



FTAA-2607-1258: Application received for referral of the project under the Fast-track Approvals Act 2024 – Stage 2 decisions

Project Name: Mangahao Hydro-Electric Power Scheme Reconsenting Project

Date submitted	18 September 2026	Tracking	26-BRF-02683
Security level	In-Confidence	Priority	Urgent

To	Action sought	Response by
Hon Chris Bishop Minister for Infrastructure	Decisions on recommendations	25 September 2026

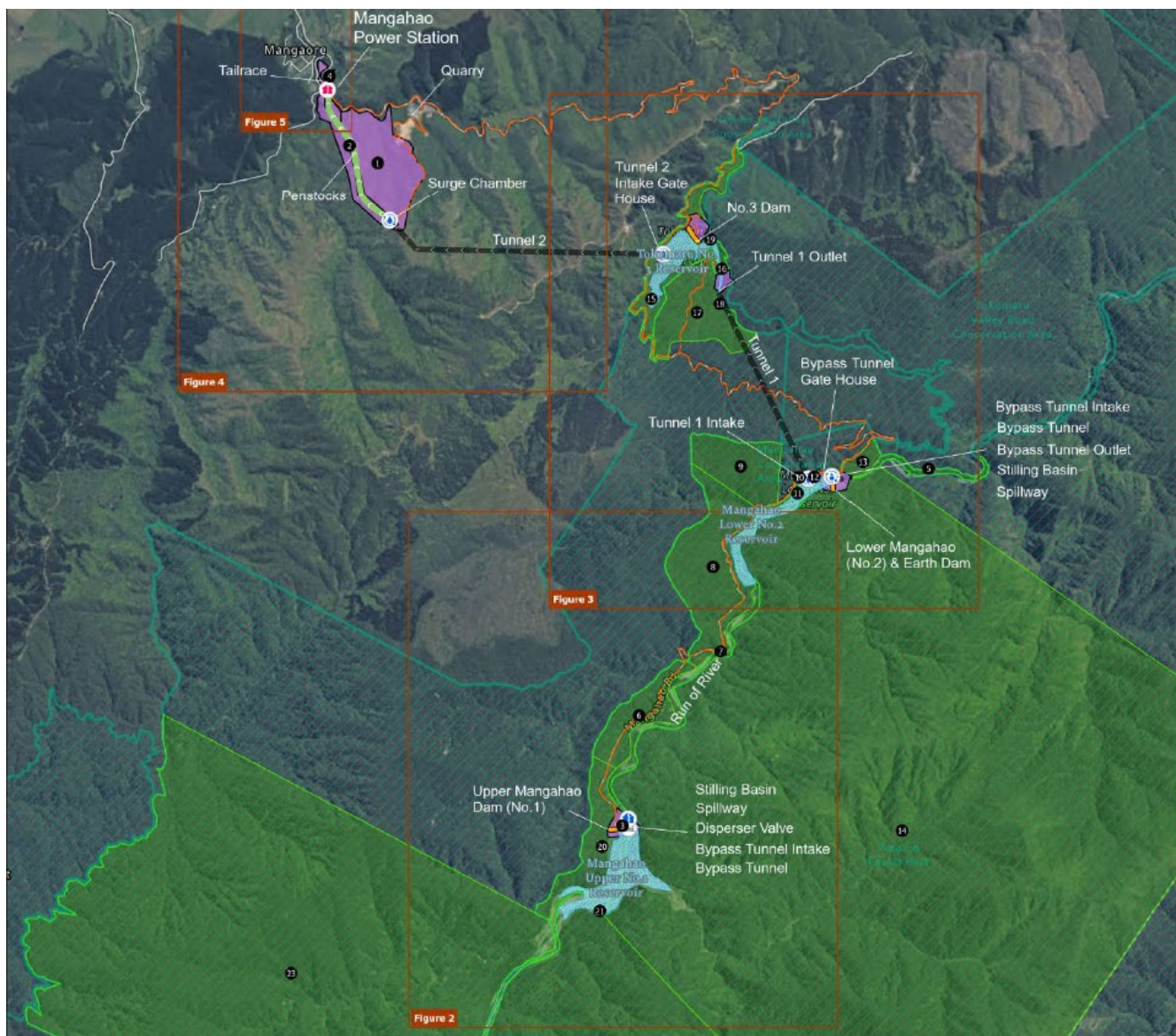
Actions for Minister's Office staff	Return the signed briefing to: FTAreferrals@mfe.govt.nz Send email to Ministers to invite written comments
Number of appendices: 7	Appendices: 1. Statutory framework for making decisions 2. Application documents for Mangahao Hydro-Electric Power Scheme Reconsenting Project 3. Stage 1 Briefing Note and decisions 4. Section 18 Report on Treaty settlements and other obligations 5. Section 19 Report on Public Conservation Land 6. Comments received from invited parties 7. Draft Notice of Decisions

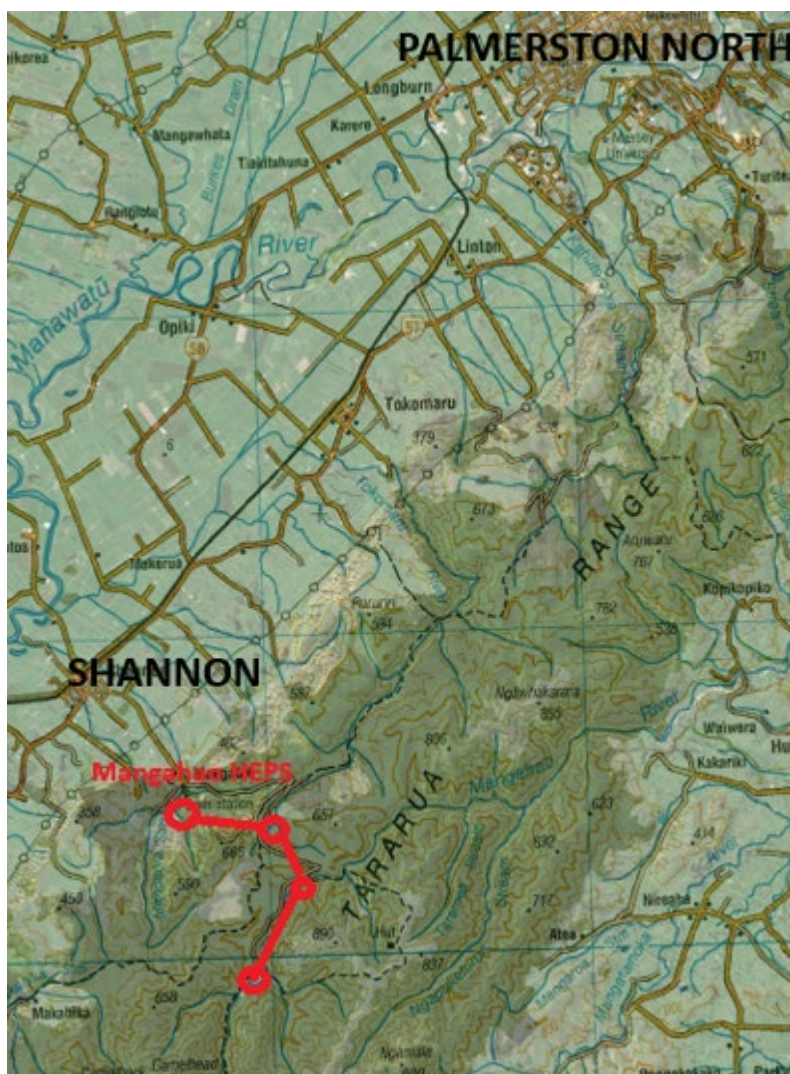
Ministry contacts

Name	Position	Telephone	1 st contact
Antonia Croft	Principal Author		
Max Gander-Cooper	Acting Manager	s 9(2)(a)	✓
Stephanie Frame	Acting General Manager	s 9(2)(a)	



Project location





Key messages

1. This briefing seeks your decisions under section 21 of the Fast-track Approvals Act 2024 (the Act) on the application from Manawa Energy Limited (the applicant) to refer the Mangahao Hydro-Electric Power Scheme Reconsenting (the project) to the fast-track approvals process.
2. A copy of the application is in Appendix 2. This is the second briefing on this application. The first (Stage 1) briefing (26-BRF-02071) with your initial decisions annotated is in Appendix 3.
3. The project is the reconsenting of the existing Mangahao Hydro-Electric Power Scheme to enable its continued operation and maintenance. The project is located in the northern part of the Tararua Ranges, approximately 28 kilometres south-west of Palmerston North and 15 kilometres north-east of Levin. It draws water from the Mangahao River and generates up to 39.9 megawatts (MW) of electricity, with an average annual output of 131 gigawatt-hours (GWh), sufficient to power approximately 20,000 homes. The project includes existing operation and maintenance activities occurring across multiple land parcels, including Crown land administered by the Department of Conservation (DOC).
4. The activities applied for include:



- a. the damming, taking, diversion and use of water;
 - b. the discharge of water and sediment;
 - c. the disturbance of riverbeds;
 - d. the deposition of sediment;
 - e. the maintenance of structures within waterbodies; and
 - f. the erection and placement of structures within waterbodies (included on a precautionary basis).
5. The project will require the proposed approvals:
 - a. resource consents under the Resource Management Act 1991 (RMA)
 - b. approval under the Freshwater Fisheries Regulations 1983, although the applicant states that further ecological investigations will determine whether a standard or complex freshwater fisheries approval is necessary.
6. The Mangahao Hydro-Electric Power Scheme operates under easement rights vested by the State-Owned Enterprises (Mangahao Power Station Limited Vesting Order No. 1) Order 1997, made under section 28 of the State-Owned Enterprises Act 1986. The vesting order provides for easements relating to water storage and release, water conveyance, rights of way, and electricity and communications infrastructure across affected land, including public conservation land (PCL). DOC advises that these existing easement arrangements enable the proposed activities and that no additional concessions are required.
7. We note that this is the second referral application for the Mangahao Hydro-Electric Power Scheme. The applicant previously applied for referral to the fast-track approvals process in July 2025 and the application was referred by you on 10 November 2025. The current referral application represents a re-lodgement of the project. Subsequent to the original referral, the applicant has identified that some existing maintenance activities and associated landholdings were not clearly identified within the scope of the earlier referral application, including works extending onto Crown land administered by DOC. The applicant states that no changes are proposed to the operating regime or to the project previously accepted for referral, and that the current application is intended only to ensure these activities and landholdings are accurately captured within the project scope.
8. We recommend you accept the referral application as the project meets the criteria set out in section 22 and does not appear to involve an ineligible activity.
9. We seek your decisions on this recommendation and on the proposed directions to the expert panel and notification of your decisions.

Assessment against statutory framework

10. The statutory framework for your decision-making is set out in Appendix 1. You must apply this framework when you are deciding whether to accept or decline the referral application and when deciding on any further requirements or directions associated with referral of the project.
11. Before accepting the project, you must consider the application (in Appendix 2), the section 18 Treaty settlements report (in Appendix 4), the section 19 report (in Appendix 5), any comments from invited parties (in Appendix 6), any further information requested from the applicant, the relevant local

authorities, or the relevant administering agencies (in Appendix 7) and any document that requires your consideration under section 16 and comply with any procedural requirements under section 16.

12. Following that, you may accept the application if you are satisfied that it meets the criteria in section 22 of the Act and if there are no reasons meaning you must decline the application. We provide our advice on these matters below.

Section 18 Treaty settlements and other obligations report

13. The section 18 report in Appendix 4 identifies nine relevant Māori groups for the project area, comprising relevant Treaty settlement entities, iwi authorities, and groups with recognised Treaty settlement interests.
14. The report notes that Muaūpoko Tribal Authority has a recognised mandate to negotiate a Treaty settlement over an area that may include the project area. It also identifies the Rangitāne o Manawatū Claims Settlement Act 2016, the Rangitāne Tū Mai Rā (Wairarapa Tāmaki nui-ā-Rua) Claims Settlement Act 2017, and the Ngāti Kahungunu ki Wairarapa Tāmaki Nui ā Rua Claims Settlement Act 2022 as relevant to the project area. These settlements provide statutory acknowledgements over the Manawatū River and its tributaries, the Mangahao River, and Tararua Forest Park. The report did not identify any relevant customary marine title areas, protected customary rights areas, Mana Whakahono ā Rohe arrangements, or joint management agreements relevant to the project area.
15. The report notes that the project area is within, or may affect, statutory acknowledgement areas recognised through the Rangitāne o Manawatū and Rangitāne Tū Mai Rā settlements. Under those settlements and the RMA, consent authorities must provide statutory acknowledgement holders with a summary of applications affecting those areas and have regard to statutory acknowledgements when determining affected persons. The report considers the invitation to comment process under the Act to be comparable to those requirements. The report also notes that the Rangitāne o Manawatū settlement includes deeds of recognition for the Manawatū and Mangahao Rivers, but the associated consultation requirements do not appear relevant as the activities to which they apply are not proposed as part of this application.
16. Comments were received from Tānenuiārangi Manawatū Charitable Trust on behalf of Rangitāne o Manawatū and from Muaūpoko Tribal Authority. Both groups oppose referral of the project. They consider the application should be declined because of concerns regarding long-standing adverse effects on cultural and environmental values associated with the existing hydro scheme, including effects on hydrology and minimum flows, freshwater ecology and fish passage, sedimentation, river dynamics, mauri, and ki uta ki tai values. Both groups also raised concerns regarding information gaps in the application, the treatment of cultural effects, climate change impacts, and the appropriateness of using the fast-track process for consenting the scheme. Both groups considered that the application does not meet the intent of the section 22 referral criteria. Rangitāne o Manawatū further requested that, if the application is referred, the expert panel include expertise in mātauranga Māori, freshwater ecology and fish passage, and hydrogeology and sediment dynamics, and that adaptive flow management and kaitiaki-led management measures be considered through any substantive application.
17. We do not consider there are any matters identified in the section 18 report that make it more appropriate for the proposed approvals to be authorised under another Act or Acts.

Section 16 Effects of Treaty settlements and other obligations on decision-making

18. The report did not identify any matters requiring specific directions under section 16.

Section 19 Report in relation to use of public conservation land

19. As the area includes PCL, the Director-General of Conservation has prepared a report (Attachment 5) which sets out:

- a. the following existing arrangements for the administration, access to, or use of PCL:
 - i. DOC directly manages the Tararua Forest Park, Tokomaru Valley Road Conservation Area, and Mangahao Conservation Area
 - ii. public access to the PCL is provided primarily via Mangahao Road, which also provides access to the Te Araroa Trail, Mangahao Makahika Track, Burn Hut Loop, and Mangahao Flats Hut Walk
 - iii. DOC's Permissions Database identified 1 approved and 25 active DOC approvals within the project area, including wildlife authorities, research and collection permits, aircraft landing permits, wild animal recovery operation permits, guided walking and fishing permits, and a filming permit
 - iv. there are a number of other recreational and community interests within the project area, including huts, tracks, and facilities managed by community groups
 - v. there is an existing easement for the Mangahao Hydro-Electric Power Scheme authorised under the State-Owned Enterprises Act 1986 in 1997, which enables the proposed activities on the affected PCL
- b. the following risks and potential liabilities to the Crown that relate to any proposed approvals of the kind described in section 42(4)(e), (f), (l) or (m):
 - i. DOC considers that risks and potential liabilities to the Crown are addressed through the conditions of the existing easement
 - ii. DOC considers any new risks or liabilities identified through a substantive application can be raised through section 53 comments to the expert panel
- c. advice on the information provided by the applicant in their referral application if they have sought a determination by the Minister under section 24(2) or 24(4).
 - i. the report states the applicant does not require a ministerial determination under section 24(2) or (4) and therefore this aspect of section 19 does not apply.

20. There are no specific recommendations arising from the report. DOC considers the existing easement enables the proposed activities, that no additional concessions are required, and that existing approvals and uses of the PCL can operate alongside the proposed project without conflict.

Written comments received

21. Comments were received from Horowhenua District Council (HDC), Horizons Regional Council (HRC), five Ministers, the DOC, Transpower New Zealand Limited (Transpower) and Electra Limited. The key points of relevance to your decisions are summarised in Table A.

22. The key points from the comments are:



- a. HDC does not oppose referral and considers the reconsenting process presents an opportunity to secure and enhance recreational use of the river and provide lasting community benefits
- b. HRC considers the scheme to be regionally and nationally significant infrastructure but notes potential adverse effects on freshwater habitat, water quality, ecology, cultural values and mauri will need to be appropriately managed
- c. the Minister for Energy states the project will enable the continued functioning of existing regionally significant infrastructure and support renewable generation and regional energy security
- d. the Minister of Climate Change supports the continued operation of the scheme as renewable electricity generation that contributes to reducing greenhouse gas emissions
- e. the Minister for Economic Growth considers the project is likely to provide significant economic benefits, including through maintaining renewable electricity generation and avoiding replacement generation costs
- f. the Minister for Regional Development notes the proposal is a reconsenting of an existing scheme and is not expected to provide additional direct economic benefits
- g. the Minister for Māori Development and Minister for Māori Crown Relations supports the application progressing and encourages the applicant and the panel to have due regard to relevant Treaty settlement legislation and instruments, and any feedback received from relevant Māori groups identified in the section 18 report
- h. DOC is not aware of any reason the project should not be referred and considers any adverse effects are likely to be addressed through appropriate conditions on substantive approvals
- i. Transpower supports the project and the granting of consents
- j. Electra Limited supports renewal of the resource consents, noting the scheme's role in network reliability, resilience and security of electricity supply.

Further information provided by applicant, relevant local authorities, relevant administering agencies

23. You did not request any further information from the applicant, relevant local authorities or relevant administering agencies under section 20 of the Act.

Reasons to decline

24. The statutory framework in Appendix 1 sets out the situations where you must decline the application for referral under section 21(3).
25. You may also decline the application for any other reason under section 21(4). The Act gives some guidance on matters you could consider when deciding whether to decline an application and these are set out in Appendix 1.
26. Muaūpoko Tribal Authority and Rangitāne o Manawatū requested that the application be declined, citing concerns regarding adverse effects on freshwater values, fish passage, sediment management, cultural values, and the potential effects of the continued operation of the scheme on the mauri of waterbodies.



27. We note that while these concerns identify potentially significant environmental effects, we consider these matters are more appropriately assessed through the substantive application process, where the scale, significance and management of those effects can be considered in detail. To support that assessment, we recommend requiring the substantive application to include evidence of engagement undertaken by the applicant with relevant Māori groups and Treaty settlement entities, including any matters raised through that engagement and how those matters have been considered by the applicant. While relevant to the considerations in sections 21(4) and 21(5), we do not consider they warrant declining the application for referral.
28. We do not consider you must decline this application.

Reasons to accept

29. The statutory framework in Appendix 1 sets out the reasons you can accept a project for referral.
30. Our assessment of these matters is summarised in Table A. We consider the project meets the requirements of section 22, as:
- a. it is an infrastructure or development project because it enables the continued operation and maintenance of the existing Mangahao Hydro-Electric Power Scheme through the reconsenting of the approvals required for its continued functioning;
 - b. it would have significant regional or national benefits because it:
 - i. would enable the continued operation and maintenance of the Mangahao Hydro-Electric Power Scheme, which is regionally and nationally significant renewable electricity infrastructure that:
 - (1) generates approximately 131 gigawatt-hours (GWh) of renewable electricity annually, sufficient to power approximately 20,000 homes;
 - (2) has a generation capacity of 39.9 megawatts (MW) and provides controllable renewable generation that supports peak demand and complements intermittent renewable generation; and
 - (3) contributes to the reliability, resilience and security of regional and national electricity supply;
 - ii. would deliver significant economic benefits by maintaining the economic benefits provided by the scheme, including avoiding an estimated \$190.6 million in replacement generation and firming infrastructure costs and approximately \$5.8 million annually in replacement fuel costs;
 - iii. would support climate change mitigation by maintaining renewable electricity generation and avoiding greenhouse gas emissions associated with replacement thermal generation;
 - iv. would support climate change adaptation and recovery from, and resilience to, natural hazard events by maintaining electricity generation infrastructure that contributes to the continuity, reliability and resilience of electricity supply and is recognised as a lifeline utility under the Civil Defence Emergency Management Act 2002.
 - c. referring the project to the fast-track approvals process would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under



normal processes because the timeframes under the Act are significantly shorter than under the RMA, the Act precludes public and limited notification and appeal rights are limited

- d. referring the project is unlikely to materially affect the efficient operation of the fast-track approvals process because this project is not novel in the New Zealand context and is similar to the type of application that expert panel members are experienced in dealing with under the standard process.

31. If you disagree, you must decline the referral application under section 21(3)(a) of the Act.

Conclusions

32. We consider the project meets the section 22 criteria and you could accept the referral application under section 21 of the Act and refer the project to the fast-track approvals process with the specifications outlined below.

33. We consider that if you decide to refer the project, you should specify under section 27 of the Act the following requirements that should apply to the project:

- a. two years from the date of the referral notice of decisions letter to the applicant is the deadline for lodging the substantive application
- b. the substantive application must include evidence of ongoing engagement with relevant Māori groups and Treaty settlement entities, including any matters raised through that engagement and how those matters have been considered by the applicant (the relevant groups are identified in Appendix 4)
- c. the following persons or groups from whom a panel must invite comments from in addition to those specified in section 53:
 - i. Electra Limited
 - ii. Transpower New Zealand Limited

34. The above restrictions are required for the following reasons:

- a. to ensure the substantive application provides the panel with sufficient information regarding engagement undertaken by the applicant with relevant Māori groups and Treaty settlement entities, including any matters raised through that engagement and how those matters have been considered by the applicant.
- b. Electra Limited and Transpower New Zealand Limited operate infrastructure relevant to the project and are therefore appropriate parties to provide information to the expert panel

Next steps

35. The Secretary for the Environment (the Secretary) must give notice of your decisions on the referral application, and the reasons for them, to the applicant(s) and anyone invited to comment under section 17 and publish the notice on the Fast-track website.

36. If you decide to refer the project, the Secretary must also give notice of your decision to:

- a. the panel convener



- b. any additional iwi authorities or Treaty settlement entities that you consider have an interest in the matter other than those invited to comment under section 17
 - c. the Environmental Protection Authority (EPA)
 - d. the relevant administering agencies
- 37. You must also provide all of the information you received that relates to this application to the EPA and the panel convener, including:
 - a. the referral application
 - b. any comments received under section 17
 - c. the report obtained under section 18
 - d. if a report was obtained under section 19, that report.
- 38. We will undertake this action on your behalf.
- 39. We have attached a notice of decisions letter to the applicant based on our recommendations (refer Appendix 7) and we will provide it to all relevant parties. We will provide you with an amended letter if required.
- 40. Our recommendations for your decisions follow.



Recommendations

41. We recommend that you:

- a. **Note** section 21(3) of the Fast-track Approvals Act 2024 (the Act) requires you to decline the referral application from Manawa Energy Limited (the applicant) if you are satisfied that the project involves an ineligible activity, or you consider that you do not have adequate information to inform the decision under this section or if you are not satisfied that the Mangahao Hydro-Electric Power Scheme Reconsenting project (the project) meets the referral criteria in section 22 of the Act.

Noted

- b. **Agree** that before deciding on the application for project referral under section 21(1) of the Act you have considered:

- i. the application in Appendix 2
- ii. the report obtained under section 18 in Appendix 4
- iii. the report obtained under section 19 of the Act (if applicable)
- iv. any comments and further information sought under sections 17 and 20 and provided within the required timeframe (if you have received any comments or further information after the required timeframe you are not required to consider them but may do so at your discretion) in Appendix 6.

Yes / No

- c. **Agree** you are satisfied the project will meet the referral criteria in section 22 of the Act as:

- i. it is an infrastructure project because it enables the continued operation and maintenance of the Mangahao Hydro-Electric Power Scheme
 - (1) would enable the continued functioning of existing regionally and nationally significant renewable electricity infrastructure that:
 - (a) generates approximately 131 gigawatt-hours (GWh) annually, sufficient to power approximately 20,000 homes;
 - (b) has a generation capacity of 39.9 megawatts (MW) and provides controllable renewable generation that supports peak demand and complements intermittent renewable generation; and
 - (c) contributes to regional energy security and the reliability and resilience of electricity supply
 - (2) will deliver significant regional economic benefits by deliver significant economic benefits by maintaining the economic benefits provided by the scheme, including avoiding an estimated \$190.6 million in replacement generation and firming infrastructure costs and approximately \$5.8 million annually in replacement fuel costs; and
 - (3) would support climate change mitigation by maintaining renewable electricity generation and avoiding greenhouse gas emissions associated with replacement thermal generation; and



(4) would support climate change adaptation and recovery from, and resilience to, natural hazard events by maintaining electricity generation infrastructure that contributes to the continuity, reliability and resilience of electricity supply and is recognised as a lifeline utility under the Civil Defence Emergency Management Act 2002.

- ii. referring the project to the fast-track approvals process would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes because the timeframes under the Act are significantly shorter than under the Resource Management Act 1991, public and limited notification do not apply, and appeal rights are limited
- iii. referring the project to the fast-track approvals process is unlikely to materially affect the efficient operation of the fast-track approvals process because the project is not novel in the New Zealand context and is similar to the type of application that expert panel members are experienced in considering under the standard process

Yes / No

- d. **Agree** there is no reason the project must be declined under section 21(3)

Yes / No

- e. **Agree** to accept the referral application under section 21(1) and refer the whole project to the fast-track approvals process under section 26(2).

Yes / No

- f. **Agree** to specify Manawa Energy Limited as the person who is authorised to lodge a substantive application for the project.

Yes / No

- g. **Agree** to specify under section 27(3)(b) of the Act:

- i. the deadline for lodging the application is two years from the date of issue on the Notice of Decisions letter.
- ii. the substantive application must include, within the cultural impacts assessment, evidence of engagement undertaken by the applicant with relevant Māori groups and Treaty settlement entities, including any matters raised through that engagement and how those matters have been considered by the applicant.
- iii. the following persons or groups from whom a panel must invite comments in addition to those specified in section 53:

(1) Electra Limited

(2) Transpower New Zealand Limited

Yes / No

- h. **Agree** that the Secretary for the Environment will provide your notice of decisions to:

- i. anyone invited to comment on the application including local authorities and relevant Māori groups
- ii. the panel convener



- iii. the Environmental Protection Authority (EPA)
- iv. the following relevant administering agencies:
 - (1) Department of Conservation

Yes / No

- i. **Approve** the draft notice of decisions letter to the applicant (attached in Appendix 7)

Yes / No

- j. **Note** that should you decide to accept the referral application, our recommendations for appropriate directions to a panel (relating to consultation) and the applicant (relating to information to be supplied with the substantive application) are included in Table A.

Noted

Signatures

Max Gander-Cooper
Acting Manager – Fast-track Operations

Hon Chris Bishop
Minister for Infrastructure

Date:

Table A: Stage 2 analysis

Recommendation	Accept the referral application and refer the project to the fast-track approvals process		
Project details	Project Name	Applicant	Project Location
	Mangahao Hydro-Electric Power Scheme Reconsenting project	Manawa Energy Limited	The Scheme is located in the northern part of the Tararua Ranges, approximately 28 kilometres south-west of Palmerston North and 15 kilometres north-east of Levin
Project description	The project is the reconsenting of the existing Mangahao Hydro-Electric Power Scheme to enable its continued operation and maintenance. It draws water from the Mangahao River and generates up to 39.9 megawatts (MW) of electricity, with an average annual output of 131 gigawatt-hours (GWh), sufficient to power approximately 20,000 homes. The project includes existing operation and maintenance activities occurring across multiple land parcels, including Crown land administered by the Department of Conservation (DOC). The activities applied for include: - the damming, taking, diversion and use of water; - the discharge of water and sediment; - the disturbance of riverbeds; - the deposition of sediment; - the maintenance of structures within waterbodies; and - the erection and placement of structures within waterbodies (included on a precautionary basis). The project will require the proposed approvals: - resource consents under the Resource Management Act 1991 (RMA) - the applicant identifies that an approval under the Freshwater Fisheries Regulations 1983 will be required and states that further ecological investigations will determine whether a standard or complex freshwater fisheries approval is necessary.		
Minister invites comments / requests information	Comments from invited parties		
	Local authorities Horowhenua District Council (HDC) - is not opposed to the project being considered under the Fast-track Approvals Act 2020⁴ (the Act). As consent authority, HDC advises it has not identified competing applications or relevant existing consents but cannot confirm that no HDC resource consent is required because it has not been provided with sufficient information on the nature, location and extent of some proposed works. HDC also has a direct interest in the scheme's discharge regime because of its Shannon water supply and related consent processes. As a provider of community services, HDC considers the reconsenting process presents an opportunity to secure and enhance recreational use of the river, including greater certainty, flexibility and frequency of water releases for the Mangahao Whitewater Park, and to provide lasting benefits for Shannon and the wider Horowhenua community through recreation, tourism and community infrastructure initiatives. Horizons Regional Council (HRC) - considers the scheme to be regionally and nationally significant infrastructure that contributes to renewable electricity generation and supports a low-carbon future. HRC identified no competing applications for most approvals sought, although a competing gravel extraction application may exist if proposed riverbed excavation involves gravel extraction. HRC considers the project may have significant adverse effects if potential effects are not managed effectively, including effects on freshwater habitat, water quality, instream ecology, cultural values and the mauri of waterways. HRC is neutral on the appropriateness of using the fast-track process and notes that environmental effects will need to be appropriately managed and demonstrated through the substantive application. HRC also notes there do not appear to be prohibited activities and records a history of low to medium risk non-compliance, with no formal enforcement action taken. Ministers Minister for Energy - considers the project will enable the continued functioning of existing regionally significant infrastructure. The Minister notes increasing electricity demand, the importance of electricity generation, transmission and distribution to meet future demand, and the role of the Mangahao scheme as one of the most significant hydro schemes in the lower North Island. The Minister considers the scheme's continued operation supports electricity supply, including renewable generation and regional energy security. Minister of Climate Change- notes that the continued operation of the scheme promotes the benefits of renewable electricity generation, including reducing greenhouse gas emissions. The Minister expresses broad support for projects that deliver positive climate outcomes for New Zealand, including the Mangahao Hydro-Electric Power Scheme. Minister for Regional Development - notes that the proposal is a reconsenting of an existing scheme rather than a new development or infrastructure project and therefore is not expected to provide additional direct economic benefits. The Minister comments that the application primarily has implications for New Zealand's energy system and that the Energy portfolio is better placed to assess the project's strategic importance. Minister for Economic Growth - considers the proposal likely to deliver significant regional economic benefits through maintaining existing renewable and controllable electricity generation, supporting regional security of supply, and avoiding the costs of replacing the scheme's generation and firming functions. The Minister notes the economic assessment identifies benefits associated with maintaining existing generation capacity rather than constructing new infrastructure.		

	Minister for Māori Development and Minister for Māori Crown Relations: Te Arawhiti - support the application progressing and encourage the applicant and any future panel to have due regard to relevant Treaty settlement legislation and instruments, and to any feedback received from relevant Māori groups as identified in the Section 18 report. Māori Groups Muaūpoko Tribal Authority Inc - does not support referral of the project and considers the application should be declined at the referral stage. They state the applicant is seeking 35-year consents without sufficient commitments to manage effects on the Mangahao, Tokomaru and Mangaore waterways and expresses concern about continuing environmental and cultural effects. They consider the scheme has significant actual and potential adverse effects on waterways, taonga species and cultural values, including effects on mauri, fish passage, sediment processes, river flows and kaitiakitanga. They disagree that economic or energy benefits justify bypassing standard environmental scrutiny and considers referral is premature while technical assessments and cultural impact assessments remain incomplete. The Muaūpoko Tribal Authority requests that, if referred, environmental, cultural, fish passage and governance matters are comprehensively addressed through the substantive process. Tānenuiārangi Manawatū Charitable Trust Rōpu - Te Mauri o Rangitāne o Manawatū (Council of Elders)- does not support referral of the project and considers the application should be declined at the referral stage. They consider the scheme has significant actual and potential adverse effects on the environment and cultural wellbeing, including impacts on mauri, freshwater ecosystems, fish passage, river flows, sediment dynamics and cultural relationships with waterways. They state that economic and energy benefits do not justify bypassing freshwater restoration requirements and cultural obligations and considers the fast-track process inappropriate where significant environmental and cultural issues remain unresolved. Rangitāne o Manawatū also raises concerns about climate change effects, long-term consent duration, and the limited information available to support iwi assessment of the project. Administering agencies Department of Conservation (DOC) - is not aware of any reason the project should not be referred. DOC considers the information provided is adequate for referral purposes, has not identified any ineligible activities, inconsistencies with Treaty settlement obligations, poor compliance history or competing conservation applications, and considers any adverse effects are likely to be addressed through appropriate conditions on substantive approvals. DOC also agrees there are efficiencies in considering any complex freshwater fisheries approval alongside RMA approvals through the fast-track process and notes that maintaining renewable energy generation helps combat greenhouse gas emissions. Any other persons or groups Transpower New Zealand Limited - supports the project and notes that electricity generated by the scheme is conveyed by the National Grid. Transpower has no specific comments regarding the reconsenting of the activity and supports the granting of consents. Electra Limited - supports renewal of the resource consents, stating that the scheme plays a crucial role in supporting peak winter demand, network reliability, resilience and security of electricity supply. Electra notes the scheme provides important generation, voltage support and firming services, assists with transmission security during outages, and supports the integration of increasing levels of wind and solar generation. Electra considers the continued operation of the scheme to be in the public interest and an important contributor to the reliability and sustainability of New Zealand's electricity system.
The Minister must decline an application if the Minister is satisfied that the project involves an ineligible activity [section 21(3)(b)]	We consider you can be satisfied that the project does not involve an ineligible activity because it: – would not occur on identified Māori land, Māori customary land or a Māori reservation as confirmed by the relevant records of title and consultation with iwi authorities – would not occur in a customary marine title area or protected customary rights area as it is not in the coastal marine area – is not an aquaculture activity or activity that is incompatible with aquaculture activities that would occur in an aquaculture settlement area and for which the applicant is not authorised to apply for a coastal permit because it will not occur in the CMA – would not require an access arrangement which cannot be granted under the Crown Minerals Act (including s61(1A)) because it does not include an access arrangement, would not occur on Schedule 4 land – would not be prevented by section 165J, M, Q, ZC or ZDB of the RMA because it will not occur in the CMA – would not occur on Schedule 4 land as confirmed by the records of title – would not occur on a national reserve as confirmed by the records of title – would not occur on a reserve held under the Reserves Act 1977 that is managed by or vested in someone other than the Crown or a local authority and that person has not consented in writing as confirmed by the record of title, applicant's evidence of consultation etc – is not a prohibited activity or decommissioning activity under the EEZA, 15B or 15C of the as the project does not involve activities in the exclusive economic zone or continental shelf area, marine dumping, or offshore decommissioning activities. – is not for the purpose of an offshore renewable energy project. because it will not occur offshore/involve renewable energy production No comments received from invited parties indicated that the project would involve an ineligible activity or be ineligible for referral

The Minister must decline an application if the Minister considers they do not have adequate information to inform the decision [section 21(3)(c)]	We consider you have sufficient information to inform your decision.
Relevant considerations and procedural requirements in Treaty settlement, Mana Whakahono ā Rohe, joint management agreement, or the Marine and Coastal Area (Takutai Moana) Act 2011 or the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 [section 16]	N/A
Section 22 assessment criteria	
The project is an infrastructure or development project that would have significant regional or national benefits [section 22(1)(a)]	<i>The Minister <u>must</u> consider a relevant Government policy statement (GPS) [s22(1A)]</i> The only current GPS is the Government Policy Statement on Grocery Competition. The project does not include commercial activities will include a supermarket development or grocery related activities; therefore we consider the Government Policy Statement on Grocery Competition is not relevant to your decision. You <u>may</u> consider any of the following matters, or any other matters the Minister considers relevant: <i>Will deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure [s22(2)(a)(ii)]</i> The applicant states that the Mangahao HEPS is regionally and nationally significant infrastructure that generates approximately 131 GWh of renewable electricity annually, has a generation capacity of 39.9 MW, supplies enough electricity to power approximately 20,000 homes, and contributes to energy security, security of electricity supply and New Zealand's decarbonisation objectives. A key benefit of the project is its firming capability. Firming refers to the ability of controllable and dispatchable generation to provide electricity when intermittent renewable generation sources, such as wind and solar, are unavailable or producing less electricity than expected. The application states that the scheme provides controllable hydro-electric generation that can respond to changes in demand, supports peak electricity supply, and complements intermittent renewable generation sources. The applicant states that consenting will enable the continued operation of the existing Mangahao HEPS, which is considered regionally and nationally significant renewable electricity infrastructure. The Minister for Energy stated that the project will enable the continued functioning of existing regionally significant infrastructure. The Minister noted the importance of electricity generation to meet increasing demand, described Mangahao as one of the most significant hydro schemes in the lower North Island, and considered its continued operation important for renewable generation and regional energy security. HRC considered the scheme to be regionally and nationally significant infrastructure and stated that it provides important benefits regionally and nationally through renewable electricity generation. Electra Limited supported renewal of the resource consents, stating that the scheme plays a crucial role in peak winter demand, network reliability, resilience and security of electricity supply. Electra Limited highlighted the scheme's role in supporting transmission security and firming intermittent wind and solar generation. Transpower supported the continued operation of the scheme, noting that the electricity generated is conveyed by the National Grid and supporting the granting of the consents. Muaūpoko Tribal Authority acknowledged that the scheme contributes to regional electricity supply but considered that the continued functioning of existing infrastructure should not justify consenting zero residual flows and permanent fish migration barriers for a further 35 years without restoration commitments. Rangitāne o Manawatū similarly acknowledged the scheme's contribution to regional electricity supply but considered that the continued functioning of existing infrastructure should not justify continuing adverse effects such as zero residual flows and fish migration barriers without restoration commitments. We consider that the project would enable the continued functioning of the existing Mangahao Hydro-Electric Power Scheme, which is seen as existing regionally and nationally significant renewable electricity infrastructure. We consider the project meets this criterion and you <u>could</u> refer the project on this basis.

Will deliver significant economic benefits [s22(2)(a)(iv)]

The applicant states that maintaining the scheme will provide economic benefits, including avoiding the estimated \$190.6 million capital cost of replacement generation infrastructure, avoiding approximately \$5.8 million per year in thermal fuel costs, reducing consenting costs estimated at \$2–4 million, maintaining approximately six full-time operational roles, and supporting local expenditure exceeding \$1 million annually.

The Minister for Economic Growth considered the proposal likely to deliver significant regional economic benefits through maintaining existing renewable and controllable electricity generation, supporting regional security of supply, and avoiding the costs of replacing the scheme's generation and firming functions. The Minister noted the economic benefits associated with maintaining existing generation capacity rather than constructing new infrastructure.

The Minister for Regional Development noted that the proposal is a reconsenting of an existing scheme rather than a new development or infrastructure project and therefore is not expected to provide additional direct economic benefits. The Minister commented that the application primarily has implications for New Zealand's energy system.

Muaūpoko Tribal Authority and Rangitāne o Manawatū disagreed that the project would deliver significant economic benefits to the extent claimed by the applicant. Both groups considered that avoiding expenditure associated with river health improvements, residual flows and fish passage did not constitute a public economic benefit and instead transferred costs onto the environment and tangata whenua.

We note disagreement between the Ministers for Economic Growth and Regional Development, but on balance we consider the project meets this criterion given the continued operation of this infrastructure avoids the need of alternative infrastructure and power generation from out of the region and consider you could refer the project on this basis.

Will support climate change mitigation, including the reduction or removal of greenhouse gas emissions [s22(2)(a)(vii)]

The applicant states that the ongoing operation of the scheme contributes to reducing greenhouse gas emissions through renewable electricity generation and supports New Zealand's emissions reduction targets. It also states that replacement thermal generation could result in approximately 25,800 tonnes of CO₂-e emissions per year.

The Minister of Climate Change noted that the continued operation of the scheme promotes the benefits of renewable electricity generation, including reducing greenhouse gas emissions, and expressed broad support for projects that deliver positive climate outcomes for New Zealand.

The Minister for Energy highlighted the importance of maintaining electricity supply to support the electrification of the economy and reduce reliance on fossil fuels. The Minister stated that electricity generation, transmission and distribution infrastructure will be needed to meet increasing future demand.

HRC stated that the continued operation of the renewable energy scheme has benefits in contributing to a low-carbon future and supports national climate change mitigation and electrification targets. DOC similarly noted that maintaining renewable energy generation will help combat greenhouse gas emissions.

Muaūpoko Tribal Authority and Rangitāne o Manawatū supported decarbonisation and climate change mitigation but considered that climate change mitigation should not come at the expense of freshwater ecosystems, taonga species and cultural values. Both groups also questioned whether alternatives to the scheme's firming function had been adequately assessed and raised concerns about the potential effects of climate change on the scheme over the proposed consent duration.

The continued operation of the scheme would maintain existing renewable electricity generation and avoid emissions associated with replacement thermal generation. This view was supported by the Minister of Climate Change, Minister for Energy, HRC and DOC. While some Māori groups raised concerns about balancing climate benefits against environmental and cultural effects, they generally supported the importance of climate change mitigation and decarbonisation.

We consider the projects meets this criterion and you could refer it on this basis.

Will support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards [s22(2)(a)(viii)]

The applicant states that the project contributes to the resilience of New Zealand's electricity system through the continued operation of existing renewable electricity generation infrastructure. The Mangahao HEPS is a lifeline utility under the Civil Defence Emergency Management Act 2002 and that the scheme supports continuity of electricity supply, reduces reliance on imported electricity from outside the region, and assists response and recovery efforts during and following emergency events.

Electra limited stated that the scheme improves the reliability, resilience and security of supply to its northern network and highlighted the scheme's role in maintaining electricity supply during transmission outages and supporting peak demand. Transpower supported the continued operation of the scheme and the granting of consents.

The Minister for Energy noted the importance of maintaining electricity generation infrastructure to meet increasing future electricity demand and support the electrification of the economy. HRC also recognised the scheme's regional and national significance and its contribution to renewable electricity generation.

Muaūpoko Tribal Authority and Rangitāne o Manawatū raised concerns regarding the potential effects of climate change and natural hazards on the scheme over the proposed consent duration. Both groups considered that climate change may reduce summer and autumn flows, increase low-flow events and increase peak flood discharges, and expressed concern that continuing the current operating regime without adaptive management measures could compound environmental and cultural effects over time. Both groups sought adaptive flow management and planning for dam safety, sediment management and flood risks.

The continued operation of the scheme would support the resilience and reliability of electricity supply, including during and following emergency events, and maintain infrastructure that is recognised as a lifeline utility under the Civil Defence Emergency Management Act 2002 and supports continuity of electricity supply during and following emergency events.

While some commenters raised concerns about the need to manage future climate and natural hazard risks, those concerns are more appropriately addressed through the substantive assessment of the project

	We the project meets this criterion, and you could refer it on this basis. <i>Will address significant environmental issues [s22(2)(a)(ix)]</i> The applicant states that the Mangahao HEPS has significance as a generator of renewable electricity, supporting the reduction of greenhouse gas emissions. The Minister for Climate Change, HRC and DOC recognised the role of the scheme in supporting renewable electricity generation and reducing greenhouse gas emissions, which contributes to broader environmental objectives associated with climate change mitigation. Muaūpoko Tribal Authority and Rangitāne o Manawātū considered that the project would continue existing adverse effects on freshwater ecosystems, fish passage, river flows, sediment processes, mauri and cultural values. Both groups considered that the project does not address significant environmental issues and instead raised concerns that environmental effects remain unresolved and should be addressed through stronger mitigation, restoration and management measures. We note that the project is primarily a reconsenting of existing infrastructure and does not appear intended to directly address a significant environmental issue. Instead, its environmental benefits are more appropriately considered under climate change mitigation through the continued generation of renewable electricity. We do not recommend referral under this criterion <i>Is consistent with local or regional planning documents, including spatial strategies [s22(2)(a)(x)]</i> The applicant states that, based on a preliminary planning assessment, the reconsenting of the Mangahao HEPS will be consistent with the relevant regional and local planning documents. The applicant identifies the Regional Policy Statement and Regional Plan within the Horizons One Plan as the relevant planning instruments and states that these recognise significant infrastructure and require environmental effects to be managed while enabling the continued operation of existing significant infrastructure. The applicant further states that no relevant local planning instruments, including spatial strategies, have been identified. HRC considered that the project is consistent with regional planning documents and noted that the Horizons One Plan recognises the benefits of renewable energy generation and regionally significant infrastructure while requiring adverse effects to be appropriately managed. HRC did not identify any inconsistency between the project and the relevant regional planning framework. HDC did not identify any inconsistency between the project and any district planning document. HDC advised that it had insufficient information to determine whether additional district resource consents may be required for some proposed activities but did not raise planning inconsistencies as a concern. While there is no evidence before us that the project is inconsistent with local or regional planning documents, we do not place significant weight on this criterion. A comprehensive assessment of consistency with the relevant planning framework would be more appropriately undertaken as part of the substantive application. We do not recommend referral under this criterion.
Referring the project to the fast-track approvals process [section 22(1)(b)]	<i>Would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes [s22(1)(b)(i)]</i> The applicant stated that, compared with the conventional RMA process, the fast-track process allows for time savings of between three and four years and millions of dollars in administrative and professional services costs. The applicant cites its experience with the Kaimai Hydro-electric Power Scheme (Kaimai HEPS), stating that "Manawa was able to obtain its approvals through the fast-track process in 32 and a half weeks from lodgement with the EPA". We agree with the applicant that referral to the fast-track approvals process would facilitate the project in a more timely and cost-effective manner than under conventional RMA consenting pathways. <i>Is unlikely to materially affect the efficient operation of the fast-track approvals process [s22(1)(b)(ii)]</i> The applicant stated that no changes are proposed to the overall operating regime for the Mangahao HEPS and no material change in environmental effects is expected. The applicant considers that, while the project is likely to be publicly notified under the RMA and require a substantive hearing, the public notification, hearing and appeal processes are costly, onerous and significantly lengthy for the continuation of an existing activity. The applicant states that the fast-track process reduces the timeframe to achieve a decision, offers more certainty of outcome, and has already been successfully used for the reconsenting of the Tekapo Hydro-Electric Power Scheme and the Kaimai HEPS. The applicant notes that the Mangahao HEPS was previously referred to the fast-track process and accepted by the Minister, and that no material change to the operating regime or the project previously accepted to the fast-track is proposed, with this referral application being made only to ensure existing maintenance activities and all land holdings are accurately included. The applicant therefore states that referring the project will not affect the efficient operation of the fast-track process. We consider the project is unlikely to materially affect the efficient operation of the fast-track approvals process. The project is not novel in the New Zealand context and is similar to the type of application that expert panel members are experienced in considering under the RMA.
Reasons to decline	

Minister <u>must</u> decline [section 21(3)]	<i>The Minister <u>must</u> decline a referral application if:</i> <i>The application may not be accepted under subsection 1 (meets referral criteria)</i> As discussed above, we consider the project meets the referral criteria in section 22. <i>The Minister is satisfied the project involves an ineligible activity</i> No comments received identified any matter indicating that the project involves an ineligible activity. <i>The Minister considers that they do not have adequate information to inform the decision under this section</i> We consider sufficient information has been provided to inform your decision. We do not consider that you must decline the application under this section.
Minister may decline [section 21(4) and 21(5)(a-h)]	<i>The Minister <u>may</u> decline a referral application for any other reason, whether or not it meets the criteria in section 22.</i> <i>Reasons to decline a referral application under subsection 4 include, without limitation:</i> <i>The project would be inconsistent with a Treaty settlement, Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, Marine and Coastal Area (Takutai Moana) Act 2011, a Mana Whakahono ā Rohe, or a joint management agreement</i> No inconsistencies of this nature have been identified, including through the section 18 report or comments received from invited Māori groups. <i>It would be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts</i> Neither the section 18 report nor comments received from invited parties indicated any reason why the matters authorised by the proposed approvals would be more appropriately dealt with under another Act or Acts. <i>The project may have significant adverse effects on the environment</i> HRC noted that the project may have significant adverse effects if not effectively managed, particularly in relation to waterway hydrology, freshwater habitat and ecology, flood management, erosion, water quality, sediment discharges, cultural values and the mauri of waterways. HRC acknowledged that these effects would be assessed through the substantive application and associated assessment of environmental effects. Muaūpoko Tribal Authority and Rangitāne o Manawatū did not support referral of the project and considered the application should be declined. They raised concerns regarding long-standing adverse effects of the hydro scheme on environmental, cultural and spiritual values, including effects on freshwater ecology, fish passage, sedimentation, river dynamics, hydrology and flow regimes, mauri, cultural values, and the effects of inter-catchment water transfers. They also raised concerns regarding information gaps and the applicant's assessment of effects, and considered the application did not appropriately balance commercial, environmental and cultural considerations or meet the overall intent of the section 22 referral criteria. Both groups noted that, if the project were referred, these matters should be subject to detailed consideration through the substantive application process, including through expert assessment and any appropriate conditions. While the concerns raised by HRC, Muaūpoko Tribal Authority, and Rangitāne o Manawatū identify potentially significant adverse effects, we consider these matters are more appropriately assessed through the substantive application process. The substantive application would provide an opportunity for detailed technical, cultural, and environmental assessment of the issues raised, supported by expert evidence, comments from affected parties, and consideration of any appropriate conditions. We note that both Muaūpoko Tribal Authority and Rangitāne o Manawatū acknowledged that, if referred, these matters should be subject to detailed consideration through the substantive application process. We do not consider the information before us indicates that the potential adverse effects are of such a nature that the application should be declined at the referral stage. To support this process, we recommend requiring the substantive application to include evidence of engagement undertaken by the applicant with relevant Māori groups and Treaty settlement entities, including any matters raised through that engagement and how those matters have been considered by the applicant. <i>The applicant(s) has a poor compliance history under a specified Act that relates to any of the proposed approvals</i> HRC identified a history of low to medium-risk non-compliance associated with the scheme but noted that no formal enforcement action had been taken. We do not consider the information provided indicates a poor compliance history such that it would justify declining the application <i>The project area includes land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes</i> Neither the section 18 report nor comments received from invited Māori groups identified any land within the project area as being necessary for Treaty settlement purposes. <i>The project includes an activity that is a prohibited activity under the Resource Management Act 1991</i> Based on the information provided, the project does not include any activity that appears to be a prohibited activity under the RMA. <i>A substantive application for the project would have one or more competing applications.</i> HRC and HDC confirmed they were not aware of any competing applications or existing resource consents to which the relevant competing application provisions would apply.

In relation to any proposed approval of the kind described in section 42(4)(a) (resource consents), there are one or more existing resource consents of the kind referred to in section 30(3)(a)
The applicant, HRC and HDC did not identify any existing resource consents of the kind referred to in section 30(3)(a).

We **do not** recommend you decline the application.

Appendix 1: Statutory framework summary

1. You are the sole decision maker for referral applications. If you accept a referral application, then the whole or part of the project will be referred to the fast-track approvals process.
2. If a Treaty settlement, the Marine and Coastal Area (Takutai Moana) Act 2011, the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, a Mana Whakahono ā Rohe or a joint management agreement provides for consideration of any document or procedural requirements, you must, where relevant:
 - a. give the document the same or equivalent effect through this process as it would have under any specified Act; and
 - b. comply with any applicable procedural requirements.
3. You must decline a referral application if:
 - a. you are satisfied the project does not meet the referral criteria in section 22
 - b. you are satisfied the project involves an ineligible activity (section 5)
 - c. you consider you do not have adequate information to inform your decision.
4. You may decline an application for any other reason, including those set out in section 21(5) and even if the application meets the section 22 referral criteria.
5. You can decline an application before or after inviting comments under section 17(1). However, if comments have been sought and provided within the required time frame, you must consider them, along with the referral application, before deciding to decline the application.
6. If you do not decline a referral application at the initial stage you must copy the application to, and invite written comments from:
 - a. the relevant local authorities
 - b. the Minister for the Environment, the Minister for Māori Crown Relations: Te Arawhiti, and the Minister for Māori Development
 - c. any other relevant portfolio Ministers
 - d. the relevant administering agencies
 - e. the Māori groups identified by the responsible agency
 - f. the owners of Māori land in the project area (if applicable)
 - g. you may provide the application to and invite comments from any other person.
7. You can request further information from an applicant, any relevant local authority or any relevant administering agency at any time before you decide to decline or accept a referral application (see section 20 of the Act).
8. However, if further information has been sought and provided within the required time frame you must consider it, along with the referral application, before deciding to decline the application.