

## Jacob Paget

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**From:** Neil Deans s 9(2)(a)  
**Sent:** Friday, 7 June 2024 10:27 am  
**To:** Listed Projects  
**Cc:** Meredith Lawry; John Roberts; Nicola Holmes  
**Subject:** FW: Feedback on FTA133 Manuherekia Catchment Project

Hi Marlene

DOC has assessed this proposal to amend Falls Dam and create a new dam at Wade Creek. DOC is not aware of reasons for this to be ineligible for Fast Track consideration. We have several concerns about the proposal which would need to be addressed at the Expert Panel stage. You would need to communicate with Ngāi Tahu about any land exchange issues in particular to ensure that Treaty settlements were being upheld.

### 1. Falls Dam Proposal - replacement of dam including a raise in height by 12-13m

Information provided through our previous engagement with the Manuherekia Catchment Water Strategy Group for a 15m water level rise indicates that a 12-13m rise would inundate all or parts of the following public conservation lands and covenanted lands.

- the Falls Dam Track Extension Conservation Area
- a section of the Manuherekia Marginal Strip
- the Manuherekia Catchment Marginal Strip
- part of the Home Hills (Reserves Act) Conservation Covenant
- part of the Gate Creek (Reserves Act) Conservation Covenant

A small part of the Oteake Conservation Park may be inundated by a 12-13m raise. The proposers would need to confirm the extent of inundation.

MOC (landowner) approval for disposal or exchange of Public Conservation Land (PCL) (eg. for the purpose of inundation) has proved problematic in the past where land has conservation value.

In addition, inundation would affect the Falls Dam Track, being an easement through Home Hills Station in favour of the public and DOC management access.

It is possible that consequential downstream infrastructure (pipelines, roading) would affect the Fiddlers Flat Conservation Area and the Blackstone Hill Conservation Area

#### Other matters

- (i) Ngāi Tahu

Disposal of Public Conservation Land triggers a Right of First Refusal process with Ngāi Tahu

- (ii) Examples of terrestrial values of high significance

A Wildlife Act Permit would likely need to be sought for the purpose of catch alive or kill of protected wildlife (eg lizard species subject to inundation).

The Home Hills and Gate Creek Covenants were established in part to protect the assemblages of threatened native shrub species and landscape character.

The nationally critical *Lepidium sisymbrioides* is found low in the Home Hills Covenant area near the current waters-edge

(iii) Freshwater values of high significance

The Manuherekia Alpine Galaxiid (Nationally Endangered) is found only in the 12km braided stretch of the Manuherekia river above the Falls Dam. Raising the level of the reservoir will remove available habitat and promote predatory trout ingress to that remaining upstream. Galaxiids do not inhabit lakes and reservoirs.

(iv) Avifauna values of high significance

Habitat for the Black Billed Gull (Nationally Critical) and the Black Fronted Tern (Nationally Endangered) is provided by the braided Manuherekia River above Falls Dam.

## 2. Wade Creek Dam Proposal

Only a very general location of the 'Wade Creek Valley' has been provided. This does not show the position of the proposed Wade Creek Dam or the proposed inundation extent beyond describing that it is proposed to store 8M cubic metres of water. By comparison the current Falls Dam stores 10M cubic metres. This comparison helps to indicate the likely extent of the inundation. Although a preliminary ecological advice report has been undertaken by the proposer, this has not been made available in the information provided

- The Hills Creek Marginal Strip and Oteake Conservation Park extend into the location indicated. If these lands were to be inundated then MOC (landowner) approval is required for disposal and/or exchange. Disposal or exchange of PCL has proved difficult in the past where land has conservation value.
- An inundation (disposal) of PCL would trigger a RFR with Ngāi Tahu
- A Wildlife Act Permit would likely need to be sought for the purpose of catch alive or kill of any protected wildlife that might be found in the area of the proposal (eg lizard species subject to inundation).
- Clutha Roundhead Galaxiids (Nationally Endangered) have been recorded in tributaries of Hills Creek in the vicinity of the location shown, although downstream of it.

Regards

Neil Deans

**Advisor – RM Reform**

Department of Conservation—*Te Papa Atawhai*

Level 2, Conservation House, Wellington 6143

s 9(2)(a)

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**Conservation leadership for our nature**

*Tākina te hī, tiakina te hā, o te ao tūroa*

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**From:** Listed Projects <[ListedProjects@mfe.govt.nz](mailto:ListedProjects@mfe.govt.nz)>

**Sent:** Wednesday, June 5, 2024 8:00 AM

**To:** Meredith Lawry s 9(2)(a); Neil Deans s 9(2)(a)

**Subject:** Feedback on FTA133 Manuherekia Catchment Project

Kia ora kōrua,

Please find attached the application material for listed project application FTA133 Manuherekia Catchment Project

The applicant indicates approval under the Conservation Act and Wildlife Act is required.

Could you please let us know anything you're aware of that would render this project ineligible under Clause 18, or any relevant Treaty settlement provisions you are aware of?

If possible, please provide feedback by **Friday 7 June** (Note, this is a lower priority than any mining or aquaculture project)

Ngā mihi,

**Marlene Youl, Senior Analyst, Community Investments**

Ministry for the Environment – Manatū Mō Te Taiao

s 9(2)(a) Work hours: 7am – 3pm

Environment House, 23 Kate Sheppard Place, Thorndon, PO Box 10362, Wellington 6143



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