



# Recommendation and decision on notification of resource consent application(s) under sections 95-95G of the Resource Management Act 1991 (RMA)

## Summary

Meridian Energy Limited (MEL) has applied for two resource consents related to the Manapōuri Lake Control Improvement Project. The applicant intends to excavate and use a new channel immediately upstream of the Manapōuri Lake Control Structure (MLCS) in the Waiau riverbed, as the existing channel no longer has the capacity to enable flushing flows into the lower Waiau River. The applications relate to the construction and ongoing maintenance of the new channel, and are for:

- A water permit under section 14 of the Resource Management Act 1991 (RMA), to take, divert and use water,
- A discharge permit under s15 of the RMA for discharges to land and water, and
- Permits as required under regulation 47 of the National Environmental Standards for Freshwater (NES-F), for activities under sections 14 and 15 of the RMA.

At page 75 of the application document<sup>1</sup>, the applicant requests public notification in accordance with sections 95A(2)(a) and 95A(3)(a) of the RMA.

## The application

Applicant:	Meridian Energy Limited
Application reference:	APP-20233670
Site address or location:	At and around the Manapōuri Lake Control Structure, confluence of the Waiau and Mararoa Rivers
New consent(s) for new activity(ies) (s88)	<input checked="" type="checkbox"/>

The MLCS is one of three main control structures in the Manapōuri Power Scheme that controls flows leaving Lake Manapōuri into the Waiau River. The MLCS is approximately 10 km downstream from the lake, but that reach of river has become an arm of the lake (the Waiau Arm) with flow directions in the arm (either toward or away from Lake Manapouri) varying as required.

Water is released through the MLCS, and the configuration of the channel immediately upstream of the structure is decreasing MEL's ability to make these releases, particularly those related to flushing flows. The channel is accumulating sediment and becoming shallower, and MEL proposes to excavate a new channel north of and bypassing the existing shallow reach. The proposal also includes the deposition of spoil material in permanent stockpiles north of the new channel, in an area that includes several wetlands.

The resource consent applications are made under rules in the Proposed Southland Water and Land Plan (PSWLP). Many of the activities to be undertaken for the project are covered by s.9 and s.13 of the RMA

<sup>1</sup> Proposed Manapōuri Lake Control Improvement project Resource Consent Applications and Assessment of Effects on the Environment, prepared by Tonkin and Taylor Limited and dated December 2023

and are permitted by the Manapōuri Te Anau Development Act 1963 (MTADA). The application includes a full assessment of this. The residual consent requirements under the PSWLP are:

- The discharge of contaminants during construction and maintenance activities, which are non-complying activities under Rule 6.
- The permanent diversion of water into the new channel, and temporary takes of water for dewatering and dust suppression, which are non-complying activities under Rule 52(b).
- The diversion of water and discharge of contaminants associated with the placement of culverts, which are discretionary activities under Rule 59(a).

Permits are also required under regulation 47 of the NES-F for restricted discretionary activities under sections 14 and 15 of the RMA, including those associated with vegetation clearance, earthworks and land disturbance, and the take, use, diversion and discharge of water, in and/or near a natural inland wetland.

The overall activity status is non-complying.

## Effects

The application assesses the following potential effects.

- 1) Positive effects, primarily improving the applicant's ability to release water into the lower Waiau River.
- 2) Cultural values. The application considers that the proposal is consistent with the applicable provisions of the Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008, and that the works will be managed to minimise key effects. The application states that further consultation is intended with Te Ao Mārama Incorporated.
- 3) Surface water hydrology and water quality. Hydrological effects and water quality effects due to maintenance activities are assessed as non-existent and less than minor respectively. Construction activities will require careful management and adverse effects may occur within mixing zones.
- 4) Geology and hydrogeology. These effects are assessed by the applicant as less than minor.
- 5) Ecology. The application assesses the potential effects on terrestrial, wetland and freshwater (including bird) ecology. Some communities will be affected, and management will be required during the works to minimise this.
- 6) Landscape and visual values. These effects are considered by the applicant to be temporary and less than minor.
- 7) Recreational.
- 8) Amenity values (noise, vibration, lighting, dust). Some noise effects are predicted to occur at nearby receptors, but the other effects are assessed as less than minor.

The overall conclusion of the application is that the effects of the proposed activities will be no more than minor.

## Public notification consideration

Notification is mandatory as the applicant has requested it. Having said this, the applicant's assessment suggests that some effects may be more than minor and persons may be affected by them.



**Bianca Sullivan**  
**External Processing Officer**

Date: 12 March 2024

**Decision under Delegated Authority**

<b>11.1 I agree with the recommendation</b>	<input checked="" type="checkbox"/>
<b>11.3 The application will be publicly notified</b>	<input checked="" type="checkbox"/>

This decision is made under delegated authority by:



Lacey Bragg  
**Consents Manager**

Date: 13 March 2024