

Jacob Paget

From: Neil Deans S 9(2)(a)
Sent: Wednesday, 19 June 2024 12:19 pm
To: Listed Projects; Karen Sannazzaro
Cc: Meredith Lawry; John Roberts; Gabriel Davies; Aaron Fleming [EXTERNAL] (DOC)
Subject: FW: IN CONFIDENCE [COMMERCIAL]Feedback on FTA309 - Strath Taieri water storage and community resilience project
Attachments: 309.01 - response-ANON-URZ4-5FST-Q.pdf; 309.02 - Scheme location map.pdf

Kia ora e Karen

Please find below DOC advice on this Fast Track application.

There is no involvement of public conservation land of status which cannot be considered under Fast Track, so there are no grounds for ineligibility on that basis.

Conservation approvals will be required, however, for a number of parcels of public conservation land which are or may be affected by the project, which requires more detailed assessment as to the nature of the permissions required. If land requires disposal, this would trigger Ngāi Tahu first right of refusal.

Threatened native fish are likely affected by the project, which will require appropriate RMA and freshwater fishery approvals and lizards may be affected requiring Wildlife Act approvals.

There may be matters which require engagement with Ngāi Tahu, which we have not been able to undertake due to the confidentiality obligations.

Regards

Neil Deans

Advisor – RM Reform

Department of Conservation—*Te Papa Atawhai*
Level 2, Conservation House, Wellington 6143

S 9(2)(a)
www.doc.govt.nz

Conservation leadership for our nature

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

From: John Roberts S 9(2)(a)
Sent: Wednesday, June 19, 2024 11:30 AM
To: Neil Deans S 9(2)(a)
Subject: IN CONFIDENCE [COMMERCIAL]Feedback on FTA309 - Strath Taieri water storage and community resilience project

Hi Neil:

1. Public Conservation Lands and Waters (pcl&w)

The proposal does not involve pcl&w that is subject to Schedule 4 of the Crown Minerals Act

However, the proposal would involve other forms of pcl&w.

(i) The Stoney Creek and Shepherds Hut Wildlife Management Reserve

Construction of a weir and associated infrastructure indicated as being located in the reserve would require a concession

Construction of weir may result in inundation of a part of the Stoney Creek and Shepherds Hut Wildlife Management Reserve.

MOC (landowner) approval for disposal or exchange of pcl&w (eg. for the purpose of inundation) has proved problematic in the past where land has conservation value. A concession for the same purpose would also appear problematic due to the values here.

(ii) The Rock and Pillar Conservation Area

A part of the Rock and Pillar Conservation Area at the north-eastern end of the Loganburn Reservoir may be inundated by the raise in height of the Loganburn Reservoir. The proposers would need to confirm the extent of inundation. MOC (landowner) approval for disposal or exchange of pcl&w (eg. for the purpose of inundation) has proved problematic in the past where land has conservation value. A concession for the same purpose would appear problematic due to the values here.

(iii) The Burgen Creek Marginal Strip

Indications from engagement with the proposers in 2018 were that this would not be required, however detail is not provided in the 2024 Fast Track Application if this has changed.

2. Treaty Settlement affected

Ngāi Tahu Right of First Refusal (RFR) would apply to the disposal of any public conservation land.

3. Other relevant matters

- The pcl&w created here were outcomes of the tenure review processes for Rocklands Station and Stonehurst Station. Key values sought for protection were the significant population of the Eldons Galaxiids (nationally endangered) in the trout-free Stoney Creek (trout predate galaxiids); and the vegetation, landscape and faunal values at the north-eastern end of the Loganburn Reservoir. As a result, the Stoney Creek and Shepherds Hut Wildlife Management Reserve was created; and an addition made to the Rock and Pillar Conservation Area.
- Inundation behind any weir would remove Eldons galaxiid habitat.

- In addition, trout may be introduced to the Stoney Creek via any race connection with the Loganburn.
- Potential adverse effects on freshwater values from low flow in the Sutton Creek should increased water take from the contributing Stoney and Burgen Creeks be sought
- Part of the Great Moss Swamp is located at the upper (southern) end of the Logan Burn Reservoir and would likely be inundated be affected/inundated (this is not pcl&w). This is a remnant of a previously more extensive wetland flooded by the current Loganburn Reservoir. The Otago Regional Council lists the Great Moss Swamp as a Regionally Significant Wetland.
- A Wildlife Act Permit would likely need to be sought for the purpose of catch alive or kill of protected wildlife (eg if lizard species are subject to inundation).
- The proposal may also raise issues under the Freshwater Fisheries Regulations 1993 which DOC administers.
- Te Mana o Taiari – being a collaborative community project to restore the Taiari River in Otago ki uta ki tai, from mountains to sea

Regards

JR

From: Neil Deans S 9(2)(a)
Sent: Monday, June 17, 2024 3:41 PM
To: John Roberts S 9(2)(a) Gabriel Davies S 9(2)(a)
Cc: Meredith Lawry S 9(2)(a) Aaron Fleming S 9(2)(a)
Subject: FW: [COMMERCIAL]Feedback on FTA309 - Strath Taieri water storage and community resilience project

Hi JR

This time going to the right person, not Donna.

I would appreciate if one of your team could have a look at this for eligibility for Fast Track consenting. Note this is confidential.

In summary, we need to know what, if any, PCL is directly affected by the project and the status of that land, to confirm it is not ineligible for Fast Track consideration.

It helps to know if there are any wildlife, freshwater fisheries or land access permissions for mining which may require DOC approvals.

We also need to know if there are any Treaty settlements which may be affected that we can advise to MfE.

Can you please provide your summary advice by COB on Wednesday 19 June.

Many thanks

Neil Deans

Advisor – RM Reform

Department of Conservation—*Te Papa Atawhai*

Level 2, Conservation House, Wellington 6143

S 9(2)(a)

www.doc.govt.nz

Conservation leadership for our nature

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

From: Listed Projects <ListedProjects@mfe.govt.nz>

Sent: Monday, June 17, 2024 1:43 PM

To: Neil Deans S 9(2)(a) Meredith Lawry <S 9(2)(a)>

Cc: Karen Sannazzaro S 9(2)(a)

Subject: [COMMERCIAL]Feedback on FTA309 - Strath Taieri water storage and community resilience project

Kia ora Neil and Meredith

This listed project application is for FTA309 - Strath Taieri water storage and community resilience project.

The project has triggered your criteria for consultation.

Could you please provide comment on:

- whether the project requires any other DOC-related approvals
- if you are aware of anything that would render the project ineligible under clause 18 of the Bill
- if you are aware of any Treaty settlement matters which relate to the project site – such as local protocols
- any other relevant matter?

If possible, could you please provide your feedback by COB 20 June 2024

Please let me know if there is anything I can do to assist.

Ngā mihi nui

MfE Listed Projects team



Caution - This message and accompanying data may contain information that is confidential or subject to legal privilege. If you are not the intended recipient you are notified that any use, dissemination, distribution or copying of this message or data is prohibited. If you received this email in error, please notify us immediately and erase all copies of the message and attachments. We apologise for the inconvenience. Thank you.