

## Your Comment on the Lake Pūkaki Hydro Storage and Dam Resilience Works

Please include all the contact details listed below with your comments and indicate whether you can receive further communications from us by email at [substantive@fastrack.govt.nz](mailto:substantive@fastrack.govt.nz)

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)	Department of Conservation		
First name	Amelia Wilkinson		
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Email	<a href="mailto:fast-track@doc.govt.nz">fast-track@doc.govt.nz</a> and		

<input checked="" type="checkbox"/>	I can receive emails and my email address is correct	<input type="checkbox"/>	I cannot receive emails and my postal address is correct
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Please provide your comments below, include additional pages as needed.

Please find comments attached



Jenni Fitzgerald  
 Fast-Track Applications Manager

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

Date: 12/06/2025

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 draft conditions for a fast-track consenting application

### Fast-track Approvals Act 2024 section 70

To: The Expert Panel  
From: Department of Conservation

Regarding fast-track project: Lake Pūkaki Hydro Storage and Dam Resilience Works

Fast track Reference: FTAA-2510-1120

#### Comments on draft conditions of Wildlife Act approval

Note: This comment period has coincided with DOC's herpetologist being overseas with limited connectivity. A full review of the LMP has not been undertaken due to this. Where appropriate, comments reference changes requested in DOC's s51 wildlife report provided on 23 March 2026.

Condition #	Draft condition with track-changed suggestions	Comments and reasoning
Schedule 1 A	<p>Authorised Activity: <u>For the purpose of the activity authorised in Fast-track Approval [insert reference] on the Land identified in Schedule 1B, <del>Capturing</del>Salvaging, Holding, liberating, IncidentallyAccidentally</u> Killing the following lizard species:</p> <ol style="list-style-type: none"> <li>1. McCann's skink (<i>Oligosoma maccanni</i>)</li> <li>2. Southern grass skink (<i>Oligosoma chionocholescens</i>)</li> <li>3. Southern Alps gecko (<i>Woodworthia "Southern Alps"</i>)</li> <li>4. Mackenzie skink (<i>Oligosoma prasinum</i>)</li> </ol>	<p>Activity has been updated to align with legislation and ensure consistency with other terms used throughout conditions. Additional detail is provided to distinguish this Authority from other approvals or consents Meridian may hold.</p> <p>Species names have been italicised.</p>

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Schedule 1 B	<p>The Land:</p> <p><u>To catch alive, hold, and incidentally kill at the following sites identified in the LMP at Appendix A, Figures 1.2 and 4:</u></p> <ol style="list-style-type: none"> <li>1. Dam armouring access tracks and material laydown: 44°11'24.7"S 170°08'31.6"E</li> <li>2. South stockpile (6.3 ha): 44°11'37.0"S 170°08'39.4"E</li> <li>3. North stockpile (0.8 ha): 44°11'16.7"S 170°09'02.4"E</li> </ol> <p><u>To liberate:</u></p> <ol style="list-style-type: none"> <li>1. <u>At the relocation site identified in the LMP at Appendix A, Figure 6</u></li> </ol>	Updated to include reference to release location. This is required in order to undertake this activity.
Schedule 1 D (new clause)	<p><u>Authorised Personnel:</u></p> <ol style="list-style-type: none"> <li>1. <u>Graham Ussher</u></li> </ol>	New clause recommended to identify authorised personnel referenced in condition 7. This relates to handling and relocation activities only.
6	<p><del>The Authorised Any lizard salvage activities</del> must be undertaken in accordance with the approved Lizard Management Plan for the project annexed to this Authority (<i>Lake Pūkaki Fast Track Consent Substantive Application – Lizard Management Plan, Version 3, April 2026: Tonkin and Taylor Limited</i>) (LMP).</p>	<p>The Lizard Management Plan is relevant to all activities identified in Schedule 1A, not just salvage.</p> <p>This condition may also be more appropriately located within Schedule 1A under a "Methodology" heading.</p>
7	<p>Lizards must only be handled by <del>Personnel</del> <u>Authorised Personnel listed in Schedule 1D to Undertake this Activity</u> or under the direct supervision of Authorised Personnel, <u>unless otherwise agreed in writing by the Director-General of Conservation.</u></p>	Amendment recommended to clarify authorised personnel in line with the LMP.

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8	<p><del>Lizard capture, handling and relocation should be undertaken at a suitable time of year when lizards are active. October to April inclusive is the usual duration, but this will vary by location and altitude.</del></p>	<p>A condition similar to this would usually be included in a Wildlife Act Authority for this activity to clarify that salvage activities <b>must</b> only be undertaken from October to April (inclusive). However, this does not appear to align with the actions described in section 5.2.2.1 of the LMP and it is unclear what the current wording of this condition might achieve.</p> <p>It is recommended additional details be provided within this condition in line with the proposed activity. Alternatively, this condition could likely be removed as condition 6 addresses the activities of the Authority.</p>
11	<p>Capture and handling methods shall follow those described in the Herpetofauna inventory and monitoring toolbox <a href="http://www.doc.govt.nz/our-work/biodiversity-inventory-and-monitoring/herpetofauna/">Herpetofauna: Modules for biodiversity inventory and monitoring</a><del>http://www.doc.govt.nz/our-work/biodiversity-inventory-and-monitoring/herpetofauna/.</del></p>	<p>Link updated.</p>
20	<p>The Authority Holder must provide an annual report or reports to the Director-General on any additional lizard surveys undertaken. These must be electronically forwarded to the Director-General at <a href="mailto:permissionshamiltonXXXXXXXX@doc.govt.nz">permissionshamiltonXXXXXXXX@doc.govt.nz</a> and the DOC Operations Manager for Twizel at <a href="mailto:twizel@doc.govt.nz">twizel@doc.govt.nz</a> citing the <del>project name</del> Authority Number <del>XXXXXXXX</del>. These reports must be submitted by 30 June each year.</p>	<p>Contact details provided. Additionally, as the authority number will be generated after this document is actioned, the project name would be a more appropriate reference at this time.</p>

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21	<p>For all salvage operations a report on each salvage operation is to be submitted in writing to <a href="mailto:permissionshamiltonXXXXXXXXXX@doc.govt.nz">permissionshamiltonXXXXXXXXXX@doc.govt.nz</a> and to the DOC Operations Manager <a href="mailto:twizelXXXXXXXXXX@doc.govt.nz">for Twizel at twizelXXXXXXXXXX@doc.govt.nz</a> by 30 June each year for the life of this Authorisation, summarising outcomes in accordance with any specific Lizard Management Plan. Each report must include:</p> <ol style="list-style-type: none"> <li>The <del>project name</del><del>authority number</del>; and</li> <li>the species and number of any animals collected and released;</li> <li>the GPS location (or a detailed map) of the collection point(s) and release point(s);</li> <li>results of all surveys, monitoring or research; and</li> <li>description of how the Lizard Management Plan was implemented including any difficulties encountered with capture and handling, how release sites were assessed, post release monitoring and what contingency actions were required.</li> </ol>	Contact details provided.
22	<p>For all survey and salvage operations undertaken, completed Amphibian and Reptile Distribution System (ARDS) cards for all herpetofauna sightings and captures</p> <p>(<a href="http://www.doc.govt.nz/conservation/native-animals/reptiles-andfrogs/speciesinformation/herpetofauna-data-collection/ards-card/">Amphibian and Reptile Distribution Scheme: Herpetofauna data collection</a>) (<del><a href="http://www.doc.govt.nz/conservation/native-animals/reptiles-andfrogs/speciesinformation/herpetofauna-data-collection/ards-card/">http://www.doc.govt.nz/conservation/native-animals/reptiles-andfrogs/speciesinformation/herpetofauna-data-collection/ards-card/</a></del>) must be sent to Herpetofauna, Department</p>	Links updated.

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	<p>of Conservation, National Office, PO Box 10420 Wellington 6143 or <a href="mailto:herpetofauna@doc.govt.nz">herpetofauna@doc.govt.nz</a>. (For more information refer to: <a href="http://www.doc.govt.nz/conservation/native-animals/reptiles-and-frogs/reptiles-and-frogsdistribution-information/species-sightings-and-data-management/">Species sightings and data management: Amphibian and reptile species information</a>) <del>http://www.doc.govt.nz/conservation/native-animals/reptiles-and-frogs/reptiles-and-frogsdistribution-information/species-sightings-and-data-management/</del>).</p>	
26	<p>Prior to works commencing <del>updated</del><u>certified</u> Compensation Management Plan (CMP) shall be submitted to the Director-General at <del>permissionshamiltonXXXXXXXX@doc.govt.nz</del><u>the Authority Number XXXXXXXX for Authority</u>.</p> <p><u>Where adverse effects on lizards occur, the Authority Holder must provide a compensation fund to the Department of Conservation in accordance with the CMP.</u></p>	<p>It is unclear how this may be updated without seeking a variation for the whole LMP. Further amendments suggested to provide greater clarity and enforceability.</p> <p>Contact information provided.</p>
27	<p>A lizard exclusion fence must be <del>established</del> <u>installed</u> to separate <del>the</del> known Mackenzie skink habitat <del>areas</del> from the North stockpile. <del>The fence shall be established to exclude prevent</del> Mackenzie skink from entering the North stockpile.</p>	Changes to these conditions are suggested for clarity and certainty.
28	<p>The fence must be constructed so that it extends a minimum of 500 <del>mm</del> <u>cm</u> <del>off the above</del> ground <del>level</del> and be <del>dug</del> <u>buried</u> approximately 50-100 mm <del>into the below</del> ground <del>level</del>, with a <del>return or</del> lip <del>to prevent so that</del> lizards <del>cannot dig</del> <u>burrowing</u> under the fence. Stakes must be <del>established</del> <u>installed at</u> approximately 2 m <del>apart</del> <u>intervals</u> to support the fence. A <u>lizard-proof</u> gate may form part of the fence to allow access to the rock material.</p>	

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Condition #	Draft condition with track-changed suggestions	Comments and reasoning
29	<p>The fence must be maintained until all rock material from the North stockpile, <u>including any newly introduced rock</u>, has been utilised.  <del>Annual inspections are to be undertaken to ensure the fence continues to function as intended.</del></p>	
<u>29A</u>	<p><u>The fence must be inspected by a herpetologist following installation, and following the introduction of any new rock to the North stockpile to ensure it is suitable for its intended purpose.</u></p> <p><u>The authority holder must ensure the fence is inspected at least annually to confirm it remains effective and fit for purpose.</u></p>	
30	<p>The <u>fence must be designed and constructed in accordance with the specifications set out in the certified LMP and must incorporate polythene to deter skinks from climbing the fence.</u> <del>design of the lizard exclusion fence shall be constructed in accordance with the design specifications set out in the LMP.</del></p>	
31	<p>On or prior to the <u>5<sup>th</sup></u>, 10<sup>th</sup>, <u>15<sup>th</sup></u>, 20<sup>th</sup>, <u>25<sup>th</sup></u> and 30<sup>th</sup> anniversaries of the approval of this Authority the Authority Holder must undertake a lizard survey across the stockpile, laydown and temporary building areas to review and quantify any change to the lizard population on site.</p>	<p>As discussed in DOC's s51 report, it is recommended this be assessed every 5 years to align with the 5-yearly reviews of the impacted species' threat classification.</p>
33	<p>Following the completion of the above survey the LMP shall be reviewed and updated to include the results of the survey, and any updated threat classifications.</p> <p>The updated Lizard Management Plan shall be submitted to the Director-General at <a href="mailto:permissionshamiltonXXXXXXX@doc.govt.nz">permissionshamiltonXXXXXXX@doc.govt.nz</a></p>	<p>Contact information provided. Additional clause recommended to clarify actions if LMP is not re-certified. Additional clause recommended to clarify actions if LMP is not re-certified.</p>

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Condition #	Draft condition with track-changed suggestions	Comments and reasoning
	<p><del>citing the Authority Number XXXXXXXX for certification confirmation that it meets the requirements of this Authority.</del></p>	
New condition	<p><b><u>Rehabilitation of disturbed area to provide lizard habitat</u></b></p> <p><u>The Authority Holder must rehabilitate all areas disturbed by the lawful activity including earth worked areas, laydown areas, and rock storage areas.</u></p>	<p>As addressed in DOC's s51 report, on its own the proposed compensation package is considered to be proportionate to the residual effects of the project. Rehabilitation of disturbed areas within the project footprint is recommended in order to generate meaningful habitat gains for affected species.</p>
New condition	<p><u>The Authority Holder must follow these rehabilitation design requirements and produce and implement a Rehabilitation Plan that includes the following:</u></p> <ul style="list-style-type: none"> <li><u>a. a description of plant species, planting densities and spatial arrangements to best restore suitable lizard habitat</u></li> <li><u>b. rock augmentation measures, including rock size, distribution and habitat configuration designed to support lizard occupancy</u></li> <li><u>c. a maintenance schedule, including weed control, to promote habitat quality indefinitely</u></li> <li><u>d. rehabilitation and predator control targets including methods for corrective action if targets are not met.</u></li> </ul>	<p>As above.</p>
New condition	<p><u>The Rehabilitation Plan must include a predator control regime that:</u></p> <ul style="list-style-type: none"> <li><u>a. targets rodents and hedgehogs</u></li> </ul>	<p>As above.</p>

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Condition #	Draft condition with track-changed suggestions	Comments and reasoning
	<p><u>b. specifies control methods and duration</u></p> <p><u>c. includes ongoing monitoring of predator activity.</u></p>	

**Comments on draft conditions of resource consent**

Condition #	Draft condition with track-changed suggestions	Comments and reasoning
<b>CRC262541 – Section 15 Consent to discharge contaminants to land or water</b>		
14.	<p>Within 14 days of the final completion of rock armouring activities at the site:</p> <p>a. All temporary deposits of gravel, sand and other natural material (including reject material) shall be levelled to the natural ground level or removed from site.</p> <p>b. All created access ramps will be removed, and the area shall be reshaped and formed to a state consistent with the surrounding dam.</p> <p>c. Any temporary structures and construction materials shall be removed.</p> <p>d. <u>Re-grassing Re-planting</u> of any remaining areas of bare ground to match the surrounding existing land, <u>including the re-planting of indigenous plant species.</u></p> <p>e. Rock stockpile areas may be retained for other necessary maintenance works associated with other aspects of the Lake Pūkaki and related engineering structures.</p>	<p>DOC's s53 comments requested the deletion of the requirement for "regrassing" and the addition of requirements to survey proposed track routes, to route tracks to avoid indigenous shrubs where practicable, and to undertake a programme of follow-up weed survey and removal on cleared areas for 5 years following disturbance. The reasons for these requests are set out in paragraphs 3.3.19 to 3.3.21 of the s53 comments, and in paragraphs 68 to 71 of the supporting evidence from Dr Susan Walker (Appendix A of the s53 comments).</p> <p>The applicant's response to these requested amendments was: "The site is a working dam and as such it is not practical to protect it via either re-routing or targeted weed removal. Following completion of the work, it will be returned to its existing (modified) state."<sup>1</sup></p> <p>Having given further thought to this matter, DOC notes that the activity being consented in this part of the approval is the discharge of contaminants; there is no resource consent requirement for the indigenous vegetation clearance in any relevant planning document, and therefore the conditions proposed in DOC's s53 comments, which were intended to manage the effects from the indigenous vegetation clearance required for the access tracks, are, on reflection, not appropriate. The purpose of the re-grassing requirement in condition 14 is to</p>

<sup>1</sup> [Applicant-Response-Table.pdf](#), page 27, row 3.

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		<p>reduce discharges from bare land, rather than to rectify any adverse effects on vegetation.</p> <p>Therefore, DOC has modified and reduced the extent of the relief sought for this condition. It is accepted that revegetation of bare land, using vegetation currently in place in the surrounding area, is an appropriate method to manage the effects of discharge. However, the amendments shown to the left are requested to recognise that, as set out in the ecological impact assessment accompanying the application (section 4.3.1), the affected area contains a range of indigenous plant species as well as exotic grasses.</p>
<b>CRC262540 – Section 14 Consent to take and use water for hydroelectricity generation (Operation of Lake Pūkaki below 518 m)</b>		
<p>New conditions on lake levels</p>	<ol style="list-style-type: none"> <li>1. <u>The main operating range, within which the consent holder must endeavour to maintain continuous variation, is 525.0 m RL to 531.0 m RL.</u></li> <li>2. <u>The consent holder must endeavour to achieve an annual mean level within the main operating range.</u></li> <li>3. <u>Lake levels may only be drawn below 518.0 m RL for a maximum of 39 consecutive calendar days.</u></li> <li>4. <u>There must be a minimum interval of 240 calendar days between each drawdown below 518m.</u></li> </ol>	<p>The reasons for DOC's request for conditions to manage lake levels, including by requiring endeavours to maintain variation of lake levels within certain parameters, and by setting limits on the time spent at lower levels, are set out in our s53 comments (paragraphs 3.3.10 to 3.3.15 and 4.3 to 4.9), and in the supporting evidence of Dr Susan Walker (paragraphs 36 to 61).</p> <p>In response to these requests, the applicant's view was as follows:</p> <ul style="list-style-type: none"> <li>• Any conditions relating to the operation of the lake above 518 m RL are out of scope of the application.<sup>2</sup></li> <li>• The applicant also appears to argue that conditions relating to lake levels below 518 m RL are out of scope.<sup>3</sup></li> <li>• Evidence from Matt Dodson is cited; Mr Dodson agrees with the groundwater assessment provided with the application that "Given the large range of lake levels that occur now (518 to 532.5 m RL), it is considered unlikely that there will be a change to wetland hydrology if the lake operates between 518 and 513 m RL <u>for limited periods of time [emphasis added]</u> over the next three years".<sup>4</sup></li> </ul>

<sup>2</sup> [Applicant-Response-Table.pdf](#), p26, row 1.

<sup>3</sup> [Applicant-Response-Table.pdf](#), p29, row 5.

<sup>4</sup> [Appendix K Matt Dodson Evidence in Response to Comments](#), paragraph 19.

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		<ul style="list-style-type: none"> <li>Evidence from Sam Heggie-Grace and Dean Miller is cited, which states: “DOC acknowledges in their response that fluctuating lake levels are necessary for turf communities to persist, and periodic inundation is required to exclude taller invasive weed species (3.3.14). This is also true for vegetation across the Tasman Delta. We agree with this and note that the eased access scenario if it occurs, will be <u>for short periods of time</u>, for a time bound period of three years and <u>for shorter periods than anticipated under the PC1 baseline assumptions</u> <i>[emphasis added]</i>.”<sup>5</sup></li> </ul> <p>DOC does not agree that conditions to manage lake levels either below or above 518 m RL are out of scope. This seems unarguable in relation conditions to manage lake levels below 518 m RL. For levels above 518 m RL, DOC considers that these are also within scope, if they are necessary to manage effects on wetlands that result from drawing the lake below 518 m RL. Based on Dr Walker’s evidence provided with the s53 comments, DOC considers that this is the case.</p> <p>The conditions shown to the left, which are partially modelled on the 2025 Operating Guidelines<sup>6</sup> that are already in place for Lakes Te Anau and Manapouri, are requested on the following basis:</p> <ul style="list-style-type: none"> <li>Data analysis and discussion provided in Dr Walker’s evidence explains why 525.0 m to 531.0 m RL is an appropriate and “ecologically sensible” main operating range for the lake.</li> <li>Proposed conditions 1 and 2 require the consent holder to endeavour to maintain continuous variation and the annual mean level within the main operating range. This increases the likelihood that there will be “periodic raising of the lake level to inundate wetland areas to maintain relatively normal hydrological conditions at connected wetlands”. The applicant’s ecological impact assessment indicates that “periodic raising” of this kind has been taken into account as a mitigation measure that will help</li> </ul>

<sup>5</sup> [Appendix-I\\_Sam-Heggie-Grace-and-Dean-Miller\\_Evidence-in-Response-to-Comments\\_FINAL.pdf](#), paragraph 24.

<sup>6</sup> [Operating Guidelines for Levels of Lakes Manapouri and Te Anau - 2025-go2889 | New Zealand Gazette](#)

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		<p>ensure that impacts on wetlands will be “low to very low”<sup>7</sup>. Therefore, this needs to be supported by consent conditions.</p> <ul style="list-style-type: none"> <li>Proposed condition 3 limits the time that the lake will be drawn down below 518 m RL. This is in line with the applicant’s modelling of lake levels over the three years, which indicates that a maximum of 39 days will be spent below 518 m RL over that time.<sup>8</sup> It is important that consent conditions limit the time that the lake may be drawn below 518 m RL, because the applicant’s ecological evidence has been drafted on the assumption that any periods below 518 m will be short. The condition also provides for flexibility to allow for lack of accuracy in the model, given that it applies to a consecutive rather than a total number of days; therefore, conditions 3 and 4 together would allow for up to three periods of 39 days when the lake level is below 518 m.</li> <li>Proposed condition 4 requires a minimum interval between each drawdown below 518 m. This will help to minimise adverse effects on wetlands, as set out in Dr Walker’s evidence.</li> </ul> <p>Even if the Panel’s view is that conditions to manage the lake level above 518 m RL are out of scope, DOC considers it is crucial that consent conditions limit the amount of time spent below 518 m RL. The applicant’s evidence that effects on wetlands will be low does not hold if periods spent below 518 m RL are prolonged. Therefore, in DOC’s view, time limits must be guaranteed via consent conditions, rather than relying on the applicant’s modelling.</p>
New condition on wetland monitoring	<p><u>The consent holder must establish a baseline surveying and monitoring regime for lake margin turf wetlands as follows:</u></p> <ol style="list-style-type: none"> <li>a. <u>In the first period of low lake levels (525.4m or below) after the commencement of the consent:</u> <ol style="list-style-type: none"> <li>i. <u>a comprehensive survey to map lake margin turf wetlands along the eastern</u></li> </ol> </li> </ol>	<p>The reasons for DOC’s request for a condition to require vegetation monitoring are set out in our s53 comments (paragraphs 4.10 to 4.15) and in Dr Walker’s attached evidence (paragraphs 62 to 67).</p> <p>In response to this request, the applicant refers to the evidence of Sam Heggie-Grace and Dean Miller. This evidence notes that an agreement is already in place with DOC in relation to monitoring of <i>Isolepis basilaris</i> in the Tasman Delta. This is a wetland turf species classified as Nationally At Risk – Naturally</p>

<sup>7</sup> [Appendix M - Ecological Impact Assessment Lake Pūkaki \(3\).pdf](#), p51.

<sup>8</sup> [12656630 Substantive Application Final \(5\).pdf](#), section 8.9.1.1, p66

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	<p><u>shoreline of Lake Pūkaki must be undertaken, including measurement of the current lower and upper levels of each wetland, and</u></p> <p>ii. <u>quantitative baseline measurement of the turf communities present at the Tasman River Delta, of the eastern shoreline lake margin turf wetlands, and of a representative subset of at least six of the 16 other wetlands identified in the Lake Pūkaki Fast-track Consent Substantive Application Ecological Impact Assessment (October 2025) prepared by Tonkin and Taylor Ltd for Meridian Energy Limited (section 4.2.1).</u></p> <p>b. <u>Quantitative measurement of the wetland communities referred to in clause a.ii above must then be repeated after two years (and every two years thereafter, if the consent is extended beyond three years).</u></p>	<p>Uncommon. Mr Heggie-Grace and Mr Miller consider that this monitoring is “sufficient to provide further information on how turf species ... respond to the eased access scenario”, on the basis that <i>Isolepis basilaris</i> is a “useful indicator species”.</p> <p>Dr Walker replies:  <i>Isolepis basilaris</i> occurs only on the Tasman Delta and not in the eastern lakeshore turf wetlands nor in the other wetlands likely to be adversely affected by low lake levels where the turf life form is not dominant. Eastern lakeshore turf wetlands and the other wetlands have different ecologies from those on the Delta and may be adversely affected in very different ways (for example by lakeshore slumping or desiccation-induced tall woody weed invasion). <i>Isolepis basilaris</i> is therefore not a suitable indicator species to represent the variety of wetlands likely to be affected by low lake levels. Monitoring of that species alone would provide insufficient information to determine and manage adverse effects on the variety of wetlands that will be affected.”</p> <p>Even if the Panel opts to apply the conditions set out above that would manage lake levels and limit the time spent under 518 m RL, DOC considers that the monitoring requirements to the left should also apply. Any time spent below 518m RL is likely to cause effects on wetlands, and these are not known; the requested monitoring is needed to understand those effects, and to inform resource management both now and in the future. As set out in our s53 comments, this condition will allow Canterbury Regional Council to track effects from the activity, and thereby inform whether any review of consents is needed under condition 30.</p>
<p>DOC’s first preference is for new conditions for lake levels and wetland monitoring to be applied, as set out in the rows above.</p> <p>However, we note that the Panel’s draft conditions for the consent to take and use water for hydroelectricity generation include new conditions 9 to 12, which would introduce a requirement to prepare a Wetland Ecological Management Plan. If the Panel are minded to take this approach, we have the following requested amendments to the WEMP conditions.</p>		
9.	<p><del>Prior to commencement of the consented activity, The Consent Holder must engage a Suitably Qualified and Experienced Person to prepare</del> an overarching</p>	<p>In DOC’s view it is important that:</p>

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	Wetland Ecological Management Plan (WEMP) <u>must be prepared by a suitably qualified and experienced ecologist</u> in accordance with Conditions 10 to 12 and <u>provided to the Canterbury Regional Council for certification</u> .	<ul style="list-style-type: none"> <li>The consent holder is explicitly required to prepare the WEMP before drawdown of the lake below 518 m RL begins.</li> <li>There is a requirement that the WEMP is provided to the relevant council (in this case CRC) for certification. This is a good practice requirement for all management plans, to ensure appropriate quality control.</li> </ul>
10.	<p>The objectives of the WEMP are to:</p> <p>a. <del>Detail the ecological management programme that will be implemented to avoid Avoid, remedy, or mitigate where practicable, or otherwise minimise the impacts on the ecological values of wetlands ecological values (including the Tasman Delta, eastern lakeshore turfs, and other wetlands) when the lake water level is forecast to drop that result from the lowering of the lake level</del> below 518 m RL;</p> <p>b. <del>Document the management measures that will be adopted by the Consent Holder, including the restoration, management and maintenance of wetland ecological features and values; and</del></p> <p>c. Ensure that <del>any long-term</del> effects <u>on wetlands</u> are <del>appropriately managed through monitoring monitored and reported to the Canterbury Regional Council, adaptive management where appropriate, and implementation of appropriate responses and that appropriate remedial action is taken as required in order to meet clause a.</del></p>	<ul style="list-style-type: none"> <li>Amendments are requested here to ensure that objectives are clear.</li> <li>“Avoid where practicable, or otherwise minimise” is considered clearer and more directive than “avoid, remedy or mitigate”, and aligns with wording in draft condition 11.</li> <li>Clause b is considered better suited to the list of minimum requirements of the WEMP, in condition 11.</li> <li>Amendments to clause c would ensure appropriate monitoring and reporting to CRC, and include a requirement for remedial action to be taken if the key objective is not met. DOC considers that this aligns with good practice for management plan conditions.</li> </ul>
11.	The WEMP must <del>outline procedures</del> <u>provide the details of the ecological management programme that</u>	<p>Amendments are requested to:</p> <ul style="list-style-type: none"> <li>Ensure a clear link to objectives in condition 10.</li> </ul>

Condition #	Draft condition with track-changed suggestions	Comments and reasoning
	<p><u>will be implemented</u> to address the effects of lowering the lake below 518 m RL on wetland ecological values <u>in accordance with the objectives set out in condition 10</u>, including, <u>as a minimum</u> measures to:</p> <p><del>a. avoid where practicable, or otherwise minimise, adverse effects on ecological and biodiversity values; and</del></p> <p><del>b. achieve the purposes and their expected ecological outcomes</del></p> <p>a. <u>details of consultation undertaken with the Department of Conservation, Te Rūnanga o Arowhenua, Te Rūnanga o Waihao and Te Rūnanga o Moeraki in relation to the preparation of the WEMP, including a summary of feedback received and how that feedback has been addressed</u></p> <p>b. <u>the management measures that will be adopted by the Consent Holder, including, if necessary, management of lake levels, to maintain and where required restore wetland ecological features and values</u></p> <p>c. <u>the regime to be followed to monitor effects on wetlands (including the Tasman Delta, eastern lakeshore turfs, and other wetlands) from the consented activity, reporting procedures to enable the Canterbury Regional Council to confirm ongoing compliance with the WEMP and associated consent conditions, and procedures for remedial action to be taken if condition 10.a is not being met.</u></p>	<ul style="list-style-type: none"> <li>• Remove content that is covered by the objectives.</li> <li>• Transfer some content from condition 10 that, in DOC's opinion, is better suited as minimum requirements for the WEMP than objectives.</li> <li>• Include a requirement for the WEMP to report back on the results of consultation with key stakeholders, aligning with condition 12.</li> <li>• Include clause c to expand on requirements for monitoring, reporting and, if necessary, remedial action, in line with requested objective 10.b.</li> </ul>

Condition #	Draft condition with track-changed suggestions	Comments and reasoning
12.	<p>The WEMP must be prepared in consultation with the Department of Conservation, Te Rūnanga o Arowhenua, Te Rūnanga o Waihao and Te Rūnanga o Moeraki, <u>with at least 15 working days allowed for these parties to provide comments on a full draft of the WEMP prior to submission to the Council for certification.</u></p>	<p>Amendment is requested to ensure that key stakeholders have sufficient time to provide comment.</p>
<p>New condition on certification of the WEMP</p>	<p><u>The following process applies to certification of the WEMP:</u></p> <ul style="list-style-type: none"> <li>a. <u>The Consent Holder shall provide the management plan to the Canterbury Regional Council for certification that it:</u> <ul style="list-style-type: none"> <li>i. <u>sets out actions and procedures that will achieve the objectives of the management plan, and</u></li> <li>ii. <u>contains the information required to be included in the management plan by consent conditions.</u></li> </ul> </li> <li>b. <u>Canterbury Regional Council may take such advice from suitably qualified persons as it considers necessary to satisfy itself that the management plan submitted for certification achieves the requirements of the relevant conditions.</u></li> <li>c. <u>If the Council considers that the management plan achieves the requirements of relevant conditions, it shall notify the Consent Holder accordingly, and the Consent Holder may commence activities consistent with the management plan on receipt of written confirmation (certification) from the Council.</u></li> </ul>	<p>This new condition links to the requested requirement for certification in condition 9, and is intended to clarify the certification process for all parties.</p>

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<b>Condition #</b>	<b>Draft condition with track-changed suggestions</b>	<b>Comments and reasoning</b>
	d. <u>If the Consent Holder receives written notice from the Council that certification of the management plan will not be provided, the Consent Holder may re-submit the plan following review of the Council's reasons, and with any necessary amendments, and request certification again in accordance with clauses a to c above.</u>	

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