

BEFORE THE PANEL CONVENER

IN THE MATTER of the Fast-track Approvals Act 2024 (**FTAA**)

AND

IN THE MATTER of an application by Meridian Energy Limited under section 42 of the FTAA for the Lake Pūkaki Hydro Storage and Dam Resilience Works application.

APPLICATION NO. FTAA-2510-1120

**MEMORANDUM FROM THE DIRECTOR-GENERAL OF CONSERVATION
RESPONDING TO MINUTE OF THE PANEL CONVENER**

26 January 2026

<p>██████████ Senior Solicitor DOC Te Papa Atawhai Private Bag 4715 Christchurch 8140 Telephone: ██████████ Email: ██████████</p>	<p>██████████ Permissions Advisor DOC Te Papa Atawhai PO Box 10420 Wellington 6140 Telephone: ██████████ Email: ██████████</p>
---	--

Introduction

1. This memorandum has been prepared on behalf of the Director-General of Conservation (**D-G**) by the Department of Conservation (DOC). It responds to Minutes 1 and 2 of the Panel Convener dated 12 and 16 December 2025 in respect of the Lake Pūkaki Hydro Storage and Dam Resilience Works project (the “Minute”).
2. The Minutes refer to an upcoming conference, to gather participant views, that will inform decisions of the Convener regarding:
 - a) Appointment of panel members.
 - b) The timing of the panel decision.
3. This memorandum addresses the matters identified in Schedules 1 and 2 of Minute 1, as relevant to the two decisions required of the Panel Convener set out at paragraph 2 of the Minute.
4. The memorandum focuses on the approval sought under section 42(4)(h), being a wildlife approval as defined in Clause 1 of Schedule 7.
5. The D-G’s representatives will attend the conference.

Complexity

6. DOC has reviewed the matters in Schedule 1 of the Minute and considers that the wildlife approval component of this Project is of relatively low complexity. The panel may wish to consider the appropriateness of conditions that may be imposed in a wildlife approval, including the term of approval and the nature and value of compensation proposed. The applicant seeks a term of 35 years and proposes to address all impacts on wildlife, including killing absolutely protected wildlife, via a one-off compensation payment, without first taking steps to avoid, minimise, remedy or offset.
7. The substantive application, Ecological Impact Assessment and proposed wildlife approval conditions are not aligned with the updated LMP provided to DOC on 8 December 2025. Identification of the species impacted, and the proposed activity and management strategies are not clear and consistent across the documents. DOC understands that the applicant intends to provide additional information to address these inconsistencies. However the panel may wish to request additional information should it not be provided.

8. DOC is not in a position to advise the Convener about the complexity of the resource consent component of the Project.
9. DOC considers that the principal issues in contention for the resource consent component are likely to be effects of the activity on wetlands, threatened plants and significant habitats of avifauna – including kākī - that may be a consequence of a lower minimum operating level. DOC suggests that further information may be required in order to enable the panel to understand those effects and that additional conditions, for example requiring monitoring, may be required to address them.

Appointment of panel members

10. The D-G's primary interests in this application are:
 - a) the proposal to disturb and kill absolutely protected wildlife (lizards), and appropriate conditions to avoid, minimise or remedy impacts of the proposal, and to offset or compensate for residual impacts;
 - b) effects on freshwater and terrestrial flora and on significant habitats for avifauna.
11. DOC recommends that the Panel Convener appoints a panel that includes relevant ecological expertise, albeit recognising that the panel would be guided by reports and advice from DOC and others.
12. An understanding of effects on wildlife and biodiversity values that would be required to assess resource consent issues associated with this project is likely to be sufficient to enable appropriate decision making on the wildlife approval.
13. In terms of the D-G's interests, appointing more than the default number of panel members is not required. DOC recognises that matters outside of its interests may warrant appointment of additional members.

Issue (b) – Timing of panel decision

14. The relevant matters for setting an appropriate time frame for consideration of this Project are the scale, nature, and complexity of the approvals sought, and any other matter raised by the application.
15. It is likely that the default time frame would be sufficient for the wildlife approval component of this Project, as it is of relatively low legal, evidential, and factual complexity. It is expected that specific advice around timeframes

needed to decide on the resource consent elements of the Project will be provided by other attendees of the conference.

16. DOC recommends that the timeframe accommodate any procedural steps that may be necessary, such as additional information requests by the panel under section 67 of the FTAA.
17. DOC considers it is unlikely a hearing would be required on the wildlife approval component of this Project.

Conclusion

18. The D-G's representatives will be happy to elaborate further on any of the above points at the conference set for 29 January 2026 at 10am.
19. DOC confirms willingness to engage directly with the applicant and panel as necessary to advance the progress of the application.

██████████

Counsel for the Director-General of Conservation