

From: [Angela Burton](#)
To: [Tracey Morse](#); [Jane Anderson](#)
Cc: [Richard Bigsby](#); [Andrew Brown](#); [Mahaanui Admin](#)
Subject: RE: RC245775 (SDC) - Cultural Report Conditions
Date: Wednesday, 30 April 2025 10:39:21 am
Attachments: [image002.jpg](#)
[image004.png](#)
[image005.png](#)

Tēnā koutou,

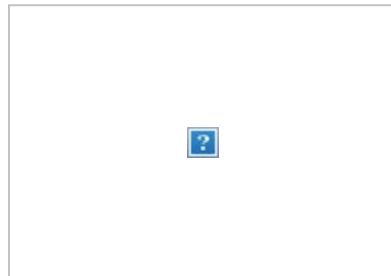
As previously stated below, Mahaanui Kurataiao is unable to provide any further update or rūnanga feedback on this consent application until a new formal consultation request has been submitted.

Please be aware that the decision for this process does not sit with Mahaanui Kurataiao Limited. Instead, it is a decision between the consenting authority (Selwyn District Council) and the applicant on whether they would like rūnanga and kaitiaki representatives to review any updated information and comments.

I note that the email below details consent outcomes from the ECAN consenting process for this site. The outcomes of this specific consent process have not been communicated to Mahaanui by ECAN, and it is noted that the consent conditions and duration provided fall outside of the Mana Whenua Advice provided.

Ngā mihi,

Angela Burton | Environmental Advisor
Mahaanui Kurataiao Ltd | 226 Antigua Street
Christchurch NZ 8011
Phone: 03 377 4374 or [REDACTED]
(Office phone)
Email: Angela.Burton@ngaitahu.iwi.nz
Web: mahaanuikurataiao.co.nz



From: Tracey Morse <tracey@nzcleanenergy.nz>
Sent: Thursday, 17 April 2025 5:26 p.m.
To: Jane Anderson <Jane.Anderson@selwyn.govt.nz>; Angela Burton <Angela.Burton@ngaitahu.iwi.nz>
Cc: Richard Bigsby <Richard.Bigsby@selwyn.govt.nz>; Andrew Brown <andrew.brown@mitchelldaysh.co.nz>
Subject: RE: RC245775 (SDC) - Cultural Report Conditions

You don't often get email from tracey@nzcleanenergy.nz. [Learn why this is important](#)

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Kia ora Jane,

Thank you for your reply to my email.

I agree, there has been a bit of a fractured approach to keep you updated on this – we had things moving in a fast manner with two separate channels of communication happening – draft conditions and meetings with Kate then Bonnie from ECan, and with Sarah Peters of ECan liaising directly with Mahaanui Kurataiao Ltd (I'm not sure if this was Angela directly, or someone else within the organisation) regarding some of the more deeper organisational conversations around some of the conditions.

Despite our best efforts to keep up to speed on where each of those channels of communication were heading and covering, and ensuring that they aligned, and wanting to ensure both yourself for SDC and Angela were kept informed, it didn't quite pan out how I'd anticipated. I don't think that was through any one person's fault / error; I definitely do not think it was an intentional omission from any of the parties involved, and possibly reflected the number of individuals involved more than anything.

This was why my email yesterday was a bit long-winded (much more so than I would have liked), as I tried to tie up all those loose ends that had been left dangling from my emails in March. I hope that's clarified the situation.

I will leave it to Angela / Mahaanui to determine whether it is appropriate for a new request to be made from SDC.

If there is anything I can do to assist with considering that matter, or clarifying any other aspect of our proposal with Mahaanui, please do not hesitate to let me know.

Ngā mihi, and I hope you all have a great Easter!

Tracey Morse BSc BSocSc(Hons) MNZPI

Senior Planner

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NZCE



Please note that I work flexible hours, which includes sending emails outside of normal office hours. There is no need to respond to my emails outside of your working hours.

From: Jane Anderson <Jane.Anderson@selwyn.govt.nz>

Sent: Wednesday, 16 April 2025 9:08 pm

To: Tracey Morse <tracey@nzcleanenergy.nz>; Angela Burton <Angela.Burton@ngaitahu.iwi.nz>

Cc: Richard Bigsby <Richard.Bigsby@selwyn.govt.nz>; Andrew Brown <andrew.brown@mitchelldaysh.co.nz>

Subject: RE: RC245775 (SDC) - Cultural Report Conditions

Kia ora Tracey

Thank you for your email.

It was my understanding from Ms Burton's email of 5 March (attached) was that she has advised that *"given the amount of mahi this request requires"* a new request would need to be sent to Mahaanui to address these matters. However, in the email of 10 March (attached) I was advised that *"we are working with Sarah Peters of ECan and Angela Burton of MKT with regards to the aspects of the conditions in the MKT cultural report for our project that needed a bit of further resolution, as you will have seen in the recent correspondence. I will keep you updated on how that matter progresses, so I notice that you haven't been included in any of the future comms on that."* On this basis, I haven't followed up on Ms Burton's email to determine whether the applicant wished for me to follow the process that was laid out in her email.

In my communications with Andrew Brown, I have regularly requested further clarification on how the applicant was addressing the cultural effects. My email of 8 April provides a useful summary of the matter from SDC's perspective:

"I note from Tracey Morse's email of 10 March that ongoing discussions are occurring with Mahaanui. I have not received any further information regarding how these discussions are progressing. The following is a brief summary of the latest information I have been provided with:

- *The last formal advice that I have received from Mahaanui is that they considered themselves to be an affected party if the proposed conditions were not accepted (cultural advice report).*
- *According to an email from Ms Morse to Ms Burton (dated 26 February and attached), the applicant does not accept or has queries regarding conditions 1, 5, 7, and 10."*

Additionally, I would note that Ms Burton's email also addresses the position of the Rūnanga in this matter where she concludes:

"Please note, kaitiaki have specifically asked for a 15-year duration for this consent. Therefore, if this is unable to be provided for, they will consider themselves an adversely effected party."

To ensure that you are fully informed, please be advised that today I emailed Mr Andrew Brown to say that I would be recommending limited notification, and noted that:

"as previously noted, given that the applicant does not accept the conditions proposed by Mahaanui, and given the statement in the Cultural Advice Report states that they will consider themselves an affected party where these conditions are not accepted, I will also be recommending limited notification to:

- *Te Ngāi Tūāhuriri Rūnanga*
- *Te Taumutu Rūnanga"*

Please be assured that in the event that Mahaanui consider it appropriate for a new request to be sent out from the requiring authority, I can do this as soon as the request is received.

Nga mihi
Jane

From: Tracey Morse <tracey@nzcleanenergy.nz>
Sent: Wednesday, 16 April 2025 6:18 pm
To: Angela Burton <Angela.Burton@ngaitahu.iwi.nz>
Cc: Jane Anderson <Jane.Anderson@selwyn.govt.nz>; Richard Bigsby <Richard.Bigsby@selwyn.govt.nz>
Subject: RE: RC245775 (SDC) - Cultural Report Conditions

Kia ora Angela,

Apologies again for approaching you outside of the standard consultation processes for mana whenua consultation in relation to the two local Papatipu Rūnanga (Te Ngāi Tūāhuriri Rūnanga and Te Taumutu Rūnanga), following the below communication with you regarding more broadly our resource consent applications that were being concurrently processed by both Selwyn District Council (SDC) and ECan. However, we have reached a point in our resource consent application process where a kōrero either between yourself and I, or yourself and the team at SDC may be able to find a meaningful way forward for all parties. This is why I have added Richard from SDC into the email – as experienced as Jane is, she works outside of SDC on behalf of SDC, so may not be in a position to speak for SDC on some aspects of this kōrero.

We have now had all of our resource consent approved by ECan, being CRC251167, CRC1168, CRC1169, and CRC253510. On that basis, I consider the areas where we were seeking comment from Mahaanui Kurataiao Ltd (MKT) in relation to the conditions within the Cultural Report for those applications are now resolved (apologies if that is not the case). For clarities' sake, the conditions in that Cultural Report that we had sought comment from MKT on were conditions:

- 2 (in relation to consent duration for the operative phase stormwater discharge),
- 7 (regarding managing excavated contaminated material), and
- 9 (regarding indigenous planting of a 10m riparian buffer zone for the drain).

Under the decisions on those applications and in relation to those conditions (in the same order):

- We obtained consent to undertake the operative phase stormwater discharge for 35 years,
- Through the Detailed Site Investigation (DSI, for contamination) that was provided to ECan, this condition was consistent with the recommendations of the DSI in light of the very low levels of contaminants found during the testing for the DSI, and
- That indigenous vegetation planting would be undertaken on one side only of the drain that runs through the site (as outlined in conditions 17-18 of the decision for operative phase stormwater discharge).

When we consider these matters in relation to the conditions included in the Cultural Report provided to SDC, we were seeking comment from MKT in relation to conditions:

- 1 (in relation to consent duration),
- 5 (regarding managing excavated contaminated material),
- 7 (regarding indigenous planting of a 10m riparian buffer zone for the drain), and
- 10 (regarding a regular monitoring program for contaminants and heavy metals in the soil as a result of our proposal).

Further, in the Cultural Report to SDC, it was identified that not accepting all of the conditions would be grounds for MKT / the Papatipu Rūnanga being deemed affected parties.

In relation to the conditions to SDC, there is a strong correlation, if not identical, in the outcomes

sought to the conditions which we had earlier sought to discuss with MKT and ECan. We considered, possibly incorrectly, that this meant that those comparable conditions between the Cultural Reports provided to SDC and ECan were addressed. In addition, I make the following comments:

- In relation to condition 1, providing a 15 year consent duration for the overall development would contradict the duration of the approved operative phase stormwater discharge. It would also have a considerable impact on our ability to proceed with this project, as outlined in the attached memo that was provided to ECan as part of their processing of our applications. As a quick summary of that memo, if we cannot obtain a consent duration for 35 years, we will not be able to obtain funding for this project, and the potential environmental benefits of providing electricity to the National Grid from a renewable energy source such as this, as opposed to remaining dependant on fossil fuels and coal, would be lost.
- In relation to condition 10, the outcome sought by MKT has been captured in the decision from ECan for the operative phase stormwater discharge (namely conditions 11 to 15 of that decision, which I have attached for your information, also). We also think that the ongoing monitoring that is provided by these specific conditions will ensure that the adverse effects that the shorter consent duration requested by MKT under condition 1 is trying to prevent will be avoided.

As mentioned at the start of this email, I appreciate that my contacting you about all of this sits quite outside of the standard resource consent consultation process between MKT and SDC, so apologise for putting you in such an awkward position. However, I also hope that the information I've provided in this email has outlined that we will provide outcomes that are consistent with those sought by MKT through those conditions, maybe just not quite in the way that the conditions sought for them to be.

I would greatly appreciate it if you could consider this matter, and whether you would reconsider MKT and the Papatipu Rūnanga that MKT represent for this application, being affected parties. As indicated in my earlier emails, I am more than happy to kōrero with you on this, either kanohi ki te kanohi or online, to discuss any aspect of this.

Ngā mihi nui,

Tracey Morse BSc BSocSc(Hons) MNZPI

Senior Planner

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NZCE



Please note that I work flexible hours, which includes sending emails outside of normal office hours. There is no need to respond to my emails outside of your working hours.

From: Tracey Morse

Sent: Thursday, 6 March 2025 12:09 pm

To: Angela Burton <Angela.Burton@ngaitahu.iwi.nz>

Cc: Jane Anderson <Jane.Anderson@selwyn.govt.nz>; Sarah Peters <Sarah.Peters@ecan.govt.nz>;
Kate McIntosh <Kate.McIntosh@ecan.govt.nz>; Bonnie Davis <Bonnie.Davis@ecan.govt.nz>

Subject: RE: RC245775 (SDC) and CRC251167, CRC251168, CRC251169 (ECan) - Water Race Setback / Edge Treatment

Kia ora Angela,

Thanks for getting in touch, particularly since we are deviating from the standard mana whenua advice approach and are therefore putting you in an awkward position.

If there's anything we can do to assist this process, such as a kanohi ki te kanohi meeting with yourselves, Whitiara, or Te Taumutu Rūnanga kaitiaki, please let me know. We really want to ensure that mana whenua are comfortable with who we are, what we're wanting to achieve, and how that aligns with what they want for this whenua as kaitiaki.

Unfortunately, with the costs of establishing a project of this scale and nature (which are in the order of hundreds of millions of dollars) and with a gradual cost-recovery process once energy starts generating and feeding into the national grid, a 15 year operational period would not allow us sufficient time to make this an economically-viable process. This is why we've sought a 35 year operational period. I appreciate that kaitiaki consider a 15 year operational period optimal to ensure mana whenua can fulfil their kaitiakitanga obligations. However, for us to be able to provide improvements to the site, such as the landscape mitigation planting and riparian planting along one bank of the water race, all of which will be solely comprised of indigenous species on a property which is currently almost entirely devoid of any such species, we need a longer period to provide financial security for establishing this facility.

Hopefully, through a bit of solid mahi tahi between ourselves and kaitiaki now, we can achieve something that leaves this whenua better than we found it.

Ngā mihi nui,

Tracey Morse BSc BSocSc(Hons) MNZPI

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Please note that I work flexible hours, which includes sending emails outside of normal office hours. There is no need to respond to my emails outside of your working hours.

From: Angela Burton <Angela.Burton@ngaitahu.iwi.nz>

Sent: Wednesday, 5 March 2025 10:40 am

To: Tracey Morse <tracey@nzcleanenergy.nz>

Cc: Jane Anderson <Jane.Anderson@selwyn.govt.nz>; Sarah Peters <Sarah.Peters@ecan.govt.nz>; Kate McIntosh <Kate.McIntosh@ecan.govt.nz>

Subject: RE: RC245775 (SDC) and CRC251167, CRC251168, CRC251169 (ECan) - Water Race Setback / Edge Treatment

Mōrena Tracy,

Thank you for your email and follow up.

I understand you have been directed to discuss this directly with Mahaanui Kurataiao Limited for this matter. Please be aware that this is not the standard process for queries regarding Mana Whenua Advice. As mentioned in previous emails, all correspondence regarding Mana Whenua Advice reports should be directed through the consenting authority – in this case, Selwyn District Council and Environment Canterbury.

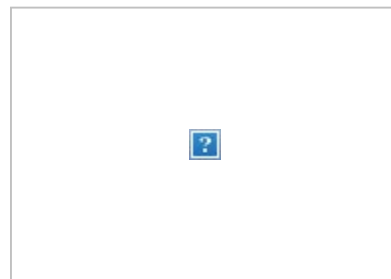
We have forwarded this information to Whitiara (consultancy for Te Ngāi Tūāhuriri Rūnanga) as an FYI – we are still waiting for a response to this.

Due to the amount of mahi this request requires, I will need to go back to Te Taumutu Rūnanga kaitiaki with the below information so they can provide comment on the issues with condition wording. The consenting authority will need to submit a new request for consultation to the Mahaanui Kurataiao Admin Inbox. The next Te Taumutu kaitiaki hui is scheduled for the 11th of March, if the request is submitted by tomorrow, I will be able to take this out to Te Taumutu Rūnanga for comment and feedback.

Please note, kaitiaki have specifically asked for a 15-year duration for this consent. Therefore, if this is unable to be provided for, they will consider themselves an adversely effected party.

Ngā mihi,

Angela Burton | Environmental Advisor
Mahaanui Kurataiao Ltd | 226 Antigua Street
Christchurch NZ 8011
Phone: 03 377 4374 [REDACTED]
(Office phone)
Email: Angela.Burton@ngaitahu.iwi.nz
Web: mahaanuiKurataiao.co.nz



From: Tracey Morse <tracey@nzcleanenergy.nz>

Sent: Tuesday, 4 March 2025 4:23 p.m.

To: Angela Burton <Angela.Burton@ngaitahu.iwi.nz>

Cc: Mahaanui Admin <Mahaanui.admin@ngaitahu.iwi.nz>

Subject: RE: RC245775 (SDC) and CRC251167, CRC251168, CRC251169 (ECan) - Water Race Setback / Edge Treatment

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Kia ora Angela,

Hopefully things aren't too hectic for you at the moment, despite all that's going on in the planning

world at the moment!

I just wanted to check in and see if you had had a chance to read some/all of the below, and wanted to have a bit of a kōrero about it.

I'll try giving you a call tomorrow (it went straight to voicemail just now, and there wasn't a tone to leave a message after, so not too sure what's going on there).

Ngā mihi,

Tracey Morse BSc BSocSc(Hons) MNZPI

Senior Planner

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Please note that I work flexible hours, which includes sending emails outside of normal office hours. There is no need to respond to my emails outside of your working hours.

From: Tracey Morse

Sent: Wednesday, 26 February 2025 12:47 pm

To: Angela.Burton@ngaitahu.iwi.nz

Cc: Mahaanui Admin <Mahaanui.admin@ngaitahu.iwi.nz>

Subject: FW: RC245775 (SDC) and CRC251167, CRC251168, CRC251169 (ECan) - Water Race Setback / Edge Treatment

Kia ora Angela,

Ngā mihi for the mahi you and the MKT have undertaken so far in relation to providing the Cultural Advice Reports to SDC and CRC, as well as the associated correspondence with each of them.

We've given careful consideration to the content of the Cultural Advice Reports, including the sought conditions, and provided feedback on our project to both SDC and CRC. Broadly speaking, we are supportive of almost all of the conditions sought by MKT in those reports and have advised both SDC and CRC of such. However, there are a couple of conditions that we'd really appreciate if MKT could consider altering or expanding upon, so that we can ensure that we're both figuratively paddling in the same direction on what is achieved with them.

Following providing that feedback to both SDC and CRC, we've been advised by Jane for SDC that we would need to kōrero directly with MKT to resolve this matter to enable them to progress the processing of the application. I have a feeling that Kate for CRC will have similar feedback, although we haven't been advised of this as yet. I understand that MKT's preferred approach is to deal directly with the Council staff, rather than developers, and completely understand and respect that.

I've dealt with mana whenua, their taiao teams, and their representative organisations all across this mighty motu, and I appreciate that consultation directly with developers is often time-consuming and resource hungry. Both time and resources are things that mana whenua, taiao teams, and organisations representing mana whenua have in short supply, which makes it hard for their voices to be heard in a process that is definitely not designed around incorporating Te Ao Māori tikanga. And it's looking like it's going to get harder with many of the legal and regulatory changes happening at the moment.

Please let me know if there's a way for me to progress this with you directly, so that we can get a solution in place for those last few conditions that addresses the outcomes MKT are seeking for their iwi whenua while also enabling us to continue our mahi. Even though I am based in Tūākau, at the boundary between Tamaki Makaurau and the mighty Waikato, I would gladly come down to Ōtautahi to kōrero in person if that would help.

Also, to assist you with understanding which conditions we'd like to discuss, I've added the following table, so you can see what our comments / concerns about the current wording of those conditions are.

Condition from Cultural Advice Report to SDC	DSES Comments
1. The duration of this consent must not exceed 15 years.	This condition is impractical for us. Given the scale of investment required to consent and construct the proposed solar development, we need for security of a longer term than 15 years. As per the application, we are seeking a 35-year term for the consent.
2. An Accidental Discovery Protocol (ADP) must be in place during all earthworks required to give effect to this consent to deal with archaeological finds and protect the interests of mana whenua. This condition does not constitute a response under the Heritage New Zealand Pouhere Taonga Act (HNZPT 2014).	We accept this condition, and it aligns with what was proposed within our application.
3. A site-specific Erosion and Sediment Control Plan (ESCP) for any earthworks required to give effect to this consent must be developed and implemented on-site during all earthwork activity. All contractors working on-site must be made aware of this plan and strictly adhere to it. This plan must: I. Ensure the protection of the surrounding environment including water soil and air. II. Restrict sediment runoff and erosion from entering the drain.	We accept this condition, and it aligns with what was proposed within our application.
4. An accidental discovery protocol for contaminated soils must be developed and implemented in case unexpected contamination is identified in the soil.	We accept this condition, and it aligns with what was proposed within our application. We also note that, as a result of a further information request from CRC, we have now had a Detailed Site Investigation (DSI) undertaken, which found that there are only the lowest levels of contaminants found on site (well below both the requirements for human and environmental

	<p>health). We will need to have a specific Site Management Plan prepared (which we have confirmed will be undertaken), but no other management processes for contamination are required.</p> <p>Please let me know if you want me to share this with you (it's heavy reading but has all the information to assist MKT with understanding the situation for this property summarised nicely in the conclusion).</p>
5. Excavated contaminated material must be removed from site, disposed of at an appropriate facility, and not reused onsite.	As noted above, the level of contaminants found on the site are incredibly low and are not required to be disposed off-site from a regulatory perspective for either human or environmental health purposes. Is there a threshold level of contamination that MKT is concerned with for this condition?
6. The applicant must establish and maintain indigenous planting on site to enhance the cultural landscape, increase indigenous habitat, filter sediment and sequester carbon.	We accept this condition, and it aligns with what was proposed within our application – all our Mitigation Planting will be comprised of indigenous species.
7. Indigenous planting must be established within a riparian buffer zone from the drains to protect and enhance the ecological values of the waterways. The plants must mature to a height of at least the width of the waterway.	<p>Based on correspondence with SDC and CRC, we will now be providing riparian planting on one side of the active drain within our site. It is noted that the other drain is a former drain and does not have any active flow within it and does not form part of any irrigation scheme. As such, we will not be providing riparian planting along either side of it.</p> <p>The other side of the drain will be kept clear to enable SDC to maintain the drain as part of their standard water race maintenance processes.</p> <p>While this outcome does not wholly align with what is sought by MKT under this condition, we believe it achieves an acceptable outcome for all parties involved, including SDC and MKT.</p>
8. Untreated stormwater must not be discharged into the drains.	We accept this condition, and it aligns with what was proposed within our application.
<p>9. A site survey for wetlands and springs must be undertaken on site by a suitably qualified wetland specialist prior to any works commencing on site.</p> <p>(a) Any waipuna/springs or artesian flows discovered must be protected, naturalised and not be capped.</p> <p>(b) Wetland areas on site must be retained and planted with an indigenous riparian margin.</p>	We accept this condition, and it aligns with what was proposed within our application – noting that our project ecologists undertook this exercise as part of preparing their ecological assessment included in the application. No wetlands, waipuna or artesian flows were discovered within the property.
10. There must be a regular monitoring program for contaminants and the accumulation of heavy metals in soil.	<p>We accept this condition in principle; however, we have concerns based on the current wording about the practical implications of accepting this condition with the current wording.</p> <p>As it is currently worded, this condition could result in a considerable cost over 35-year consent period, without a clear indication of what the implications of the monitoring would be (including the frequency of monitoring and what</p>

	<p>course of action, if any, would be required to be taken if adverse results received etc).</p> <p>We would appreciate a bit more detail on what MKT envision this condition entailing.</p> <p>Also, to expand on the concerns raised in the Cultural Advice Report that have led to this condition, we have obtained a materials / information sheet that outlines the chemical composition of panels and environmental risks of each, which was provided to SDC as part of our response to their further information request – please let me know if you want me to share this with you. Like the DSI, unfortunately it's heavy / technical reading, but the format is a bit more accessible, being a table with clear comments about the risks for each material.</p> <p>This information sheet has been prepared based on EU standards, and as such outlines various human and environmental health implications of the components, and how to manage those in the unlikely event that those chemicals are exposed to natural hazards or other incidents that could lead to environmental or human exposure.</p> <p>We note that the provider of this information sheet does not produce panels of a suitable size for DSES needs for this site. As such, it is highly unlikely that any model of panel produced by them will be utilised in this development. This information is provided on the basis that the chemicals utilised within panels is relatively consistent across the industry.</p> <p>It is also noted that the construction standard of modern panels utilises more robust external materials than older models, making them less susceptible to extreme weather events and other exposure incidents than those older models.</p>
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Ngā mihi nui,

Tracey Morse BSc BSocSc(Hons) MNZPI

Senior Planner

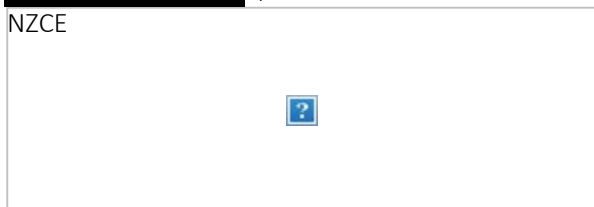
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Please note that I work flexible hours, which includes sending emails outside of normal office hours.

There is no need to respond to my emails outside of your working hours.

From: Angela Burton <Angela.Burton@ngaitahu.iwi.nz>
Sent: Wednesday, 18 December 2024 11:30 am
To: Kate McIntosh <Kate.McIntosh@ecan.govt.nz>; Jane Anderson <Jane.Anderson@selwyn.govt.nz>
Cc: Tama Hamilton-Morrison <Tama.Hamilton-Morrison@ngaitahu.iwi.nz>
Subject: RE: RC245775 (SDC) and CRC251167, CRC251168, CRC251169 (ECan) - Water Race Setback / Edge Treatment

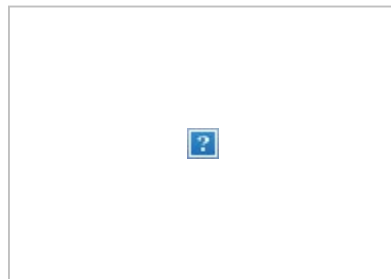
Mōrena Kate and Jane,

Mahaanui Kurataiao has provided Mana Whenua Advice for both SDC and CRC consents for this site and these jobs have been closed off. I will leave all correspondence on this issue with yourselves and the applicant.

If the recommendations within the cultural advice reports are not able to be met or changes are recommended, please notify Mahaanui Kurataiao admin as a new request for consultation or ECAN PREE request will need to be made.

Ngā mihi,

Angela Burton | Environmental Advisor
Mahaanui Kurataiao Ltd | 226 Antigua Street
Christchurch NZ 8011
Phone: 03 377 4374 [REDACTED]
(Office phone)
Email: Angela.Burton@ngaitahu.iwi.nz
Web: mahaanuikurataiao.co.nz



From: Tracey Morse <tracey@nzcleanenergy.nz>
Sent: Wednesday, 18 December 2024 10:02 a.m.
To: Kate McIntosh <Kate.McIntosh@ecan.govt.nz>; Jane Anderson <Jane.Anderson@selwyn.govt.nz>; Mahaanui Admin <Mahaanui.admin@ngaitahu.iwi.nz>
Subject: RE: RC245775 (SDC) and CRC251167, CRC251168, CRC251169 (ECan) - Water Race Setback / Edge Treatment

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Mōrena Kate,

If this can be easily resolved without need for a hui, happy for you to do so. Please keep us all posted.

Jane and Tama – in case we do need a hui to discuss, please advise if there is any particular time within the range stated by Kate that works best for each of you.

Ka kite anō,

Tracey Morse BSc BSocSc(Hons) MNZPI

Senior Planner

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tracey@nzcleanenergy.nz

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Please note that I work flexible hours, which includes sending emails outside of normal office hours. There is no need to respond to my emails outside of your working hours.

From: Kate McIntosh <Kate.McIntosh@ecan.govt.nz>

Sent: Wednesday, 18 December 2024 9:59 am

To: Tracey Morse <tracey@nzcleanenergy.nz>; Jane Anderson <Jane.Anderson@selwyn.govt.nz>; ext-MKT General Admin Contact <Mahaanui.admin@ngaitahu.iwi.nz>

Subject: RE: RC245775 (SDC) and CRC251167, CRC251168, CRC251169 (ECan) - Water Race Setback / Edge Treatment

Hi Tracey,

I am happy for a call at any point tomorrow (between 7 and 3). But I think I can get this question answered over email – I just need to consult with a principal planner.

I will be in touch soon.

Thanks,

Kate

From: Tracey Morse <tracey@nzcleanenergy.nz>

Sent: Tuesday, 17 December 2024 4:14 pm

To: Jane Anderson <Jane.Anderson@selwyn.govt.nz>; Kate McIntosh <Kate.McIntosh@ecan.govt.nz>; ext-MKT General Admin Contact <Mahaanui.admin@ngaitahu.iwi.nz>

Subject: RC245775 (SDC) and CRC251167, CRC251168, CRC251169 (ECan) - Water Race Setback / Edge Treatment

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Kia ora Jane, Kate, and Tama,

(sorry Tama – I don't have your direct email address, so have just sent this to the Mahaanui admin email address)

There's something that I've been meaning to follow up with you all about. We've received conflicting comments in our s92 requests from each of you on how to treat the interface between our site and

the one active water race, which we really need to try and resolve to progress this matter.

In the s92 request from SDC, the matter is outlined as follows:

The Water Race Bylaw requires a strip of not less than 6 metres wider (adjacent to one side of the water race) to be left unplanted to enable access to the water race for machinery or for cleaning and maintenance purposes.

30. Please confirm that sufficient space will be provided for both water races for machinery for cleaning and maintenance purposes.

Please be advised that the Council is requesting an easement in gross for both water races.

In email correspondence received from ECan recently, the below matter was requested as an addendum to the main s92 request:

CRC's surface water scientist noted that It is my opinion that the proposed 3 m buffer width is insufficient (assuming 1.5 m on each side or 3 m in total). Ideally, this width should be at least 3 m on each side (6 m total). – please confirm the proposed buffer on each side and if the applicant will provide for a 3 m buffer on each side 6 m total.

*They also noted that they would like to see planted buffer around the water race completed first (as a condition), and also noted that I assume the water races are already fenced due to the ongoing presence of sheep, but inadequate fencing that does not exclude sheep would undermine the whole process. – **please let me know your thoughts and comments***

Can you also please provide an assessment against the relevant structures Rules within the LWRP this is for the culverts/works in a riverbed (5.135 to 5.141B, please just do the relevant ones).

Mahaanui Kurataiao Ltd have also sought a similar outcome to ECan for managing this interface, within their Cultural Advice Report that we received from them via SDC around the same time as the SDC s92 request.

Just quickly, I can confirm that the panels will be at least 10m from either bank of the water race, as shown on the attached plans. Within that 10m, there will be our internal access track (5m wide) running alongside the panels, and then stock fencing. While the balance is 5m (i.e. less than 6m), there is ample room to accommodate access for maintenance of the water race as outlined in the SDC request OR riparian planting as outlined in the ECan request and Mahaanui Kurataiao Ltd Cultural Advice Report, but not both.

Unless there is some sort of agreed management protocol around water races that one or more parties have overlooked, it might be useful to have a bit of a hui between NZCE, ECan, SDC, and Mahaanui Kurataiao Ltd to look to resolve this matter, or at least get a conversation started between ECan, SDC, and Mahaanui Kurataiao Ltd that can be resolved while other elements of this project are assessed by each council. We'd ideally like to have this hui this week, if possible, to avoid dragging the matter out, although acknowledge that is a big ask this late in the piece. Alternatively, it would be great if we could have a hui once I return from the summer break, on or after 13 January 2025.

It'd be greatly appreciated if you could confirm if you're agreeable to beginning this kōrero and

provide some times/dates that work for you to attend an online hui.

Ngā mihi nui,

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Jane

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