

BEFORE THE CANTERBURY REGIONAL COUNCIL

UNDER The Resource Management Act 1991

IN THE MATTER of Proposed Plan Change 3 to the Waitaki Catchment
Water Allocation Regional Plan

SUBMISSIONS ON CONTROLLED ACTIVITY MATTER

30 September 2015

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MAY IT PLEASE THE COMMISSIONERS:

- 1 These submissions are lodged on behalf of Meridian Energy Limited ("**Meridian**") and are in response to Minute 9 dated 21 September 2015.
- 2 The recent High Court decision (CIV-2014-409-62; CIV-2014-409-76; CIV-2014-409-61; [2015] NZHC 21740) affirms that controlled activity status is lawful in respect of the taking and use of water for hydro-electricity generation and regionally significant infrastructure.
- 3 Meridian supports a new controlled activity rule 15A ("**the Rule**") for the Waitaki Power Scheme¹ in respect of the taking, damming, diversion and use of water for hydro-electricity generation and to protect assets directly associated with electricity generation. I provided detailed submissions on this matter in paragraphs 44 to 53 of my closing, which remain relevant.
- 4 Meridian proposes that the wording of the Rule is as follows (the changes from Canterbury Regional Council's notified version, which were made in Meridian's original submissions, are indicated in bold and strike out. Further changes which are proposed by Meridian in these submissions are highlighted in yellow):

*Any activity that complies with Rules 2, 3, 6 and 7 and is the subject of an existing consent to take, dam, divert or use of water **necessary:***

- *for the continued availability of water for hydro electricity generation output from the Waitaki Power Scheme, or*
- *to protect the assets of the Waitaki Power Scheme directly associated with hydro electricity generation output, including canals, dams and powerhouses*

*~~For hydro electricity generation is a restricted discretionary **controlled activity**. The exercise of discretion is restricted to **Control is reserved over the following matters:**~~*

1. *In respect of flows into the Pūkaki River, the Lower Ōhau River or the Tekapo River (above the confluence with the Forks Stream), adverse effects, including effects on Ngāi Tahu culture, traditions,*

¹ The Waitaki Power Scheme comprises the powerhouses, dams, canals and related infrastructure owned by Meridian and Genesis Energy Limited between (and including) Lake Tekapo and Waitaki Dam.

customary uses and relationships with land and water, unless the environmental flow and level regimes for these rivers have been reviewed after the public notification date of this rule and the outcome of the review has been made operative in accordance with the relevant provisions of the Resource Management Act;

- 2. Any mitigation measures to address adverse effects (including effects on Ngāi Tahu culture, traditions, customary uses and relationships with land and water), except for changes or alterations to environmental flow and level regimes, minimum lake levels, annual allocation to activities, or the provision of flows into the Lower Waitaki River, set by this Plan;*
- 3. Collection, recording, monitoring and provision of information concerning the exercise of consent; and,*
- 4. Lapse period, duration of consent and review requirements.*

Any application made under Rule 15A will be publicly notified.

- 5 The proposed wording is different from, and more specific than the original wording that Meridian sought for the Rule. Greater specificity is provided in order to clarify that it is only 'core' section 14 RMA consents for the Waitaki Power Scheme that are intended to be covered by Rule 15A. Non-core section 14 RMA consents will continue to be covered by Rule 15 and will be discretionary activities. This more specific wording is drawn from Policy B(a) of the National Policy Statement for Renewable Electricity Generation 2011. The original wording can be found in Section D, Page 18 of Meridian's submissions on Plan Change 3 ("**PC3**").
- 6 Meridian has prepared tables showing all of its current Waitaki Power Scheme Consents. The full tables are attached to these submissions as Annexure "A". Annexure "A" Table 1 shows which key operating consents should be covered by the Rule, which should not, and those that are not relevant to the Waitaki Catchment Water Allocation Regional Plan (WAP). Annexure "A" Table 2 contains other non-operating consents which will not be covered by Rule 15A.
- 7 It is only a subset of consents that Meridian considers necessary for inclusion as a controlled activity when renewed under Rule 15A. These are section 14 RMA water permits necessary to maintain generation

output through continued availability of water for the Waitaki Power Scheme and the protection (safety) of the generation related assets.

- 8 Meridian has considered whether Rule 15A should specify the consents by CRC number, but considers that this would be less desirable since it is possible that before the existing consents expire, some additional section 14 RMA consents which should fall under Rule 15A may be applied for and granted. In that circumstance a further plan change would be needed to extend Rule 15A to new consents if the consents to which Rule 15A were all referenced in the Rule itself.
- 9 I submit that the Waitaki Power Scheme forms part of the existing environment². The resource management effects which arise from the existence and operation of the Scheme are present and observable. Insofar as the WAP sets (whether now or in the future) flows, levels or water allocations, Rule 15A has been drafted to require any replacement resource consent application for the Waitaki Power Scheme to 'fall into line' with these before the controlled activity status is available. In all other respects, the reservation of control provides for the consent authority to comprehensively consider and decide appropriate mitigation.
- 10 In terms of section 32 analysis I submit the Rule is appropriate. By providing certainty that the Waitaki Power Scheme will be granted replacement consents that enable it to maintain generation output provided the WAP flows, levels or water allocations are implemented, while still enabling the consent authority to impose conditions in relation to the controlled matters, it better achieves the WAP objectives. Meridian has provided detailed expert evidence to support this submission. Expert opinion is outlined in paragraphs 79 to 105 of Sarah Dawson's Statement of Evidence dated 1 May 2015. This is supported by Guy Waipara's evidence on the undesirable consequences arising out of the hypothetical situation where the Waitaki Power Scheme is not reconsigned, in paragraphs 29 to 37 of his Statement of Evidence dated 1 May 2015.

² See *Alexandra District Flood Action Society v Otago Regional Council C102/05* para [51]-[74] where the Environment Court considered a similar situation when Contact Energy applied for replacement consents for its generation assets on the Clutha River and Policy 4.51 of the Canterbury Land and Water Regional Plan 2015 where Environment Canterbury considers existing hydro-electricity generation (amongst other assets) and their associated water takes, use, damming, diversion and discharges are to be considered as part of the existing environment.

- 11 It is my submission that controlled activity status is the most appropriate status for Rule 15A for those reasons. Restricted discretionary activity status is less effective because consent applications can be declined. There are no negative consequences which will arise as a result of the Rule in the form now advanced by Meridian. To qualify under Rule 15A an application must comply with Rules 2, 3, 6 and 7 and therefore must be fully compliant with the regimes established in the WAP.
- 12 I submit that there is no legal or planning impediment to deciding in favour of a controlled activity rule as part of PC3. Sarah Dawson's expert opinion, as summarised on slide 11 of her overview presentation, is that this does not result in "fragmented" or "ad hoc" planning nor result in any integrity issues necessitating delay.
- 13 In the written undertaking given on behalf of Meridian dated 12 August 2015 it was stated that the undertaking was reliant upon: "3. Inclusion of a new operative rule (currently proposed Rule 15A) relating to the reconsenting of the existing hydro electricity infrastructure in the catchment. In the event that the High Court determines that controlled activity status is lawful for water permits, then rule 15A making the activity a controlled activity in the form contained in Meridian's submission, or as otherwise agreed by Meridian as a result of any directions from this Hearing Panel. If the High Court determines that controlled activity status for water permits is unlawful then rule 15A making the activity a restricted discretionary activity in the form as publicly notified as part of Plan Change 3 by Environment Canterbury, or as otherwise agreed by Meridian as a result of any directions from this Hearing Panel." Meridian confirms that for the purposes of the undertaking dated 12 August 2015 the form of Rule 15A set out in paragraph 4 above is in a form agreed by Meridian.

DATED this 30th day of September 2015



S W Christensen
Counsel for Meridian Energy Limited

Annexure "A"

Waitaki Consents for Controlled Activity

The two tables summarise the resource consents held by Meridian relating to the Waitaki Power Scheme.

Table 1: Meridian's Operating Consents

Notes:

1. The consents are presented in geographical sequence from Lake Pukaki to Lower Waitaki River
2. "Generation" denotes those consents that provide water to be used for generation output and hence water being available for generation capacity
3. "Safety" denotes those consents that provide for the management of water for the protection of those assets directly associated with "generation". These assets include the canals, dams and powerhouses.
4. "Mitigation" denotes those consents that provide for Meridian to deliver activities which mitigate effects of the Waitaki Power Scheme
5. "Operation" denotes those consents that support the operation of the Waitaki Power Scheme but are not directly associated with generation output.

Compliance Group	Number	Description	Purpose	Date Granted	Expiry Date	Proposed WAP rule
Waitaki Operating Consent	CRC905321.7	A WATER PERMIT: To dam Pukaki River to control and operate Lake Pukaki between the levels of 518.00 and 532.50 metres (msl) at or about map reference NZMS 260 H38:820-649 (Lake Pukaki Control Structure)	Generation manages Lake Pukaki	11/09/2012	30/04/2025	Rule 15A – Controlled Activity
Waitaki Operating Consent	CRC905322.2	A DISCHARGE PERMIT: to discharge water up to a maximum rate of 3400 cubic metres per second into PUKAKI RIVER, at or about map references H38:820-649 via Lake Pukaki Control Structure Spillway.	Safety (Dam) spill flows into Pukaki Riverbed	31/05/2011	30/04/2025	Not relevant – s15 RMA, Land and Water Regional Plan
Waitaki Operating Consent	CRC905323.2	A DISCHARGE PERMIT: to discharge water up to a maximum rate of 420 cubic metres per second into PUKAKI RIVER at or about map reference H38:820-649 via Lake Pukaki Diversion Culvert.	Safety emergency flows into Pukaki Riverbed (unused)	31/05/2011	30/04/2025	Not relevant – s15 RMA, Land and Water Regional Plan

Compliance Group	Number	Description	Purpose	Date Granted	Expiry Date	Proposed WAP rule
Waitaki Operating Consent	CRC905324.1	A WATER PERMIT: to take water up to a maximum rate of 560 cubic metres per second into the Pukaki-Ohau canal from LAKE PUKAKI, at or about map reference H38:810-648.	Generation - flows into Pukaki Canal (feeding Ohau A Powerstation) from Lake Pukaki	1/02/1991	30/04/2025	Rule 15A - Controlled Activity
Waitaki Operating Consent	CRC905325.2	A DISCHARGE PERMIT: to discharge water up to a maximum rate of 560 cubic metres per second from the Pukaki-Ohau Canal into PUKAKI RIVER, at or about map reference H38:802-637 via Spill Channel.	Safety (canal) - emergency flows to reduce canal water levels	1/06/2011	30/04/2025	Not relevant – s15 RMA, Land and Water Regional Plan
Waitaki Operating Consent	CRC905326.1	A WATER PERMIT: to divert natural flow of TWIZEL RIVER through a culvert under the Pukaki-Ohau Canal at or about map reference H38:787-624	Safety (canal) – passes natural flows under canal	1/02/1991	30/04/2025	Rule 15A - Controlled Activity
Waitaki Operating Consent	CRC905327.1	A WATER PERMIT: to divert the natural flow of DRY STREAM through a culvert under the Pukaki-Ohau Canal at or about map reference H38:761-622.	Safety (canal) – passes natural flows under canal	1/02/1991	30/04/2025	Rule 15A - Controlled Activity

Compliance Group	Number	Description	Purpose	Date Granted	Expiry Date	Proposed WAP rule
Waitaki Operating Consent	CRC905328.1	A WATER PERMIT: to divert the natural flow of FRASER STREAM through a culvert under the Pukaki-Ohau Canal at or about map reference H38:743-608.	Safety (canal) – passes natural flows under canal	1/02/1991	30/04/2025	Rule 15A – Controlled Activity
Waitaki Operating Consent	CRC905329.1	A WATER PERMIT: to divert the natural flow of an unnamed stream through a culvert under the Pukaki-Ohau Canal at or about map reference H38:760-621.	Safety (canal) – passes natural flows under canal	1/02/1991	30/04/2025	Rule 15A – Controlled Activity
Waitaki Operating Consent	CRC905330.3	A WATER PERMIT: to dam OHAU RIVER to control and operate Lake Ohau between levels of 519.45 and 520.40 metres (msl) at or about map reference NZMS 260 H38:661-536.	Generation – manages Lake Ohau	31/05/2011	30/04/2025	Rule 15A – Controlled Activity
Waitaki Operating Consent	CRC905331.1	A WATER PERMIT: to take water up to a maximum rate of 200 cubic metres per second into Ohau Canal from LAKE OHAU, at or about map reference H38:655-550.	Generation - flows into Ohau Canal (feeding Ohau A Powerstation) from Lake Ohau	1/02/1991	30/04/2025	Rule 15A – Controlled Activity

Compliance Group	Number	Description	Purpose	Date Granted	Expiry Date	Proposed WAP rule
Waitaki Operating Consent	CRC905332.1	A DISCHARGE PERMIT: to discharge natural flood flows from Lake Ohau via Ohau Control Weir into the OHAU RIVER at or about map reference H38:661-536.	Safety (dam) spill flows into Ohau River	1/02/1991	30/04/2025	Not relevant – s15 RMA, Land and Water Regional Plan
Waitaki Operating Consent	CRC905333.1	A WATER PERMIT: to use water up to a maximum rate of 560 cubic metres per second from PUKAKI-OHAU CANAL, at or about map reference H38:731-561 for the purpose of POWER GENERATION (Ohau A Power Station).	Generation Ohau Powerstation	1/02/1991	30/04/2025	Rule 15A – Controlled Activity
Waitaki Operating Consent	CRC905334.1	A DISCHARGE PERMIT: to discharge water up to a maximum rate of 560 cubic metres per second into LAKE RUATANIWHA via Ohau A Power Station Tailrace at or about map reference H38:731-561.	Generation Ohau Powerstation	1/02/1991	30/04/2025	Not relevant – s15 RMA, Land and Water Regional Plan

Compliance Group	Number	Description	Purpose	Date Granted	Expiry Date	Proposed WAP rule
Waitaki / Oil Interceptors	CRC930588.1	A DISCHARGE PERMIT: to discharge power station drainage water into the Ohau A tailrace, at or about map reference H38:731-561.	Safety (powerhouse) – control water penetrating into the powerhouse	21/10/1993	30/04/2026	Not relevant – s15 RMA, Land and Water Regional Plan
Waitaki / Operating Consent	CRC905335.3	A WATER PERMIT: to DAM THE OHAU RIVER to control and operate LAKE RUATANIWHA between levels of 458.00 and 458.80 metres (mls) at or about map reference NZMS 260 H38:777-540 (Lake Ruataniwha Control Structure)	Generation – creates Lake Ruataniwha	31/05/2011	30/04/2025	Rule 15A – Controlled Activity
Waitaki / Operating Consent	CRC905336.2	A DISCHARGE PERMIT: to discharge water up to a maximum rate of 1740 cubic metres per second into OHAU RIVER via Lake Ruataniwha Control Structure at or about map reference H38:777-570.	Safety (dam) – spill flows into Lower Ohau Riverbed	31/05/2011	30/04/2025	Not relevant – s15 RMA, Land and Water Regional Plan
Waitaki / Operating Consent	CRC905337.1	A WATER PERMIT: to divert the natural flow of WAIREPO CREEK into Ruataniwha-Ohau B Canal at or about map reference H38:763-519.	Generation – flows into Ohau B Canal (feeding Ohau B Powerstation)	1/02/1991	30/04/2025	Rule 15A – Controlled Activity

Compliance Group	Number	Description	Purpose	Date Granted	Expiry Date	Proposed WAP rule
Waitaki Operating Consent	CRC905338.1	A WATER PERMIT: to take water up to a maximum rate of 560 cubic metres per second into Ohau B Canal from Lake Ruataniwha, at or about map reference H38: 744-563	Generation – flows into Ohau B Canal (feeding Ohau B Powerstation)	1/02/1991	30/04/2025	Rule 15A – Controlled Activity
Waitaki Operating Consent	CRC905339.1	A WATER PERMIT: to use water up to a maximum rate of 560 cubic metres per second at or about map reference H38:792-525 for the purposes of POWER GENERATION (Ohau B Power Station)	Generation –Ohau B Powerstation	1/02/1991	30/04/2025	Rule 15A – Controlled Activity
Waitaki / Oil Interceptors	CRC930589.1	A DISCHARGE PERMIT: to discharge power station drainage water, into the Ohau B tail race, at or about map reference H38:796-525.	Safety (powerhouse) – control water penetrating into the powerhouse	21/10/1993	30/04/2026	Not relevant – s15 RMA, Land and Water Regional Plan
Waitaki Operating Consent	CRC905340.1	A WATER PERMIT: to use water up to a maximum rate of 560 cubic metres per second, at or about map reference H39:854-479, for the purpose of POWER GENERATION (Ohau C Power Station).	Generation –Ohau C Powerstation	1/02/1991	30/04/2025	Rule 15A – Controlled Activity

Compliance Group	Number	Description	Purpose	Date Granted	Expiry Date	Proposed WAP rule
Waitaki / Oil Interceptors	CRC930590.1	A DISCHARGE PERMIT: to discharge power station drainage water into the Ohau C tail race, and thence to Lake Benmore, at or about map reference H39:853-479	Safety (powerhouse) – control water penetrating into the powerhouse	21/10/1993	30/04/2028	Not relevant – s15 RMA, Land and Water Regional Plan
Waitaki / Operating Consent	CRC905341.2	A DISCHARGE PERMIT: to discharge water up to a maximum rate of 560 cubic metres per second from Ohau B - Ohau C Canal via labyrinth weir into OHAU RIVER, at or about map reference H38:812-515.	Safety (canal) - emergency flows to reduce canal water levels	31/05/2011	30/04/2025	Not relevant – s15 RMA, Land and Water Regional Plan
Waitaki / Operating Consent	CRC905342.1	A WATER PERMIT: to divert the natural flow from Tomahawk Lagoon through a culvert under the Ohau B - Ohau C Canal at or about map reference H38:795-519.	Safety (canal) – manages artificial flows with respect to canal (superseded by CRC154049)	1/02/1991	30/04/2025	Rule 15A – Controlled Activity
Waitaki / Operating Consent	CRC154049	To divert the Tomahawk Lagoon	Safety (canal) – manages artificial flows with respect to canal (supersedes CRC905342.1)	17/12/2014	30/04/2025	Rule 15A – Controlled Activity

Compliance Group	Number	Description	Purpose	Date Granted	Expiry Date	Proposed WAP rule
Waitaki Operating Consent	CRC905343.1	A DISCHARGE PERMIT: to discharge water up to a maximum rate of 560 cubic metres per second into LAKE BENMORE via Ohau C Power Station Tailrace, at or about map reference H39:857-478.	Generation –Ohau C Powerstation	1/02/1991	30/04/2025	Not relevant – s15 RMA, Land and Water Regional Plan
Waitaki Operating Consent	CRC905344.4	A WATER PERMIT: to DAM Waitaki River to control and operate LAKE BENMORE between the levels of 355.25 and 361.45 metres (m/s) at or about map reference NZMS 260 H39:874-232 (Benmore Power Station)	Generation – Lake Benmore	31/05/2011	30/04/2025	Rule 15A – Controlled Activity
Waitaki Operating Consent	CRC905345.1	A WATER PERMIT: to use up to a maximum rate of 660 cubic metres per second at or about map reference H39:874-232. (Benmore Power Station) for the purposes of POWER GENERATION.	Generation – Benmore Powerstation	1/02/1991	30/04/2025	Rule 15A – Controlled Activity
Waitaki Operating Consent	CRC905346.2	A DISCHARGE PERMIT: to discharge water up to a maximum rate of 660 cubic metres per second into Waitaki River via Benmore Power Station Tailrace at or about map reference H39:874-232.	Generation – Benmore Powerstation	31/05/2011	30/04/2025	Not relevant – s15 RMA, Land and Water Regional Plan

Compliance Group	Number	Description	Purpose	Date Granted	Expiry Date	Proposed WAP rule
Waitaki / Oil Interceptors	CRC930590.1	A DISCHARGE PERMIT: to discharge power station drainage water from the Benmore power station into Lake Aviemore at or about map reference H39:870-230	Safety (powerhouse) – control water penetrating into the powerhouse	21/10/1993	30/04/2028	Not relevant – s15 RMA, Land and Water Regional Plan
Waitaki / Operating Consent	CRC905347.2	A DISCHARGE PERMIT: to discharge water up to a maximum rate of 1700 cubic metres per second into Waitaki River via Sluice Gates Lake Benmore Control Structure, at or about map reference H39:874-232.	Safety (dam) – spill flows into Waitaki River (Lake Aviemore)	31/05/2011	30/04/2025	Not relevant – s15 RMA, Land and Water Regional Plan
Waitaki / Operating Consent	CRC905348.2	A DISCHARGE PERMIT: to discharge water up to a maximum rate of 3400 cubic metres per second into Waitaki River via Spillway Lake Benmore Control Structure, at or about map reference H39:874-232.	Safety (dam) – spill flows into Waitaki River (Lake Aviemore)	31/05/2011	30/04/2025	Not relevant – s15 RMA, Land and Water Regional Plan

Compliance Group	Number	Description	Purpose	Date Granted	Expiry Date	Proposed WAP rule
Waitaki Operating Consent	CRC905349.1	A WATER PERMIT: to take up to 19 cubic metres per day at a maximum rate of 5 litres per second from Lake Benmore, at or about map reference H39:874-232, for the purpose of Domestic Water Supply at Power House.	Operation – water supply to Benmore Powerstation	1/02/1991	30/04/2025	Rule 15 – Discretionary Activity
Waitaki Operating Consent	CRC905351.3	A WATER PERMIT: to dam WAITAKI RIVER to control and operate LAKE AVIEMORE between the levels of 265.50 and 268.30 (mls at or about map reference NZMS 260 I40:002-134 (Aviemore Power Station)	Generation – Lake Aviemore	31/05/2011	30/04/2025	Rule 15A – Controlled Activity
Waitaki Operating Consent	CRC905352.1	A WATER PERMIT: to use water up to a maximum rate of 710 cubic metres per second at or about map reference I40:002-134 (Aviemore Power Station) for the purpose of Power Generation.	Generation – Aviemore Powerstation	1/02/1991	30/04/2025	Rule 15A – Controlled Activity
Waitaki Operating Consent	CRC905353.2	A DISCHARGE PERMIT: to discharge water up to a maximum rate to 710 cubic metres per second into Waitaki River via Aviemore Power Station Tailrace at or about map reference I40:002-134.	Generation – Aviemore Powerstation	31/05/2011	30/04/2025	Not relevant – s15 RMA, Land and Water Regional Plan

Compliance Group	Number	Description	Purpose	Date Granted	Expiry Date	Proposed WAP rule
Waitaki / Oil Interceptors	CRC950296.1	A DISCHARGE PERMIT: to discharge water containing contaminants from Aviemore power station into Lake Waitaki at or about map reference I40:003-135	Safety (powerhouse) – control water penetrating into the powerhouse	4/10/1995	4/10/2030	Not relevant – s15 RMA, Land and Water Regional Plan
Waitaki / Fish Passage	CRC920355A	A WATER PERMIT: to take up to 4233 cubic metres of water per week at a maximum rate of 7 litres per second from Lake Aviemore, at or about map reference I40:002-134 for native fish pass.	Mitigation – Aviemore Dam native fish pass (not in operation)	25/03/1992	30/04/2025	Rule 15 – Discretionary Activity
Waitaki / Fish Passage	CRC920355B	A DISCHARGE PERMIT: to discharge up to 4233 cubic metres of water per week at a maximum rate of 7 litres per second from Lake Aviemore to Waitaki River, at or about map reference I40:002-134 for native fish pass.	Mitigation – Waitaki Dam native fish pass (not in operation)	25/03/1992	30/04/2025	Not relevant – s15 RMA, Land and Water Regional Plan

Compliance Group	Number	Description	Purpose	Date Granted	Expiry Date	Proposed WAP rule
Waitaki Operating Consent	CRC905354.2	A DISCHARGE PERMIT: to discharge water up to a maximum rate of 5400 cubic metres per second into Waitaki River via Spillway lake Aviemore Control Structure, at or about map reference I40:002-134.	Safety (dam) - spill flows into Waitaki River (Lake Waitaki)	31/05/2011	30/04/2025	Not relevant – s15 RMA, Land and Water Regional Plan
Waitaki Operating Consent	CRC905355.2	A DISCHARGE PERMIT: to discharge water up to a maximum of 1700 cubic metres per second into Waitaki River via Sluice Gates Lake Aviemore Control Structure, at or about map reference I40:002-134.	Safety (dam) - spill flows into Waitaki River (Lake Waitaki)	31/05/2011	30/04/2025	Not relevant – s15 RMA, Land and Water Regional Plan
Waitaki Operating Consent	CRC905356.2	A WATER PERMIT: to divert water from Lake Aviemore, at or about map reference I40:002-134, for the Aviemore Fish Spawning Channel.	Mitigation – water for Fish and Game Aviemore Spawning Channel	31/05/2011	30/04/2025	Rule 15 – Discretionary Activity

Compliance Group	Number	Description	Purpose	Date Granted	Expiry Date	Proposed WAP rule
Waitaki Operating Consent	CRC905357.2	A DISCHARGE PERMIT: to discharge water from the Aviemore fish Spawning Channel, at or about map reference I40:002-134, to the Waitaki River.	Mitigation – water for Fish and Game Aviemore Spawning Channel	31/05/2011	30/04/2025	Not relevant – s15 RMA, Land and Water Regional Plan
Waitaki Operating Consent	CRC905358.1	A WATER PERMIT: to take up to 70 cubic metres of water per day at a maximum rate of 10 litres per second from Lake Aviemore, at or about map reference I40:002-134 for the purpose of Domestic Use (Aviemore Power Station).	Operation – water supply to Aviemore Powerstation	1/02/1991	30/04/2025	Rule 15 – Discretionary Activity
Waitaki Operating Consent	CRC905360.1	A WATER PERMIT: to dam Waitaki River to control and operate Lake Waitaki between the levels of 227.00 and 230.80 metres (msl), at or about map reference I40:060-101 (Waitaki Power Station).	Generation – Lake Waitaki	1/02/1991	30/04/2025	Rule 15A – Controlled Activity

Compliance Group	Number	Description	Purpose	Date Granted	Expiry Date	Proposed WAP rule
Waitaki Operating Consent	CRC905361.3	A WATER PERMIT: to USE WATER up to a maximum rate of 650 cubic metres per second or about map reference NZMS 260 I40:060-101 (WAITAKI POWER STATION) for the purpose of Power Generation.	Generation – Waitaki Powerstation	31/05/2011	30/04/2025	Rule 15A – Controlled Activity
Waitaki Operating Consent	CRC905362.1	A WATER PERMIT: to take up to 90 cubic metres of water per day at a maximum rate of 5 litres per second from Lake Waitaki, at or about map reference I40:060-101, for the purpose of Domestic Supply.	Operation – water supply to Waitaki Powerstation	1/02/1991	30/04/2025	Rule 15 – Discretionary Activity
Waitaki Fish Passage	CRC920354A	A WATER PERMIT: to take up to 4233 cubic metres of water per week at a maximum rate of 7 litres per second from Lake Waitaki, at or about map reference I40:060-101 for native fish pass.	Mitigation – Waitaki Dam native fish pass (not in operation)	25/03/1992	30/04/2025	Rule 15 – Discretionary Activity
Waitaki Fish Passage	CRC920354B	A DISCHARGE PERMIT: to discharge up to 4233 cubic metres of water per week at a maximum rate of 7 litres per second from Lake Waitaki to Waitaki River, at or about map reference I40:060-101 for native fish pass.	Mitigation – Waitaki Dam native fish pass (not in operation)	25/03/1992	30/04/2025	Not relevant – s15 RMA, Land and Water Regional Plan

Compliance Group	Number	Description	Purpose	Date Granted	Expiry Date	Proposed WAP rule
Waitaki / Operating Consent	CRC905364.2	A DISCHARGE PERMIT: to discharge water up to a maximum rate of 650 cubic metres per second into the Waitaki River via Waitaki Power Station Tailrace, at or about map reference I40:060-101.	Generation Waitaki Powerstation	31/05/2011	30/04/2025	Not relevant – s15 RMA, Land and Water Regional Plan
Waitaki / Oil Interceptors	CRC950299.1	A DISCHARGE PERMIT: to discharge water containing contaminants from the Waitaki power station into the Waitaki River at or about map reference I40:062-098	Safety (powerhouse) – control water penetrating into the powerhouse	4/10/1995	4/10/2030	Not relevant – s15 RMA, Land and Water Regional Plan
Waitaki / Operating Consent	CRC905365.2	A DISCHARGE PERMIT: to discharge water up to a maximum rate of 5380 cubic metres per second into the waitaki River via Lake Waitaki control Structure Spillweir at or about map reference I40:060-101.	Safety (dam) – spill flows into Lower Waitaki River	31/05/2011	30/04/2025	Not relevant – s15 RMA, Land and Water Regional Plan

Table 2: Ancillary consents

Notes:

1. The consents presented in order of Meridian’s “compliance groups”
2. By ancillary, Meridian means that they relate to activities that are necessary, but not directly related, to day-to-day generation.
3. Consents with a number notated as:
 - a. “CRC...”, are Environment Canterbury Consents
 - b. “RM...”, “LRC...” and “201...” are district council land use consents.

Compliance Group	Number	Description	Date Granted	Expiry Date
Waitaki / Aviemore Shoreline	CRC940793.1	A LAND USE CONSENT: to construct and maintain erosion protection works along the foreshore of Lake Aviemore (Te Akatarawa Road) commencing at or about map reference I40:004-136 and extending north for approximately 5.4 Km to at or about map reference I40:984-181 to prevent the undermining of Te Akatarawa Road due to shoreline erosion. (Upstream site - downstream site is CRC110748)	13/02/1994	16/02/2019

Compliance Group	Number	Description	Date Granted	Expiry Date
Waitaki / Aviemore Shoreline	CRC110748	To undertake erosion protection works on the bed and margins of Lake Aviemore - Te Akatarawa Road, Lake Aviemore (Upstream site - the downstream site is CRC940793.1)	23/12/2010	23/12/2045
Waitaki / Aviemore Shoreline	RM100052	To carry out erosion protection works along part of the Lake Aviemore Shoreline. [discretionary activity pursuant to Sections 104B of the Resource Management Act 1991, subject to the following conditons imposed pursuant to Section 108 of the Act.]	8/03/2011	
Waitaki / Boat Ramps/Jettys	CRC040177	A LAND USE CONSENT: To place and maintain structures. Boat ramp and associated structures on Lake Benmore	20/08/2003	20/08/2038
Waitaki / Boat Ramps/Jettys	CRC960676.1	A LAND USE CONSENT: to disturb the bed of the Waitaki River to construct, reconstruct and use an access way, at or about map reference I40:066-095.	5/11/1995	1/11/2030
Waitaki / Boat Ramps/Jettys	LRC03/98	CONSENT: To upgrade an existing boat launching ramp facility at Lake Benmore adjacent to Benmore Dam.	25/08/2003	

Compliance Group	Number	Description	Date Granted	Expiry Date
Waitaki / Fibre optics	CRC082795	To divert surface water for the purpose of installing and maintaining fibreoptic cable.	7/04/2008	7/04/2033
Waitaki / Fibre optics	CRC082070	Land Use Consent: To disturb the bed and banks to install fibreoptic cable.	7/04/2008	7/04/2033
Waitaki / Fibre optics	RM070116	To install fibre optic cable from Tekapo A power station to Waitaki Power Station via Hakataramea Pass.	9/04/2008	
Waitaki / Fibre optics	RM070072	To install underground fibre-optic cable above 900m altitude and crossing Schedule Heritage Item 45 (rabbit fence)	22/01/2008	
Waitaki / Fish Passage	CRC930867.1	A LAND USE CONSENT: to modify the bed of the Ohau River, as and when necessary, at or about map reference H38:661-536 to facilitate the operation of a fish pass. NB: This consent may only be exercised in conjunction with CRC905330.	22/07/1993	30/04/2025
Waitaki / General – Land Use	CRC020924	A LAND USE CONSENT: to excavate and deposit material in the bed of the Ohau River and remove and erect structures in the bed of the Ohau River.	30/11/2001	30/11/2036

Compliance Group	Number	Description	Date Granted	Expiry Date
Waitaki / General – Land Use	RM051171	Erection of control building to house a diesel generator adjacent to Aviemore Dam (north bank)	7/07/2005	
Waitaki / General – Land Use	LRC08/58	To install a 225,000 litre water tank and associated pump station for fire fighting purposes (as per the application), at the Waitaki Power Station, Kurow, on land legally described as Lot 1 DP 26020 (CFR OT19C/69)	12/09/2008	
Waitaki / General – Land Use	RM970660(B)	LAND USE CONSENT DECISION: RM970660 (B). That pursuant to Section 104, 105 and 108 of the Resource Management Act 1991, I by delegated authority from Council consent to Meridian Energy Limited to use land contained in SEC 1 DO 19013 & PT BENMORE DAM, BLK XIII HEWLINGS SD to: To erect a structure on Benmore Dam. [Standby generator on spillway structure - Updated 24 January 2000 to reflect ownership name change].	25/02/1997	
Waitaki / General – Land Use	CRC146200	To install three bores [Ohau B Power Station, Ohau River, nr Twizel]	8/05/2014	8/05/2017

Compliance Group	Number	Description	Date Granted	Expiry Date
Waitaki / General – Land Use	CRC151828	To install two bores (Aviemore Power Station)	11/09/2014	11/09/2017
Waitaki / Global culverts	CRC032260.1	A LAND USE CONSENT: to use, erect, reconstruct, place, alter, extend remove or demolish a permanent structure or part of a permanent structure in, on or over the bed of a water course. [Nb: 'Global Culverts' suite of consents: CRC032260, CRC032265, CRC032266, CRC032267 and RM030034].	16/10/2003	13/10/2038
Waitaki / Global culverts	CRC032265.1	A DISCHARGE PERMIT: to temporarily discharge water containing contaminants to land. [Nb: 'Global Culverts' suite of consents: CRC032260, CRC032265, CRC032266, CRC032267 and RM030034].	16/10/2003	13/10/2038
Waitaki / Global culverts	CRC032266.1	A DISCHARGE PERMIT: temporarily discharge water and water containing contaminants to water. [Nb: 'Global Culverts' suite of consents: CRC032260, CRC032265, CRC032266, CRC032267 and RM030034].	16/10/2003	13/10/2038

Compliance Group	Number	Description	Date Granted	Expiry Date
Waitaki / Global culverts	CRC032267.1	A WATER PERMIT: temporarily dam and divert and take the water of watercourses. [Nb: 'Global Culverts' suite of consents: CRC032260, CRC032265, CRC032266, CRC032267 and RM030034].	16/10/2003	13/10/2038
Waitaki / Global culverts	RM030034	RESOURCE CONSENT APPLICATION RM030034: Culvert alteration, repair, replacement and maintenance works - Pukaki Hydro-Electric Power Scheme Canals - Meridian Energy Ltd. (Sites 10-15). [Nb: 'Global Culverts' suite of consents: CRC032260, CRC032265, CRC032266, CRC032267 and RM030034].	8/09/2003	
Waitaki / Hydrometric Sites	CRC020925	A LAND USE CONSENT: to undertake ongoing maintenance of an observation well located within Lake Pukaki.	12/12/2001	12/12/2036
Waitaki / Hydrometric Sites	CRC080035	To disturb the bed and banks of a lake for the purposes of recording water levels Lake Ohau gauges	25/10/2007	25/10/2025

Compliance Group	Number	Description	Date Granted	Expiry Date
Waitaki / Hydrometric Sites	CRC130043	To install a physical "Water Level Recorder" (WLR) on the face of the concrete part of the Aviemore Dam. The Canterbury Regional Council confirms that the activity is authorised under Rule BLR3 of the Natural Regional Resources Plan (NRRP) - Chapter 6 - Beds of Lakes and Rivers. This CoC ties in with Waitaki District Council's CoC 203.2012.236	6/08/2012	
Waitaki / Ohau sediment basin	CRC960562.1	A LAND USE CONSENT: to excavate gravel, sand and other natural material from the bed of Ohau River and Ohau A tailrace; to disturb the bed by operating vehicles and machinery, at or about map references H38:730-554 and H38:735-555.	8/01/1996	21/12/2030
Waitaki / Ohau sediment basin	CRC960563.1	A WATER PERMIT: to divert water in the Ohau River at or about map reference H38:730-554 for the purposes of temporary realignment of the flow of the river to facilitate excavation.	8/01/1996	21/12/2030

Compliance Group	Number	Description	Date Granted	Expiry Date
Waitaki / Ohau sediment basin	CRC960564.1	A DISCHARGE PERMIT: to discharge contaminants and water to the Ohau River and Lake Ruataniwha, at or about map reference H38:735-555.	20/12/1995	13/12/2030
Waitaki / Ohau sediment basin	201.2012.177	To allow mining and earthwork activities being the extraction of gravel and sand from the Ohau River near the Ohau A power station tailrace at the head of Lake Ruataniwha, with the material removed stockpiled within the footprint of an existing stockpile located on the true left bank of the Ohau River approximately 500m from the extraction site on land legally described as Lot 1 DP 306340 (CRF 0/24858) located at properties off Twizel - Omarama Road.	27/03/2012	
Waitaki / Ohau weir	CRC040555	A LAND USE CONSENT: To use, erect and place permanent structures in and on the bed of the Upper Ohau River; to alter and reconstruct existing and new structures in the bed of the river; to use, erect, place, remove and/or demolish temporary structures in, on , or under the bed of the river; to excavate and disturb riverbed materials above and below the water line.	10/12/2003	13/12/2030

Compliance Group	Number	Description	Date Granted	Expiry Date
Waitaki / Ohau weir	CRC040556	A DISCHARGE PERMIT: to temporarily discharge contaminants to water in association with the excavation and disturbance of riverbed material; and the placement, erection, construction, repair and maintenance of both temporary and permanent structures in, on or under the riverbed. (Upper Ohau River - Ohau Weir)	10/12/2003	13/12/2030
Waitaki / Ohau weir	CRC040557	A WATER PERMIT: to temporarily and partially dam the waters of the Upper Ohau River associated with the works listed in resource consent applications CRC040555 and CRC040556.	10/12/2003	13/12/2030
Waitaki / Ohau weir	LRC 03/115	CONSENT: To carry out earthworks and erect erosion protection and river control structures for the purpose of protecting and maintaining the Ohau Sediment Basin associated with the operation of the Ohau A Power Station.	19/12/2003	
Waitaki / Ohau weir	RM030070	Earthworks and erection of erosion protection and river control structures - Upper Ohau River	23/12/2003	

Compliance Group	Number	Description	Date Granted	Expiry Date
Waitaki / Pukaki Dam and Environs	RM130022	Processing of riprap rock on the crest of Pukaki High Dam noncompliance with noise standard, Lake Pukaki [This resource consent is granted by the Mackenzie District Council pursuant to sections 104 and 104B of the Resource Management Act 1991 and is subject to the attached conditions imposed in accordance with section 108 of the Act.]	15/05/2013	15/05/2018
Waitaki / Pukaki Dam and Environs	CRC137341	Land Use Consent to establish, use and maintain a gravel trap in Lake Pukaki.	1/08/2013	1/08/2048
Waitaki / Pukaki Dam and Environs	RM130040	Formation of access to gravel trap off State Highway 8, Lake Pukaki. [Linked to CRC137341 to place a gravel trap north of Gate 18, Lake Pukaki shoreline].	7/08/2013	
Waitaki / Pukaki Mining and Stockpiling	CRC052077	TO DISTURB THE BED AND BANKS OF A RIVER to place, and replace if necessary a culvert in Boltons Gully & Camp Stream	25/02/2005	25/02/2015

Compliance Group	Number	Description	Date Granted	Expiry Date
Waitaki / Pukaki Mining and Stockpiling	CRC060137.1	A DISCHARGE PERMIT: To discharge fugitive dust to air, as a result of stockpiling extracted rock. Pukaki Spillway, Pukaki Dam, Braemar (near lake) rock stock piles	26/10/2005	26/10/2015
Waitaki / Pukaki Mining and Stockpiling	RM050001	Braemar Station: To deposit and stockpile up to 10,000m ³ of rock over an area of approximately 7000m ² for use in shoreline protection works on Lake Pukaki. (lakeside site)	30/03/2005	30/03/2020
Waitaki / Pukaki Mining and Stockpiling	RM140058	[Wolds site] Excavate and disturb land for the purpose of rock extraction.	1/04/2015	1/04/2025
Waitaki / Pukaki Mining and Stockpiling	RM140059	[Braemar site]. To excavate and disturb land for the purpose of rock extraction.	2/03/2015	2/03/2025

Compliance Group	Number	Description	Date Granted	Expiry Date
Waitaki / Pukaki Mining and Stockpiling	CRC073812.1	To discharge contaminants to air (Braemar stockpile sites - Lake Pukaki)	26/03/2009	24/07/2017
Waitaki / Pukaki Shoreline and Gravel Extraction	RM070111	EROSION PROTECTION WORKS around Lake Pukaki including rock extractions, deposit aggregate and erect and maintain structures - as below: (a) 100,000 m3 of rock extraction from Landslip Creek over 35 years; (b) 20,000 m3 of rock extraction from Twin Stream over 35 years; (c) deposition of aggregate to erect and reconstruct structures at 17 sites around the shoreline of Lake Pukaki; (d) Ongoing maintenance of structures; and (e) Disturbance of the bed of Lake Pukaki for beach nourishment	9/04/2008	9/04/2043
Waitaki / Pukaki Shoreline and Gravel Extraction	CRC081892	Land use consent to carry out erosion control works (Lake Pukaki). NB: Refer also related consent RM 070111, and associated gravel extraction consent for Twin Stream (CRC082777) and Landslip Creek (CRC082778).	30/11/2009	30/11/2044

Compliance Group	Number	Description	Date Granted	Expiry Date
Waitaki / Pukaki Shoreline and Gravel Extraction	CRC082778	To excavate and deposit gravel, sand and other natural material, and to disturb the bed of a river. (Landslip Creek) NB: Consent relates to Pukaki erosion works on consent # CRC081892 and Twin Stream excavation on # CRC082777	30/11/2009	30/11/2044
Waitaki / Pukaki Shoreline and Gravel Extraction	CRC082777	To excavate and deposit gravel, sand and other natural materials and to disturb the bed of Twin Stream. NB: Also relates to Pukaki erosion protection consent # CRC081892, as well as extraction from Landslip Creek #CRC082778	30/11/2009	30/11/2044
Waitaki / Sewerage	CRC921587.1	A DISCHARGE PERMIT: to discharge up to 2.8 cubic metres per day of septic tank effluent into the ground via an evapotranspiration/seepage bed, at or about map reference I40:063-097.	6/11/1992	1/11/2027
Waitaki / Transformers	CRC084840	LAND USE CONSENT: To store insulating oil within a new transformer at Benmore Power Station, Lake Aviemore	21/08/2008	21/08/2043

Compliance Group	Number	Description	Date Granted	Expiry Date
Waitaki / Transformers	LRC08/39	The storage and subsequent use of hazardous substance (oil) in quantities that exceed the maximum allowable amount of 3,000 litres specified on column A of Table 1 for the Rural Zone, (as per Rule 16.1.2) and for the installation and use of a new transformer and two pi poles (as per the application), at Benmore Power Station, Otematata.	5/09/2008	
Waitaki / Transformers	CRC111617	TO USE LAND TO STORE a specified hazardous substance at Aviemore Power Station. [Five high voltage transformers containing oil]. [NB: term is unlimited duration hence no expiry date].	1/06/2011	
Waitaki / Transformers	LRC201.2011.39	LAND USE CONSENT - Oil contained within transformers at Aviemore Power Station.	9/06/2011	
Waitaki / Waitaki Refurb Project	CRC144843	Disturb, excavate and deposit natural material in the riparian zone.	11/04/2014	10/04/2114

Compliance Group	Number	Description	Date Granted	Expiry Date
Waitaki / Waitaki Refurb Project	CRC144844	Construct, use and maintain a defence against water in the Waitaki River.	11/04/2014	11/04/2049
Waitaki / Waitaki Refurb Project	CRC144845	A DISCHARGE PERMIT: contaminants to water or land.	11/04/2014	10/04/2049
Waitaki / Waitaki Refurb Project	CRC144847	A WATER PERMIT: Temporarily divert water in the Waitaki River.	11/04/2014	10/04/2049
Waitaki / Waitaki Refurb Project	201.2013.459	To undertake earthworks on rural zoned land [S/hwy road widening at Waitaki Dam Rd / SH83 intersection]	23/12/2013	

Compliance Group	Number	Description	Date Granted	Expiry Date
Waitaki / Waitaki Refurb Project	CRC152642	To undertake land disturbance, earthworks and vegetation removal to strengthen an unreinforced concrete gravity wall adjacent to the Waitaki Dam.	27/12/2014	27/12/2015