also be stored in this area. The applicant states that hazardous substances storage will meet the permitted activity thresholds set out in Rule 4.7.4(ii) of the District Plan and no consent is sought for the storage and use of hazardous substances.

Self-contained toilet facilities will also be provided at each investigative location when works are being undertaken at that location.

Clearance of Vegetation

The applicant advises that in general, it is proposed to avoid the clearance of any indigenous vegetation. However, one drillhole location (BH_T103) is situated on an area where there may be some vehicle movement over the plants. The applicant notes that it is not proposed to remove any of the tussock. The applicant estimates that up to 120m² may be disturbed at this location.

The applicant advises that the extent of land disturbance is limited to the establishment of drillhole platforms (although potentially not at every drill hole location), and the test pits. The SSP, involving an ecologist, together with an allowance for micro-siting, will ensure that the

potential for land disturbance impacting vegetation is assessed and eliminated. There is also the potential through the SSP for monitoring by the project ecologist to be undertaken at specific sites.

Aerial Access

In the event that vehicle and rig access is not possible, the applicant advises that helicopters may be used to locate drilling equipment to the sites. At this stage, the applicant expects that aerial access may be required for no more than two of the investigative locations. The applicant proposes to restrict flights up to 10 flights per day, between 0800hrs and 1700hrs. All flights will depart from a registered airstrip / airport outside of the application site, or the storage area. There will be no landings of aircraft at the investigation locations, with equipment being lowered into place while the helicopter hovers above the site.

It is anticipated that the mobilisation of each investigative site for which aerial access is required will involve up to five lifts per location, with no more than two hours of airtime per location. If aerial access is utilised, it will only be used to locate drill rigs to the investigative location and will not be used to transport people. The application includes methodology and related measures to minimise noise relating to aerial access.

Water Take, storage and use

The applicant identifies that up to four drill rigs will require up to 2,000 litres per day per rig to support the drilling process. It is proposed to supply this water by establishing a surface water take location within a manmade pond formed at a gravel extraction site. It is noted that the water take falls under the jurisdiction of the Otago Regional Council, and a certificate of compliance has been issued in respect of this activity. The water take is not considered further in this report. Water will be stored in one 30000 L water storage tank at the point of take and a water cart will be employed to transfer water from the holding tank to each drillhole location over the course of the construction period.

Work Programme

Consenting of the geotechnical investigation works is likely to comprise two or more stages, as the scope and definition of the feasibility assessment evolves. The purpose of this application for resource consent is to authorise the physically intrusive geotechnical investigations necessary to inform the Lake Onslow pumped hydro scheme feasibility assessment and which are encompassed in Phase 1A of the proposed investigative programme. The focus of this consent is on drilling and test pits as requiring resource consent for either the principal activity or their associated components, such as earthworks. The applicant does not seek authority to undertake any further work associated with the Lake Onslow pumped hydro scheme past the initial geological investigation works for Phase 1A.

The applicant expects to commence work immediately upon grant of all necessary resource consents and fulfilment of any pre-construction conditions. Without seeking to limit the duration of the land use consent, the applicant expects to commence in February 2022 and to be concluded no later than May 2022. Due to a need to complete the investigation works before winter, it may be necessary to undertake work up to 24 hours per day, 7 days per week. It is not proposed to limit the hours or days of operation.

Decommissioning of the temporary laydown and storage area will occur within a month of geological investigation works concluding to allow for contractor/s to oversee rehabilitation of all areas of land disturbance and removal of plant and machinery. As above, the permanent structures that will remain in place to allow for on-going monitoring will be the telemetry equipment, capped drillholes and fences located within and around each drillhole location.

SITE DESCRIPTION

Lake Onslow is located approximately 25km east of Roxburgh, created by the damming of Te Awa Makarara (Teviot River) for gold mining, hydro development and irrigation first formed in the late 1800s. It sits at approximately 700m above sea level. The Onslow Basin and environs are within the Manorburn Ecological District with the wider East Otago Uplands within the Waipori /Lammerlaw Ecological District. The majority of the land subject to this application is located within the privately owned Minzion Station.

The subject site is well described in Section 3 of the application and is considered to accurately identify the key features of the site. The applicant's site description is adopted for the purposes of this report.

REASONS FOR APPLICATION

Central Otago District Plan

The subject site is located within the Rural Resource Area of the Central Otago District Plan (the District Plan). The site has the following annotations:

- Scheduled activity SA 87 Gravel Pit – Raes Lake Onslow Road, Sec 1 Blk X Long Valley SD
- Scheduled Activity SA 117 Lake Onslow Dam (Power Generation), Blk XVI Long Valley SD
- Upper Manorburn / Lake Onslow Landscape Management Area
- High Voltage Transmission Lines that are part of the transmission network
- Esplanade Provision - identified along the margins of Lake Onslow and the Teviot River
- Significant Amenity Landscape – Located over Section 2 SO 19695 and part of Lot 1 DP 23196 (Minzion Station)

Interpretation

The application assesses the District Plan definitions for temporary activities, buildings, utility and network utility operator. The applicant interprets that the following activities fall within the definition of temporary activity:

- Land disturbance and earthworks associated with the formation of each drill hole location, where necessary
- Drilling of each drillhole
- Excavation and subsequent reinstatement of each test pit
- The use of helicopters for aerial access
- The establishment and use of a temporary storage area for construction equipment, including portable containers, port-a-loo, the storage of vehicles and machinery, the storage of materials, etc
- Installation of a temporary water storage tank

The applicant notes that the the final drillhole equipment and structures will fall outside of the definition of a temporary activity due to the period of time these are to remain in situ.

In respect of the definition of buildings, the applicant assess that the following elements of the proposal fall within the definition of a building:

- Any water storage tank
- Containers/s within the construction storage area

- The completed drillhole installation, including the monitoring equipment, telemetry, solar panel and associated pole.

The applicant confirms that it is not a network utility operator and the proposed activities do not fall within the ambit of those activities provided for by Scheduled activity SA 87 or Scheduled Activity SA 117

I agree with the applicant's interpretation and confirm the approach proposed by the applicant.

District Plan rules

Accepting the applicant's interpretation, the following rules are triggered by the application

- Rule 4.7.6 A (a) Yards, where:
 - Borehole structures at locations BH_D105, BH_T109 are located within road reserve and are less than 10m from a boundary
 - Containers with the temporary storage area (location 2) will be located less than 10m from the property boundary.

Breaches of Rule 4.7.6 A (a) are assessed as restricted discretionary activities pursuant to Rule 4.7.3 (i). Council shall restrict the exercise of its discretion to the following matters:

- The effect on the safe and efficient operation of the roading network or airport.
- The effect on the health and safety of people and communities.
- The effect on the amenity values of neighbouring properties.
- The effect on landscape values.

- Rule 4.7.6.B Traffic Generation and Characteristics of Activities, where;
 - the potential number of people involved in the proposed activity is greater than three.

Breaches of Rule 4.7.6 B are assessed as discretionary activities pursuant to Rule 4.7.4 (i).

- Rule 4.7.6 D Visual Effects of Buildings and Structures, where:
 - the applicant cannot confirm the finish and colour of all materials associated with all buildings.

Breaches of Rule 4.7.6 D are assessed as restricted discretionary activities pursuant to Rule 4.7.3 (i). Council shall restrict the exercise of its discretion to the following matters:

- Whether or not the building or structure can be appropriately screened from public view by topographical features, appropriate planting or other screening having regard to the open space, landscape, natural character and amenity values of the rural environment.
- Whether the building or structure will breach the form of or be visually prominent in public view on any skyline or terrace edge.
- The colour scheme for the building or structure which should in general be darker than the background in which it is set.

- Rule 4.7.6 F Storage, where:
 - the locations proposed for temporary contractor's storage will not be enclosed or screened from view of any public road, reserve other public land or other adjacent site boundary.

Breaches of Rule 4.7.6 F are assessed as restricted discretionary activities pursuant to Rule 4.7.3 (i). Council shall restrict the exercise of its discretion to the following matters:

- The effect on the safe and efficient operation of the roading network or airport.
 - The effect on the health and safety of people and communities.
 - The effect on the amenity values of neighbouring properties.
 - The effect on landscape values.
- Rule 4.7.6 (A) (c) water bodies, where;
 - drillhole BH_D105 is located less than 20m from the bank of Te Awa Makarara (Teviot River),

Breaches of Rule 4.7.6 (A) (c) are assessed as discretionary activities pursuant to Rule 4.7.4 (i).

- Rule 4.7.6(L) Upper Manorburn/ Lake Onslow Landscape Management Area, as:
 - the proposal involves the erection of structures, buildings, and
 - the excavation of material in excess of 20m³ and
 - the disturbance of land greater than 50m² in area in any one hectare in any continuous period of 5 years within the Upper Manorburn/ Lake
 - Onslow Landscape Management Area.

Breaches of Rule 4.7.6(L) are assessed as discretionary activities pursuant to Rule 4.7.4 (i).

- Rule 12.7.2 Parking, where;
 - it is likely that each of the construction storage areas will accommodate parking for in excess of three car spaces, but will not provide any specific stormwater management, contain any formed vehicle crossings, be laid out with dedicated parking or manoeuvre areas, contain landscape planting or provide dedicated queuing space.

Breaches of Rule 12.7.2 are restricted discretionary activities.

- Rule 12.7.6 Lightspill, where;
 - there is the potential for artificial lighting used to support 24 hour drilling operations.

Breaches of Rule 12.7.6 are restricted discretionary activities.

National Environmental Standards

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS) came into effect on 1 January 2012. The National Environmental Standard applies to any piece of land on

which an activity or industry described in the current edition of the Hazardous Activities and Industries List (HAIL) is being undertaken, has been undertaken or is more likely than not to have been undertaken. Activities on HAIL sites may need to comply with permitted activity conditions specified in the National Environmental Standard and/or might require resource consent.

The applicant has obtained a search of Otago Regional Council records which demonstrates that the various sites have not or is not likely to have had HAIL use in accordance with Regulation 6. I consider that the NESCS Is not triggered by this application.

There are no other National Environmental Standards relevant to this application.

Overall Status

Under the particular circumstances of this case, I consider it appropriate that the bundling principle established in *Locke v Avon Motor Lodge* (1973) is applied, and that the application be considered, in the round, as a discretionary activity pursuant to sections 104 and 104B of the Resource Management Act 1991 ('the Act').

WRITTEN APPROVALS

Affected Persons

The written approval of the person(s) detailed in the table below has been obtained. In accordance with sections 95D(e) and 104(3)(a)(ii) of the Resource Management Act 1991, the Council cannot have regard to the effects of the activity on these parties; being the land owners where the works are to occur.

Persons	Obtained
Minzion Station Limited (Dougal and Sarah MacDougall)	10 February 2022
Grafton Farm Limited (Campbell and Mary Affleck)	19 January 2022
HGW Trustee's Limited, Eoin Reay Hamilton Garden, Eoin Austin Garden and Noeline Ethel Garden	2 February 2022

EFFECTS ON THE ENVIRONMENT

Assessment Matters

Consideration is required of the relevant assessment matters in the District Plan, along with the matters in any relevant national environmental standard. No regard has been given to any trade competition or any effects of trade competition.

1. Rural Amenity Values

The proposal seeks to undertake temporary geotechnical investigations at various location within the subject area. Works will occur at discrete locations and at different times within a confined time frame. The applicant has provided a comprehensive assessment of the potential amenity effects. The written approval of the above parties has been obtained an all effects on these parties are to be disregarded. The applicant

notes that the Lake Onslow area is sparsely populated. The main buildings within the area are privately owned recreational huts located on the western shore of the lake which do not appear to be permanently occupied.

The applicant recognises that noise and lighting effects will be generated by the works especially in respect of night-time works, operation of drill rigs and helicopter support and that this has the potential to adversely affect rural amenity. No blasting is proposed. I note that these works are to be temporary and will move throughout the subject area ensuring that any adverse effects are dispersed. In terms of lighting, the applicant offers the following conditions to mitigate any potential lighting effects:

- Artificial lighting is directed away from roads;
- The time that lights are used is minimised wherever possible (e.g. by having lights activated by a motion sensor);
- Light in the 'warm' spectrum is used; and
- Downward pointing hooded lights are used wherever possible.

Subject to the offered conditions of consent, I consider that any adverse noise or lighting effects on rural amenity will be generated in a remote location and will be of short duration at any given investigation position.

The storage yard and laydown area, is sufficiently remote from all residential dwellings and will be dismantled in full at the end of the investigation works. As such, no adverse effects on rural amenity are identified as a result of this temporary storage area.

While the proposal will result in a flurry of intensive activity within the subject area, it is expected that the adverse amenity effects experienced by any party (beyond those who have provided written approval), will be of short duration and temporary in nature. Overall, disregarding effects on the parties who have provided written approval and taking into consideration the conditions of consent offered by the applicant, the effects of the proposal on the rural amenity in the area are assessed as no more than minor.

2. Landscape and Visual Amenity Effects

The applicant advises that the majority of the geotechnical investigative works proposed are located within the lower lying parts of the Lake Onslow Basin with a small number of more distant drillhole locations further afield. The area is currently used for farming and evidence of landscape modification in the form of sheds, fencing, water intake structures, roads, bridges, fords and tracks, along with the modifications created by the dam, are obvious.

The applicant considers that the short-term effects of construction activity and establishment of the storage yard will generate the most obvious landscape effects. The applicant advises that at the completion of the works all construction phase equipment will be removed leaving only the ground drill hole structures, comprising a small fenced area (approximate 2m²) and small monitoring equipment and areas of disturbed ground remaining from drill platforms (where they are necessary), and at each test pit and rock sampling locations. The proposed test pits and drillholes are physically distant with most of the drill hole structures several hundred metres apart. The applicant notes that the final fenced areas are small and are intended to have a rural appearance (see Image 2). All areas of disturbance are to be rehabilitated, including the areas of rock sampling.

I agree with the applicant that it is appropriate to contain the storage of construction equipment to one dedicated area to mitigate wider landscape effects. The location of the storage area is to be located on already disturbed ground as is the land where the proposed water storage tank is to be located. The applicant notes that a scaffold platform will be established at drillhole BH_D105 (adjacent to Te Awa Makarara /Teviot River) to

form a level bench however, once complete, the lasting impacts will be limited to the small fenced area and monitoring equipment.

The applicant assesses that, overall, the initial phase of investigation activities is short term, and will impact the landscape values, including quietness and remoteness to a very small degree due to the scale of the landscape within which the works are set. Given that short duration of the investigation construction works and proposed rehabilitation of the disturbed areas and the rural appearance of the remaining monitoring equipment, I consider that the effects on landscape values and visual amenity will be no more than minor.

3. Recreational Values

The applicant has provided an assessment of the potential effects of the proposal on recreational values. The applicant identifies that Lake Onslow is utilised for a number of recreational uses, including fishing (primarily trout fishing) and boating. The applicant assesses that the proposed geotechnical activities will not adversely affect the ability for persons to use the surface of the lake for recreational activities as no investigative activities will be undertaken within the bed of Lake Onslow. Boat access to the lake itself is via a boat ramp on the west side of the lake adjacent to the huts and will be unaffected by the proposal.

The applicant notes that the local road network will be utilised for access to the geotechnical investigative sites, and some of the investigative activities will also be located within road reserve. The applicant proposes measures to ensure that vehicular access to the lake and adjacent properties is not impeded, and notes the works will be the subject of a traffic management plan which sits outside of the resource consent process.

The applicant confirms that the majority of the geotechnical works proposed will be undertaken on private land, with the use of and, in some cases, access of this land at the discretion of the landowner, whose written approval has been obtained. Accordingly, the applicant assesses that recreational values will not be adversely affected by the proposal. The applicant's assessment is adopted for the purposes of this report.

4. Transport Effects

The applicant advises that access to the proposed geotechnical investigative sites will primarily be via existing formed roads and tracks. No additional tracking or road formation is proposed. The applicant considers that utilisation of the existing road network is beneficial as it will avoid the need for any earthworks which would be required for the formation of tracks.

The District Plan provides for no more than three persons to be engaged in any activity of a commercial, industrial, or manufacturing nature as a permitted activity in part due to the potential effects on the safe and efficient operation of the roading network.

In this instance, the proposed works will involve more than three persons. The applicant notes that the works will be undertaken over a range of sites and will be of limited duration. I agree that this is a mitigating factor in terms of ensuring any adverse effects are dispersed and temporary.

The applicant advises that there will be a temporary need for the parking of vehicles associated with the proposed investigations. Parking may occur at each of the investigative sites in the surrounding area; and at the temporary storage and laydown area. The applicant states that as the activity is temporary it is not proposed to establish any permanent parking areas to accommodate this component of the activity. The applicant compares

the parking of vehicles to similar ad-hoc parking of vehicles that occurs in association with rural activities. I consider this to be a fair comparison.

The application states that the shipping containers that will be located at the proposed storage area have the potential to be located partially within the road reserve, and are likely to be located closer than 10m to the road boundary. There is the potential for the placement of the shipping containers to impede sightlines along Lake Onslow Road at this location and care will be taken to ensure each are setback into the exist layby to avoid this.

The applicant advises that overall the volumes of vehicle movements associated with the geotechnical investigative works will be relatively low and are capable of being accommodated within the existing roading network. Some investigative works are proposed to be undertaken within the road reserve administered by CODC. Use of the road reserve is dependent upon the applicant securing a Corridor Access Request (CAR) and Traffic Management Plan (TMP) from CODC. The Applicant advises that it is also in the process of obtaining a licence to occupy (LTO) the road reserve in respect of the drillhole structures that will be left behind in the road reserve.

CODC's Roading Manager has confirmed that CODC are satisfied that the effects arising from the proposal can be appropriately managed through the CAR, LTO and TMP processes.

Overall, I consider that the proposed works will be effectively managed through alternative approvals and will have no more than minor adverse effects on the surrounding road network.

5. Earthworks effects

Given the proposed rehabilitation of the disturbed sites, the main potential for adverse effects arising from earthworks relates dust, erosion and sediment. Generation of adverse dust effects can occur during the excavation of the proposed test pits, platforms for drilling rigs and temporary laydown and storage areas, rock sampling and from usage of the temporary laydown and storage areas. The applicant advises that any transmission of dust will be limited by the time in which each test pit will be open (each test pit can be excavated, logged and reinstated within approximately three hours); and that any excavated material required for sampling will be placed in containers which will be stored in the temporary laydown and storage areas. The applicant proposes that water carts will be used to dampen any resultant dust arising at the borehole and test pit sites and the temporary laydown and storage areas (as required).

The applicant advises that a 20m buffer from all waterbodies has been factored into the Excluded Land areas, and proximity to waterbodies is one of the matters that will be assessed as part of the SSP set out in the draft CEMP. Erosion and sediment control measures will be implemented to avoid or minimise the potential for sediment from the proposed earthworks to enter waterbodies.

The applicant has submitted a draft CEMP which they propose to finalise specific to these investigative works prior to the works occurring.

Subject to preparation of, and compliance with, the CEMP, I consider any related effects of the proposal will be minor.

6. Heritage Effects

New Zealand Heritage Properties Ltd (NZHP) has been commissioned by Aukaha on behalf of the applicant for recommendations regarding the archaeological impact for earthworks for testing around Lake Onslow.

The Heritage report identifies that evidence of Māori activity, pastoralism, gold mining, and recreational activities has been recorded in this area. Two known archaeological sites G43/39 and G43/42 are situated near to the proposed test pit and borehole locations.

G43/39 relates to observed moa bone, possible gizzard stones, and flaked dark red-brown porcellanite, and it is regarded as potentially containing evidence of moa butchery.

G43/42 was recorded in 1978 and is located to the north of Lake Onslow and just east of the Teviot River North Branch. The Heritage report notes that there is limited information on this site, with the site record form indicating the site consists of sluice workings. The site does appear on nineteenth century maps that show a gold claim area and a hut. The site record has not been updated since 1978. Modern aerials of the site show extensive damage to the surrounding area due to gravel extraction. Historic maps suggest that the gold workings may be further to the northeast, towards river; with the hut to the west of the larger ponds. A survey of the area is required to determine the condition of the site and document any surviving features.

The archaeological survey was limited due to land owner access issues and the heritage report recommends additional survey for future works. The Heritage Report makes a number of recommendations including relocation of a number of test pits which was taken on board by the applicant and test pits have been relocated. The new locations are shown on the maps submitted with the application. The applicant also confirms that an archaeologist be present on site during proposed test pit works to ensure that archaeological sites are avoided.

Subject to controls offered by the applicant, I consider that the effects on historic heritage to be less than minor.

7. Ecological Effects

The applicant commissioned an ecological survey of the proposed drilling and soil sampling sites by Kelvin Lloyd and Samantha King of Wildlands. The survey notes that drilling sites and test pits have largely been located on areas of improved pasture on cultivated land, covered by exotic vegetation. No indigenous vegetation is present at these sites. Four other drill sites, located outside of these areas of improved pasture, were specifically addressed in terms of ecological effects.

The survey makes the following observations:

- Drill site 'BH_T107' is located on a formed farm track with a strip of indigenous vegetation beside the track, on Minzion Station. The vegetation comprises narrow-leaved snow tussock (*Chionochloa rigida* subsp. *rigida*) and indigenous herbs such as *Herpolirion novae-zelandiae* and *Lobelia angulata* in mixed turf with exotic grasses and herbs between the tussocks. The drill site is the farm track, and drilling should have minimal effect on the vegetation on the bank of the track. If that vegetation was inadvertently affected, it would comprise a very small effect.
- Drill site 'BH_T105' is located beside the Teviot River just west of the bridge over the river, also on Minzion Station. The preliminary drill site location coincides with an induced wetland formed by water captured by the roadside ditch. The wetland vegetation is dominated by the indigenous sedge rautahi (*Carex coriacea*) with blinks (*Montia fontana*) the only other indigenous species present. Exotic species

included lotus (*Lotus pedunculata*), occasional white clover (*Trifolium repens*), oval sedge (*Carex ovalis*), Yorkshire fog (*Holcus lanatus*), crested dogstail (*Cynosurus cristatus*), sweet vernal (*Anthoxanthum odoratum*), and self-heal (*Prunella vulgaris*). Dryland vegetation further away from the road is currently occupied by occasional *Olearia bullata*, golden spaniard (*Aciphylla aurea*), and hard tussock (*Festuca novae-zelandiae*), with frequent tussock hawkweed (*Hieracium lepidulum*), and occasional *Coprosma cheesemaniae*, snowberry (*Gaultheria depressa*), *Gaultheria macrostigma*, mouse ear hawkweed (*Pilosella officinarum*), sweet vernal, and browntop (*Agrostis capillaris*). Drilling should avoid adverse effects on the wetland. It is proposed to construct a platform over the wetland and adjacent dryland habitats, and drill through the platform in the dryland area. This should be sufficient to avoid anything but very minor adverse effects on the wetland and vegetation at this site.

- Drill site 'BH_T103', located on the Affleck property on flat ground at the top of a ridge, and would be accessed by driving through adjacent conservation land. Vegetation at this site comprised narrow-leaved snow tussock grassland with abundant narrow-leaved snow tussock and occasional golden Spaniard (Plate 3). Other species include *Gaultheria macrostigma*, catsear (*Hypochaeris radicata*), *Geranium microphyllum*, browntop, *Coprosma petriei*, mouse-ear chickweed, sweet vernal, *Celmisia gracilenta*, *Anisotome aromatica*, mouse-ear hawkweed, *Pentachondra pumila*, *Helichrysum filicaule*, soft rush (*Juncus effusus*), and comb sedge (*Oreobolus pectinatus*). The vegetation does not comprise wetland vegetation, but is damp grassland due to its flat, ridge top landform. The site is located beside a fence line on a farm, and has experienced a degree of trampling by stock moving along the fence line. Drilling will have temporary, reversible effects on the tussock grassland vegetation, provided that there is no excavation of vegetation, exposure of soil, or damage to the rooting zone of plants, apart from the very local effects of the drilling itself. Tussock grassland is resilient, and will recover from the disturbance caused by drilling.
- Drill site 'BH_T109' on Avenel Station was located in a flat farm paddock, the vegetation comprising pasture dominated by browntop and sweet vernal, with scattered, low-stature narrow-leaved snow tussock (Plate 4), and occasional *Lobelia angulata*, catsear, soft rush, suckling clover (*Trifolium dubium*), *Celmisia gracilenta*, white clover, hard tussock, and crested dogstail. The site is damp but does not comprise wetland vegetation, nor does it comprise indigenous vegetation. The effects of drilling at this site would be minimal, as no indigenous vegetation would be affected.

The survey noted the occasional presence of McCann's skinks (*Oligosoma maccannii*; Not Threatened) in improved pasture near the drilling and test pit sites on Minzion Station. The survey identifies that drilling and excavation of test pits may have low level disturbance effects on McCann's skink. Disturbance effects may prevent skinks from utilising their home ranges and may modify their behaviour. All indigenous lizard species are protected under the Wildlife Act (1953, s63 (1) (c)). A Wildlife Act Authority (WAA) must be applied for and approved by the Department of Conservation before activities affecting lizards can commence. This authority is likely to require the submission of a Lizard Management Plan (LMP).

The survey also notes that rock samples excavated from roadside banks near the Lake Onslow outlet. These banks provide characteristic habitat for indigenous plants, and it cannot be ruled out that there may be Threatened, At Risk, and/or locally uncommon plant species present in these roadside bank habitats. The survey recommends that prior to any excavation of rocks from these banks, the excavation sites are assessed by an ecologist to verify that no Threatened, At Risk, and/or locally uncommon plant species would be affected by the excavation.

Overall, the survey assesses that the proposed pre-feasibility geotechnical assessments will have no adverse effects on indigenous vegetation and habitats in most sites, which are located in areas of improved pasture. Recommendations for the other four drill sites, lizard management and rock sampling are set out above. The advice of the ecological survey is adopted for the purposes of this report and subject to adherence to the recommendations, the ecological effects of the proposal; are assessed as no more than minor.

8. Cultural Effects

The applicant has consulted with Aukaha Limited and submitted a report prepared by Kate Timms-Dean which sets out recommendations for the geotechnical investigations. The report was prepared on behalf of Te Rūnanga o Ōtākou, Kāti Huirapa Rūnaka ki Puketeraki, and Hokonui Rūnanga (Kā Rūnaka). Te Rūnanga o Ngāi Tahu holds mana whenua status in the area surrounding Lake Onslow. Shared authority is held by all three of these rūnaka in relation to the Mata-au, as well as other rūnaka to the south represented by Te Ao Mārama, Inc. Mana whenua values related to the site are grouped under following five matters:

- Wāhi Tūpuna and Ara Tawhito values
- Wai māori values
- Ecological values
- Archaeological values
- Equity values

The report explores each of the above matters in detail and the assessment is not repeated here. The report does identify that there are four known Māori archaeological sites in the proposed Lake Onslow inundation zone. One of these known sites is located near the proposed test pit and bore hole locations (G43/39). The report notes that the site is listed as a working area, with finds of moa bone, possible gizzard stones, and flaked porcellanite, which has been interpreted in the archaeological record as a possible moa butchering site. The site was surveyed in 1978 ahead of the building of a proposed new dam, and had been exposed by cattle disturbance around the lake edge. The current location of the site is recorded as being within the lake margins. Due to the nature of the site's discovery, it is unclear how far the site extends, but it has been provisionally estimated at 20 m². Although there is only one known site in the area, the report notes that there is a long history of human activity in the vicinity of Lake Onslow means that there is potential for unrecorded archaeology to be encountered.

Kā Rūnaka make six recommendations which are offered by the applicant as conditions of consent. The advice of Kā Rūnaka is adopted for the purposes of this report and subject to compliance with the recommendations, the cultural effects of the proposal are assessed as no more than minor.

NOTIFICATION ASSESSMENT

Mandatory Exclusions from Assessment (s95D)

- A: Effects on the owners or occupiers of land on which the activity will occur and on adjacent land (s95D(a)).
- B: An adverse effect of the activity if a rule or national environmental standard permits an activity with that effect (s95D(b) (the permitted baseline, refer section 3.2 below).

- C: The activity is a restricted discretionary activity, and those matters outside of Council's discretion have been disregarded (s95D(c)). Specifically, Councils discretion is restricted to those set out in Rules 4.7.3(iii)(1-3) and 4.7.3(viii)(1-6).
- D: Trade competition and the effects of trade competition (s95D(d)).
- E: All effects on the parties which have provided written approval to the application are disregarded. In this instance, the written approvals of those parties who have provided approval as identified earlier in this assessment

Public Notification

Section 95A of the Resource Management Act 1991 sets out a step-by-step process for determining public notification. Each step is considered in turn below.

Step 1: Mandatory public notification in certain circumstances

- Public notification has not been requested.
- There has been no failure or refusal to provide further information.
- There has been no failure to respond or refusal to a report commissioning request.
- The application does not involve the exchange of recreation reserve land.

Step 2: If not required by Step 1, public notification precluded in certain circumstances

- There are no rules or national environmental standards precluding public notification.
- The application does not involve: a controlled activity, nor a boundary activity. As a result, public notification is not precluded under Step 2.

Step 3: If not precluded by Step 2, public notification required in certain circumstances

- There are no rules or national environmental standards requiring public notification.
- The activity will not have, or be likely to have, adverse effects on the environment that are more than minor as set out previously in this report.

Step 4: Public notification in special circumstances

- There are no special circumstances that warrant the application being publicly notified. There is nothing exceptional or unusual about the application that makes public notification desirable.

Limited Notification

Section 95B of the Resource Management Act 1991 sets out a step-by-step process for determining limited notification. Each step is considered in turn below.

Step 1: Certain affected groups and affected persons must be notified

- The activity is not in a protected customary rights area; the activity is not an accommodated activity in a customary marine title area; and, the activity is not on or adjacent to, or might affect, land that is the subject of a statutory acknowledgement. It is particularly noted that the applicant has been working with local Rūnaka and areas of cultural significance are to be avoided.

Step 2: If not required by Step 1, limited notification precluded in certain circumstances

- There are no rules or national environmental standards precluding limited notification.

- The application does not involve a controlled activity that is not a subdivision.

Step 3: If not precluded by Step 2, certain other affected persons must be notified

- The application does not involve a boundary activity.
- Limited notification is not required under Step 3 as the proposal is not a boundary activity where the owner of an infringed boundary has not provided their approval, and it is not a prescribed activity.
- The proposal falls into the 'any other activity' category. The effects of the proposal on persons are assessed below.

Assessment of effects on persons

In accordance with section 95E(3) of the Act, a person is not an affected person in relation to an application for resource consent for an activity if they have given written approval to the application. In this particular instance, affected persons approvals have been received from the persons identified earlier in this report.

No other persons are considered to be adversely affected by this proposal because as assessed in this report, the environmental effects of the proposal are limited to effects on parties that are less than minor. When coming to this view, I note in particular the technical reports of Aukaha Limited, Heritage Properties New Zealand Limited and Wildlands Limited. I also note that separate approvals may be required from the Department of Conservation and Heritage New Zealand and consider the effects on these parties to be managed through these alternative legislative tools. In terms of the long-term occupiers of the area, I note that the applicant has obtained the written approval of the parties on whose land the works are to occur and the application has been referred to CODC Rooding for comment. I note that the works will occur in discrete locations across the wider area so will not result in a concentration of effects in any one area, except for the storage area which is temporary. The proposal will not adversely impact recreation opportunities.

Step 4: Further notification in special circumstances

- There are no special circumstances that warrant the application being limited notified. There is nothing exceptional or unusual about the application that makes limited notification to any other persons desirable.

SUBSTANTIVE DECISION ASSESSMENT

Effects

In accordance with section 104(1)(a) of the Resource Management Act 1991, the actual and potential adverse effects associated with the proposed activity have been assessed and outlined above. It is considered that, subject to the recommended conditions of consent which have been offered by the applicant, the adverse effects on the environment arising from the proposal are no more than minor.

Offsetting or Compensation Measures

In accordance with section 104(1)(ab) of the Resource Management Act 1991, there are no offsetting or compensation measures proposed or agreed to by the applicant that need consideration.

Statutory Assessment

Central Otago District Plan Objectives and Policies

In accordance with section 104(1)(b) of the Resource Management Act 1991, the objectives and policies of the Central Otago District Plan were taken into account when assessing the application. The applicant has provided an assessment of the relevant objectives and policies in the application and these are adopted for the purposes of this report. The proposal is considered to be consistent with the relevant objectives and policies of the Central Otago District Plan

Partially Operative and Proposed Regional Policy Statements

In respect of this restricted discretionary activity application, it is assessed that the Operative District Plan satisfactorily gives effect to the Partially Operative Regional Policy Statement as it relates to this application. Decisions have not been released on the Proposed Regional Policy Statement and no weight is given to this document at this time.

Other Matters

Having regard to section 104(1)(c) of the Resource Management Act 1991, no other matters are considered relevant.

Part 2

Based on the findings above, I consider that the proposal would satisfy Part 2 of the Resource Management Act 1991. Granting of consent would promote the sustainable management of District's natural and physical resources.

RECOMMENDATION

After having regard to the above planning assessment, I recommend that:

1. This application be processed on a non-notified basis, pursuant to sections 95A and 95B of the Resource Management Act 1991.
2. The Council grant consent to the proposed activity under delegated authority, in accordance with sections 104 and 104B of the Resource Management Act 1991, subject to the conditions imposed under section 108 of the Act listed below.



Kirstyn Lindsay
Consultant Planner

Date: 15 February 2022

DECISION

I have read both the notification assessment and substantive decision assessment in this report. I agree with the recommendations above.

Under delegated authority on behalf of the Central Otago District Council, I accordingly approve the granting of resource consent to the proposal as outlined in the attached notice.



Oli Monthule-McIntosh
Planning Manager (Acting)

Date: 16 February 2022

Consent Type: Land Use Consent

Consent Number: RC210508

Purpose: Geotechnical Investigations .

Location of Activity: Various locations within the Lake Onslow Area,

Legal Description: SECTION 1, 6-7, 10, 15-16, 19, 21, 23, 40 SURVEY OFFICE PLAN 22593 AND PART SECTION 1 BLOCK X AND PART SECTION 3 BLOCK XV LONG VALLEY SURVEY DISTRICT AND LOT 3 DEPOSITED PLAN 451594, CONTAINED WITHIN RECORD OF TITLE 575971. LOT 1 DP 451594, CONTAINED WITHIN RECORD OF TITLE 575969. LOT 1, 3 DEPOSITED PLAN 23197, CONTAINED WITHIN RECORD OF TITLE 374353D. SECTION 1 SO 22594, CONTAINED WITHIN RECORD OF TITLE OT14B/498E. SECTION 2 SO 19695, CONTAINED WITHIN RECORD OF TITLE 1370712. . LOT 1 DP 364531, CONTAINED WITHIN RECORD OF TITLE 2621103. LOT 18 DP 389879 AND SECTION 1 BLOCK VI LAMMERLAW SURVEY DISTRICT, BEING PART OF THE LAND CONTAINED WITHIN RECORD OF TITLE 3605974. ROAD RESERVE

Lapse Date: 17 February 2026, unless the consent has been given effect to before this date.

Conditions:

1. The proposed activity must be undertaken in general accordance with the approved plans attached to this certificate as Appendix One, and the information provided with the resource consent application received by the Council on 23 December 2021, and further information received on 19 January 2022, except where modified by the following conditions.

Prior to Commencement

2. The consent holder must provide to the Planning Manager via email at resource.consent@codc.govt.nz for certification a Construction Environment and Monitoring Plan, which has been prepared by a suitably qualified person and includes but is not limited to the following:
 - a) A description of the site and the works areas;
 - b) The way in which communications (including complaints) relating to the proposed works are dealt with;
 - c) The way in which the Site Selection Process will be undertaken and how the outcomes will be shared with various agencies and stakeholders. Note the Site Selection Process will require input from a qualified and experienced ecologist and archaeologist;

- d) Traffic management measures;
- e) Supervision of works;
- f) Erosion and sediment control measures; including dust suppression;
- g) Aerial access (if required); and
- h) Site rehabilitation and de-mobilisation.

Note: The CEMP is to be generally based on the draft CEMP prepared by Te Rōpū Matatau dated December 2021 and submitted with the application

- 3. Copies of this consent must be held on site and shown to a warranted Central Otago District Council officer upon request. All contractors working on the project must be made aware of the condition of this consent.
- 4. All contractors working on the project must undergo an archaeological briefing on the possibility of encountering archaeological evidence, how to identify possible archaeological evidence or features during work, and contractors' responsibilities with regard to notification of the discovery of archaeological evidence.
- 5. Evidence of all other necessary approvals from all other agencies and Council Departments must be submitted to the Planning Manager via email at resource.consents@codc.govt.nz.
- 6. A clear record of the Site Selection Process must be held for all sites of disturbance not identified at the time this consent was issued. The record must be produced in writing within seven days of a request made by a warranted Central Otago District Council officer.

During the Works

- 5. All works must be undertaken in accordance with the certified Construction Environment and Monitoring Plan.
- 6. The drilling of BH_D105 must avoid direct interaction with the bed of Te Awa Makarara, and provide a 10m set-back from the riverbank.
- 7. The placement of the drill rig for BH_D105 must ensure that the wetland between the fence line and Te Awa Makarara is not damaged or affected by activities.
- 8. Any structure required to install BH_D105 must be removed within twenty five (25) days or earlier of BH_D105 being established
- 9. All earthworks related to the planned test pits and rock samples must be monitored by an archaeologist to assist with archaeological site avoidance, unless Aukaha and the Project Archaeologist waive that requirement. Evidence of any waiver must be recorded

in writing and produced within seven days of a request made by a warranted Central Otago District Council officer.

10. Test pits are not permitted to be opened within 20m of identified archaeology.
11. The location of boreholes must be relocated if any archaeological evidence or features are identified.
12. If archaeological material is identified during monitoring, earthworks must immediately stop, and no further excavation of that location will be permitted without an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 or written advice from Heritage New Zealand and submitted to the Planning Manager via email at resource.consents@codc.govt.nz that an archaeological authority is not required.
13. The consent holder must ensure that all:
 - a) Artificial lighting is directed away from roads;
 - b) The time that lights are used is minimised wherever possible (e.g. by having lights activated by a motion sensor);
 - c) Light in the 'warm' spectrum is used; and
 - d) Downward pointing hooded lights are used wherever possible.

At the completion of the Investigation Works

14. Within 30 days of the geological investigation works concluding, the consent holder must ensure that the temporary laydown and storage area is decommissioned and tidied and all plant and machinery removed.
15. Within 30 days of the geological investigation works concluding, the consent holder must provide a map and GPS locations of all permanent monitoring stations to the Planning Manager via email at resource.consents@codc.govt.nz.
16. All disturbed areas must be rehabilitated as specified in the certified Construction Environment and Monitoring Plan.
17. The consent holder must ensure that all permanent monitoring stations must be left in a safe and tidy manner.

Advice Notes:

Transport

1. It is the consent holders' responsibility to ensure that the correct Corridor Access Requests, Licence to Occupy and Traffic Management Plans are in place prior to works commencing and to operate in accordance with any requirements of these approvals. Nothing in this resource consent overrides the need to comply with these requirements.

Other approvals

2. A concession from the DOC may be required for work within the Teviot River (Marginal Strip).
3. Approvals under the Wildlife Act 1953 may be required and a Lizard Management Plan prepared.
4. Should the consent holder seek to modify or destroy any archaeological site, approvals will be required under the Heritage New Zealand Pouhere Taonga Act 2014.

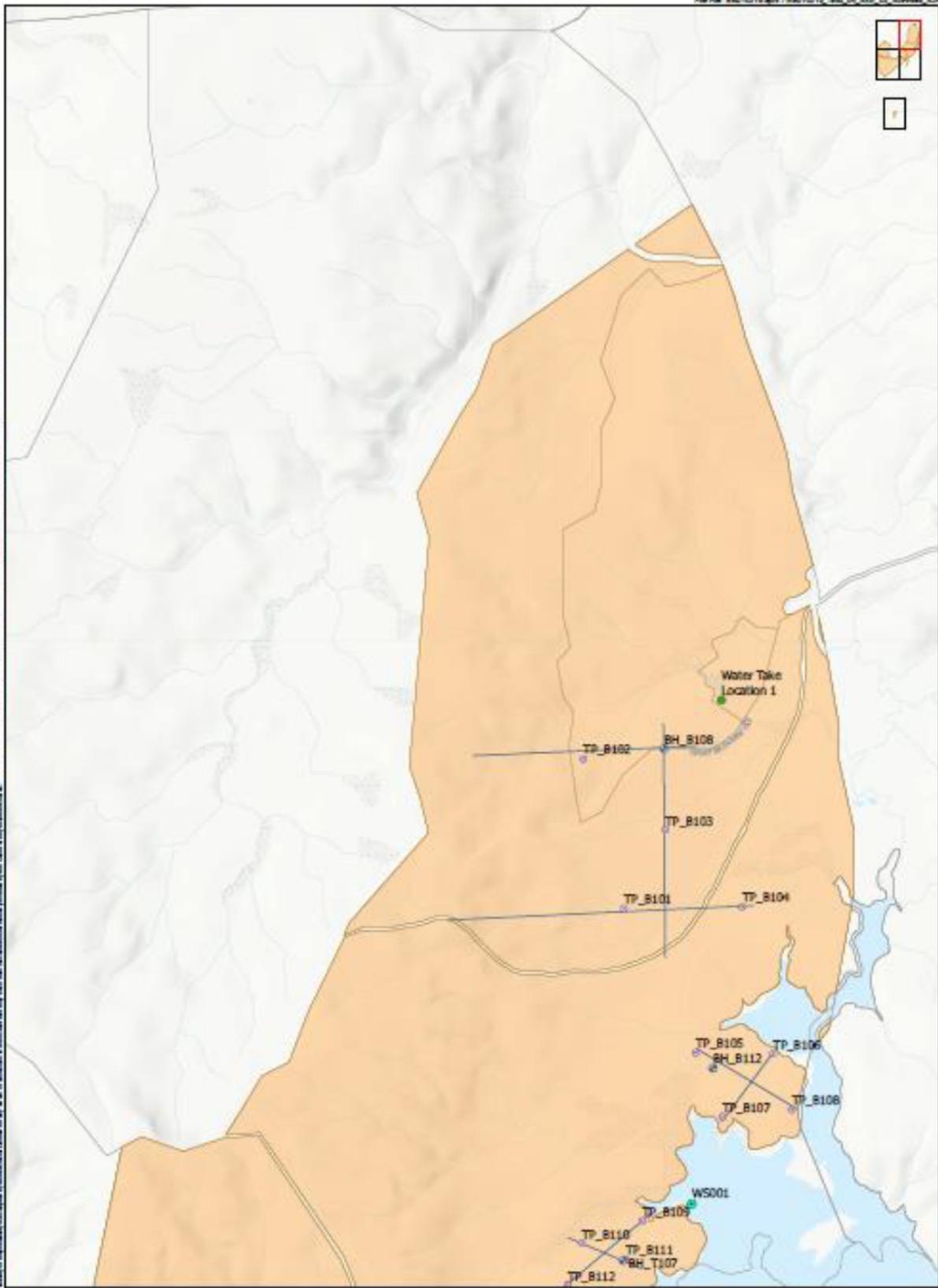
General

5. In addition to the conditions of a resource consent, the Resource Management Act 1991 establishes through sections 16 and 17 a duty for all persons to avoid unreasonable noise, and to avoid, remedy or mitigate any adverse effect created from an activity they undertake.
6. Resource consents are not personal property. The ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.
7. It is the responsibility of any party exercising this consent to comply with any conditions imposed on the resource consent prior to and during (as applicable) exercising the resource consent. Failure to comply with the conditions may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.
8. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.
9. This is a resource consent. Please contact the Council's Building Services Department, about the building consent requirements for the work.

Issued at Central Otago on 17 February 2022



Kirstyn Lindsay
Consultant Planner



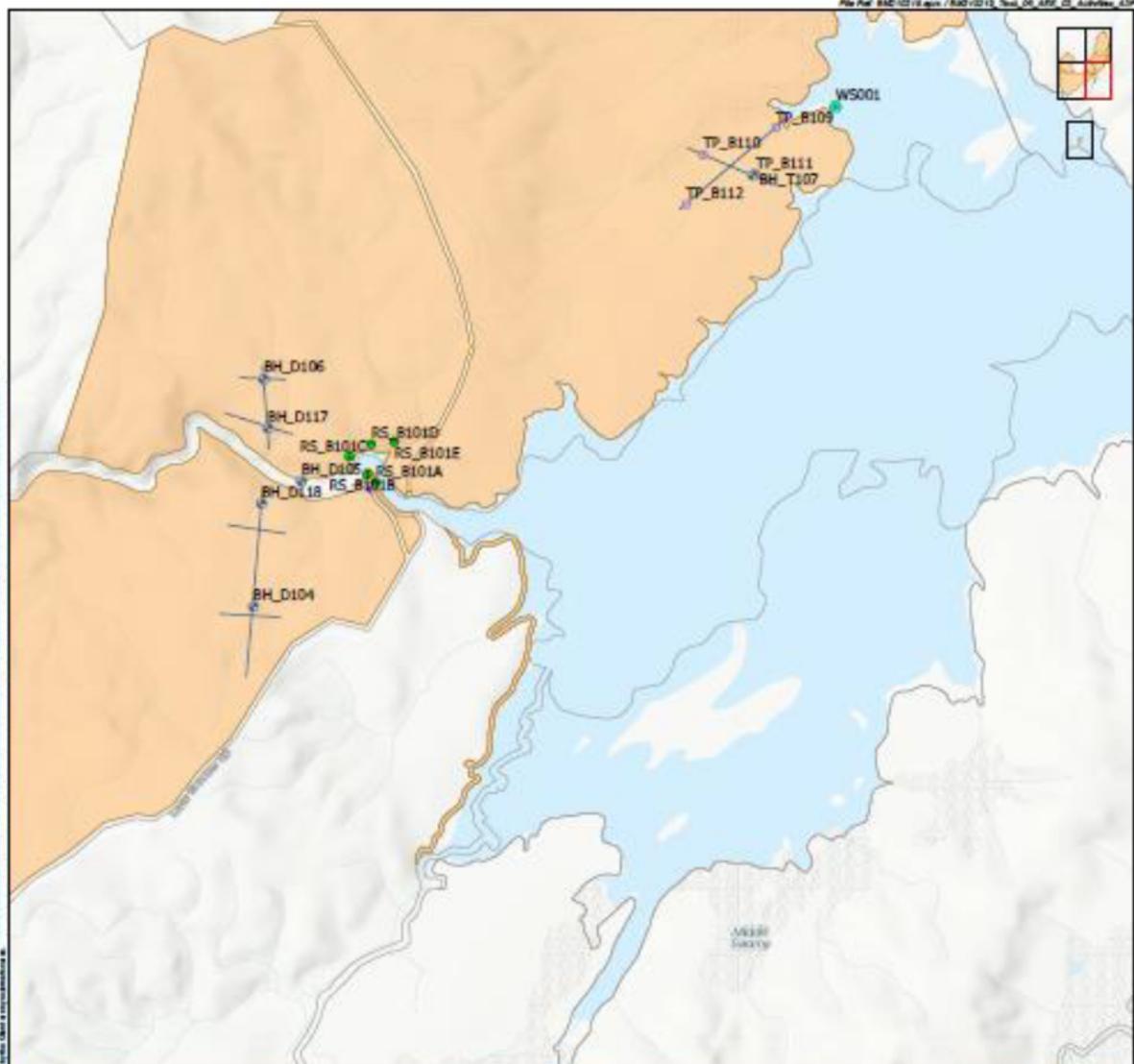
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Projection: NZGD 2000 New Zealand Transverse Mercator

- LEGEND**
- Surface Geophysical Survey
 - Site
 - Borehole
 - Test Pit
 - Water Sample
 - Water Take Location

LAKE ONBLOW
Proposed Phase 1 Activity
Date: 20 December 2021 | Revision: 0
Plan prepared for MBH by Boffa Miskell Limited
Project Manager: ian.grovet@boffamiskell.co.nz | Drawn: GSK | Checked: DRG

Map 3



Boffa Miskell

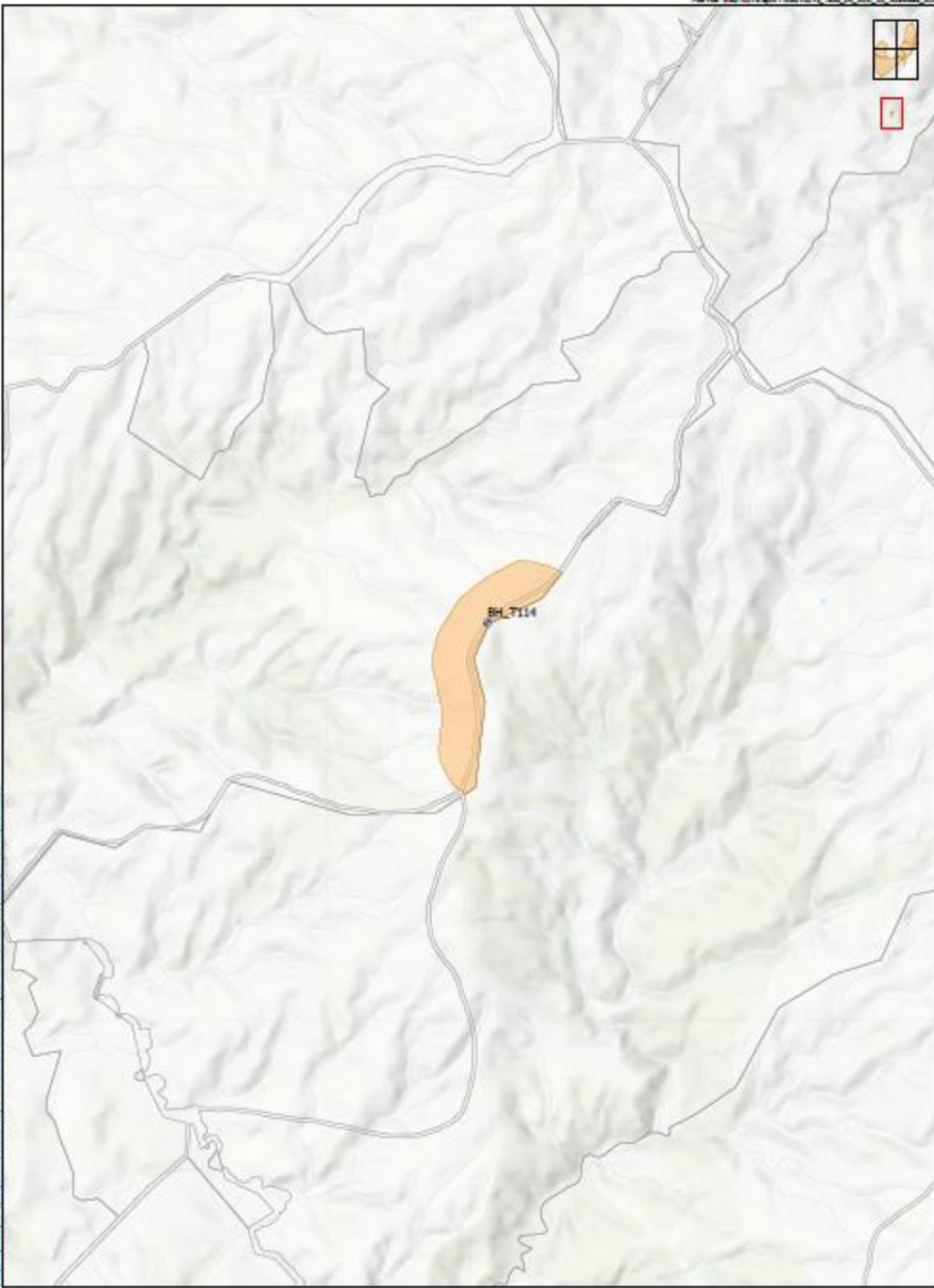
www.boffamiskell.co.nz

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 Data Source: Flight Technology, LINC, ESRAD, NIWA, Natural Resources, © OpenStreetMap contributors, Flight Technology, Land Information New Zealand
 Projection: NZGD 2000 New Zealand Transverse Mercator

LEGEND

- Temporary laydown area
- Site
- Surface Geophysical Survey
- Borehole
- Rock Sample
- Test Pit
- Water Sample

LAKE ONSBLOW
Proposed Phase 1 Activity
 Date: 20 December 2021 | Revision: 0
 Plan prepared for NIWE by Boffa Miskell Limited
 Project Manager: len.groves@boffamiskell.co.nz | Drawn: Gills | Checked: DNo



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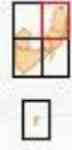
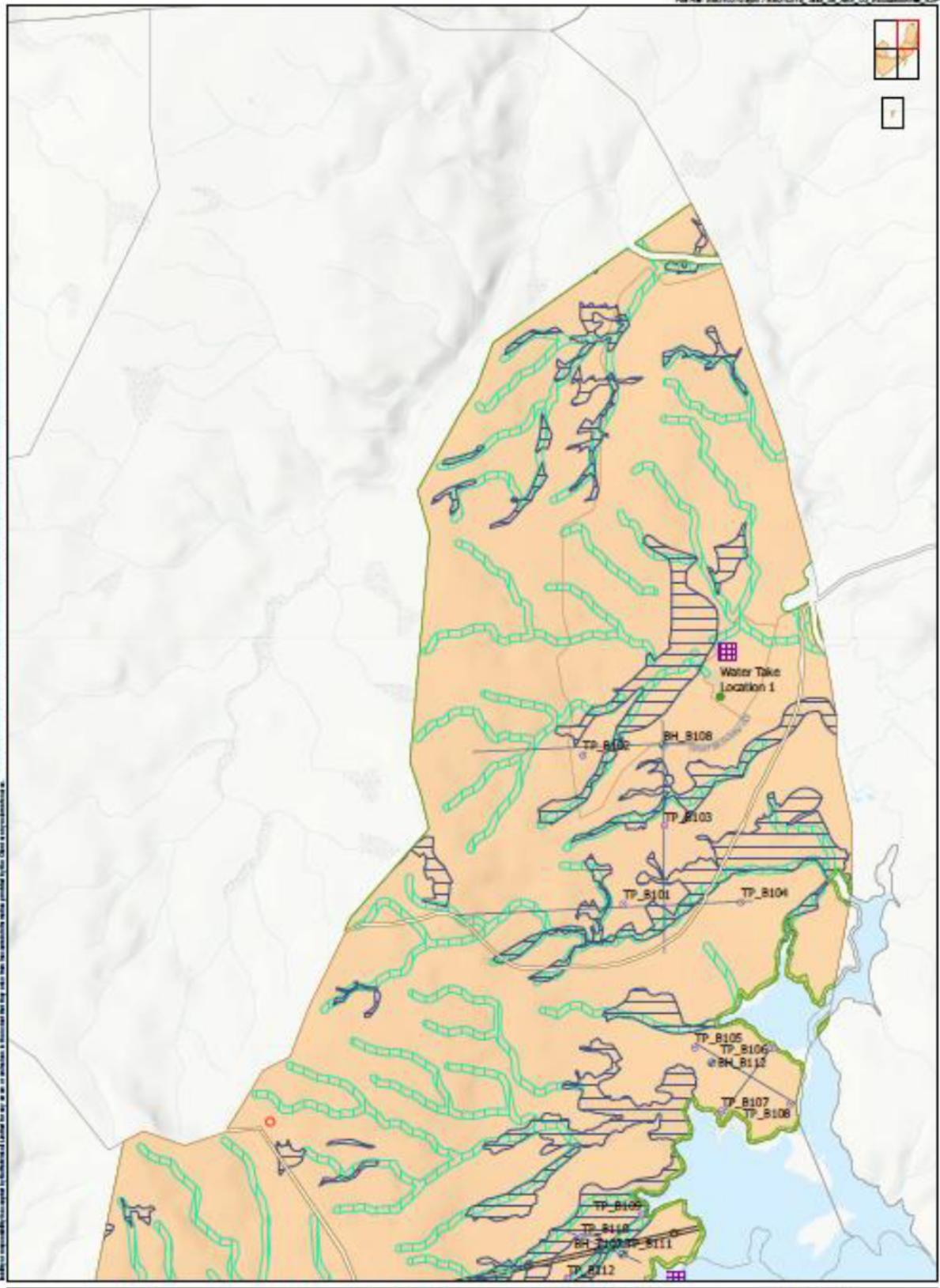

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 Data Source: Eagle Technology (NZ) Limited, 1998, National Map of
 Copyright: Information, Eagle Technology. Land Information New
 Zealand
 Project: 10201-200 New Zealand Television Market

LEGEND

-  Borehole
-  Site

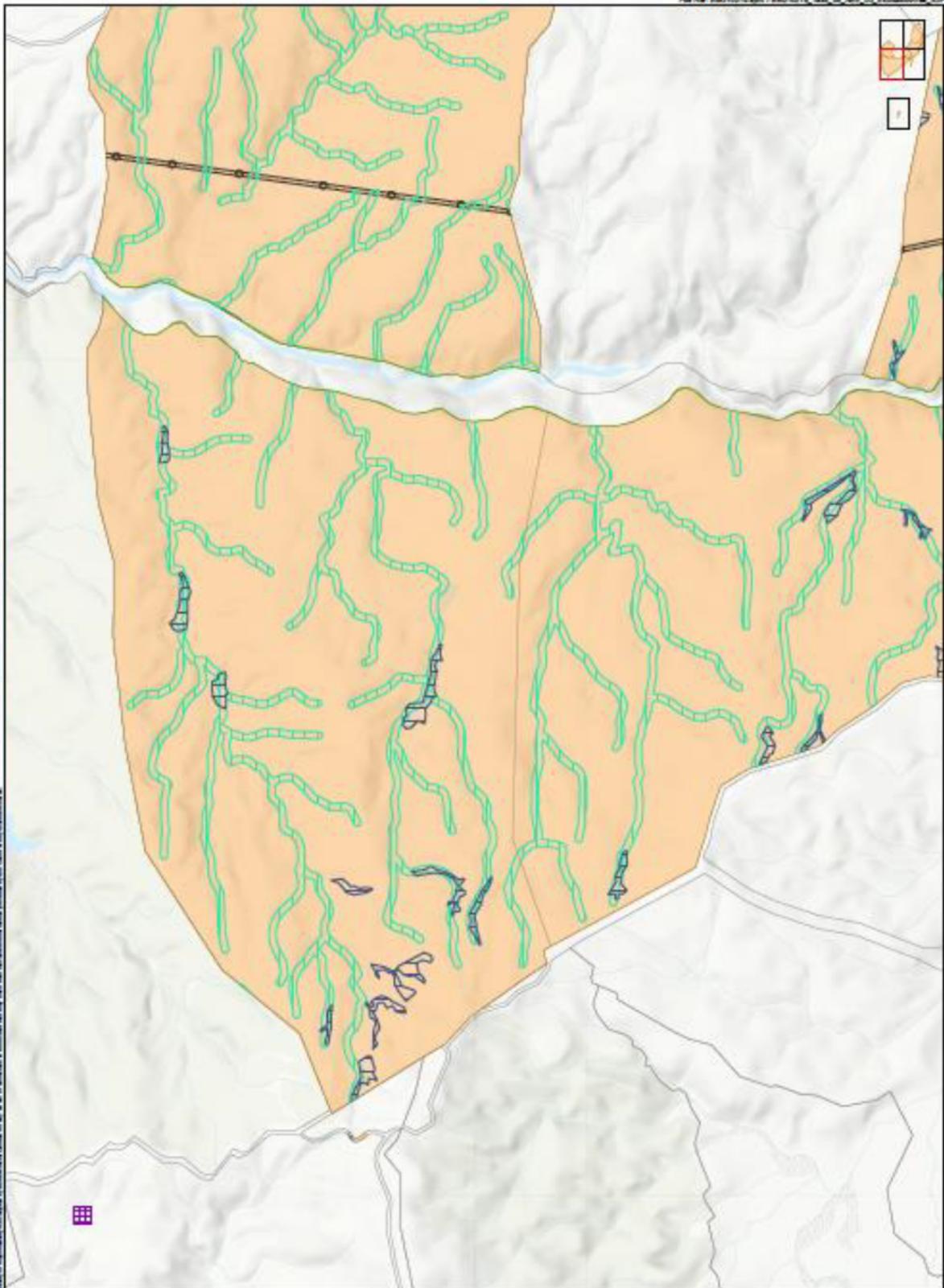
LAKE ONBLOW
Proposed Phase 1 Activity
 Date: 20 December 2021 | Revision: 0
 Plan prepared for WGS by Boffa Miskell Limited
 Project Manager: leo.groves@boffamiskell.co.nz | Drawn: shs | Checked: CPO

Map 6



<p>Boffa Miskell</p>  <p>www.boffamiskell.co.nz</p>	<p>Scale: 1:20,000 @ A3</p> <p>Date: Survey: Eagle Technology (LTC) Data: NZ 1000, Natural Resources, © Eagle Technology, Eagle Technology, Land Information New Zealand</p> <p>Projection: NZGD 2000 New Zealand Transverse Mercator</p>	<p>LEGEND</p> <ul style="list-style-type: none"> Site Transmission Buffer NEA Road Exclusion Potential Wetlands Lake Marginal Strip Waterway Buffer Surface Geophysical Survey Borehole Tie Pit Water Take Location 	<p>LAKE ONSBLOW Exclusion Area</p> <p>Date: 20 December 2021 Revision: 0 Plan prepared for 10161 by Boffa Miskell Limited</p>
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Map 6



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Scale: 1:25,000 @ A3
 Date: 20 December 2021 | Revision: 0
 Prepared for: NIWA by Boffa Miskell Limited

- LEGEND**
-  Site
 -  Transmission Buffer
 -  NZAA
 -  Potential Wetlands
 -  Lake Marginal Gap
 -  Wetland Buffer
 -  Borehole

LAKE ONSLOW
 Exclusion Area
 Date: 20 December 2021 | Revision: 0
 File prepared for NIWA by Boffa Miskell Limited

Map 9

5 April 2022



Ministry of Business, Innovation and
Employment
Deborah Rowe
C/O Boffa Miskell Ltd
PO Box 1028,
Queenstown 9348

1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

03 440 0056

Info@codc.govt.nz
www.codc.govt.nz



Via email: s 9(2)(a)

Dear Deborah

RESOURCE CONSENT APPLICATION:

**RC220110
VARIOUS LOCATIONS WITHIN ROAD
RESERVE WITHIN THE LAKE
ONSLow ROAD AREA**

Your application for resource consent was processed on a non-notified basis in accordance with sections 95A to 95G of the Resource Management Act 1991. The application was considered by the Planning Manager, under delegated authority, 30 March 2022.

The Council has granted consent to the application with conditions. The assessment of the application, including the reasons for the decision, is set out in the report attached to this letter. The consent certificate is attached to this decision.

The consent certificate outlines the conditions that apply to your proposal. Please ensure that you have read and understand all of the consent conditions.

You may object to this decision or any condition within 15 working days of the decision being received, by applying in writing to the Planning Manager at resource.consent@codc.govt.nz.

You may request that the objection be considered by an independent commissioner. The Council will then delegate its functions, powers and duties to an independent hearings commissioner to consider and decide the objection. Please note that you may be required to pay for the full costs of the independent hearings commissioner.

Alternatively, there may be appeal rights to the Environment Court. Please refer to section 120 of the Resource Management Act 1991. It is recommended that you consult a lawyer if you are considering this option.

You will be contacted in due course if you are due a partial refund or you have to pay additional costs for the processing of your application.

Please feel free to contact me if you have any questions.

Yours faithfully

A handwritten signature in cursive script, appearing to read "Kirstyn Lindsay".

Kirstyn Lindsay
Consultant Planner

APPLICATION	RC220110
APPLICANT	MINISTRY OF BUSINESS, INNOVATION AND EMPLOYMENT
ADDRESS	VARIOUS LOCATIONS WITHIN THE LAKE ONSLOW AREA
LEGAL DESCRIPTION	ROAD RESERVE: VARIOUS
ACTIVITY STATUS	DISCRETIONARY

BACKGROUND

The purpose of the NZ Battery project is to investigate options to resolve New Zealand's dry year risk problem in a highly renewable electricity system. Dry year risk refers to the shortfall in electricity generation than can occur in a year where inflows to hydro lakes are significantly below normal and the lake levels are low 'dry'. Currently, New Zealand relies on coal and gas fired generation to ensure reliable electricity supply in a dry year. Dry year risk is a contributing factor to high electricity prices because the electricity market factors the cost of scarcity into electricity forward prices. The NZ Battery project will investigate ways to reduce this effect, thereby allowing electricity price to better follow the downwards trend of new electricity generation investment costs.

Pumped hydro schemes are used internationally as a way of storing and using water independently of natural inflows. They are able to be specifically designed to meet daily demand peaks, and/or store a large amount of energy for a long period to meet dry year energy storage requirements. Pumped hydro typically consists of a lower water resource and an upper storage reservoir. During periods of high electricity supply/low electricity prices water is pumped up to the upper reservoir and stored. Water is then released to generate electricity from the upper reservoir during periods of high electricity demand and/or low levels of renewable generation.

The main components of possible pump storage scheme at Lake Onslow include:

- An upper dam and reservoir based around the existing Lake Onslow
- A lower intake associated with the Clutha River
- Tunnels, shafts and an underground powerhouse.
- Connections into the electricity supply network and associated infrastructure, vehicle access
- and earthworks.

As part of determining solutions to New Zealand's low energy period ('dry year' problem) via the NZ Battery Project, MBIE proposes to determine the feasibility of the proposed Lake Onslow pumped hydro storage scheme. The aim of this work is to investigate the environmental feasibility of the Lake Onslow base case to inform Cabinet on geotechnical, geological, hydrogeological and environmental constraints to inform a decision whether to proceed; and recommen which technically feasible option (or options), should proceed into further engineering design and consenting.

Resource Consent RC210508 was issued with conditions in February 2022 to enable the first stage of geotechnical investigations required for the Feasibility Study. The application below seeks to authorise the next stage of the geotechnical investigations.

DESCRIPTION OF ACTIVITY

The applicant seeks to undertake geotechnical, geological and hydrogeological investigations to support the feasibility assessment for a pumped hydro storage scheme at Lake Onslow.

The purpose of this application for resource consent is to authorise the physically intrusive geotechnical investigations necessary to inform the Lake Onslow pumped hydro scheme feasibility assessment; namely three drill hole locations and a storage area within the road reserve in the Lake Onslow vicinity. It is also proposed to undertake three seismic surveys but these works do not trigger any consent requirements.

This application does not seek authority to undertake any further work associated with the Lake Onslow pumped hydro scheme past the initial geological investigation works.

Proposed works include

- 1) The construction of drillholes to facilitate geophysical investigations, and for the installation and operation of monitoring equipment and associated telemetry.
- 2) Non-intrusive surface seismic surveys.
- 3) The formation and use of a temporary construction storage area associated with the geotechnical investigations to store contractors' equipment, core samples and toilets within a fenced area.
- 4) The extraction of up to 6000 litres per day of water from the Te Awa Makarara/Teviot River and use of that water as part of the drilling activity.

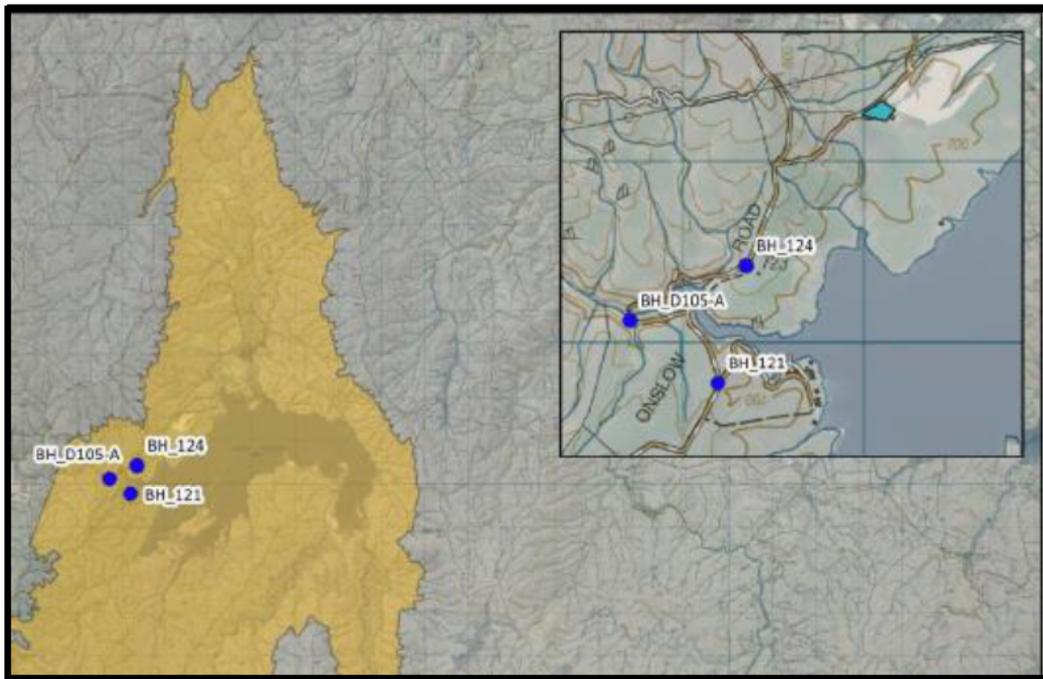
The applicant proposes that all works be undertaken in accordance with a comprehensive Construction Environment Management Plan (CEMP). The CEMP prepared for RC210508 will be updated to include the relevant components of this consent.

The applicant proposes to commence work immediately upon grant of all necessary resource consents and fulfilment of any pre-construction conditions (including the finalising of the CEMP). Without seeking to limit the duration of the land use consent, the investigation programme for the works outlined in this consent application, consisting of drillhole investigations and related water take, is expected to take three months to complete. Due to a need to complete the investigation works as quickly as possible, the applicant advises that it may be necessary to undertake work up to 24 hours per day, 7 days per week. It is not proposed to limit the hours or days of operation. The permanent structures that will remain in place to allow for on-going monitoring will be the telemetry equipment, capped drillholes and fences located within and around each drillhole location.

Drill holes

The applicant proposes to construct drill holes at three identified locations. A site selection process was followed in accordance with the general procedure outlined in the resource consent application RC210508.

- BH_D105-Alt: Located in the verge of the road reserve (gravel road), south of the Teviot River (and bridge).
- BH_121: Located in the verge of the road reserve (gravel road). Flat area with some tussock coverage.
- BH_124: Located in the verge of the road reserve (gravel road). Flat area with grass and tussock cover.



**Image 1: Location of bore holes BH_D105-Ait, BH_121 and BH_124
(Source Application)**

The applicant advises that each drillhole location consists of two drillholes of approximately 150mm in diameter that are located within 5m of each other. The purposes of each drillhole are:

- To allow for the initial collection of core samples, and for the installation of piezometers and other monitoring equipment; and
- To establish a further dedicated piezometer, typically at shallower depths.

Each pair of drillholes will be connected with communication cables within a trench. A mobile drilling rig will be used to create a 150mm maximum diameter drill hole to the target depth. The applicant advises that a continuous core sample will be extracted from the borehole and retained for analysis. The drilling process is lubricated using water or natural biodegradable additives (drilling muds). While drilling the borehole, in-situ tests will be carried out in the borehole to provide an indication of strength, permeability, rock fractures, and ground conditions.

Mobile drilling rigs (Image 2) will be either track or truck mounted as appropriate to site conditions and require daily access by a water truck and support vehicles. Temporary scaffolding structures may be used where required to reduce potential impact on lizard habitat. These scaffolding structures will not require any land disturbance and will sit on top of the existing ground profile. The applicant confirms that these structures will be removed once the drilling is complete.



Image 2: Mobile Drilling Rigs (source Application)

While drilling is in progress at each drillhole location, the applicant expects that there will be up to three drilling crew, and a geologist present, with a further two people during testing and very occasional visitors. Apart from the mobile rig itself, up to three four-wheel drive vehicles are expected daily during drilling to facilitate staff access.

The applicant advises that typical programme to undertake drilling by a single drilling rig, once physical access has been established, involves:

- 1 – 2 days for establishment and moving the rig and equipment onto site
- 10 – 20 days to undertake drilling – where the duration varies based on target depth
- 2 – 3 days to undertake in-situ testing with a further day for geophysical investigations
- 1 – 2 days for piezometer and monitoring instrument installations
- 1 – 2 days for disestablishment.

Upon completion of drilling, the proposal is to cover each drillhole and to install permanent monitoring equipment within each drillhole.

The applicant proposes to install piezometers (typically narrow diameter PVC pipe) down the borehole to enable long term monitoring of water levels and pressures. Multiple piezometers will be required at each position at varying depths; this may require drilling an adjacent additional hole (within a couple of metres). These drillholes for additional piezometers are typically shallower and drilled quickly using a solid drilling bit with no core recovery or testing and take an additional day or two.

The top of the piezometer will be housed in either a flush fitting toby or an upstand cover and the complete installation will be fenced as per Image 3. The applicant advises that all instrumentation, including the surface instrumentation and covers, will be located within a fenced upstand. The proposal is to establish telemetry systems to allow remote reading of piezometers (water levels). This means the site is likely to only need visiting very occasionally as data will be automatically collected and transmitted.

Where no instrumentation is to be installed, the applicant confirms that the borehole will be backfilled with cement grout and the surface reinstated.



Image 3: Fenced Upstand Cover (Source Application)

The applicant also advises, subsequent to lodging the application, that to meet the recommendations from the Lizard Management Plan (as part of the required Wildlife Permit) three trenches measuring 1m x 3m x 0.3m will be required to provide lizard habitat creation near BH D_121, This equates to a total of 2.7m³ of land disturbance and does trigger the need for a resource consent.

Contractors Storage Area

A storage area will be required for the contractor’s equipment including parking, two 20-foot containers and a portaloo. The storage area will be located within the road reserve on Lake Onslow Road as shown in the Image 4 and 5 below. Hazardous substances may also be stored in this area. The hazardous substances storage will meet the permitted activity thresholds set out in Rule 4.7.4(ii) of the District Plan and no consent is sought for the storage and use of hazardous substances.

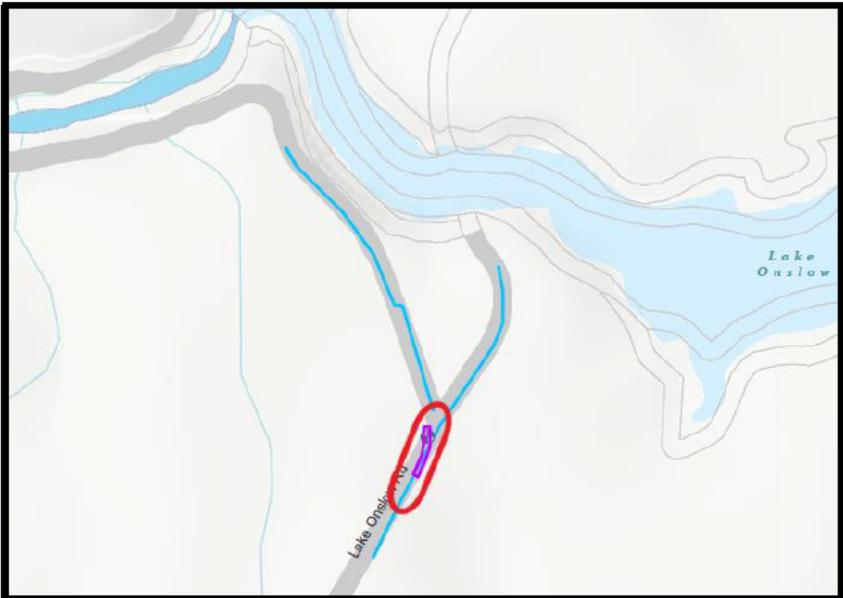


Image 4: Location of proposed contractor’s yard area (Source Application)



Image 5: Photograph of proposed contractor’s yard area (Source Application)

SITE DESCRIPTION

Lake Onslow is located approximately 25km east of Roxburgh, created by the damming of Te Awa Makarara (Teviot River) for gold mining, hydro development and irrigation first formed in the late 1800s. It sits at approximately 700m above sea level. The Onslow Basin and environs are within the Manorburn Ecological District with the wider East Otago Uplands within the Waipori /Lammerlaw Ecological District. The land subject to this application is road reserve on Lake Onslow Road and is administered by the Central Otago District Council.

The subject site is well described in Section 3 of the application and is considered to accurately identify the key features of the site. The applicant's site description is adopted for the purposes of this report.

REASONS FOR APPLICATION

Central Otago District Plan

The subject site is located within the Rural Resource Area of the Central Otago District Plan (the District Plan). The site has the following annotations:

- Scheduled Activity SA 117 Lake Onslow Dam (Power Generation), Blk XVI Long Valley SD
- Upper Manorburn / Lake Onslow Landscape Management Area
- High Voltage Transmission Lines that are part of the transmission network
- Esplanade Provision - identified along the margins of Lake Onslow and the Teviot River

The application site does not contain any identified Outstanding Natural Landscapes or Features, nor any area of significant natural value.

Interpretation

The application assesses the District Plan definitions for temporary activities, buildings, utility and network utility operator. The applicant interprets that the following activities fall within the definition of temporary activity:

- Land disturbance and earthworks associated with the formation of each drill hole location, where necessary
- Drilling of each drillhole
- The establishment and use of a temporary storage area for construction equipment, including portable containers, port-a-loo, the storage of vehicles and machinery, the storage of materials, etc

The applicant notes that the the final drillhole equipment and structures will fall outside of the definition of a temporary activity due to the period of time these are to remain in situ.

In respect of the definition of buildings, the applicant assess that the following elements of the proposal fall within the definition of a building:

- Containers/s within the construction storage area
- The completed drillhole installation, including the monitoring equipment, telemetry, solar panel and associated pole.

The applicant confirms that it is not a network utility operator and the proposed activities do not fall within the ambit of those activities provided for by Scheduled activity SA 87 or Scheduled Activity SA 117

I agree with the applicant's interpretation and confirm the approach proposed by the applicant.

District Plan rules

Accepting the applicant's interpretation, the following rules are triggered by the application

- **Rule 4.7.6 A (a) Yards**, where:
 - Borehole structures are located within road reserve and are less than 10m from a boundary
 - Containers with the temporary storage area will be located less than 10m from the property boundary.

Breaches of Rule 4.7.6 A (a) are assessed as restricted discretionary activities pursuant to Rule 4.7.3 (i). Council shall restrict the exercise of its discretion to the following matters:

- The effect on the safe and efficient operation of the roading network or airport.
- The effect on the health and safety of people and communities.
- The effect on the amenity values of neighbouring properties.
- The effect on landscape values.

- **Rule 4.7.6.B Traffic Generation and Characteristics of Activities**, where;

- the potential number of people involved in the proposed activity is greater than three.

Breaches of Rule 4.7.6 B are assessed as discretionary activities pursuant to Rule 4.7.4 (i).

- **Rule 4.7.6 D Visual Effects of Buildings and Structures**, where:

- the applicant cannot confirm the finish and colour of all materials associated with all buildings.

Breaches of Rule 4.7.6 D are assessed as restricted discretionary activities pursuant to Rule 4.7.3 (i). Council shall restrict the exercise of its discretion to the following matters:

- Whether or not the building or structure can be appropriately screened from public view by topographical features, appropriate planting or other screening having regard to the open space, landscape, natural character and amenity values of the rural environment.
- Whether the building or structure will breach the form of or be visually prominent in public view on any skyline or terrace edge.
- The colour scheme for the building or structure which should in general be darker than the background in which it is set.

- **Rule 4.7.6 F Storage**, where:

- the locations proposed for temporary contractor's storage will not be enclosed or screened from view of any public road, reserve other public land or other adjacent site boundary.

Breaches of Rule 4.7.6 F are assessed as restricted discretionary activities pursuant to Rule 4.7.3 (i). Council shall restrict the exercise of its discretion to the following matters:

- The effect on the safe and efficient operation of the roading network or airport.
- The effect on the health and safety of people and communities.

- The effect on the amenity values of neighbouring properties.
- The effect on landscape values.
- **Rule 4.7.6 (A) (c) water bodies**, where;
 - drillhole BH_D105A is located less than 20m from the bank of Te Awa Makarara (Teviot River),

Breaches of Rule 4.7.6 (A) (c) are assessed as discretionary activities pursuant to Rule 4.7.4 (i).

- **Rule 4.7.6(L) Upper Manorburn/ Lake Onslow Landscape Management Area**, as:
 - the proposal involves the erection of structures.

Breaches of Rule 4.7.6(L) are assessed as discretionary activities pursuant to Rule 4.7.4 (i).

- **Rule 12.7.2 Parking**, where;
 - it is likely that each of the construction storage areas will accommodate parking for in excess of three car spaces, but will not provide any specific stormwater management, contain any formed vehicle crossings, be laid out with dedicated parking or manoeuvre areas, contain landscape planting or provide dedicated queuing space.

Breaches of Rule 12.7.2 are restricted discretionary activities.

- **Rule 12.7.6 Lightspill**, where;
 - there is the potential for artificial lighting used to support 24 hour drilling operations.

Breaches of Rule 12.7.6 are restricted discretionary activities.

National Environmental Standards

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCSC) came into effect on 1 January 2012. The National Environmental Standard applies to any piece of land on which an activity or industry described in the current edition of the Hazardous Activities and Industries List (HAIL) is being undertaken, has been undertaken or is more likely than not to have been undertaken. Activities on HAIL sites may need to comply with permitted activity conditions specified in the National Environmental Standard and/or might require resource consent.

The applicant has obtained a search of Otago Regional Council records which demonstrates that the various sites have not or is not likely to have had HAIL use in accordance with Regulation 6. Furthermore, the proposed activity will meet the permitted activity standards set out in Regulations 8(2) and 8(3). I consider that the NESCSC Is not triggered by this application.

There are no other National Environmental Standards relevant to this application.

Overall Status

Under the particular circumstances of this case, I consider it appropriate that the bundling principle established in *Locke v Avon Motor Lodge* (1973) is applied, and that the application be considered, in the round, as a discretionary activity pursuant to sections 104 and 104B of the Resource Management Act 1991 ('the Act').

WRITTEN APPROVALS

Affected Persons

No written approvals have been provided with the application and no effects on any party are to be disregarded.

EFFECTS ON THE ENVIRONMENT

Assessment Matters

Consideration is required of the relevant assessment matters in the District Plan, along with the matters in any relevant national environmental standard. No regard has been given to any trade competition or any effects of trade competition.

1. *Rural Amenity Values*

The proposal seeks to undertake geotechnical investigations (boreholes and monitoring stations) at three locations within road reserve at Lake Onslow Road. Works will occur at three discrete locations and at different times within a confined timeframe. The applicant has provided a comprehensive assessment of the potential amenity effects.

The applicant notes that the Lake Onslow area is sparsely populated. The main buildings within the area are privately owned recreational huts located on the western shore of the lake which do not appear to be permanently occupied.

The applicant recognises that noise and lighting effects will be generated by the works especially in respect of night-time works and operation of drill rigs and that this has the potential to adversely affect rural amenity. No blasting is proposed. I note that these works are to be temporary and will move throughout the subject area ensuring that any adverse effects are dispersed.

In terms of lighting, the applicant offers the following conditions to mitigate any potential lighting effects:

- Artificial lighting is directed away from roads;
- The time that lights are used is minimised wherever possible (e.g. by having lights activated by a motion sensor);
- Light in the 'warm' spectrum is used; and
- Downward pointing hooded lights are used wherever possible.

Subject to the offered conditions of consent, I consider that any adverse noise or lighting effects on rural amenity will be generated in a remote location and will be of short duration at any given investigation position.

The storage yard area is sufficiently remote from all residential dwellings and will be dismantled in full at the end of the investigation works. As such, no adverse effects on rural amenity are identified as a result of this temporary storage area.

While the proposal will result in a flurry of intensive activity within the subject area, it is expected that the adverse amenity effects experienced by any party will be of short duration and temporary in nature. Taking into consideration the conditions of consent offered by the applicant, the effects of the proposal on the rural amenity in the area are assessed as no more than minor.

2. *Landscape and Visual Amenity Effects*

All investigation sites are located in the Upper Manorburn/Lake Onslow Landscape Management Area. These are proposed to be located near the Te Awa Makarara/Teviot

River, which is incised within a rocky gorge with many visible rock outcrops set amongst the tussock dominant landscape. In addition to farming, the bridge, ford, dam structure and road cuttings have impacted, to some degree, on the natural character of the river margin.

The applicant advises that the short-term effects of construction activity will generate landscape effects during this initial phase of the proposal and comprises drill rigs and a marked increase in the movement of vehicles. However, once construction has been completed, all of the drill equipment, vehicles, and temporary storage area will be removed.

The applicant notes that the investigation activities are short term, impacting to a very small degree on the associative landscape values, including quietness and remoteness. It is considered efficient to contain the storage of construction equipment to one dedicated area as a means of containing landscape effects. Once construction is complete, all equipment will be removed from this area and little evidence of modification would be apparent.

The applicant notes that the drillholes are each physically distant. The long-term landscape effects of the proposal will be limited to the final above ground drill hole structures, comprising a small, fenced area (approximately 2m²) and small-scale monitoring equipment. This scale of landscape modification is considered minor and over time all areas of disturbed ground will be successfully rehabilitated to leave little to no evidence of activity. In the context of existing modification that has occurred the long-term effect on the landscape values are considered negligible to very low.

I agree with the applicant's assessment and, given the short duration of the investigation construction works, the proposed rehabilitation of the disturbed areas and the rural appearance of the remaining monitoring equipment, I consider that the effects on landscape values and visual amenity will be no more than minor.

3. *Recreational Values*

The applicant has provided an assessment of the potential effects of the proposal on recreational values. The applicant identifies that Lake Onslow is utilised for a number of recreational uses, including fishing (primarily trout fishing) and boating. The applicant assesses that the proposed geotechnical activities will not adversely affect the ability for persons to use the surface of the lake for recreational activities as no investigative activities will be undertaken within the bed of Lake Onslow. Boat access to the lake itself is via a boat ramp on the west side of the lake adjacent to the huts and will be unaffected by the proposal.

The applicant notes that the local road network will be utilised for access to the geotechnical investigative sites, and some of the investigative activities will also be located within road reserve. The applicant proposes measures to ensure that vehicular access to the lake and adjacent properties is not impeded, and notes the works will be the subject of a traffic management plan which sits outside of the resource consent process.

Accordingly, the applicant assesses that recreational values will not be adversely affected by the proposal. The applicant's assessment is adopted for the purposes of this report.

4. *Transport Effects*

The applicant advises that the proposed geotechnical investigative sites are within existing formed roads. No additional tracking or road formation is proposed. CODC's Roding Manager has confirmed that CODC Roding are satisfied that the effects of

establishing the drill sites within the road reserve arising from the proposal can be appropriately managed through the Corridor Access Request (CAR), Licence to Occupy (LTO) and Temporary Traffic Management Plan (TMP) processes.

The District Plan provides for no more than three persons to be engaged in any activity of a commercial, industrial, or manufacturing nature as a permitted activity in part due to the potential effects on the safe and efficient operation of the roading network. In this instance, the proposed works will involve more than three persons. The applicant notes that the works will be undertaken over a range of sites and will be of limited duration. I agree that this is a mitigating factor in terms of ensuring any adverse effects are dispersed and temporary.

The applicant advises that there will be a temporary need for the parking of vehicles associated with the proposed investigations. Parking may occur at each of the investigative sites in the surrounding area; and at the temporary storage and laydown area. The applicant states that as the activity is temporary it is not proposed to establish any permanent parking areas to accommodate this component of the activity. The applicant compares the parking of vehicles to similar ad-hoc parking of vehicles that occurs in association with rural activities. I consider this to be a fair comparison.

The applicant advises that overall the volumes of vehicle movements associated with the geotechnical investigative works will be relatively low and are capable of being accommodated within the existing roading network.

Overall, I consider that the proposed works will be effectively managed through alternative approvals and will have no more than minor adverse effects on the surrounding road network.

The applicant is reminded that Lake Onslow Road is classified as a Back Country Road from Paerau/Styx to the boundary gate at Lake Onslow. The road is closed pursuant to Section 342(1)(b) of the Local Government Act 1974 and Clause 13 of the Tenth Schedule and is closed from the Tuesday following Queens Birthday Weekend to 30 September. The reason for the closure is to prevent damage that would occur to these roads if they were used by vehicles during the winter months.

5. *Construction effects*

The applicant advises that the potential for sedimentation and erosion to occur is limited due to the scale of the excavation work proposed (limited to the drill holes), and the fact that this will occur at a number of individual sites (as opposed to concentrated in one large area). Erosion and sediment control will be managed by the CEMP. The proposal does not involve the use of hazardous substances, other than small quantities of fuel required to operate machinery. These substances will be kept in containers and will be stored in the temporary storage area.

Subject to updating of, and compliance with, the CEMP prepared under RC210508, I consider any construction effects of the proposal will be minor.

6. *Heritage Effects*

The applicant advises that the proposed investigations will not affect recorded archaeology or potential archaeological features identified on site, and no archaeological monitoring is required during the works. However, due to the long association of human use within the investigation area, and the limited extent of archaeological survey that has been undertaken in this area, the applicant recognises that there is the potential for as yet unrecorded archaeological features to be discovered during site works.

The applicant proposes that to ensure that no adverse effects on unrecorded archaeological sites occur through adherence to an Accidental Discovery Protocol which

will form part of the CEMP. All contractors working on the project will also be required to undergo an archaeological briefing to mitigate impacts on potential archaeological sites if accidentally discovered during investigations. Subject to the condition volunteered above, I consider that the effects of the proposal on historical and archaeological values will be less than minor.

7. *Ecological Effects*

The applicant notes that there is the potential for the proposed investigations to have effects on ecological values. These effects could include the disturbance of wildlife and/or their habitat; impacts on natural wetlands; discharges of sediment or other contaminants to waterways; and the potential to damage indigenous vegetation. However, the applicant advises that the geotechnical investigations will be located within the road reserve either on pasture or existing modified areas wherever possible to limit the potential effect on natural wetlands, wildlife and indigenous vegetation.

The applicant advises that BH D_105Alt is located within 20m of the Te Awa Makarara/Teviot River and that specific erosion and sediment control measures will be implemented to avoid or minimise the potential for sediment from the proposed earthworks to enter waterbodies.

A qualified ecologist from Wildlands Consultants prepared an assessment of the sites sought by this consent which is summarised below:

- *At the temporary storage area, BH D_121, BH D_124 there is indigenous vegetation present, however this vegetation can either be avoided, or if impacted would not cause adverse effects that are more than minor due to common presence of the species in the area. The species observed are resilient and will recover from the disturbance caused by drilling.*
- *At BH D_105Alt, there is evidence of a seepage wetland present. Adverse effects on this wetland can be avoided by locating works outside the wetland or the construction of a scaffolding platform over this wetland. This would not require any land disturbance.*
- *Lizard habitat is present or has the potential to be present at the sites. A lizard management plan will be prepared for these sites by a suitably qualified herpetologist, and Wildlife Permits will be sought from the Department of Conservation accordingly.*

With the site selection process that has been carried out, and further measures such as erosion and sediment control to be followed and outlined in the CEMP, potential adverse effects on ecology will be no more than minor.

8. *Cultural Effects*

Lake Onslow and its surrounds is not included as a Statutory Acknowledgement Area in the Ngāi Tahu Claims Settlement Act 1998, nor is Lake Onslow identified as an allocated nohanga site. It is recognised that papatipu rūnaka have a cultural association with the Lake Onslow area.

Te Rūnanga o Ngāi Tahu holds mana whenua status in the area surrounding Lake Onslow. Shared authority is held by all three of these rūnaka in relation to the Mata-au, as well as other rūnaka to the south represented by Te Ao Mārama, Inc.

The applicant has consulted with Aukaha Limited and submitted a report prepared by Kate Timms-Dean which sets out recommendations for the geotechnical investigations. The report was prepared on behalf of Te Rūnanga o Ōtākou, Kāti Huirapa Rūnaka ki

Puketeraki, and Hokonui Rūnanga (Kā Rūnaka). Mana whenua values related to the site are grouped under following five matters:

- Wāhi Tūpuna and Ara Tawhito values
- Wai māori values
- Ecological values
- Archaeological values
- Equity values

Recommendations proposed by Aukaha to address potential effects on cultural values are as follows:

- *For BH D_105Alt:*
 - *That the drilling of BH D_105Alt undertaken in such a way as to avoid direct interaction with the bed of Te Awa Makarara (Teviot River), and with at least a setback of 10m from the river;*
 - *The drill rig is located away from the seepage wetland and larger downslope wetland located within the drill site area, or alternatively, that a platform is constructed over the wetland;*
 - *That double buffering is installed around the drill rig and along the existing fence line to protect the awa and wetlands on and adjacent to the drill site from discharge due to engine leakage or sedimentation;*
 - *That drilling is undertaken in such a way as to avoid interaction with the rocky scarp adjacent to the drill site, and any rank grass or rocky areas as these may support lizard habitats. If habitats cannot be avoided, a herpetological assessment is required to determine the presence of lizard, and if they are, a Lizard Management Plan will be required for this site.*
- *For BH T 121*
 - *That the drill site is moved to the western side of the road as a preferred site if land*
 - *tenure allows, so as to avoid disturbance of indigenous vegetation on the proposed site.*
 - *That sediment discharge management is used to avoid discharge to wetlands located within 100m of the site towards Lake Onslow;*
 - *That a herpetological assessment is undertaken to determine whether lizards are present, with a Lizard Management Plan required if lizards are located.*
- *For BH T 124*
 - *That the drill site is located in order to avoid areas of indigenous vegetation.*

- *That all areas comprising tussock on the site and along the fence line are avoided as they may support lizard habitats.*
- *That a herpetological assessment is undertaken to determine whether lizards are present, with a Lizard Management Plan required if lizards are located.*

The applicant advises that the drilling of BH D_105Alt will be drilled to avoid interacting with the bed of the Te Awa Makarara (Teviot River) and will be located more than 10m from the river bank. The drill hole is proposed outside of the seepage wetland. However, in order to access the drill hole, the drill rig may need to be partially within the wetland. If this is the case, the drill rig will be located on a scaffold so that it does not disturb the wetland.

The applicant also advises that following receipt of the report from Aukaha, BH 121 location was moved to the western side of the road carriageway to avoid sensitive vegetation and adopt the recommendations from Aukaha and Wildlands Consultants Ltd. Erosion and sediment control measures will be established to avoid potential runoff into any surrounding waterbodies.

Aukaha also recommend:

- *That all contractors working on the project must undergo an archaeological briefing on the possibility of encountering archaeological evidence, how to identify possible archaeological sites and features during works, and contractors' responsibilities with regard to notification of the discovery of archaeological evidence.*
- *That works must be managed using an Accidental Discovery Protocol.*
- *That an archaeologist must be consulted to determine whether archaeological monitoring is required, should excavation be required for the establishment of a level platform for the drill rig to operate.*
- *That earthworks will immediately stop if archaeological material is identified, and no further excavation will be permitted without an authority.*
- *That excavation areas will not be opened within 20m of identified archaeology.*

The applicant advises that the above recommendations will be adopted in the CEMP for the proposed works. A herpetological assessment is being carried out concurrently for the investigation sites. If required, a lizard management plan and Wildlife Permit will be applied for these sites.

With the recommendations from Auhaka adopted, I consider that any potential adverse effects on manawhenua values will be less than minor.

NOTIFICATION ASSESSMENT

Mandatory Exclusions from Assessment (s95D)

- A: Effects on the owners or occupiers of land on which the activity will occur and on adjacent land (s95D(a)).
- B: An adverse effect of the activity if a rule or national environmental standard permits an activity with that effect (s95D(b)) (the permitted baseline, refer section 3.2 below).
- C: The activity is a discretionary activity, and no matters have been disregarded (s95D(c)).
- D: Trade competition and the effects of trade competition (s95D(d)).

E: All effects on the parties which have provided written approval to the application are disregarded. In this instance, no written approvals have been provided.

Public Notification

Section 95A of the Resource Management Act 1991 sets out a step-by-step process for determining public notification. Each step is considered in turn below.

Step 1: Mandatory public notification in certain circumstances

- Public notification has not been requested.
- There has been no failure or refusal to provide further information.
- There has been no failure to respond or refusal to a report commissioning request.
- The application does not involve the exchange of recreation reserve land.

Step 2: If not required by Step 1, public notification precluded in certain circumstances

- There are no rules or national environmental standards precluding public notification.
- The application does not involve: a controlled activity, nor a boundary activity. As a result, public notification is not precluded under Step 2.

Step 3: If not precluded by Step 2, public notification required in certain circumstances

- There are no rules or national environmental standards requiring public notification.
- The activity will not have, or be likely to have, adverse effects on the environment that are more than minor as set out previously in this report. I note particularly that any temporary effects generated by the proposal are remote from any dwelling, are of short duration, and are adequately mitigated by conditions of consent volunteered by the applicant. I have assessed that the temporary effects are unlikely to have a more than minor adverse effect on the environment.

Step 4: Public notification in special circumstances

- There are no special circumstances that warrant the application being publicly notified. There is nothing exceptional or unusual about the application that makes public notification desirable.

Limited Notification

Section 95B of the Resource Management Act 1991 sets out a step-by-step process for determining limited notification. Each step is considered in turn below.

Step 1: Certain affected groups and affected persons must be notified

- The activity is not in a protected customary rights area; the activity is not an accommodated activity in a customary marine title area; and, the activity is not on or adjacent to, or might affect, land that is the subject of a statutory acknowledgement. It is particularly noted that the the applicant has been working with local Rūnaka and areas of cultural significance are to be avoided.

Step 2: If not required by Step 1, limited notification precluded in certain circumstances

- There are no rules or national environmental standards precluding limited notification.
- The application does not involve a controlled activity that is not a subdivision.

Step 3: If not precluded by Step 2, certain other affected persons must be notified

- The application does not involve a boundary activity.

- Limited notification is not required under Step 3 as the proposal is not a boundary activity where the owner of an infringed boundary has not provided their approval, and it is not a prescribed activity.
- The proposal falls into the 'any other activity' category. The effects of the proposal on persons are assessed below.

Assessment of effects on persons

No persons are considered to be adversely affected by this proposal because the environmental effects of the proposal that are limited to direct effects on parties are less than minor. When coming to this view, I note in particular the technical reports of Aukaha Limited, Heritage Properties New Zealand Limited and Wildlands Limited. I also note that separate approvals may be required from the Department of Conservation and Heritage New Zealand and consider the effects on these parties to be managed through these alternative legislative tools.

In terms of the long-term occupiers of the area, I note that the receiving environment, whilst remote and sparsely populated, is utilised for and has been modified by farming, recreational and hydro-electric activities. It also contains a number of natural and man-made water bodies. The proposed works (three boreholes and one storage area) for which consent is sought will occur in four separate locations within road reserve across the wider area Lake Onslow area. The bore holes will not result in a concentration of effects in any one area. The storage area is to be erected for a short duration and is considered to be an appropriate response to contain the plant necessary for the operation. The storage area is remote from any residential or recreational activity. The proposal is not expected to adversely affect the character of the area or affect any parties' rural amenity. The proposal will not adversely impact on recreation opportunities. Overall, when considering the scale of the proposal and conditions of consent volunteered by the applicant, no long-term occupiers of the area are considered affected by this proposal.

Step 4: Further notification in special circumstances

- There are no special circumstances that warrant the application being limited notified. There is nothing exceptional or unusual about the application that makes limited notification to any other persons desirable.

SUBSTANTIVE DECISION ASSESSMENT

Effects

In accordance with section 104(1)(a) of the Resource Management Act 1991, the actual and potential adverse effects associated with the proposed activity have been assessed and outlined above. It is considered that, subject to the recommended conditions of consent which have been offered by the applicant, the adverse effects on the environment arising from the proposal are no more than minor.

Offsetting or Compensation Measures

In accordance with section 104(1)(ab) of the Resource Management Act 1991, there are no offsetting or compensation measures proposed or agreed to by the applicant that need consideration.

STATUTORY ASSESSMENT

Central Otago District Plan Objectives and Policies

In accordance with section 104(1)(b) of the Resource Management Act 1991, the objectives and policies of the Central Otago District Plan were taken into account when assessing the application. The applicant has provided an assessment of the relevant objectives and policies in the application and these are adopted for the purposes of this report. The proposal is considered to be consistent with the relevant objectives and policies of the Central Otago District Plan

Partially Operative and Proposed Regional Policy Statements

I have assessed that the Operative District Plan satisfactorily gives effect to the Partially Operative Regional Policy Statement as it relates to this application. Decisions have not been released on the Proposed Regional Policy Statement and no weight is given to this document at this time.

OTHER MATTERS

Having regard to section 104(1)(c) of the Resource Management Act 1991, no other matters are considered relevant.

PART 2

Based on the findings above, I consider that the proposal would satisfy Part 2 of the Resource Management Act 1991. Granting of consent would promote the sustainable management of District's natural and physical resources.

RECOMMENDATION

After having regard to the above planning assessment, I recommend that:

1. This application be processed on a non-notified basis, pursuant to sections 95A and 95B of the Resource Management Act 1991.
2. The Council grant consent to the proposed activity under delegated authority, in accordance with sections 104 and 104B of the Resource Management Act 1991, subject to the conditions imposed under section 108 of the Act listed below.



Kirstyn Lindsay
Consultant Planner

Date: 28 March 2022

Reviewed by:



Oli Monthule-McIntosh
Consultant Planner

Date: 30 March 2022

DECISION

I have read both the notification assessment and substantive decision assessment in this report. I agree with the recommendations above.

Under delegated authority on behalf of the Central Otago District Council, I accordingly approve the granting of resource consent to the proposal as outlined in the attached notice.



Lee Webster
Regulatory Manager

Date: 30 March 2022

Consent Type: Land Use Consent

Consent Number: RC220110

Purpose: Geotechnical Investigations .

Location of Activity: Various locations within Road Reserve, Lake Onslow Road,

Legal Description: ROAD RESERVE

Lapse Date: 5 April 2027, unless the consent has been given effect to before this date.

Conditions:

1. The proposed activity must be undertaken in general accordance with the approved plans attached to this certificate as Appendix One, and the information provided with the resource consent application received by the Council on 18 March 2022, except where modified by the following conditions.

Prior to Commencement

2. The consent holder must provide to the Planning Manager via email at resource.consent@codc.govt.nz for certification a Construction Environment and Monitoring Plan, which has been prepared by a suitably qualified person and includes but is not limited to the following:
 - a) A description of the site and the works areas;
 - b) The way in which communications (including complaints) relating to the proposed works are dealt with;
 - c) The way in which the Site Selection Process will be undertaken and how the outcomes will be shared with various agencies and stakeholders. Note the Site Selection Process will require input from a qualified and experienced ecologist and archaeologist;
 - d) Traffic management measures;
 - e) Supervision of works;
 - f) Erosion and sediment control measures; including dust suppression;
 - g) Aerial access (if required); and
 - h) Site rehabilitation and de-mobilisation.

Note: The CEMP can comprise the CEMP for RC210508 which has been updated to reflect this application.

3. Copies of this consent must be held on site and shown to a warranted Central Otago District Council officer upon request. All contractors working on the project must be made aware of the condition of this consent.
4. All contractors working on the project must undergo an archaeological briefing on the possibility of encountering archaeological evidence, how to identify possible archaeological evidence or features during work, and contractors' responsibilities with regard to notification of the discovery of archaeological evidence.
5. Evidence of all other necessary approvals from all other agencies and Council Departments must be submitted to the Planning Manager via email at resource.consent@codc.govt.nz.

During the Works

5. All works must be undertaken in accordance with the certified Construction Environment and Monitoring Plan.
6. The drilling of BH_D105Alt must avoid direct interaction with the bed of Te Awa Makarara, and provide a 10m set-back from the riverbank.
7. The placement of the drill rig for BH_D105Alt must ensure that the wetland between the fence line and Te Awa Makarara is not damaged or affected by activities.
8. Any structure required to install BH_D105Alt must be removed within twenty five (25) days or earlier of BH_D105Alt being established.
9. The location of boreholes must be relocated if any archaeological evidence or features are identified.
10. If archaeological material is identified during monitoring, earthworks must immediately stop, and no further excavation of that location will be permitted without an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 or written advice from Heritage New Zealand and submitted to the Planning Manager via email at resource.consent@codc.govt.nz that an archaeological authority is not required.
11. The consent holder must ensure that all:
 - a) Artificial lighting is directed away from roads;
 - b) The time that lights are used is minimised wherever possible (e.g. by having lights activated by a motion sensor);
 - c) Light in the 'warm' spectrum is used; and
 - d) Downward pointing hooded lights are used wherever possible.

At the completion of the Investigation Works

12. Within 30 days of the geological investigation works concluding, the consent holder must ensure that the temporary storage area is decommissioned and tidied and all plant and machinery removed.
13. Within 30 days of the geological investigation works concluding, the consent holder must provide a map and GPS locations of all permanent monitoring stations to the Planning Manager via email at resource.consents@codc.govt.nz.
14. All disturbed areas must be rehabilitated as specified in the certified Construction Environment and Monitoring Plan.
15. The consent holder must ensure that all permanent monitoring stations must be left in a safe and tidy manner.

Advice Notes:

Transport

1. It is the consent holders' responsibility to ensure that the correct Corridor Access Requests, Licence to Occupy and Traffic Management Plans are in place prior to works commencing and to operate in accordance with any requirements of these approvals. Nothing in this resource consent overrides the need to comply with these requirements.
2. Lake Onslow Road is classified as a Back Country Road from Paerau/Styx to the boundary gate at Lake Onslow. The road is closed pursuant to Section 342(1)(b) of the Local Government Act 1974 and Clause 13 of the Tenth Schedule and is closed each year from the Tuesday following Queens Birthday Weekend to 30 September. The reason for the closure is to prevent damage that would occur to these roads if they were used by vehicles during the winter months.

Other approvals

3. A concession from the DOC may be required for work within the Teviot River (Marginal Strip).
4. Approvals under the Wildlife Act 1953 may be required and a Lizard Management Plan prepared.
5. Should the consent holder seek to modify or destroy any archaeological site, approvals will be required under the Heritage New Zealand Pouhere Taonga Act 2014.

General

6. In addition to the conditions of a resource consent, the Resource Management Act 1991 establishes through sections 16 and 17 a duty for all persons to avoid unreasonable noise, and to avoid, remedy or mitigate any adverse effect created from an activity they undertake.

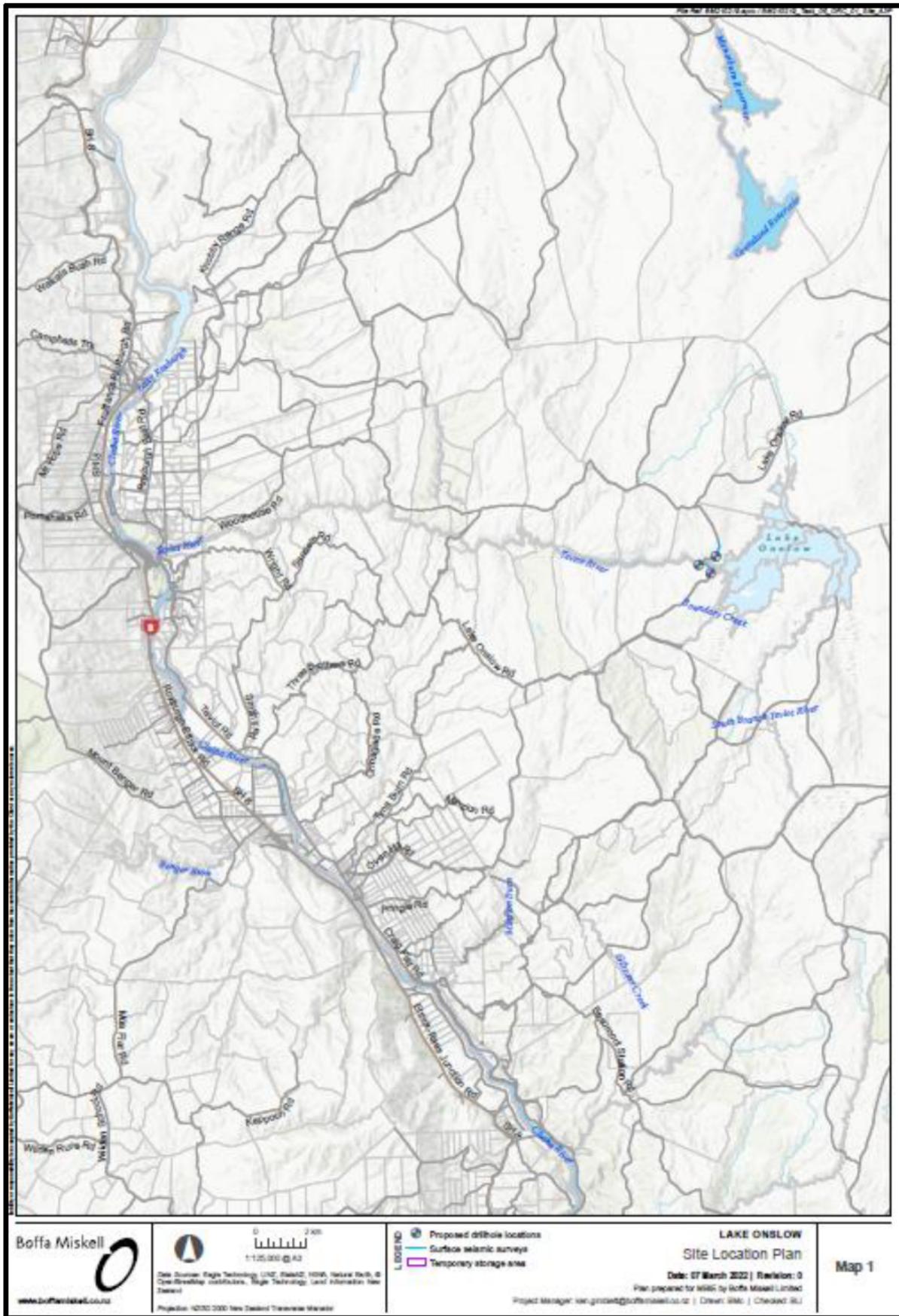
7. Resource consents are not personal property. The ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.
8. It is the responsibility of any party exercising this consent to comply with any conditions imposed on the resource consent prior to and during (as applicable) exercising the resource consent. Failure to comply with the conditions may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.
9. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.
10. This is a resource consent. Please contact the Council's Building Services Department, about the building consent requirements for the work.

Issued at Central Otago on 5 April 2022

A handwritten signature in blue ink, appearing to read 'K. Lindsay'.

Kirstyn Lindsay
Consultant Planner

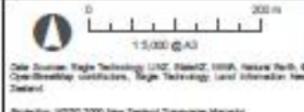
Appendix One: Approved Plans for RC220110 (scanned images, not to scale)



Locations of Bore Holes: BH_D105-Alt, BH_121 and BH_124



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- LEGEND**
- Proposed drillhole locations
 - Surface seismic surveys
 - Temporary storage area

LAKE ONSLOW
 Plans of the Proposal
 Date: 15 March 2022 | Revision: 0
 Plan prepared for: 8401018 by Boffa Miskell Limited
 Project Manager: ian.griffin@boffamiskell.co.nz | Drawn: 84M | Checked: 84U

Map 2

Location of proposed contractor's yard area

19 September 2022

Ministry Of Business Innovation &
Employment
C/- Bronte Linkhorn
Boffa Miskell Ltd
PO Box 1028
Queenstown 9348

Via email:

s 9(2)(a)



1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

03 440 0056

Info@codc.govt.nz
www.codc.govt.nz



Dear Ministry Of Business Innovation & Employment

**SECTION 127 APPLICATION: RC 220110V1 BEING A VARIATION OF RC220110V1
ROAD RESERVE ON LAKE ONSLOW ROAD**

Your application for a variation of a resource consent, lodged pursuant to section 127 of the Resource Management Act 1991, was processed on a non-notified basis in accordance with sections 95A to 95G of the Resource Management Act 1991. The application was considered by Planning Manager, under delegated authority, on 19 September 2022.

The Council has granted consent to the variation of the resource consent. The assessment of the application, including the reasons for the decision, is set out in the report attached to this letter. The consent certificate showing the varied conditions is attached.

The consent certificate outlines the conditions that apply to your proposal. Please ensure that you have read and understand all of the consent conditions.

You may object to this decision or any condition within 15 working days of the decision being received, by applying in writing to the Planning Manager, Central Otago District Council at:

resource.consents@codc.govt.nz

1 Dunorling Street
Alexandra, 9320

You may request that the objection be considered by an independent commissioner. The Council will then delegate its functions, powers and duties to an independent hearings commissioner to consider and decide the objection. Please note that if you request independent commissioner, you may be required to pay for the full costs of the incurred for independent hearings commissioner.

Section 120 of the Resource Management Act 1991 sets out the rights of appeal to the environment court for resource consent decisions. It is recommended that you consult a lawyer if you are considering this option.

Please feel free to contact me if you have any questions.

Yours faithfully



Tarryn Lines
Planning Support Officer

APPLICATION	RC 220110V1 BEING A VARIATION OF RC220110
APPLICANT	MINISTRY OF BUSINESS INNOVATION & EMPLOYMENT
ADDRESS	ROAD RESERVE ON LAKE ONSLOW ROAD
LEGAL DESCRIPTION	ROAD RESERVE
ACTIVITY STATUS	DISCRETIONARY

BACKGROUND

Resource consent was granted 5 April 2022 which provided for geotechnical, geological and hydrogeological investigations to support the feasibility assessment for a pumped hydro storage scheme at Lake Onslow.

Specifically, the consent authorised the physically intrusive geotechnical investigations necessary to inform the Lake Onslow pumped hydro scheme feasibility assessment; namely three drill hole locations and a storage area within the road reserve in the Lake Onslow vicinity.

The approved works included:

- 1) The construction of drillholes to facilitate geophysical investigations, and for the installation and operation of monitoring equipment and associated telemetry.
- 2) Non-intrusive surface seismic surveys.
- 3) The formation and use of a temporary construction storage area associated with the geotechnical investigations to store contractors' equipment, core samples and toilets within a fenced area.
- 4) The extraction of up to 6000 litres per day of water from the Te Awa Makarara/Teviot River and use of that water as part of the drilling activity.

The consent allowed the construction of three drill holes at three identified locations.

- BH_D105-Alt: Located in the verge of the road reserve (gravel road), south of the Teviot River (and bridge).
- BH_121: Located in the verge of the road reserve (gravel road). Flat area with some tussock coverage.
- BH_124: Located in the verge of the road reserve (gravel road). Flat area with grass and tussock cover.

The consent also provided for the initial collection of core samples, and for the installation of piezometers and other monitoring equipment; and the establishment of a further dedicated piezometer, typically at shallower depths.

The piezometers comprise typically narrow diameter PVC pipe inserted down the borehole to enable long term monitoring of water levels and pressures. Multiple piezometers will be required at each position at varying depths. The applicant identified that this methodology could necessitate drilling additional adjacent holes (within a couple of metres). These drillholes for additional piezometers are typically shallower and drilled quickly using a solid drilling bit with no core recovery or testing.

The top of the piezometers are to be housed in either a flush fitting toby or an upstand cover and the complete installation will be fenced. The applicant advises that all instrumentation, including the surface instrumentation and covers, will be located within a fenced upstand. The proposal is to establish telemetry systems to allow remote reading of piezometers (water

levels), ensuring that the site is likely to only need visiting very occasionally as data will be automatically collected and transmitted.

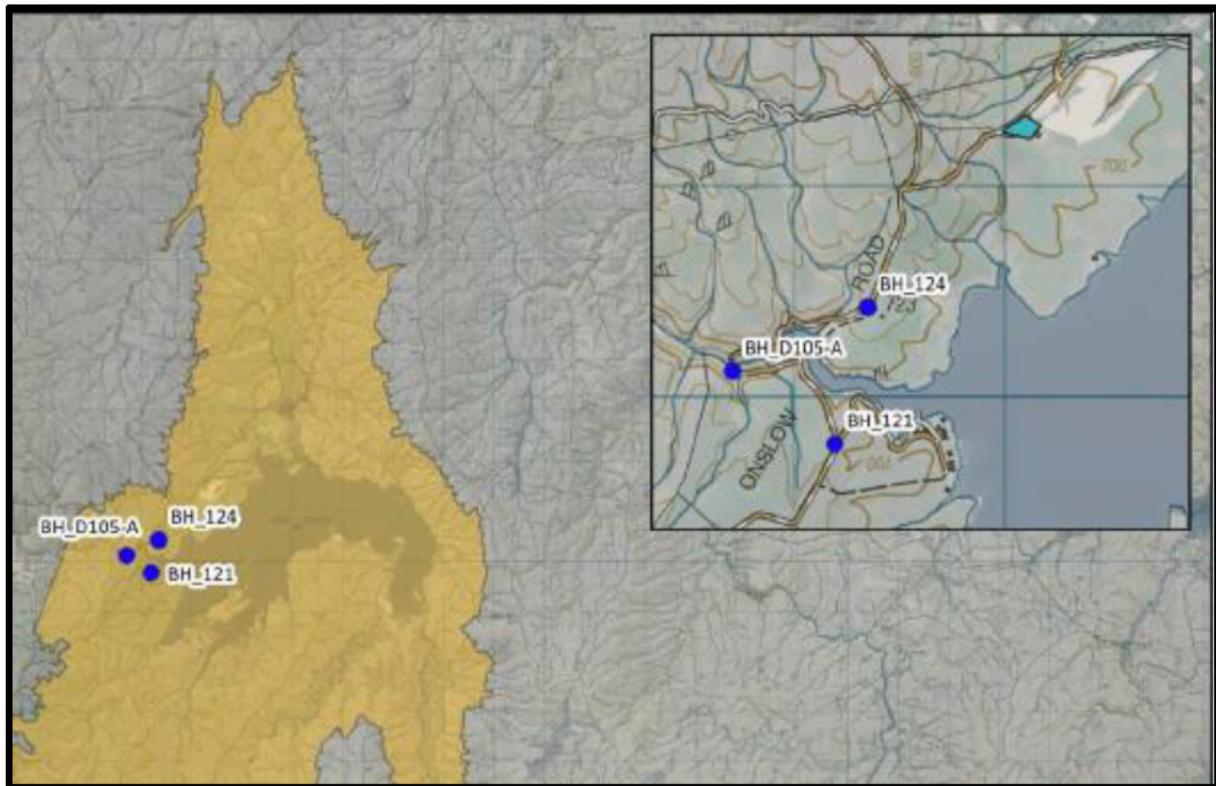


Image 1: Location of approved bore holes BH_D105-Alt, BH_121 and BH_124

DESCRIPTION OF ACTIVITY

The applicant seeks to relocate the telemetry equipment associated with BH_D105-Alt. The applicant advises that when it commenced drilling the borehole as approved under the approved consent, it was identified that due to the topography of the site, the telemetry equipment would not be able to receive and transmit a signal at the position of the drillhole. As such, the applicant proposes the following alternative methodology:

- To erect a telemetry pole at a higher elevation within the road reserve (approximately 300m to the east of the drillhole location). (See Image 2)
- To erect a 2.5m high telemetry pole, with a solar panel and enclosed data-logger and telecommunication unit. The telemetry equipment will be surrounded by a fence as per the current consent approval. (See Image 3)
- Telemetry at the drillhole location will transmit data to the new telemetry pole.

The proposed location for the telemetry equipment will be located within road reserve (but outside of the carriageway) and falls under CODC jurisdiction as Road Controlling Authority and as Requiring Authority for the road designation. The applicant is in the process of seeking approval for the works from the CODC in its capacity as both the road controlling authority, and as the requiring authority for the designation over the District's roads. These approvals sit outside of the Resource Consent Process.

The installation of the telemetry equipment will require vehicles and personal working in the road reserve. However, the applicant confirms that the installation of the telemetry equipment will be undertaken by handheld machinery resulting in minimal ground disturbance and will be completed within one day.



Image 2: Proposed location for telemetry site (Source Application)



Image 3: Fenced upstand cover (Source Application)

The proposed change will require a variation to Condition 1 of RC220110 as follows:

The proposed activity must be undertaken in general accordance with the approved plans attached to this certificate as Appendix One, and the information

provided with the resource consent application received by the Council on 18 March 2022, except where modified by the following conditions, and the variation to RC220110 referenced as RC220110V1.

REASONS FOR APPLICATION

Section 127 of the Resource Management Act 1991 states:

- (1) *The holder of a resource consent may apply to a consent authority for a change or cancellation of a condition of the consent subject to the following:*
 - (a) *The holder of a subdivision consent must apply under this Section for a change or cancellation of the consent before the deposit of the survey plan (and must apply under Section 221 for a variation or cancellation of a consent notice after the deposit of the survey plan); and*
 - (b) *No holder of any consent may apply for a change or cancellation of a condition on the duration of the consent.*
- (2) *Repealed.*
- (3) *Sections 88 to 121 apply, with all necessary modifications, as if –*
 - (a) *The application were an application for a resource consent for a discretionary activity; and*
 - (b) *The references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.*
- (4) *For the purposes of determining who is adversely affected by the change or cancellation, the local authority must consider, in particular, every person who-*
 - (a) *Made a submission on the original consent application; and*
 - (b) *May be affected by the change or cancellation.*

In accordance with the provisions of section 127(3)(a) of the Resource Management Act 1991, the application to vary resource consent RC220110 is a discretionary activity.

PLANNING ASSESSMENT

Effects on the Environment

Consideration is required of the relevant assessment matters in the District Plan, along with the matters in any relevant national environmental standard. This assessment is limited to the adverse effects of the variation itself, being those effects over and above the effects of the existing resource consent. No regard has been given to any trade competition or any effects of trade competition.

The effects of the current proposal were well traversed in the decision for RC220110. The installation of the telemetry equipment has already been approved and it is the effects associated with relocating this equipment 300m from its approved location which are to be considered. The applicant has provided sound rationale for the need for the relocation, in that the telemetry equipment is not functional at its approved location.

The new location is located within road reserve and will fall under the jurisdiction of the Road Controlling Authority. As such, traffic effects will be managed through Corridor Access Requests and Licence to Occupy processes.

The short-term effects of construction activity will generate minor landscape effects for a very limited duration during the installation of the telemetry equipment. The applicant confirms that the installation of the telemetry equipment will be undertaken by handheld machinery resulting in minimal ground disturbance and will be completed within one day. Furthermore, I note that the physical works associated with the installation of the equipment are provided for under RC220110 and those same works carried out at the new location are expected to have the

same or similar effects. Furthermore, I note that the relocation of the telemetry equipment 300m from the borehole will result in this installation being setback further from the Te Awa Makarara/Teviot River which is considered to be a positive effect.

Once construction has been complete, the longer-term landscape effects will be limited to the telemetry structure and the small fence. I note that such installations (similar to weather monitoring stations) are not unexpected within the Rural Resource Area.

The applicant recognises that the proposed telemetry equipment is located in the Upper Manorburn/Lake Onslow Landscape Management Area. The proposed location is near Lake Onslow and the Te Awa Makarara/Teviot River, which is incised within a rocky gorge with many visible rock outcrops set amongst the tussock dominant landscape. The applicant notes that in addition to farming, the bridge, ford, dam structure and road cuttings have impacted, to some degree, on the natural character of the area. The proposed telemetry will be physically distant from other drill hole sites and telemetry equipment. The final fenced areas are small and will have a rural appearance. In the context of existing modification that has occurred the long-term effect on the landscape values are considered negligible to very low. I agree with the applicant's assessment.

The applicant has sought input on the proposed location from Wildland Consultants in respect of ecological effects and from Aukaha in terms of cultural effects. The applicant also sought input from New Zealand Heritage Properties Limited who have been providing specialist advice regarding archaeological and historic heritage values in the area. The above parties did not identify any issues with the proposed location of the telemetry equipment.

Overall, I consider that the effects of the relocation of the telemetry equipment to the proposed road reserve site will not introduce any greater effects beyond those approved under RC220110.

NOTIFICATION ASSESSMENT

Public Notification

Section 95A of the Resource Management Act 1991 sets out a step-by-step process for determining public notification. Each step is considered in turn below.

Step 1: Mandatory public notification in certain circumstances

- Public notification has not been requested.
- There has been no failure or refusal to provide further information.
- There has been no failure to respond or refusal to a report commissioning request.
- The application does not involve the exchange of recreation reserve land.

Step 2: If not required by Step 1, public notification precluded in certain circumstances

- There are no rules or national environmental standards precluding public notification.
- The application is for a discretionary activity and public notification is not precluded under Step 2.

Step 3: If not precluded by Step 2, public notification required in certain circumstances

- There are no rules or national environmental standards requiring public notification.
- The activity will not have, or be likely to have, adverse effects on the environment that are more than minor for the reasons set out above.

Step 4: Public notification in special circumstances

- There are no special circumstances that warrant the application being publicly notified. There is nothing exceptional or unusual about the change of conditions which makes public notification desirable.

Limited Notification

Section 95B of the Resource Management Act 1991 sets out a step-by-step process for determining limited notification. Each step is considered in turn below.

Step 1: Certain affected groups and affected persons must be notified

- The activity is not in a protected customary rights area; the activity is not an accommodated activity in a customary marine title area; and, the activity is not on or adjacent to, or might affect, land that is the subject of a statutory acknowledgement.

Step 2: If not required by Step 1, limited notification precluded in certain circumstances

- There are no rules or national environmental standards precluding limited notification.
- The application is for a discretionary activity and limited notification is not precluded.

Step 3: If not precluded by Step 2, certain other affected persons must be notified

- The application does not involve a boundary activity.
- The proposal falls into the 'any other activity' category. The effects of the proposal on persons are assessed below.

Affected Persons

Section 127(4)(b) of the Resource Management Act 1991 directs Council to only consider the adverse effects of the variation itself, being those effects over and above the effects of the existing resource consent, when determining affected parties. No parties were considered to be affected by the granting of the consent, and no written approvals have been submitted with this application. No parties are considered to be affected by the proposed change of conditions because the environmental effects of the proposal are limited to effects on parties that are less than minor.

Section 127(4)(a) of the Resource Management Act 1991 also directs the Council to consider whether any submitters on the original application could be adversely affected by the variation. The original application was processed non-notified, and accordingly there are no submitters who could be adversely affected by the variation.

Step 4: Further notification in special circumstances

- There are no special circumstances that warrant the application being limited notified. There is nothing exceptional or unusual about the application that makes limited notification to any other persons desirable.

OVERALL NOTIFICATION RECOMMENDATION

In accordance with the assessment outlined above, notification is not required.

SUBSTANTIVE DECISION ASSESSMENT

Effects

In accordance with section 104(1)(a) of the Resource Management Act 1991, the actual and potential adverse effects associated with the proposal have been assessed and outlined above. The variation will not result in a fundamentally different activity or one having materially different adverse effects. It is considered that the adverse effects on the environment arising from the proposal are no more than minor.

Offsetting or Compensation Measures

In accordance with section 104(1)(ab) of the Resource Management Act 1991, there are no offsetting or compensation measures proposed or agreed to by the applicant that need consideration.

Objectives and Policies

In accordance with section 104(1)(b) of the Resource Management Act 1991, the objectives and policies of the District Plan were taken into account when assessing the application. The variation raises no new issues in terms of the objectives and policies of the District Plan or any other relevant planning documents.

Part 2

Based on the findings above, it is evident that the proposal satisfies Part 2 of the Resource Management Act 1991.

RECOMMENDATION

After having regard to the above planning assessment, I recommend that:

1. This application be processed on a non-notified basis, pursuant to sections 95A and 95B of the Resource Management Act 1991.
2. The Council grant the variation to the resource consent under delegated authority, in accordance with sections 104 and 127(1) of the Resource Management Act 1991.



Kirstyn Royce
Consultant Planner

Date: 30/8/2022

REVIEW

I have reviewed both the notification assessment and substantive decision assessment in this report.



Olivia Stirling
PLANNING OFFICER

Date: 13 September 2022

DECISION

I have read both the notification assessment and substantive decision assessment in this report. I agree with both recommendations above.

Under delegated authority on behalf of the Central Otago District Council, I accordingly approve the granting of the variation to the resource consent:



Lee Webster
PLANNING AND REGULATORY SERVICES MANAGER

Date: 16 September 2022



Consent Type: Variation to Land Use Consent

Consent Number: RC220110 as varied by RC220110V1

Purpose: Geotechnical Investigations

Location of Activity: Lake Onslow

Legal Description: Road Reserve

Lapse Date: 5 April 2027, unless the consent has been given effect to before this date.

[Additions are shown underlined]

Conditions:

1. The proposed activity must be undertaken in general accordance with the approved plans attached to this certificate as Appendix One, and the information provided with the resource consent application received by the Council on 18 March 2022, except where modified by the following conditions and the variation to RC220110 referenced as RC220110V1.

Prior to Commencement

2. The consent holder must provide to the Planning Manager via email at resource.consent@codc.govt.nz for certification a Construction Environment and Monitoring Plan, which has been prepared by a suitably qualified person and includes but is not limited to the following:
 - a) A description of the site and the works areas;
 - b) The way in which communications (including complaints) relating to the proposed works are dealt with;
 - c) The way in which the Site Selection Process will be undertaken and how the outcomes will be shared with various agencies and stakeholders. Note the Site Selection Process will require input from a qualified and experienced ecologist and archaeologist;
 - d) Traffic management measures;
 - e) Supervision of works;
 - f) Erosion and sediment control measures; including dust suppression;
 - g) Aerial access (if required); and

- h) Site rehabilitation and de-mobilisation.

Note: The CEMP can comprise the CEMP for RC210508 which has been updated to reflect this application.

3. Copies of this consent must be held on site and shown to a warranted Central Otago District Council officer upon request. All contractors working on the project must be made aware of the condition of this consent.
4. All contractors working on the project must undergo an archaeological briefing on the possibility of encountering archaeological evidence, how to identify possible archaeological evidence or features during work, and contractors' responsibilities with regard to notification of the discovery of archaeological evidence.
5. Evidence of all other necessary approvals from all other agencies and Council Departments must be submitted to the Planning Manager via email at resource.consents@codc.govt.nz.

During the Works

5. All works must be undertaken in accordance with the certified Construction Environment and Monitoring Plan.
6. The drilling of BH_D105Alt must avoid direct interaction with the bed of Te Awa Makarara, and provide a 10m set-back from the riverbank.
7. The placement of the drill rig for BH_D105Alt must ensure that the wetland between the fence line and Te Awa Makarara is not damaged or affected by activities.
8. Any structure required to install BH_D105Alt must be removed within twenty five (25) days or earlier of BH_D105Alt being established.
9. The location of boreholes must be relocated if any archaeological evidence or features are identified.
10. If archaeological material is identified during monitoring, earthworks must immediately stop, and no further excavation of that location will be permitted without an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 or written advice from Heritage New Zealand and submitted to the Planning Manager via email at resource.consents@codc.govt.nz that an archaeological authority is not required.
11. The consent holder must ensure that all:
 - a) Artificial lighting is directed away from roads;
 - b) The time that lights are used is minimised wherever possible (e.g. by having lights activated by a motion sensor);
 - c) Light in the 'warm' spectrum is used; and

- d) Downward pointing hooded lights are used wherever possible.

At the completion of the Investigation Works

12. Within 30 days of the geological investigation works concluding, the consent holder must ensure that the temporary storage area is decommissioned and tidied and all plant and machinery removed.
13. Within 30 days of the geological investigation works concluding, the consent holder must provide a map and GPS locations of all permanent monitoring stations to the Planning Manager via email at resource.consents@codc.govt.nz.
14. All disturbed areas must be rehabilitated as specified in the certified Construction Environment and Monitoring Plan.
15. The consent holder must ensure that all permanent monitoring stations must be left in a safe and tidy manner.

Advice Notes:

Transport

1. It is the consent holders' responsibility to ensure that the correct Corridor Access Requests, Licence to Occupy and Traffic Management Plans are in place prior to works commencing and to operate in accordance with any requirements of these approvals. Nothing in this resource consent overrides the need to comply with these requirements.
2. Lake Onslow Road is classified as a Back Country Road from Paerau/Styx to the boundary gate at Lake Onslow. The road is closed pursuant to Section 342(1)(b) of the Local Government Act 1974 and Clause 13 of the Tenth Schedule and is closed each year from the Tuesday following Queens Birthday Weekend to 30 September. The reason for the closure is to prevent damage that would occur to these roads if they were used by vehicles during the winter months.

Other approvals

3. A concession from the DOC may be required for work within the Teviot River (Marginal Strip).
4. Approvals under the Wildlife Act 1953 may be required and a Lizard Management Plan prepared.
5. Should the consent holder seek to modify or destroy any archaeological site, approvals will be required under the Heritage New Zealand Pouhere Taonga Act 2014.

General

6. In addition to the conditions of a resource consent, the Resource Management Act 1991 establishes through sections 16 and 17 a duty for all persons to avoid unreasonable noise, and to avoid, remedy or mitigate any adverse effect created from an activity they undertake.
7. Resource consents are not personal property. The ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.
8. It is the responsibility of any party exercising this consent to comply with any conditions imposed on the resource consent prior to and during (as applicable) exercising the resource consent. Failure to comply with the conditions may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.
9. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.
10. This is a resource consent. Please contact the Council's Building Services Department, about the building consent requirements for the work.

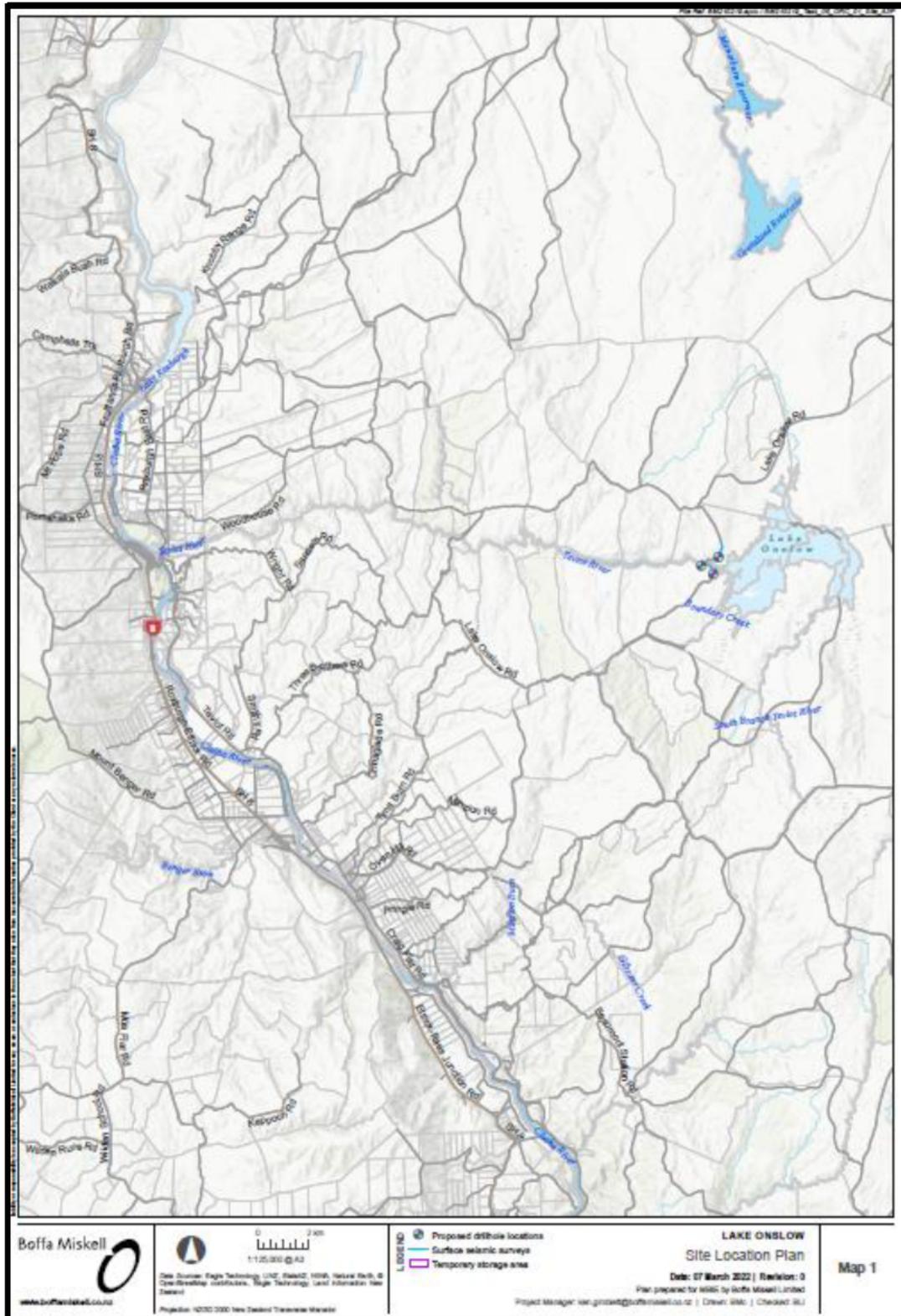
~~Issued at Central Otago on 5 April 2022~~

Reissued at Central Otago on 19 September 2022 pursuant to Section 127(1) of the Resource Management Act 1991

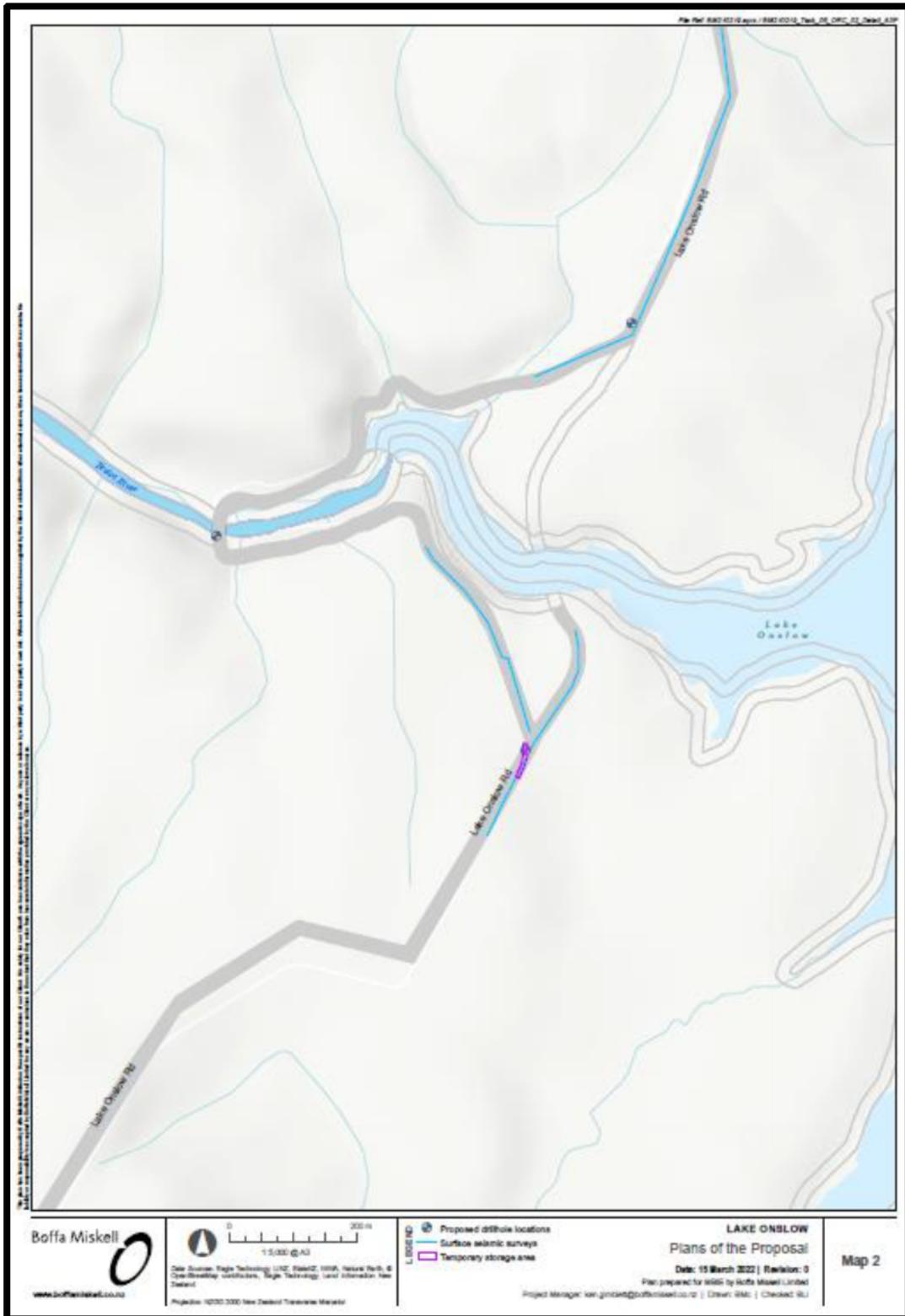


Tarryn Lines
Planning Support Officer

Appendix One: Approved Plans for RC220110V1 (scanned images, not to scale)



Locations of Bore Holes: BH_D105-Alt, BH_121 and BH_124



Location of proposed contractor's yard area



Location of Telemetry Equipment for BHD 105V Approved by RC220110V1

Your written comments on a project under the Fast Track Approvals Act 2024

Project name	Clutha Pumped Hydro
---------------------	---------------------

Before the due date, for assistance on how to respond or about this template or with using the portal, please email contact@fasttrack.govt.nz or phone 0800 FASTRK (0800 327 875).

All sections of this form with an asterisk (*) must be completed.

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	Otago Regional Council		
*First name	Joanna		
*Last name	Gilroy		
Postal address	70 Stafford Street Private Bag 1954 Dunedin 9054		
*Contact phone number	s 9(2)(a)	Alternative	0800 474 082
*Email	s 9(2)(a)		

2. Please provide your comments on this application
If you need more space, please attach additional pages. Please include your name, page numbers and the project name on the additional pages.

Note: All comments will be made available to the public and the applicant when the Ministry for the Environment proactively releases advice provided to the Minister for the Environment.

Thank you for your invitation to provide written comments on the application for referral of the Clutha Pumped Hydro project under the Fast-track Approvals Act 2024. This application was reviewed by elected members delegated to participate in the fast-track process and teams across Otago Regional Council (ORC).

Please see our comments on this application and our response to the questions below.

Competing Applications

- 1. Any applications that have been lodged with the Council that would be a competing application or applications if a substantive application for the project were lodged. If no such applications exist, please provide written confirmation.**

ORC confirms it is not aware of any competing applications.

- 2. In relation to projects seeking approval of a resource consent under section 42(4)(a) of the Act, whether there any existing resource consents issued where sections 124C(1)(c) or 165ZI of the Resource Management Act 1991 (RMA) could apply, if the project were to be applied for as a resource consent under the RMA. If no such consents exist, please provide written confirmation.**

ORC confirms there are no existing resource consents issued where sections 124C(1)(c) or 165ZI of the Resource Management Act 1991 (RMA) could apply if the project were to be applied for as a resource consent under the RMA.

Other considerations

Please find attached the additional comments on the referral application from ORC in Appendix 1. These comments reflect ORC's feedback on the referral application and outline several matters to be addressed in a substantive application.

Appendix 1 - ORC Referral Application Comments

Introduction

The referral application was circulated to relevant teams in ORC, who have provided the following comments.

Consent Team Comments

The referral application does not contain an assessment of the project against the relevant provisions of the:

- Regional Plan: Water for Otago
- Regional Plan: Waste for Otago
- Regional Plan: Air for Otago
- Relevant national direction

A detailed assessment of these documents will be required within the substantive application.

For the building consent for the dam, detailed plans and assessments will be required in accordance with the Building Act and the Building (Dam Safety) Regulations 2022.

Engineering Comments

The Teviot River and the Mata-Au/Clutha River between Lake Roxburgh and Barnego are not managed by the ORC's Engineering Team. The Lower Clutha Flood Protection & Drainage Scheme (downstream of Barnego) is owned by the Otago Regional Council and managed by the Engineering team.

The information provided is necessarily high level, and further assessments and considerations will be required should the project advance to the next phase. Those considerations relevant from Engineering's perspective include:

- Potential impact on the Lower Clutha Flood Protection & Drainage Scheme. Changes to river morphology could have significant consequences. Understanding these effects under variable conditions requires complex analysis, and interpreting the outcomes is itself a substantial undertaking.
- Clarity regarding take and discharge. There is no clarity as to the quantity or rate of take or discharge. We note that the earlier proposal indicated a maximum harvesting flow and discharge of 250m³/s. Depending on the specific conditions proposed for the take or discharge, this could significantly affect flows in the Lower Clutha (noting that the mean flow appears to be 614m³/s and a 7 day mean annual low flow of 309m³/s). Greater clarity

Otago Regional Council Comment - Clutha Pumped Hydro

regarding this issue will be essential to enable an understanding of the actual and potential impacts of the project on how the Scheme operates.

- Flood characteristics. The referral application does not reflect on the impact of the proposal on flood characteristics in the Lower Clutha, or on the impact of significant river fluctuations resulting from the activity. The absence of any recognition of these potential issues raises concern, particularly for downstream communities that rely on the continued efficacy of flood protection, river management and drainage activities in the catchment
- Altered flows. The Mata-Au/Clutha River will experience altered flow due to the proposed activity. Where project outflows return to the lower Mata-Au/Clutha River, the scheme will cause greater variability and rapid fluctuations in flow, potentially affecting water quality, aquatic ecology, benthic communities, and recreational uses such as angling and boating. Evidence to understand the effect on river morphology, and how this affects the Scheme, will be required. This will require modelling under several scenarios during different stages of pumping and discharge to and from the Clutha.
- Rise and fall impacts on river and flood banks. The impact of the anticipated rapid rise and cyclic fall of the River on its banks should be considered. This results in significant additional maintenance costs for the ORC.
- Cumulative effects. Consideration will need to be given to the cumulative effects of this activity and the existing rise and fall of the Clutha that results from Contact Energy Limited's upstream activities, including potential interactions with existing consent conditions relating to lower Mata-Au/Clutha River flood protection works and coastal erosion.
- Lower Clutha Liaison Group. It does not appear that the applicant has undertaken any consultation with the Lower Clutha Liaison Group (established mid November 2025). The Liaison Group will offer a specific perspective on impacts to the Scheme, and engagement with the Group should be encouraged. It would be appropriate for the applicant to give consideration to the most effective mechanism to engage with the Group.
- Sediment transport and hydrology. Potential effects on sediment transport, natural buffering and hydrology will require detailed analysis.

Natural Hazards Comments:

There is little substantive detail in the proposal at this stage, with only brief discussions of potential natural hazards/geotechnical issues in the referral document and review of adverse effects. It appears that hazards assessments were limited to a desktop review of ORC's natural hazards maps.

Slope stability

Otago Regional Council Comment - Clutha Pumped Hydro

Attachment 3.4 of the referral application notes that slope stability issues around the margins of the reservoir would be a potential occurrence, resulting from fluctuations of up to 70m in lake level. We agree this hazard requires further assessment, as the risk of landslide occurrence into reservoirs is enhanced by the submergence of the slope toe and by rapid drawdown conditions. For example, at Clyde Dam, lake filling was delayed by the need to stabilise large landslides in the very mica-rich schist around the perimeter (<https://www.nzgs.org/libraries/geology-and-the-clyde-dam/>).

Section 4.5.1 of Module 3 (Investigation design and analysis) within the NZSOLD (NZ Society of Large Dams) guidance provides a list of considerations for assessment of reservoir landslide hazards. The NZSOLD guidance also references ICOLD Bulletin 124 (International Commission on Large Dams) as a source of guidelines for the investigation and management of reservoir landslides, comments on possible risk mitigation measures, and discusses requirements and methods for the ongoing monitoring of reservoir landslide performance.

We suggest these guidance documents inform the investigation and management activities which may be required.

Seismotectonic hazards

Three active faults have been mapped in the vicinity of Lake Onslow (see image copied below, from the ORC Natural Hazards Portal):

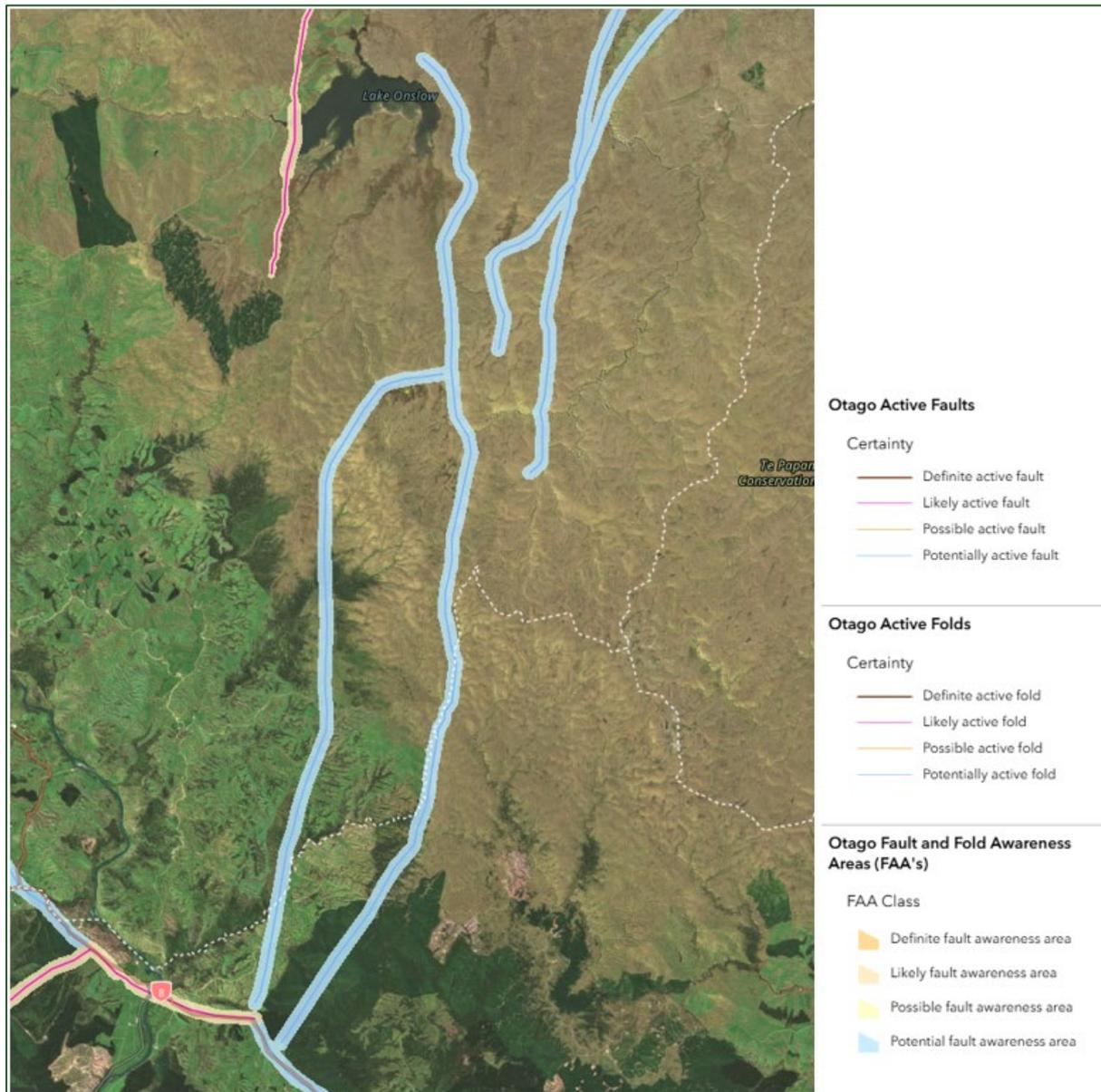
- The Lake Onslow Fault is an active fault is located 800-900m east of the existing lake outlet dam, and within 2km of the proposed new dam location. The fault was mapped by GNS Science (2019), and an updated assessment by GNS Science in 2025 elevated the fault's active status from 'potentially active' to 'likely active', with a RI of 30,000 years.
- The NZ Battery Project feasibility study specifies in Section 16.1.3 that "*The Lake Onslow Fault (shown on Figure 16.2), is located to the immediate west of the Lake body. No geological field investigations of this fault have yet been conducted, features of the fault identified through a desktop review suggest it is 'potentially active' with an assumed recurrence interval of one million years or more.*" It is unclear what information this RI estimate is based on, as it is inconsistent with the recent review by GNS Science (2025), which classifies the fault as a 'Likely active fault', with a RI of 30,000 years.
- The Beaumont River and Backbone Faults are inferred on the eastern sides of present-day Lake Onslow and running south towards the Mata-Au/Clutha River, with an RI 50,000 and 35,000 years, respectively.

It is important to note that these fault locations are based only on regional-scale geological mapping (~1:250,000) and are of a generalised nature, and should not be used as evidence to state that there is no active faulting at the dam location.

Additional information regarding the potential fault rupture and strong ground shaking hazards will be required for engineering design and management.

Otago Regional Council Comment - Clutha Pumped Hydro

The map in Attachment 2B indicates that the lower-reservoir and offtake locations are to be located adjacent to the Mata-Au/Clutha River at either Craig Flat Road or at Craig Hill. If the structures associated with the activities are to be located on alluvial terraces or other soft soils, then the potential for occurrence of liquefaction and lateral spreading to impact these structures should be suitably investigated and considered in engineering design.



Ecology Comments

The referral application has been reviewed by the ORC internal biodiversity team who have provided the following comments:

Otago Regional Council Comment - Clutha Pumped Hydro

- The proposal states that there will be a total loss of all existing wetlands that are located below the 770m Contour Lake level. Many of these wetlands are in a relatively pristine state. Fortification Creek wetlands also have landscape values, as it is a meander system.
- Although wetland ecosystems are considered, there tends to be an absence of consideration for wetland birds. This should be included in any future application. Probably limited opportunities to mitigate these losses within the Lake Onslow catchment.
- With the increase in lake levels, this will inundate all of the low-lying creeks. Subsequently, there will be potentially a loss of spawning habitat for salmonids. This should be included in any future application.
- The applicant seeks to offset losses of terrestrial flora and fauna, including geckos and other lizards. To satisfy these offsets any field surveys should use suitability qualified personnel at the appropriate time of year and optimal conditions. This would enable better ecological understanding and target key management actions to ensure mitigation measures are maximised.
- In addition to what is listed in the document [adverse effects], potential adverse effects of the proposal would result in the below which should be considered in any application:
 - Loss of Naturally Uncommon Ecosystems, including Critically Endangered ephemeral wetlands;
 - Loss of type localities for species;
 - Loss of habitat for terrestrial invertebrates, and, in some cases, the loss of habitat of aquatic invertebrates that rely on wetland habitats; and
 - Loss of habitats for other plant species and some distinctive communities, including for non-vascular species, as well as habitats and communities of fungi and lichens.
- This area of Central Otago is prone to severe summer thunderstorm activity, generating intensive rainfall, damaging floods, and debris flows. The application may want to consider the effect of having an expansive high-elevation lake on the local microclimate particularly on storm cell formation.
- The proposed lake extent will be within a few hundred meters of the natural drainage divide in places. It is expected that the substantive application will assess the potential hydrological effects of an elevated water table on adjacent catchments, including any changes to spring flows or stream baseflows. The assessment should also address the potential for subsurface seepage or piping across natural drainage divides, outside the engineered dam structure, including via bedrock fracture networks or similar pathways.
- Fluctuating lake and groundwater levels have the potential to mobilise arsenic from schist bedrock or sediments. The substantive application should therefore assess the risk of arsenic

Otago Regional Council Comment - Clutha Pumped Hydro

mobilisation associated with lake level and water table fluctuations, and the implications for groundwater and surface water quality.

- The effects of this application on freshwater related values are likely to be significant. A good understanding of the existing values and their distribution within the catchment needs to be known and included in the application. This information can then be used to quantify the impacts and be used to target mitigation actions.

Policy Comments

The referral application does not contain an assessment of the project against the relevant provisions of the proposed Otago Regional Policy Statement 2021(pORPS) or the Otago Regional Policy Statement (ORPS) 2019. A detailed assessment is required within the substantive application.

To assist with the assessment of both the ORPS and the pORPS, it is noted that the Clean Appeals Version of the pORPS¹ shows all provisions appealed to the High Court and Environment Court, along with text changes from resolved appeals and Clause 16(2) amendments. In this version, unshaded black text is not under appeal, grey-shaded text is under appeal.

¹ <https://www.orc.govt.nz/media/qt0lk0fl/clean-appeals-version-porps-21-17-october-2025.pdf>

From: [Infrastructure Portfolio](#)
To: [FTAreferrals](#)
Subject: FW: CORPG4184 / Invitation to comment on Fast-track referral application for the Clutha Pumped Hydro project under the Fast-track Approvals Act 2024 – FTAA-2511-1128
Date: Thursday, 11 December 2025 2:18:27 pm

From: Paul Goldsmith (MIN) <P.Goldsmith@ministers.govt.nz>
Sent: Thursday, 11 December 2025 12:14 PM
To: Infrastructure Portfolio <Infrastructure.Portfolio@parliament.govt.nz>
Subject: RE: CORPG4184 / Invitation to comment on Fast-track referral application for the Clutha Pumped Hydro project under the Fast-track Approvals Act 2024 – FTAA-2511-1128

Kia ora,

No comment from Minister Goldsmith.

Kind Regards,



Office of Hon Paul Goldsmith
Minister for Arts Culture and Heritage | Minister of Justice
Minister for Treaty of Waitangi Negotiations | Minister for Media and Communications

Website: www.Beehive.govt.nz
Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand

From: Infrastructure Portfolio <Infrastructure.Portfolio@parliament.govt.nz>
Sent: Wednesday, 3 December 2025 8:52 am
To: Nicola Willis (MIN) <N.Willis@ministers.govt.nz>; Shane Jones (MIN) <S.Jones@ministers.govt.nz>; Penny Simmonds (MIN) <P.Simmonds@ministers.govt.nz>; Tama Potaka (MIN) <T.Potaka@ministers.govt.nz>; Paul Goldsmith (MIN) <P.Goldsmith@ministers.govt.nz>; James Meager (MIN) <J.Meager@ministers.govt.nz>; Simon Watts (MIN) <S.Watts@ministers.govt.nz>; Chris Penk (MIN) <C.Penk@ministers.govt.nz>
Cc: FTAreferalls <ftareferalls@mfe.govt.nz>
Subject: CORPG4184 / Invitation to comment on Fast-track referral application for the Clutha Pumped Hydro project under the Fast-track Approvals Act 2024 – FTAA-2511-1128

To:
Minister for Economic Growth
Minister for Regional Development
Minister for the Environment
Minister of Conservation
Minister for Land Information
Minister of Arts, Culture and Heritage
Minister for Energy
Minister of Climate Change
Minister for the South Island

Dear Ministers,

Hon Chris Bishop, the Minister for Infrastructure (the Minister), has asked for me to write to you on his behalf.

The Minister has received an application from Clutha Pumped Hydro Consortium Limited for referral of the Clutha Pumped Hydro project under the Fast-track Approvals Act 2024 (the Act) to the fast-track process (application reference FTAA-2511-1128).

The purpose of the Act is to facilitate the delivery of infrastructure and development projects with significant

regional or national benefits.

Invitation to comment on referral application

I write in accordance with section 17 of the Act to invite you to provide written comments on the referral application. I have provided summary details of the project below.

If you wish to provide written comments, these must be received by **return email** within **20 working days** of receipt of this email, **being 21 January 2026** (note that regional anniversary days are not excluded as a working day under the RMA 1991). The Minister is not required to consider information received outside of this time frame. Any comments submitted will contribute to the Minister's decision on whether to accept the referral application and to refer the project.

If you do not wish to provide comments, please let us know as soon as possible so we can proceed with processing the application without delay.

If the Minister decides to accept the application and to refer the project, the Applicant will need to complete any preliminary steps required under the Act and then lodge their substantive application for the approvals needed for the project. An expert panel will be appointed to decide the substantive application.

Process

The application documents are accessible through the Fast-track portal. Please note that application documents may contain commercially sensitivity information and should not be shared widely. If you haven't used the portal before, you can request access by emailing ftareferrals@mfe.govt.nz. Once you are registered and have accepted the terms and conditions, you will receive a link to view the documents. Existing users will be able to see application documents via the request when logging into the portal. Should you need for your agency to provide any supplementary information, a nominated person can be provided access to the portal, access can be requested by emailing ftareferrals@mfe.govt.nz.

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Important Information

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If a Conflict of Interest is identified by the Minister providing comments at any stage of providing comments, please inform my office and the Cabinet Office immediately. The Cabinet Office will provide advice and, if appropriate, initiate a request to the Prime Minister to agree to a transfer of the project/portfolio invite to another Minister (a request to transfer a COI from one Minister to another can take 1-7 days).

Project summary

Project name	Clutha Pumped Hydro
Applicant	Clutha Pumped Hydro Consortium Limited
Location	Lake Onslow, Central Otago
Project description	The project area encompasses multiple sites covering an area of

approximately 290km surrounding Lake Onslow in the Central Otago District of the Otago Region, including the Mata-au/Clutha River Valley, the Teviot Valley, and their associated river margins.

The project involves:

- a. creating an upper reservoir by enlarging Lake Onslow to store water for energy generation when required, with a new minimum operating level of 730 metres above sea level and a maximum operating level of 769 metres (current lake level is approximately 684 metres)
- b. inundating approximately 7,100 hectares of land
- c. constructing a new dam on the Te Awa Makarara/Teviot River to increase the size and storage capacity of Lake Onslow
- d. building structures to harvest water from the Mata-au/Clutha River and return water to the river
- e. constructing a buffer reservoir adjacent to the Mata-au/Clutha River to store water for pumping
- f. installing intake and outlet structures within Lake Onslow to transfer water between Lake Onslow and the buffer reservoir
- g. installing intake and outlet structures within the buffer reservoir to connect water between the buffer reservoir and the powerhouse
- h. constructing underground tunnels (waterways) to transfer water between the buffer reservoir and the powerhouse, and between the powerhouse and Lake Onslow
- i. constructing an underground powerhouse to connect the upper and lower water sources, generate electricity as water flows from Lake Onslow to the buffer reservoir and the Mata-au/Clutha River, and pump water back to Lake Onslow
- j. providing supporting infrastructure for construction and operation, including roading, concrete plant, construction equipment, accommodation, transmission lines (excluding grid connection, which will be addressed separately), relocation of existing infrastructure as required, and water supply systems.

Yours sincerely

Hon Chris Bishop
Minister for Infrastructure



Office of Hon Chris Bishop

Minister of Housing | Minister for Infrastructure | Minister Responsible for RMA Reform | Minister of Transport | Associate Minister of Finance | Associate Minister for Sport & Recreation | Leader of the House | MP for Hutt South

Office: 04 817 6802 | EW 6.3

Email: c.bishop@ministers.govt.nz Website: www.Beehive.govt.nz

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand

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20 JAN 2026

Hon Chris Bishop
Minister for Infrastructure
Parliament Buildings
Wellington

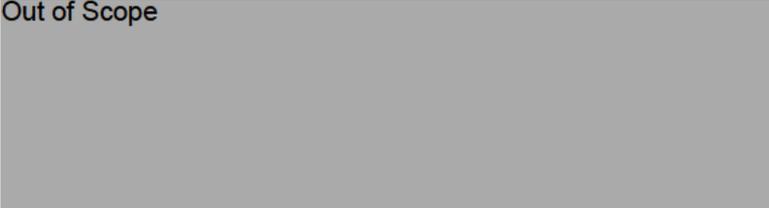
REQ-0025854

Dear Chris

Thank you for the opportunity to comment under the Fast-track Approvals Act (FTAA) on the following applications:

- Clutha Pumped Hydro project, FTAA-2511-1128

Out of Scope

A large grey rectangular redaction box covers the content of the application.

I am providing comments in my capacity as Minister for Economic Growth, focusing on whether these applications are likely to have significant economic benefits under section 22(2)(a)(iv) of the FTAA, based on the information provided. I defer to you and other relevant Ministers to assess the remaining criteria.

Clutha Pumped Hydro – FTAA-2511-1128

This proposal seeks consent to construct and operate a large pumped hydro scheme in Lake Onslow, Central Otago. The Clutha Pumped Hydro Scheme would pump water from the Matau/Clutha River to a higher-elevation reservoir then release it through the tunnel to generate electricity. The enlarged Lake Onslow would serve as a 'battery' of hydro reservoir storage, supplying additional power during periods of high demand, high prices, or low alternative generation.

This is expected to be one of the largest power stations in New Zealand, producing more than 1,000 megawatts in six months, with generation of around 4,000 gigawatts per hour. It would be New Zealand's largest hydro project if constructed as proposed.

According to the applicant's economic benefits report, this project is expected to provide significant benefits (although these were not quantified in the application). These include increased national energy security and resilience and a reduction in electricity prices, incentivising increased investment in the economy. There would also be regionally significant employment and GDP impacts during the project's multi-billion-dollar construction phase and ongoing benefits from associated infrastructure upgrades.

Since the project enables the use of renewable electricity, this may also be evaluated under climate change mitigation and reduction or removal of greenhouse gas emissions under s22(2)(a)(vii) of the Fast-track Application Act.

Out of Scope



Out of Scope



Out of Scope

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Nicola Willis', with a stylized flourish at the end.

Hon Nicola Willis
Minister for Economic Growth

From: [Infrastructure Portfolio](#)
To: [FTAreferrals](#)
Subject: FW: Invitation to comment on Fast-track referral application for the Clutha Pumped Hydro project under the Fast-track Approvals Act 2024 – FTAA-2511-1128
Date: Friday, 19 December 2025 1:24:41 pm

From: Minu Punchihewa **s 9(2)(a)**
Sent: Friday, 19 December 2025 12:31 PM
To: Infrastructure Portfolio <Infrastructure.Portfolio@parliament.govt.nz>
Subject: FW: Invitation to comment on Fast-track referral application for the Clutha Pumped Hydro project under the Fast-track Approvals Act 2024 – FTAA-2511-1128

Hi Rob,

See below comments from the Minister for Energy for the Clutha Pumped Hydro project [FTAA-2511-1128].

Application	Proposed comment to enter in Fast-track portal for Energy portfolio
Clutha Pumped Hydro Project FTAA-2511-1128	<p>This application proposes to create an upper reservoir at Lake Onslow to store water for energy generation, and associated infrastructure for pumped hydro electricity generation.</p> <p>The proposed sized of this project (approx. 5000 GWH storage, 1000 MW generation) would make it New Zealand's largest hydro project if constructed as proposed.</p> <p>By way of comparison, this is the largest generation capacity of any hydro scheme (1000MW generation vs approximately 800 MW at Manapouri) and largest storage capacity (5000 GWH storage vs approximately 2,300 GWH at Lake Pukaki).</p> <p>Large scale water storage and generation would support energy security of supply, and help create downward pressure on wholesale electricity prices. A pumped hydro scheme also could help utilise cheap generation from other sources to re-fill the lake at suitable times.</p> <p>I therefore consider this proposal relates to the delivery of new nationally significant infrastructure, as per s22(2)(a)(ii) of the FTAA.</p> <p>I note that a project of this size will have significant impacts on other water users that would need to be considered – including the current hydro generation capacity on the Clutha river system.</p>

Thanks,



Minu Punchihewa
Private Secretary - Energy | Office of Hon. Simon Watts
Minister of Climate Change | Minister for Energy
Minister of Local Government | Minister of Revenue

M s 9(2)(a)
E s 9(2)(a)
Parliament Buildings, Wellington 6100, New Zealand

From: Infrastructure Portfolio <Infrastructure.Portfolio@parliament.govt.nz>

Sent: Wednesday, 3 December 2025 8:52 am

To: Nicola Willis (MIN) <N.Willis@ministers.govt.nz>; Shane Jones (MIN) <S.Jones@ministers.govt.nz>; Penny Simmonds (MIN) <P.Simmonds@ministers.govt.nz>; Tama Potaka (MIN) <T.Potaka@ministers.govt.nz>; Paul Goldsmith (MIN) <P.Goldsmith@ministers.govt.nz>; James Meager (MIN) <J.Meager@ministers.govt.nz>; Simon Watts (MIN) <S.Watts@ministers.govt.nz>; Chris Penk (MIN) <C.Penk@ministers.govt.nz>

Cc: FTAreferalls <ftareferalls@mfe.govt.nz>

Subject: Invitation to comment on Fast-track referral application for the Clutha Pumped Hydro project under the Fast-track Approvals Act 2024 – FTAA-2511-1128

To:

Minister for Economic Growth

Minister for Regional Development

Minister for the Environment

Minister of Conservation

Minister for Land Information

Minister of Arts, Culture and Heritage

Minister for Energy

Minister of Climate Change

Minister for the South Island

Dear Ministers,

Hon Chris Bishop, the Minister for Infrastructure (the Minister), has asked for me to write to you on his behalf.

The Minister has received an application from Clutha Pumped Hydro Consortium Limited for referral of the Clutha Pumped Hydro project under the Fast-track Approvals Act 2024 (the Act) to the fast-track process (application reference FTAA-2511-1128).

The purpose of the Act is to facilitate the delivery of infrastructure and development projects with significant regional or national benefits.

Invitation to comment on referral application

I write in accordance with section 17 of the Act to invite you to provide written comments on the referral application. I have provided summary details of the project below.

If you wish to provide written comments, these must be received by **return email** within **20 working days** of receipt of this email, **being 21 January 2026** (note that regional anniversary days are not excluded as a working day under the RMA 1991). The Minister is not required to consider information received outside of this time frame. Any comments submitted will contribute to the Minister's decision on whether to accept the referral application and to refer the project.

If you do not wish to provide comments, please let us know as soon as possible so we can proceed with processing the application without delay.

If the Minister decides to accept the application and to refer the project, the Applicant will need to complete any preliminary steps required under the Act and then lodge their substantive application for the approvals needed for the project. An expert panel will be appointed to decide the substantive application.

Process

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If a Conflict of Interest is identified by the Minister providing comments at any stage of providing comments, please inform my office and the Cabinet Office immediately. The Cabinet Office will provide advice and, if appropriate, initiate a request to the Prime Minister to agree to a transfer of the project/portfolio invite to another Minister (a request to transfer a COI from one Minister to another can take 1-7 days).

Project summary

Project name	Clutha Pumped Hydro
Applicant	Clutha Pumped Hydro Consortium Limited
Location	Lake Onslow, Central Otago
Project description	<p>The project area encompasses multiple sites covering an area of approximately 290km² surrounding Lake Onslow in the Central Otago District of the Otago Region, including the Mata-au/Clutha River Valley, the Teviot Valley, and their associated river margins.</p> <p>The project involves:</p> <ol style="list-style-type: none"> a. creating an upper reservoir by enlarging Lake Onslow to store water for energy generation when required, with a new minimum operating level of 730 metres above sea level and a maximum operating level of 769 metres (current lake level is approximately 684 metres) b. inundating approximately 7,100 hectares of land c. constructing a new dam on the Te Awa Makarara/Teviot River to increase the size and storage capacity of Lake Onslow d. building structures to harvest water from the Mata-au/Clutha River and return water to the river e. constructing a buffer reservoir adjacent to the Mata-au/Clutha River to store water for pumping f. installing intake and outlet structures within Lake Onslow to transfer water between Lake Onslow and the buffer reservoir g. installing intake and outlet structures within the buffer reservoir to connect water between the buffer reservoir and the powerhouse h. constructing underground tunnels (waterways) to transfer water between the buffer reservoir and the powerhouse, and between the powerhouse and Lake Onslow i. constructing an underground powerhouse to connect the upper and lower water sources, generate electricity as water flows from Lake Onslow to the buffer reservoir and the Mata-au/Clutha River, and pump water back to Lake Onslow

- j. providing supporting infrastructure for construction and operation, including roading, concrete plant, construction equipment, accommodation, transmission lines (excluding grid connection, which will be addressed separately), relocation of existing infrastructure as required, and water supply systems.

Yours sincerely

Hon Chris Bishop

Minister for Infrastructure



Office of Hon Chris Bishop

Minister of Housing | Minister for Infrastructure | Minister Responsible for RMA Reform | Minister of Transport | Associate Minister of Finance | Associate Minister for Sport & Recreation | Leader of the House | MP for Hutt South

Office: 04 817 6802 | EW 6.3

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Hon Shane Jones

Minister for Oceans and Fisheries
Minister for Regional Development
Minister for Resources
Associate Minister of Finance
Associate Minister for Energy



28 January 2025

Hon Chris Bishop
Minister for Infrastructure
Parliament Buildings
Wellington

Fast-track Approvals Act 2024 – Clutha Pumped Hydro referral application (FTAA-2511-1128)

Dear Chris

Thank you for the opportunity to comment on this referral application under the Fast-track Approvals Act 2024 (FTAA 2024).

The FTAA 2024 has been established to provide a regime that makes it easier and quicker for regionally and nationally significant infrastructure projects to gain the approvals needed for development, in support of this Government's economic growth objectives.

I have considered the application and its alignment with the priorities of my Regional Development portfolio. My comments are attached as Annex One.

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'S. Jones'.

Hon Shane Jones
Minister for Regional Development

Annex One – Regional Development comments

Project overview

1. The Clutha Pumped Hydro Consortium Limited (CPHCL) proposes to construct and operate a large pumped hydro scheme at Lake Onslow, Central Otago. The Clutha Pumped Hydro Scheme would pump water from the Clutha River to a reservoir at higher elevation, so that water can drop back down the tunnel when national electricity supply is constrained and/or when prices are high.
2. The applicant states that the reservoir would hold enough water to generate 1000 megawatt (MW) of power for six months, and that the equivalent storage capability in the form of a lithium-ion battery would cost over \$2 trillion. The applicant states that this capacity is equivalent to the worst energy shortfall experienced in the New Zealand hydro system over the last 89 years of recording.
3. In its application, CPHCL states that the project is expected to provide very significant national and regional benefits, including:
 - a. Increased national energy security, resilience, and a reduction in electricity prices and price volatility.
 - b. Increased certainty for the national energy system, and the benefits that is likely to bring to the New Zealand economy (such as increased investment in the economy generally).
 - c. Regionally significant employment and gross domestic product (GDP) impacts during the project's multi-billion dollar construction phase, as well as ongoing infrastructure benefits from upgrades to local infrastructure to enable the build.

Regional Development comments

4. While the benefits are not quantified in detail, the scale of the Clutha Pumped Hydro Scheme's construction would bring significant benefit to the region and potentially offer national significance due to the need for broad skills and resource. If your decision to refer the project depends on the specifics of the economic benefits, you may wish to seek further economic analysis from the applicant.
5. Comments in relation to significance within New Zealand's energy system should come from the Energy portfolio. However, indicatively, the Clutha Pumped Hydro Scheme is expected to be a nationally significant asset.
6. The high cost of energy is a leading cause of deindustrialisation in the regions. Large-scale water storage and generation would support energy security of supply and create downward pressure on wholesale electricity prices. Construction of additional significant firming capacity would lead to positive outcomes for New Zealand's regional communities and businesses, such as manufacturing businesses that rely on power as a key input.
7. There are likely to be impacts from the proposed project on the local environment and natural habitat, which may result in implications for regional communities. Comment on these impacts should come from the Environment portfolio.



20 January 2026

PS-COR1778

Hon. Chris Bishop
Minister for Infrastructure
c.bishop@parliament.govt.nz

Dear Chris,

Thank you for the invitation to provide comments on the application for referral of the Clutha Pumped Hydro project to an expert panel (the Panel) under section 17 of the Fast-track Approvals Act 2024 (FTAA).

Having reviewed the referral application, I have identified specific information relating to potentially significant adverse environmental effects of the project that, if provided in the substantive application, would ensure efficient and timely consideration of the project.

The development is proposed on land that is part of the sensitive indigenous biodiversity and freshwater systems of the Onslow Basin, and the Outstanding Natural Landscapes and Landscape Management Areas of the East Otago Uplands. Therefore, should you decide to accept the referral application, it is of particular importance the adverse impacts are adequately addressed by the substantive application.

The applicant will be required to provide more detailed assessments at the substantive stage. However, it would be more efficient to identify as soon as possible how significant the adverse effects are likely to be and how they might be managed or mitigated so that this can be taken into account through the detailed design. This would enable appropriate strategies to avoid, remedy or mitigate them to be considered prior to lodging the substantive application.

You may wish to use your discretion to specify information that is required to be provided with the substantive application under section 27(3)(b)(ii) of the FTAA, including:

- a. comprehensive ecological assessment that covers the temporary and permanent effects on freshwater system and indigenous biodiversity values of the site.
Information should include the following:
 - i. surveys for birds, fish, reptiles, invertebrates, and vegetation, ideally covering a range of seasons to establish a proper baseline
 - ii. surveys for natural inland wetland extent and hydrological connections to on-site flooding risk and Lake Onslow.
- b. information on how unavoidable adverse effects will be mitigated, offset, or compensated, particularly for the following:
 - i. wetlands, including natural inland wetlands
 - ii. threatened aquatic and terrestrial species.

- c. detailed project design information.
- d. comprehensive assessment of natural hazard risks, including
 - i. slope stability analysis
 - ii. seismic hazard evaluation
 - iii. flood modelling
 - iv. erosion analysis.

The approach to specify this information early will reduce the risk of unanticipated significant matters being identified late in the process and support the smooth and efficient conduct of the Panel's decision-making.

Thank you again for the opportunity to provide comments on this referral application.

Yours sincerely,



Hon Penny Simmonds
Minister for the Environment

Hon James Meager

Minister for the South Island
Minister for Hunting and Fishing
Minister for Youth
Associate Minister of Transport



19 January 2026

JMITC-29

Hon Chris Bishop
Minister for Infrastructure

By email: infrastructure.portfolio@parliament.govt.nz

Dear Minister Bishop

Thank you for the opportunity to comment on Clutha Pumped Hydro Consortium Limited's (CPHCL) referral application under the *Fast-track Approvals Act 2024* (FTAA 2024) for the Clutha Pumped Hydro Project (the Project).

The FTAA 2024 has been established to provide a regime that makes it easier and quicker for regionally and nationally significant infrastructure projects to gain the approvals needed for development, in support of this Government's economic growth objectives.

I note the Project proposes to construct and operate a large pumped hydro scheme at Lake Onslow, Central Otago. The Project would pump water from the Clutha River to a large reservoir (an enlarged Lake Onslow) at higher elevation, so that water can drop back down the tunnel when national electricity supply is constrained and/or when prices are high.

Based on the information provided, the Project is expected to deliver approximately 5,000 gigawatt hours of energy storage and around 1,000 megawatts of installed generation capacity for six months. In the application, CPHCL states the Project is expected to provide very significant national and regional benefits, including:

- a. Increased national energy security and resilience, and a reduction in electricity prices and price volatility.
- b. Increased certainty for the national energy system, and the benefits that is likely to bring to New Zealand's economy (such as increased investment in the economy).
- c. Regionally significant employment and gross domestic product (GDP) impacts during the Project's multi-billion-dollar construction phase, and ongoing infrastructure benefits from upgrades to local infrastructure to enable the build.

The construction and operation of the Project is likely to deliver considerable economic benefits. However, the Economic Assessment provided does not quantify the Project's costs, job creation, or contribution to GDP. If your decision to refer the Project depends on whether it has significant regional and national economic benefits, you may wish to seek further economic analysis from CPHCL.

If constructed, the Project would be New Zealand's largest hydroelectric project by both storage and capacity. Any comment on the Project's impact on the energy system sits with the Minister for Energy.

I note that at full supply, the enlarged Lake Onslow would inundate approximately 7,100 hectares of land including Department of Conservation's administered land. I also note there will likely be significant impacts to the local environment and natural habitat. Any comment on the Project's impact on the environment sits with the Minister for the Environment.

Additionally, I note that a project of this size will have significant impacts on other water users that would need to be considered, including the current hydro generation capacity on the Clutha River system.

I have considered the information provided and its alignment with the priorities of my South Island portfolio. I note that its contribution to energy infrastructure aligns with national and regional priorities for renewable generation and energy security.

Yours sincerely

Hon James Meager

Minister for the South Island
Minister for Hunting and Fishing
Minister for Youth
Associate Minister of Transport

 Outlook

FW: Clutha Pumped Hydro fast track application FTAA-2511-1128 - comment from Minister of Climate Change

s 9(2)(a)



Good morning,

Please see the comment below from Minister of Climate Change,

Regards

s 9(2)(a)



omment from Minister of Climate Change

Kia ora Rob,

Please see below the comment from the Minister of Climate Change on the Clutha Pumped Hydro fast track application (FTAA-2511-1128).

“It is likely this project will have significant national benefits in terms of climate mitigation. The application is unlikely to have significant national or regional benefits in terms of climate adaptation.”

Ngā mihi



Kitty Sneyd-Utting
Acting Private Secretary

s 9(2)(a)

Website: www.beehive.govt.nz

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand

Department of
Conservation
PO Box 10420
Wellington 6143
fast-track@doc.govt.nz

21 January 2026

Ilana Miller
General Manager,
Delivery and Operations
Ministry for the
Environment
P O Box 10362
Wellington 6143

File ref: FTAA-2511-1128

Tēnā koe Ilana

Re: Request for information under section 20 of the Fast-track Approvals Act 2024

On 8th of December 2025, the Department of Conservation (DOC) received an invitation to provide further information from the Ministry for the Environment (MfE) in relation to the Clutha Pumped Hydro project (File ref FTAA-2511-1128) in accordance with section 20 of the Fast-track Approvals Act 2024 (FTAA).

The details of the invitation and our response are set out below.

Request

Please provide confirmation on whether the land proposed by the applicant to be subject to a land exchange (Title OT17B/406 and parcel 6699713) is a Crown-owned reserve, and if so, whether it is managed by someone other than the Department of Conservation.

Response

The identified property is the western parcel of the Manorburn Conservation Area, as identified in Figure One.



Figure One: Manorburn Conservation Area.

This area is Crown-owned Public Conservation Land held under section 25 (Stewardship Area) of the Conservation Act 1987 (Conservation Unit Number G43053). This conservation area is managed by the Department of Conservation. The area is bisected by unformed legal roads.

We trust that our comments adequately respond to the matter raised. If there are further questions in relation to this response, please don't hesitate to contact us.

Nāku noa, nā

Jenni Fitzgerald
Fast Track Applications Manager

Your written comments on a project under the Fast-track Approvals Act 2024

Project name	Clutha Pumped Hydro
--------------	---------------------

Before the due date, for assistance on how to respond or about this template or with using the portal, please email contact@fasttrack.govt.nz or phone 0800 FASTRK (0800 327 875).

All sections of this form with an asterisk (*) must be completed.

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name	Department of Conservation ('DOC')		
*First name	Bridgette		
*Last name	Munro		
Postal address			
*Contact phone number	s 9(2)(a)	Alternative	
*Email	Fast-track@doc.govt.nz;		

2. Please provide your comments on this application
Comments follow overleaf.

Manager's signoff

Jenni Fitzgerald

21 January 2026

Director-General of Conservation s17 comments

Project name	Clutha Pumped Hydro
Applicant name	Clutha Pumped Hydro Consortium Limited
Application number	FTAA-2511-1128
Project summary details	<p>The Clutha Pumped Hydro ('CPH') project is to construct and operate a large pumped hydro energy scheme at Lake Onslow in Central Otago. The enlarged Lake Onslow would serve as a battery by storing sufficient water to enable generation of up to 1,000 megawatts ('MW') for approximately six months, producing around 4,000 gigawatt-hours ('GWh') of electricity.</p> <p>In this regard, the CPH would pump water from the Mata-au/Clutha River to a reservoir at a higher elevation then drop the water back down a tunnel when electricity is required. The CPH would use Lake Onslow as a reservoir to store water by constructing a new dam on Te Awa Makarara/Teviot River. Water would be harvested from the Mata-au/Clutha River and stored in a buffer reservoir for pumping. A series of intakes, outlets and tunnels would be used to transfer water between Lake Onslow, the buffer reservoir and the powerhouse. The CPH project includes supporting infrastructure for construction and operational phases, including roading, concrete plant, plant and construction equipment, accommodation, transmission lines and water supply.</p> <p>The CPH project area encompasses multiple sites covering an area of approximately 290 km² surrounding Lake Onslow in the Central Otago District of the Otago Region, including the Mata-au/Clutha River Valley, the Teviot Valley, and their associated river margins.</p> <p>The Applicant seeks the following approvals under the fast-track approvals process to authorise the project:</p> <ol style="list-style-type: none"> a) resource consents under the Resource Management Act 1991 ('RMA') (potentially including prohibited activities); b) concessions under the Conservation Act 1987 c) a land exchange; d) an approval or a dispensation that would otherwise be applied for under regulation 42 or 43 of the Freshwater Fisheries Regulations 1983 in respect of a complex freshwater fisheries activity; e) approvals under the Reserves Act 1977; f) wildlife approvals under the Wildlife Act 1953; g) archaeological authorities under the Heritage New Zealand Pouhere Taonga Act 2014.

	<p>The project area contains or is near to a number of parcels of Public Conservation Land ('PCL') as defined within the Fast-track Approvals Act 2024 ('FTAA')¹. Based on the information provided, DOC understands that these include the following:</p> <p>Those parcels found within identified area of effects include:</p> <ol style="list-style-type: none"> 1. Boundary Creek Fixed Marginal Strip (NaPALIS ID: 2800365); 2. Clutha River/Mata-Au Fixed Marginal Strip (NaPALIS ID: 2800272); 3. Clutha River/Mata-Au Fixed Marginal Strip (NaPALIS ID: 2800277); 4. Clutha River/Mata-Au Fixed Marginal Strip (NaPALIS ID: 2800276); 5. Clutha River/Mata-Au Fixed Marginal Strip (NaPALIS ID: 2800268); 6. Fortification Creek Moveable Marginal Strip (NaPALIS ID: 3446249); 7. Fruid Burn Moveable Marginal Strip (NaPALIS ID: 3446277); 8. Gibson's Creek Fixed Marginal Strip (NaPALIS ID: 2800273); 9. Lake Onslow Fixed Marginal Strip (NaPALIS ID: 2800366); 10. Little Valley Covenant (NaPALIS ID: 2791699); 11. MacKays Creek Moveable Marginal Strip (NaPALIS ID: 3446272); 12. Manorburn Conservation Area (NaPALIS ID: 2800372); 13. Moffats Stream Moveable Marginal Strip (NaPALIS ID: 3446274); 14. Esplanade Reserve on OT14B/499; 15. Esplanade Reserve on OT14B/500; 16. Taieri River Moveable Marginal Strip (NaPALIS ID: 3446273); 17. Talla Burn Fixed Marginal Strip (NaPALIS ID: 2800274); 18. Talla Burn Moveable Marginal Strip (NaPALIS ID: 3446275); 19. Teviot River Fixed Marginal Strip (NaPALIS ID: 2800358); 20. Teviot River (North Branch) Fixed Marginal Strip (NaPALIS ID: 2800368); 21. Teviot River North Branch Fixed Marginal Strip (NaPALIS ID: 2800367); 22. Teviot River South Branch Fixed Marginal Strip (NaPALIS ID: 2800370);
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¹ The FTAA defines "public conservation land" as land to which either or both of the following apply:

- (a) *The land is held, managed, or administered under the Conservation Act 1987, the National Parks Act 1980, the Reserves Act 1977, or the Wildlife Act 1953:*
- (b) *The land is listed in Schedule 4*

	<p>23. Teviot River South Moveable Marginal Strip (NaPALIS ID: 3446271).</p> <p>Those parcels near to the identified area of effects include:</p> <ol style="list-style-type: none"> 1. Beaumont Conservation Area (NaPALIS ID: 2800282); 2. Beaumont River – Castle Dent Marginal Strip (NaPALIS ID: 2809637); 3. Beaumont River Fixed Marginal Strip (NaPALIS ID: 2800278); 4. Beaumont River Moveable Marginal Strip (NaPALIS ID: 3429384); 5. Canadian Flats Wildlife Management Reserve (NaPALIS ID: 2809586); 6. Clutha River/Island Block Conservation Area (NaPALIS ID: 2800295); 7. Clutha River Moveable Marginal Strip (NaPALIS ID: 3473280); 8. Manor Burn Moveable Marginal Strip (NaPALIS ID: 3598564); 9. Rocklands Covenant (NaPALIS ID: 2791289); 10. Taieri Rapids Scenic Reserve (NaPALIS ID: 2809584); 11. Taieri River Marginal Strip (NaPALIS ID: 2809592); 12. Te Papanui Conservation Area (NaPALIS ID: 2805351); 13. Te Papanui Conservation Park (NaPALIS ID: 2805344).
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1 General comment

- 1.1.1 As the project includes approvals under specified Acts for which DOC is the administering agency (namely the Conservation Act 1987 (including the freshwater Fisheries Regulations 1983), Reserves Act 1977, and Wildlife Act 1953), together with reference to a proposed land exchange,² the Applicant was required to undertake pre-lodgement consultation in accordance with section 11.
- 1.1.2 In relation to this application, the Applicant took steps to consult with DOC prior to lodging but no substantive consultation occurred. The Applicant notes that the scope of consultation undertaken to date has been directly informed by the expert reports prepared for what was known as the New Zealand Battery Project (which

² DOC understands that part of the Manorburn Conservation Area sits within the proposed area of inundation. The referral information indicates that the Applicant intends to acquire the land in Title 575971 from Minizon Station Limited, part of which will also be inundated. The Applicant is proposing to offer up some of the non-inundated land from this title as an exchange for the inundated land within the Manorburn Conservation Area.

DOC had involvement in). The Applicant records that one of its representatives has met with the Director-General of Conservation ('D-G') to discuss the project and that information has been requested from DOC to inform the substantive application. Further, a consultation letter was sent to DOC, dated the 30th of October 2025, which included a project description and maps.

1.1.3 Correspondence between DOC and the Applicant regarding the pre-lodgement consultation process occurred in early November 2025, and the referral application was lodged on the 8th of November 2025. Given this timing, no specific engagement regarding the approvals required or other feedback was provided to the Applicant prior to it lodging the referral application.

1.1.4 DOC does not have sufficient information to fully determine the level of actual or potential environmental effects. However, the Application notes, and DOC agrees, that the project will result in significant adverse effects across multiple conservation values, including loss of some values. Should the project proceed, a comprehensive package of offsetting and compensation would be required to address these losses and residual effects. It is not possible to quantify the effects at this stage of the process.

2 Minister's decision on referral application

2.1.1 FTAA sections 21 and 22 set out matters to be considered in determining whether a referral application should be accepted.

2.1.2 DOC notes that other agencies are better placed to comment on most matters, including those in section 22. Comments below are therefore limited to matters where DOC has specific interests or information relevant to the Minister's decision.

2.1.3 Section 21(3) and (4) set out when the Minister may/must decline a referral application. DOC has considered these criteria and comments as follows:

Section	Criteria	Comments
21(3)(b)	Does the project involve an ineligible activity	<p>DOC has considered section 5(1)(f), (h), (i), (j) and (k).</p> <p>DOC has identified 23 areas of PCL within the Applicant's identified area of effect. These are as follows:</p> <ul style="list-style-type: none"> • Administered by DOC: <ul style="list-style-type: none"> ○ 12 fixed marginal strips under s24(3) of the Conservation Act 1987; ○ 7 moveable marginal strips under s24(1) & (2) of the Conservation Act 1987; ○ 1 Stewardship Area under s25 of the Conservation Act 1987;

Section	Criteria	Comments
		<ul style="list-style-type: none"> • Administered by Central Otago District Council ('CODC'): <ul style="list-style-type: none"> ○ 2 local purpose (esplanade) reserves under s23 of the Reserves Act 1977; • Administered by Little Valley Station Limited: <ul style="list-style-type: none"> ○ 1 Conservation Covenant under s77 of the Reserves Act 1977 <p>As highlighted above, there are three areas of PCL (as defined by the FTAA) within the identified area of effect that are administered by parties other than DOC; these are as follows:</p> <p>Title OT14B/499 contains a Local Purpose Esplanade Reserve under the Reserves Act 1977 vested and administered by CODC. This reserve is located within an identified area of inundation; Lake Onslow Catchment and an identified area of effect. Similarly, Title OT14B/500 is vested and administered by CODC. This is also an Esplanade Reserve under the Reserves Act 1977. This reserve is also located within an identified area of inundation; Lake Onslow Catchment and an identified area of effect. DOC understands that the Applicant is consulting with CODC regarding its proposal and that the disposal of the reserves would require a full formal legal process under the Reserves Act 1977, including public consultation, Ministerial approval, and formal gazettal. As these reserves are administered by the CODC the use of these reserves is not an ineligible activity under section 5 of the FTAA.</p> <p>Title OT386/92 comprises a Conservation Covenant in favour of the Minister of Conservation under the Reserves Act 1977 on land owned by Little Valley Station. Parts of this Covenant Area are within the identified areas of effect but are outside of the identified area of inundation and Lake Onslow Catchment. DOC understands that the Applicant is consulting with Little Valley Station. DOC is aware that Little Valley Station is opposed to the Proposal in its entirety, considers that the project would detrimentally affect the covenant area it has created and has not agreed to any activity being undertaken on the covenant area. While the covenant is PCL, DOC does not consider it a "reserve" and therefore DOC's interpretation is that the lack of written approval from the landowner would not trigger ineligibility under section 5(j) of the FTAA.</p>

Section	Criteria	Comments
21(3)(c)	Is there adequate information to inform a decision	<p>The Applicant has provided a summary of adverse effects within the referral information it has provided. This summary sets out the scale of the development—including the inundation of approximately 7,100 hectares (ha) of land, hydrological modification of catchments, the creation of a new large dam structure and the installation of extensive lower- reservoir infrastructure—that will change natural, cultural, ecological, and social environments. Given this, DOC considers that the project will bring about a high degree of significant adverse effects across multiple conservation values.</p> <p>Given the scale of the project and its effects, DOC considers that further information to inform a referral decision may be required. In particular:</p> <p>information to adequately understand potential significant adverse effects on the environment in terms of s21(5)(c);</p> <ul style="list-style-type: none"> - information to adequately understand the realisable benefits of the proposal in terms of s22(2). In this regard, while the project highlights national and regional significance and benefits and a reduction in greenhouse gas emissions for example, specific detail is not provided.
21(4)	Are there any other reasons not specified	None identified
21(5)(a)	<p>Is the project inconsistent with:</p> <ul style="list-style-type: none"> • a Treaty settlement; • Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019; • Marine and Coastal Area (Takutai Moana) Act 2011. 	<p>The relevant Treaty Settlement Act is:</p> <ul style="list-style-type: none"> • Ngāi Tahu Claims Settlement Act 1988 ('NTCSA') <p>The project does not appear to be inconsistent with the NTCSA.</p>
21(5)(b)	Would it be more appropriate to deal with the proposed approvals under another Act(s)	<p>The conservation approvals identified can be appropriately dealt with under the FTAA.</p> <p>DOC also notes that the project requires approvals not available under the FTAA.</p>

Section	Criteria	Comments
21(5)(c)	Would the project have significant adverse effects on the environment	<p>The scale of the development—including the inundation of approximately 7,100 hectares (ha) of land, hydrological modification of catchments, the creation of a new large dam structure and the installation of extensive lower- reservoir infrastructure—will change natural, cultural, ecological and social environments.</p> <p>Overall, it is anticipated that adverse effects on conservation values will be significant and include permanent loss of some values. The risk of population decline of Threatened and At Risk species cannot be ruled out.</p> <p>The referral application records that one of the most significant potential adverse effects of the project is the permanent loss of approximately 1,300 ha of wetland ecosystems within the Onslow Basin. These wetlands are ecologically important at both national and regional scales. It is noted that the Fortification Creek wetland complex (for example), is nationally significant for its size, intactness, and high indigenous plant diversity. Approximately 526 ha of this wetland will be lost, and this wetland type cannot be recreated. This area is recognised in statutory planning documents as an area of ‘Significant Natural Value’ and a regionally significant wetland.</p> <p>Other wetlands, such as the Boundary Creek Fen (94 ha) and the Middle Creek wetland (65 ha), are also regionally significant due to their naturalness and biodiversity values. All would be largely or entirely eliminated by inundation as part of the CPH project.</p> <p>The referral information notes that wetlands are not expected to naturally re-establish around the margins of the enlarged lake because those margins are generally steeper and because of water level fluctuations of up to 70 m. This prevents the development of stable littoral zones required for wetland formation. As a consequence, the project would result in both a loss of wetland extent and an irreplaceable loss of wetland values.</p> <p>In addition to wetland loss, the referral information notes that the inundation of tributaries and stream networks will cause the loss of aquatic habitats, including those supporting sensitive and threatened species. The Onslow catchment is a relatively small catchment. The enlarged lake would comprise most of the catchment.</p>

Section	Criteria	Comments
		<p>The referral information records that this fundamentally changes it, including habitat complexity and natural flows. The referral information goes on to note that these losses cannot be fully mitigated and substantial offset/ compensation measures will be required.</p> <p>The referral information further states that the inundation of the Onslow Basin will result in loss and fragmentation of habitats for a wide range of nationally threatened and at-risk species. Initial investigations identified over 47 notable plant species, including numerous taxa classified as Nationally Critical, Nationally Endangered, or Nationally Vulnerable, which would be directly affected by inundation. Many of these species occupy wetlands, seepages or dryland turf communities that will disappear entirely under the proposed reservoir. These effects are acknowledged within the referral information as unavoidable consequences of the hydrological changes required to realise the scale of national benefits associated with the project’s storage capacity.</p> <p>The referral information records that the Teviot flathead galaxias, classified as Threatened – Nationally Critical, exists within the Te Awa Makarara/Teviot River catchment. Initial estimates are that a significant amount of all currently known habitat for the species would be lost or degraded. DOC understands that the Teviot River, its tributaries, and an outlying record in Red Swamp Creek of the Taiari/Taiari River represent the total global distribution of the Teviot flathead galaxias. The species relies on shallow, cool, slow-flowing tributaries and wetlands— environments that are highly sensitive to inundation and altered flow regimes. Unlike other native fish species, non-diadromous galaxias species do not migrate out to sea and live their entire life in the stream or river in which they hatched. The species is also highly vulnerable to being lost from locations where trout have access. Despite application of a range of mitigation, offsetting and compensation tools, the risk of significant population decline to this species may be inevitable.</p> <p>In terms of lizards the referral information records that the inundation and associated ground disturbance will impact several Threatened and At-Risk lizard species, including the Burgan skink (Threatened – Nationally Endangered), the southern grass skink, and the Otago green skink. Lizard habitat around rock outcrops and tussock grasslands will be lost under the enlarged lake</p>

Section	Criteria	Comments
		<p>footprint and construction footprint. Offsetting measures are intended to include some lizard habitat having to be created or enhanced elsewhere.</p> <p>The lake margins, wetlands, and associated mosaics of vegetation provide habitat for a range of Threatened and At-Risk bird species, including the tarapirohe black-fronted tern (Nationally Endangered), and several culturally significant tāoka species such as pāpera grey duck, kamana southern crested grebe, pūtakitaki paradise shelduck, and kārearea New Zealand falcon. The project would lead to loss of foraging, breeding, roosting, and nesting habitat. Because the new lake margins will be unstable due to water level variation, birds that rely on shoreline stability or shallow-water habitat would lose suitable ecological niches.</p> <p>In addition, the referral information sets out that the inundation of tributaries feeding Lake Onslow will result in the loss of trout spawning habitat. This habitat loss will translate into a material decline in trout recruitment and a negative impact on the existing Lake Onslow brown trout fishery, which is valued for recreational angling. DOC records that Lake Onslow itself is considered a regionally important sports fishery, thus effects on this would be significant without mitigation. It is noted that some fishing activity also occurs along the tributaries. Fishing may be affected by a loss of access and also by changes to water quality in addition to the loss of trout habitat. Compensation through enhancement of other regional fisheries may reduce the general impact of any loss in this regard, but compensatory measures will not be able to replace the loss of the Onslow sports fishery itself.</p> <p>It is also noted that hunting in the Manorburn Conservation Area may be affected by the inundation of a corner of the reserve. Wildfowl hunting on and around Lake Onslow may also be affected. Further, alterations to the hydrological regime may impact recreational boating and angling. It is unclear from the information provided what the broader implications of habitat alterations are for uses in nearby areas of PCL such as hiking and camping.</p>
21(5)(d)	Does the applicant(s) have a poor compliance history under a specified Act	DOC has not identified any issues with the Applicant's compliance history.

Section	Criteria	Comments
21(5)(g)	Would a substantive application have any competing applications	No competing applications have been identified, however, DOC notes that a full assessment is hampered by lack of certainty/detail of exact approvals required.

2.1.4 Section 22 sets out the criteria for the Minister for accepting a referral application. DOC has considered these criteria and comments as follows:

Section	Criteria	Comments
22(1)(b)(i)	Would referring the project to the fast-track process facilitate the project, including in a way that is more timely and cost-effective than under normal processes?	<p>The Applicant seeks a number of approvals under the fast-track approvals process to authorise the project:</p> <ul style="list-style-type: none"> a) resource consents under the RMA (potentially including prohibited activities); b) concessions under the Conservation Act 1987 c) a land exchange; d) an approval or a dispensation that would otherwise be applied for under regulation 42 or 43 of the Freshwater Fisheries Regulations 1983 in respect of a complex freshwater fisheries activity; e) approvals under the Reserves Act 1977; f) wildlife approvals under the Wildlife Act 1953; g) archaeological authorities under the Heritage New Zealand Pouhere Taonga Act 2014. <p>DOC considers that there may be time and cost benefits for the Applicant in terms of consideration being combined with RMA approvals (rather than being advanced by separate processes) and given the different decision-making framework under the FTAA, however, also notes that approvals not available under the FTAA will also be required.</p>
22(2)(a)(ix)	Will this project address significant environmental issues?	The project is a renewable electricity generation project that will deliver nationally significant infrastructure. The project would be intended to assist in supporting New Zealand's commitments to reducing carbon emissions to zero by 2050, supporting climate change mitigation (and potentially greenhouse gas emissions) by providing an energy supply (through its storage) when other renewable electricity generation activities are unavailable.

Section	Criteria	Comments
22(2)(a)(x)	Is the project consistent with local or regional planning document, including spatial strategies?	<p>Relevant local or regional documents include</p> <ul style="list-style-type: none"> • the Conservation General Policy 2005 ('CGP'); • the Otago Conservation Management Strategy 2016 ('Otago CMS'); • the Otago Regional Policy Statement 2021 ('RPS'); • the Regional Plan: Water for Otago 2025('ORP-W'); and • the Central Otago District Plan 2026 ('CODP'). <p>The project is likely to be inconsistent with the CGP and the Otago CMS which would need to be addressed in any substantive application.</p> <p>In addition to this, the project is likely to be similarly inconsistent with the RPS, ORP-W and CODP.</p>
22(2)(b)	Any other matters the Minister may consider as relevant?	<p>DOC understands the referral information to record that archaeological sites are present which are subject to the archaeological provisions of the Heritage New Zealand Pouhere Taonga Act 2014. DOC notes that this Act is not a heritage management tool and does not automatically apply to and consider heritage sites that post-date 1900AD. Under the Conservation Act 1987 DOC is responsible to advocate for the protection and management of heritage sites from all periods of New Zealand history. Given the information provided DOC cannot determine the effects of the project on any heritage values.</p>

3 Other considerations

- 3.1.1 DOC notes that once a referral decision is made, the scope of any subsequent substantive application is confined by the referral application. DOC has provided input to a number of fast-track projects to-date where additional conservation approvals that would have been available under the FTAA have not been included in an application. In some of these cases it has been necessary for applicants to seek additional approvals under the specified Acts via normal processing. This can result in inefficiencies, additional costs and undermining of the benefits of the 'one stop shop' approach the FTAA was designed to deliver.
- 3.1.2 Given the lack of assessment undertaken at the referral stage, DOC considers it may be beneficial for the Applicant to consider whether it should seek to include additional approvals that could potentially be required on a precautionary basis. To this end, DOC suggests the Minister consider whether further information

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should be sought from the applicant under s20 prior to making their decision to ensure all approvals in scope of the FTAA and necessary to implement the project are included.

- 3.1.3 In particular, DOC notes the Applicant has not identified the need for approval to amend or revoke the conservation covenant on the land owned by Little Valley Station.
- 3.1.4 There are a number of approvals required to advance this project, some of which will be required to be advanced outside of the FTAA process. DOC considers that approval would be required under Section 60 of the Land Act 1948 for the creation of easements across Beaumont Crown pastoral lease for the proposed tunnels; under either the Local Government Act 1974 or the Public Works Act 1981 for the stopping or closure of a public road that is to be flooded; and that approval under the Crown Pastoral Lease Act 1998 would also be required.

4 Matters for the Minister to specify (s27)

- 4.1.1 None identified.



Jenni Fitzgerald
Fast-Track Applications Manager

Acting pursuant to delegated authority on behalf of the Director-General of Conservation.

Date: 21st of January 2026

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011



Comments on referral application under the Fast Track Approvals Act 2024

Clutha Hydro Scheme, FTAA-2511-1128

Contact Details	
Organisation Name	Heritage New Zealand Pouhere Taonga (HNZPT)
Contact person	Ben Henson
Contact Number	s 9(2)(a)
Email	fasttrack@heritage.org.nz

General Comments

1. Clutha Hydro Pumped Consortium Ltd (Applicant) has lodged an application for referral of the Clutha Hydro Scheme (project) under the Fast-track Approvals Act 2024 (the FTA Act).
2. In accordance with section 17(1)(c) of the FTA Act, Heritage New Zealand Pouhere Taonga (HNZPT) has been invited to comment on the referral application as the administering agency for the Heritage New Zealand Pouhere Taonga Act 2014.
3. HNZPT has not been provided complete application documents that are relevant to the archaeological authority application. HNZPT comments as follows:

Consultation and Engagement

4. The applicant has engaged with Heritage New Zealand Pouhere Taonga and a pre-application meeting has been agreed.

Archaeological Authority Application

5. The Applicant has provided a desktop review of the archaeology within part of the project which identifies 8 recorded archaeological sites, one of which is a Category 2 Historic Place on the New Zealand Heritage List/ Rārangī Kōrero (Midden/Oven site (List No. 5632)) there are also further recorded sites within the full project area. The works proposed as part of the project have the potential to modify or destroy recorded sites, and there is potential to encounter further archaeological material or sites. As such, an archaeological authority is required prior to those works commencing.

Effects on Archaeological Values

6. In order to mitigate the adverse effects on archaeological values, a suite of conditions will be required.
7. This has not yet been discussed with the Applicant as consultation has not yet occurred.



Conclusion

8. If the project is referred, HNZPT anticipates engagement with the Applicant to ensure all relevant documentation is provided with a substantive application, including:

- A fulsome archaeological assessment;
- Appropriate methodologies and strategies proposed;
- Appropriate draft management plan and research strategy;
- Evidence of appropriate consultation with tangata whenua; and
- Appropriate draft conditions.

Your written comments on a project under the Fast Track Approvals Act 2024

Project name	Clutha Pumped Hydro FTAA-2511-1128
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1. Contact Details		
Please ensure that you have authority to comment on the application on behalf of those named on this form.		
Organisation name (if relevant)	Land Information New Zealand	
*First name	Brett	
*Last name	Parker	
Postal address	P O Box 5501, Wellington 6145, New Zealand	
*Contact phone number	s 9(2)(a)	Alternative
*Email	s 9(2)(a)	

2. Please provide your comments on this application
There is Crown land (Lake Onslow) on the site, and Crown pastoral leasehold land in the surrounding area. Any works or installation of assets on the Crown land (parcel ID 3166426 and 3103023) or any other works will require a separate application to the LINZ Commissioner of Crown Lands. This is because approvals under the Land Act 1948 and activity on Crown pastoral land held under the Crown Pastoral Land Act 1998 sit outside of the fast-track process.

Note: All comments will be made available to the public and the applicant when the Ministry for the Environment proactively releases advice provided to the Minister for the Environment.

Managers signoff



Keryn Lavery

Lead – Policy

Date 15/ 01/2026

Clutha Pumped hydro project - Saved

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Comments

Contact Energy (Contact) welcomes the opportunity to comment on the application for referral of the Clutha Pumped Hydro project under the Fast-track Approvals Act.

First, we note that Contact shared relevant technical information with MBIE when it was investigating the feasibility of the New Zealand Battery Project. We are very happy to share this again with the new project consortium. This material includes seismic hazard and hydrology studies.

Contact holds two land titles that will be affected by the project (OT14C/642 and OT203/47). The project area map indicates that this land will be inundated by the expansion of the lake. Contact is open to a commercial arrangement to enable development of the project, provided that our position is properly protected.

Contact holds resource consents for downstream areas of the Roxburgh dam, which relate to water discharges. The Clutha Pumped Hydro project could moderate or exacerbate these discharges, with consequent impacts on our consents. Attachment 3.4 of the application documents ("Adverse effects") notes that "The Mata-Au/Clutha River will experience some altered flow due to the new hydro storage operations. The location of any in-river works, and the eventual tunnel, are still unclear but could have a significant impact on Contact's consented discharges into the river.

Contact would also like to have further opportunity for input as technical solutions and infrastructure plans are developed. Project-related infrastructure has the potential to create challenges for Contact, as new transmission can constrain our existing generation.

In addition, Contact contributes annually to the Otago Regional Council's costs for investigation into river changes, instability and erosion in the Clutha River downstream from the Roxburgh Dam. We expect that this contribution would need to be renegotiated as a result of this project.

We look forward to an opportunity to comment in more detail once the substantive application for this project is lodged.

Feedback Contacts

Created By (Contact)

 [Mike Fuge](#)

Source

Portal

Application

 [Clutha Pumped Hydro](#)

Created By

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Feedback Details

Feedback ID

* FDB001723C8S5

Title

* Clutha Pumped hydro project

Regarding

 [Contact Energy Limited - Invitation to comment – Clutha Pumped Hydro](#)

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Your written comments on a project under the Fast Track Approvals Act 2024

Project name	Clutha Pumped Hydro
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All sections of this form with an asterisk (*) must be completed.

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	Transpower New Zealand Limited (Transpower)		
*First name	Jo		
*Last name	Mooar		
Postal address	PO Box 1021 Wellington 6011		
*Contact phone number	s 9(2)(a)	Alternative	
*Email	s 9(2)(a)		

2. Please provide your comments on this application
<p>Transpower has been identified as an “other person” for the purpose of section 17(5) of the Fast-track Approvals Act 2024 (Act). Thank you for the opportunity to provide comments about the Project, and its potential impact on National Grid assets.</p> <p>The Project proposes renewable electricity generation and will support climate mitigation (section 22(2)(a)(vii) of the Act). The Project will also deliver new regionally or nationally significant infrastructure (section 22(2)(a)(ii) of the Act).</p> <p>The application notes that electricity would be supplied to the Grid during times of constrained supply. We expect that for this supply to be provided, changes to the Grid, including new assets, would be required. Some of these potential changes were explored by the NZ Battery Project that was led by the Ministry for Business, Innovation and Employment.</p> <p>Some initial discussions have taken place between Transpower and the applicant. We expect that these discussions will continue.</p>

Note: All comments will be made available to the public and the applicant when the Ministry for the Environment proactively releases advice provided to the Minister for the Environment.