

Appendix 7: Technical Advice – Biodiversity by Kennedy Lange

Date	19 August 2025
To	Susannah Black, Principal Consents Planner, Environment Canterbury
From	Kennedy Lange, Senior Biodiversity Officer, Environment Canterbury
Project advice provided for	Genesis Tekapo Power Scheme Renewal
Documents referred to	1. Appendix D (Updated 25 July 2025): Proposed resource consent conditions. Appendix D (Updated 25 July 2025): Proposed resource consent conditions (PDF, 410KB) 2. Amended Appendix E Proposed Consent Condition Plans for Takapō Power Scheme Reconsenting, dated 29th May 2025 (Includes the draft Kahu Ora strategic action plan for the compensatory Indigenous Biodiversity Enhancement Programme (IBEP))
Code of Conduct	I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023. This memorandum has been prepared in accordance with that Code. In particular, unless I state otherwise, the opinions I express are within my area of expertise, and I have not omitted to consider material facts that might alter or detract from the opinions that I express.

Comment on draft Indigenous Biodiversity Enhancement Programme conditions, Tekapo Power Scheme.

Introduction

1. The draft consent conditions “Schedule one conditions 23 to 35” and associated draft Kahu Ora Strategic Action Plan have been developed to meet requirements for resource consent applications CRC254907 – CRC254908 for continued operation of the Tekapo Power Scheme.
2. The specific objective of Kahu Ora, “to improve the condition, resilience, indigenous biodiversity, ecological processes and other values of the braided rivers and associated environments, including wetlands, within the Waitaki Catchment”, is strongly aligned to Environment Canterbury’s Strategic Priorities and Long-Term Plan 2024-34 Priority Targets. Kahu Ora also describes geographic areas and operational activity in common with a range of Canterbury Regional Council’s (CRC) priority areas for biodiversity delivery. Comment is provided in context of these intersections.

Background

3. Braided river habitats and associated wetlands have long been a focus of CRC’s Biodiversity functions. In the Mackenzie basin this has largely been as a partner in collaborative multi agency projects in the Ahuriri, Ohau and Tekapo catchments. CRC has been in a role as co-funder to projects delivered by others or as a co-funder where CRC has organised and undertaken field delivery of the work.
4. A well-developed example of this type of collaboration is the Upper Ohau Catchment Weed Control Project. This project delivers across a range of biodiversity outcomes and objectives, and policies with in the Waitaki Iwi Management Plan. Over the last six years CRC has coordinated and delivered this multi-agency program of landscape scale weed control in partnership with Department of Conservation (DOC) Land Information NZ (LINZ) and landowners.
5. This project has been successful in significantly reducing weed threat pressures on braided river, wetland and dryland habitats in the catchment.
6. Other collaborations within the proposed Kahu Ora Strategy scope have included significant financial and staff time contributions to the management of upland long-jaw and big nose galaxias management at Fork Stream and Chain Hills, willow, cotoneaster and rowan control in the Ahuriri, and weed control in the Upper Tekapo river and Gray’s River wetlands.
7. Alongside these collaborative multi-agency projects are standalone projects with individual landowners that while independent of other agencies, are considered in context of broader biodiversity outcomes in the Mackenzie Basin and Lower Waitaki and are complimentary to the multi-agency activities.
8. The long-standing relationship between Project River Recovery (PRR) staff and CRC Biodiversity has been successful in minimising operational gaps or overlaps and achieves greater efficiency by avoiding double ups in administration, liaison, planning and reporting.

9. Coordination of these multi agency programs has relied on relevant operational staff liaising directly on annual project priorities, contractor management, landowner liaison and reporting. This has worked well but is very much dependent on the incumbent operational staff engaging conversationally with project partner counterparts as opposed to any formal structured approach.

Specific Conditions and Draft Kahu Ora Strategic Action Plan

10. The extended geographic and cultural scope of Kahu Ora beyond that of PRR is significant and presents opportunities for greater collaboration in achieving holistic management of biodiversity and cultural values across the Waitaki catchment. However, as currently presented within the proposed conditions, there is limited opportunity to ensure that Kahu Ora and associated annual planning makes the best use of potential alignment with other agencies that have shared objectives, shared operational space, common sets of stakeholders, and/or overlaps in statutory purpose.

Condition 29 b.

11. Comment:
 - a. If exercised at the stated minimum, the 10-day period for comment would be inadequate to allow for detailed consideration and response, especially given the diversity of subject matter and potential implications across a range of our workstreams over the 10-year planning horizon.
 - b. The condition is silent on with what regard the consent holder shall have for any comments submitted.
12. Potential solution:
 - a. A period of two months would allow for implications to be considered in detail, any additional information/clarification sought, and comments to be provided.
 - b. While it is understood that this consent condition cannot be dependent on secondary approval, text could be included to identify the intent of this condition, e.g. "and where practicable and consistent with the objectives of the strategy, changes made to reflect comments submitted".

Condition 33

13. Comment:
 - a. Due to the shared objectives, operating space and operating area, it is at the Annual Plan time scale where effective collaboration and situational awareness can have greatest effect in meeting said outcomes without duplication, overlaps or gaps. As no opportunity for comment is provided for the Annual Plan process there is a risk that coherent operational deployment across the common space is not realised.
 - b. While historically collaboration has been effective, it does have room for improvement and has been dependent on incumbent staff, collaborative agency culture and conversations around annual plans and priorities as opposed to a more formal approach. With the duration of this consent and the planning horizon, coherent and collaborative management of biodiversity

values and threats is susceptible to staff turnover and change of culture or priorities within agencies.

- c. A more structured approach exercised via this resource consent, would help ensure that effective collaboration and efficient operational deployment is maintained and built upon.

14. Potential solutions:

- a. Condition 33 could include text to provide for a one-month period for comments on the proposed Annual Plan to be submitted.
- b. While it is understood that this consent condition cannot be dependent on secondary approval, text could be included to identify the intent of this condition, e.g. “and where practicable and consistent with the objectives of the strategy, changes made to reflect comments submitted”.

General

- 15. There are significant opportunities within the proposed IBEP for accelerated, durable, biodiversity and mahinga kai gains; and given the common outcomes sought, Environment Canterbury can be an effective contributor alongside a range of Kahu Ora programme activities.
- 16. In the absence of inclusion at a governance level, the structured communication that could be exercised along the lines of the solutions above, would ensure our ability to support the programme as effectively as possible as effectively as possible within our statutory and non-statutory functions.