



FTAA–2507-1086: Application received for referral of the project under the Fast-track Approvals Act 2024 – Stage 2 decisions

Project Name: Mangahao Hydro-Electric Power Scheme

Date submitted:	31/10/25	Tracking #: BRF–7003	
Security level:	In-Confidence	MfE priority:	Urgent

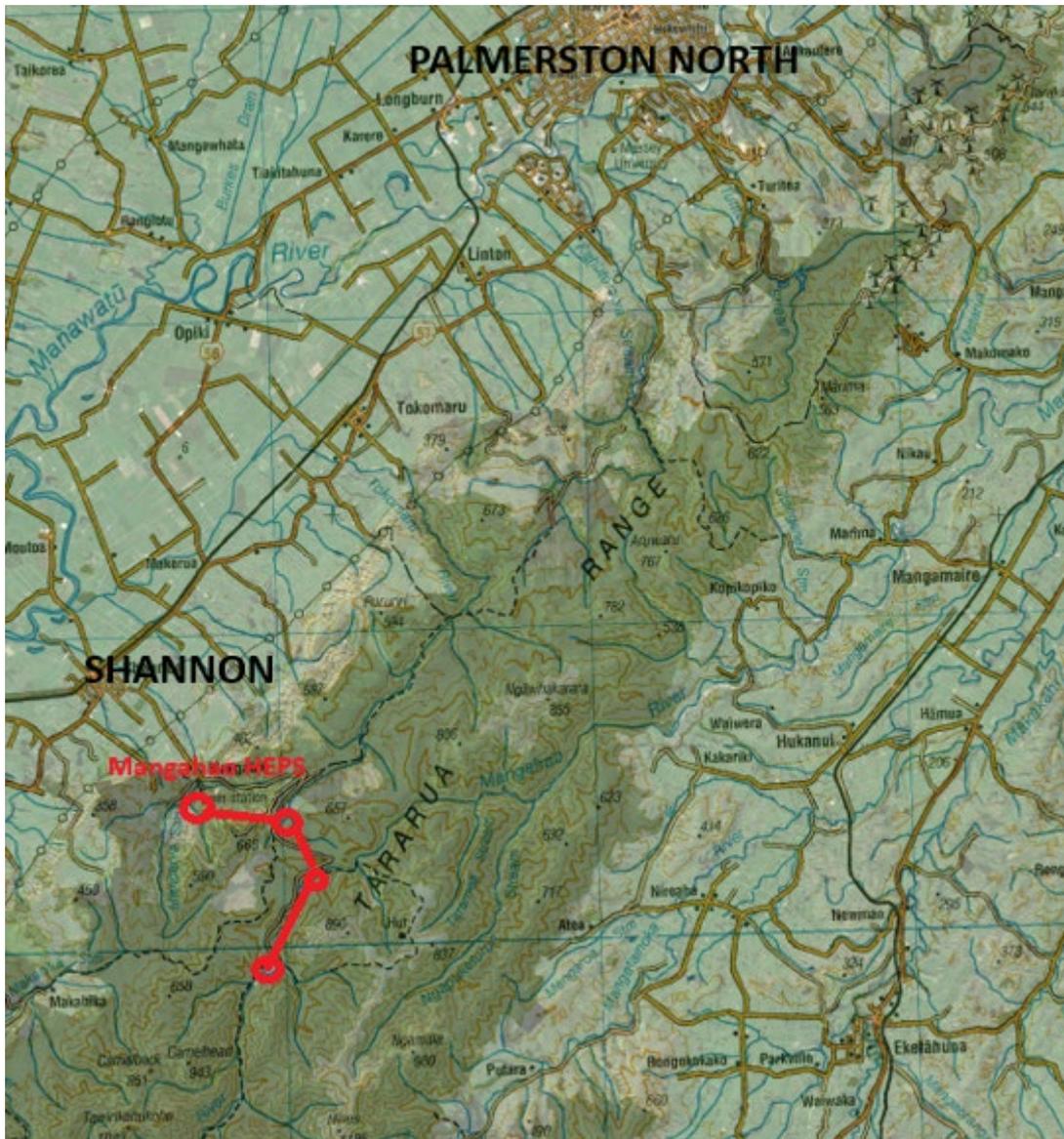
	Action sought:	Response by:
To Hon Chris Bishop, Minister for Infrastructure	Decision on recommendations	

Actions for Minister's Office staff	<p>Return the signed briefing to MfE FTAreferrals@mfe.govt.nz.</p> <p>Approve the attached notice of decisions letter (if signed).</p>
Number of appendices 7	<p>Appendices:</p> <ol style="list-style-type: none"> Statutory framework for making decisions Application documents for Mangahao Hydro-Electric Power Scheme and further information received (refer File Exchange) Stage 1 Briefing Note and decisions (refer File Exchange) Section 18 Report on Treaty settlements and other obligations, including comments from invited parties (refer File Exchange) Comments received from all other parties the Minister sought comments from (refer File Exchange) Further information received post-consultation (refer File Exchange) Draft Notice of Decisions

Ministry for the Environment contacts

Position	Name	Cell phone	1 st contact
Principal Author	Antonia Croft		
Manager	Stephanie Frame	s 9(2)(a)	✓
General Manager	Ilana Miller	s 9(2)(a)	

Location



Key messages

1. This briefing seeks your decisions on the application from King Country Energy Limited to refer the Mangahao Hydro-Electric Power Scheme project (the project) under the Fast-track Approvals Act 2024 (the Act) to the fast-track approvals process for consideration by a panel.
2. A copy of the application is in Appendix 2. This is the second briefing on this application. The first (Stage 1) briefing (BRF-6571) with your initial decisions annotated is in Appendix 3.
3. The project is to renew all consents required for the ongoing operation of the existing Mangahao Hydro-Electric Power Scheme, located in the northern section of the Tararua Ranges approximately 28 kilometres (km) southwest of Palmerston North and 10km, at the farthest point, east of Shannon.

4. The project draws from the Mangahao River and generates up to 39.9 megawatts (MW) of electricity with an average annual output of 131 gigawatt (GW) hours - enough to power approximately 20,000 homes in an average year.
5. The project includes:
 - a. the damming and diversion of water, involving the damming of the Mangahao River at No.1 and No.2 Dam sites and the Tokomaru River at No.3 Dam site, the diversion of Mangaore Stream for erosion control and the diversion of water between reservoirs
 - b. the discharge of water to water associated with all three reservoirs and from Mangahao Power Station to the Mangaore and Mangatangi streams
 - c. the discharge of contaminants to water from drain valves associated with turbines, cooling water from Mangatangi Stream, stormwater runoff from the Power Station area, sediment flushing from the dams and sediment management activities in the bed of rivers
 - d. the use and maintenance of structures in the bed of a stream or river including the existing dams and associated infrastructure in the Mangahao and Tokomaru rivers.
6. The project will require the proposed approvals:
 - a. resource consents under the Resource Management Act 1991.
7. 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.
8. We seek your decisions on this recommendation and on the proposed directions to the applicants and the expert panel, and notification of your decisions.

Assessment against statutory framework

9. 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.
10. Before accepting the project, you must consider the application (in Appendix 2), the section 18 Treaty settlements report (in Appendix 4) any comments from invited parties (in Appendix 5), any further information requested from the applicant, the relevant local authorities, or the relevant administering agencies (in Appendix 6).
11. 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 should decline the application. We discuss these matters and provide our advice below.

Section 18 Treaty settlements and other obligations report

12. Under s18(2) the following relevant Māori groups, including relevant iwi authorities and Treaty settlement entities were identified and invited to comment on the application, as the relevant iwi authorities for the project area:
 - a. Ngāti Kahungunu ki Wairarapa - Tāmaki nui-ā-Rua Settlement Trust, representing Ngāti Kahungunu ki Wairarapa Tāmaki nui-ā-Rua;
 - b. Ngāti Kahungunu ki Tāmaki-nui-a-Rua, representing Ngāti Kahungunu ki Tāmaki-nui-a-Rua;

- c. Tanenuiarangi Manawatū Charitable Trust, representing Rangitāne o Manawatū;
 - d. Rangitāne o Tāmaki nui-ā-Rua, representing Rangitāne o Tāmaki nui-ā-Rua;
 - e. Te Rūnanga o Raukawa Incorporated, representing Ngāti Raukawa ki te Tonga;
 - f. Muaūpoko Tribal Authority Inc, representing Muaūpoko; and
 - g. Ngāti Kahungunu Iwi Inc, representing Ngāti Kahungunu.
13. This report identified the Rangitāne o Manawatu Claims Settlement Act 2016, Rangitāne Tū Mai Rā (Wairarapa Tāmaki nui-ā-Rua) Claims Settlement Act 2017, and Ngāti Kahungunu ki Wairarapa – Tāmaki Nui ā Rua Act as relevant to the project area.
 14. The Rangitāne Tū Mai Rā (Wairarapa Tāmaki nui-ā-Rua) Claims Settlement Act 2017 provides for a statutory acknowledgement over the Manawatū River and its tributaries, and the Rangitāne o Manawatū Claims Settlement Act 2016 provides for statutory acknowledgements over the Manawatū River and its tributaries, Mangahao River, and Tararua Forest Park, and deeds of recognition over the Manawatū River and its tributaries, and Mangahao River. The associated statutory areas encompass or lie adjacent to parts of the project area. Under the RMA and the settlement legislation, a consent authority must have regard to a statutory acknowledgement when deciding whether an iwi is an ‘affected person’ for the purposes of notification decisions and must provide a summary of any consent applications relevant to the statutory area to a statutory acknowledgement holder.
 15. We consider the process of inviting comment (including providing information about the application) from Rangitāne o Manawatū Settlement Trust and Rangitāne Tū Mai Rā Trust under the Act is comparable to the requirements for statutory acknowledgements under the RMA and Treaty settlements.
 16. Similarly, the process of inviting comment is also comparable with some of the procedural requirements of the deeds of recognition. However, to comply fully with the procedural requirements of the deeds of recognition, you must also have regard to the views of Rangitāne o Manawatū Settlement Trust relating to their association with the Manawatū River and its tributaries and the Mangahao River. While Rangitāne o Manawatū Settlement Trust has not commented on the referral application, should you accept this application for referral, a panel considering a substantive application will need to comply with the procedural requirements of the deeds of recognition.
 17. In response to the invitation for Māori groups to comment under section 17(1)(d) of the Act, Ngāti Kahungunu ki Wairarapa Tāmaki-nui-a-Rua (NKKTNAR) provided feedback on the application. NKKTNAR supports the application and advocates that appropriate provision is put in place for salvaging and handling impacted fauna, a cultural impact assessment is undertaken by NKKTNAR, and Kahungunu mātauranga and any NKKTNAR recommendations are implemented in agreed conditions of consent. NKKTNAR requests to be heard in person by the expert panel (in the event a substantive application is lodged).
 18. The Minister for Māori Development and the Minister for Māori Crown Relations support the application progressing to an expert panel for substantive application consideration subject to:
 - a. the panel having regard to statutory acknowledgements when deciding whether the holder is an ‘affected person’ for the purposes of notification decisions under the RMA, as provided for in the Rangitāne o Manawatū Claims Settlement Act 2016 and Rangitāne Tū Mai Rā (Wairarapa Tāmaki nui-ā-Rua) Claims Settlement Act 2017;

- b. the panel fully complying with the procedural requirements of the deeds of recognition, including having regard to the views of Rangitāne o Manawatū Settlement Trust relating to their association with the Manawatū River (and its tributaries) and the Mangahao River, as provided for under the Rangitāne o Manawatū Claims Settlement Act 2016;
 - c. the applicant considering giving effect to the comments from Ngāti Kahungunu ki Wairarapa Tāmaki nui-ā-Rua on the application; and
 - d. the applicant having ongoing engagement with Rangitāne o Manawatū, Rangitāne Tāmaki-nui-ā-Rua, Rangitāne o Wairarapa, Ngāti Kahungunu ki Tāmaki-nui-ā-Rua, Muaūpoko, and Ngāti Raukawa ki te Tonga.
19. We do not consider there are any matters identified in section 18 which 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

20. Section 16 of the Act requires you to comply with any applicable procedural requirements in a Treaty settlement. As outlined in the Section 18 report, the relevant procedural requirement arises from the deed of recognition between the Commissioner of Crown Lands and Rangitāne o Manawatū Settlement Trust, relating to the Manawatū and Mangahao Rivers.
21. The Section 18 report confirms that the process of inviting comment from Rangitāne o Manawatū Settlement Trust under the Act is comparable to the consultation requirement in the deed of recognition. However, to fully comply with section 16, you must also have regard to the Trust's views concerning its association with these rivers, as described in the statements of association included in the Treaty settlement documentation.
22. Although Rangitāne o Manawatū Settlement Trust has not provided feedback on the referral application, should you accept the application for referral, a panel considering a substantive application will be required to comply with the procedural requirements of the deed of recognition, including inviting comment and considering the Trust's views.
23. In addition, the Rangitāne o Manawatū Claims Settlement Act 2016 also provides for the establishment of the Manawatū River Catchment Advisory Board to advise the Regional Council on freshwater management in the catchment. The Board is to include representatives from Rangitāne o Manawatū, Rangitāne Tū Mai Rā, Ngāti Kahungunu ki Wairarapa – Tāmaki nui-ā-Rua, and other iwi as provided by future legislation.
24. As the Board has not yet been established, there is no advice or comment for the Minister to consider at this time.

Written comments received

25. Comments were received from Horizons Regional Council (HRC), Horowhenua District Council (HDC), from five Ministers; the Minister for Energy and Climate Change, the Minister for the Environment, the Minister for Regional Development and the Minister for Economic Growth, the Department of Conservation (DOC) and Transpower New Zealand Limited (Transpower). The key points of relevance to your decisions are summarised in Table A.
26. The key points from the comments are:

- a. HRC supports the scheme's regional and national significance and its contribution to renewable energy generation
- b. HDC is not opposed to the project proceeding under the Fast-track process and sees opportunities for improved community outcomes
- c. all relevant authorities confirmed there are no competing applications
- d. the Minister for Energy and Minister for Climate Change considers that the project will support climate change mitigation and climate adaptation
- e. the Minister for Regional Development noted that the direct regional economic impacts of the proposal are not quantified in the application and that commentary from the Energy portfolio will be more relevant in assessing the strategic importance of the project
- f. the Minister for Economic Growth commented the continued operation would allow use of existing infrastructure to support regional energy resilience and avoid the costly capital investments of building a new power scheme
- g. the Minister for the Environment has reviewed this application and does not wish to provide comment.
- h. DOC was invited to comment under s17(2) and confirmed that the project site does not involve any land for which section 24 of the Act would apply.
- i. Transpower commented that they support the project as it relates to renewable electricity generation and will support climate mitigation.

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

27. In response to your request for further information under section 20 of the Act the applicant and HRC further information on the following:

a. HRC - on whether they anticipate any challenges or delays associated with the consenting process for the project.

HRC commented that requests for further information under s92 are typically the main cause of delays. The length of time is dependent on the notification decision and whether a hearing is required.

b. The applicant - to provide further information and data to support their claim that this project is of national significance and the economic benefits associated with this project in that context.

The applicant provided further information and data to support the assertion that the project is of national significance and delivers economic benefits in that context. Stating in summary that scheme provides "firming" support to intermittent wind and solar generation by dispatching controllable hydroelectricity during peak demand, avoiding \$189.4M in replacement costs, 25,800 tonnes of CO₂ equivalent (CO₂e) annually, and delivering 59.3 GWh over 3,890 hours while supporting national renewable and emissions targets.

c. The applicant - was asked to clarify if the DOC concession for access to the scheme and other consents associated with the Scheme HRC identified were intended to be included in the application.

The applicant confirmed the access road agreement/concession will not be included in this referral application (and the substantive application) as it will be dealt with separately by the applicant.

The applicant also clarified the scope of this application was to renew all consents required for the ongoing operation of the existing Mangahao Hydro-Electric Power Scheme only.

28. You must consider all information received within the specified timeframe. We have taken this information into account in our analysis and advice, and it is presented in Table A.

Reasons to decline

29. The statutory framework in Appendix 1 sets out the situations where you must decline the application for referral under section 21(3).

30. We do not consider you must decline this application.

31. 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 Table A.

32. We have considered the matters above and this is discussed in Table A, and we do not consider you should decline the project for any of these reasons.

Reasons to accept

33. The statutory framework in Appendix 1 sets out the reasons you can accept a project for referral

34. Our assessment of these matters is summarised in Table A. We consider the project meets the requirements of section 22, as it:

- a. is an infrastructure or development project because the project involves the continued operation of the Mangahao hydro-electric power scheme which is considered nationally significant infrastructure
- b. would have significant regional and national benefits because:
 - i. it would enable the continued functioning of this nationally significant infrastructure which:
 - supplies 131 GWh annually, enough to power approximately 20,000 homes
 - provides 59.3 GWh of firming output over 3,890 hours annually, and
 - is recognised as a lifeline utility under the Civil Defence Emergency Management Act 2002
 - ii. the economic benefits from the continued operation of this infrastructure avoids the need of alternative infrastructure at a cost of up to \$130 million and power generation supplied from out of the region
 - iii. will support climate change mitigation based on the estimate of avoided emissions associated with other types of power schemes at 67,830 tonnes of CO₂-equivalent if replacing gas-fired generation or 172,208 tonnes of CO₂-equivalent if replacing coal-fired generation.

- iv. will support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards as a lifeline utility under the civil defence Emergency Management Act of 2002
- c. would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way 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. be 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 RMA.

Conclusions

- 35. We consider the project meets the section 22 criteria and you could accept the application under section 21 of the FTAA and refer the project to a panel with the specifications outlined below.
- 36. 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. the Chief Executive of Transpower, and the Chief Executive of Electra Lines Company as persons from whom a panel must invite comments from in addition to those specified in section 53.
- 37. The above restrictions are required for the following reasons:
 - a. ensuring a panel seeks comments from the entity responsible for authorising the project's connection to the National Grid (Transpower) and the Chief Executive of Electra Lines Company as the local lines company..

Next steps

- 38. MfE 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.
- 39. If you decide to refer the project, MfE 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
- 40. You must also provide all 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.

41. We will undertake this action on your behalf.

42. We have attached a notice of decisions letter to the applicant(s) 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.

43. Our recommendations for your decisions follow.

Recommendations

44. We recommend that you:

- a. **Note** section 21(3) of the Fast-track Approvals Act 2024 (FTAA) requires you to decline the referral application from King Country Energy Limited 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 Project (project) meets the referral criteria in section 22 of the FTAA.
- b. **Agree** that before making a decision on the application for project referral under section 21(1) of the FTCA you have considered:
 - i. the application in Appendix 2
 - ii. the report obtained under section 18 in Appendix 4
 - iii. 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 Appendices 5 and 6.
- c. **Agree** you are satisfied the project will meet the referral criteria in section 22 of the FTAA as:
 - i. it is an infrastructure project that would have significant regional or national benefits because:
 - ii. it would enable the continued functioning of this existing nationally significant infrastructure which:
 - supplies 131 GWh annually, enough to power approximately 20,000 homes
 - provides 59.3 GWh of firming output over 3,890 hours annually, and
 - is recognised as a lifeline utility under the Civil Defence Emergency Management Act 2002
 - iii. it will deliver significant economic benefits as the continued operation of this infrastructure avoids the need of alternative infrastructure at a cost of up to \$130 million and power generation supplied from out of the region
 - iv. it will support climate mitigation based on the estimate of avoided emissions associated with other types of power schemes at 67,830 tCO₂-equivalent if replacing gas-fired generation or 172,208 tCO₂-equivalent if replacing coal-fired generation.
 - v. it will support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards as a lifeline utility under the civil defence Emergency Management Act of 2002.
 - vi. referring the project would facilitate the project and enable it to be processed in a more timely and cost-effective manner than understand process, by utilising a process which does not involve public notification and limits rights of appeal.

vii. referring the project to the fast-track approvals process 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 Resource Management Act 1991

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 all of the project to a panel under section 26(2)(a)

Yes / No

f. **Agree** to specify King Country 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)(iii) of the Act that a panel must invite comments from the Chief Executive of Transpower New Zealand Limited and the Chief Executive of Electra Lines Company in addition to those persons and groups specified in section 53 of the Act.

Yes / No

h. **Agree**, pursuant to section 16(2)(c), to direct any panel considering a substantive application for the project (in a notice of your decisions) to comply with the applicable requirements identified in the section 18 report by:

- i. having regard to statutory acknowledgements when deciding whether the holder is an 'affected person' for the purposes of notification decisions under the RMA, as provided for in the Rangitāne o Manawatū Claims Settlement Act 2016 and Rangitāne Tū Mai Rā (Wairarapa Tāmaki nui-ā-Rua) Claims Settlement Act 2017; and
- ii. complying with the procedural requirements of the deeds of recognition, including having regard to the views of Rangitāne o Manawatū Settlement Trust relating to their association with the Manawatū River (and its tributaries) and the Mangahao River, as provided for under the Rangitāne o Manawatū Claims Settlement Act 2016.

Yes / No

i. **Agree** to specify under section 27(3)(b)(ii) the following information from the applicant must submit with their substantive application for the project be included in the cultural impacts assessment:

- i. evidence of ongoing engagement with Rangitāne o Manawatū, Rangitāne Tāmaki-nui-ā-Rua, Ngāti Kahungunu ki Wairarapa Tāmaki nui-ā-Rua, Rangitāne o Wairarapa, Ngāti Kahungunu ki Tāmaki-nui-ā-Rua, Muaūpoko, and Ngāti Raukawa ki te Tonga.

Yes / No

j. **Agree** that MfE will provide your notice of decisions to:

- i. anyone invited anyone invited to comment on the application

- ii. the panel convener
- iii. The Environmental Protection Authority (EPA)
- iv. The following relevant administering agencies:
 - (1) Ministry for the Environment

Yes / No

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

Yes / No

- l. **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.

Signatures



Ilana Miller
General Manager, Delivery and Operations

Hon Chris Bishop
Minister for Infrastructure

Date:

Table A: Stage 2 analysis

Recommendation	Accept and Refer	Project Name	Applicant	Project Location
<p>Project details</p> <p>Project description</p>	<p>Mangahao Hydro-Electric Power Scheme</p> <p>The project is to renew all consents required for the ongoing operation of the existing Mangahao Hydro-Electric Power Scheme. The Scheme draws from the Mangahao River and generates up to 39.9 megawatts (MW) of electricity with an average annual output of 131 gigawatt (GW) hours - enough to power approximately 20,000 homes in an average year.</p> <p>The project includes:</p> <ul style="list-style-type: none"> the damming and diversion of water, involving the damming of the Mangahao River at No.1 and No.2 Dam sites and the Tokomaru River at No.3 Dam site, the diversion of Mangaore Stream for erosion control and the diversion of water between reservoirs the discharge of water to water associated with all 3 reservoirs and from Mangahao Power Station to the Mangaore and Mangatangi streams the discharge of contaminants to water associated with drain valves associated with turbines, cooling water from Mangatangi Stream, stormwater runoff from the Power Station area, sediment flushing from the dams and sediment management activities in the bed of rivers the use and maintenance of structures in the bed of a stream or river including the existing dams and associated infrastructure in the Mangahao and Tokomaru Rivers. <p>The project will require the proposed approvals:</p> <ul style="list-style-type: none"> resource consents under the Resource Management Act 1991 	<p>King Country Energy Limited c/- Holland Beckett</p> <p>The applicant is eligible to apply for resource consents.</p>	<p>The Mangahao River at the northern section of the Tararua Ranges approximately 28 kilometres southwest of Palmerston North and 10 kilometres, at the farthest point, east of Shannon.</p>	
<p>Minister invites comments / requests information</p>	<p>Comments from invited parties</p> <p><i>Local authorities</i></p> <p>Horizons Regional Council (HRC) states that that the scheme is considered to be regionally and nationally significant infrastructure and therefore provides important benefits to both the region and nationally. The scheme also contributes to renewable energy generation for New Zealand. Like any development there will be an element of economic benefit associated with the project including the continuation of existing jobs with the continued operation of the HEPS.</p> <p>HRC noted that there are a number of consents that have not been included in the application and may need to be applied for. Some of these relate to historic construction activities or activities no longer occurring, but there are a number not being re-applied for, and it is unclear if these are required or not. If the application is accepted for being processed through the Fast-track process, HRC's view is that explanation around whether these consents are being renewed would be helpful. (The applicant has confirmed that the scope of the consents applied for under this application is for the ongoing operation of the existing Mangahao Hydro-Electric Power Scheme only.)</p> <p>HRC confirmed that there are no competing applications lodged or existing resource consents issued where sections 124C(1)(c) or 165ZI of the Resource Management Act 1991 (RMA).</p> <p>HRC reported a history of low to medium-risk non-compliance by the applicant from 2018 to 2025, with no formal enforcement action taken and no further details provided.</p> <p>HRC note the scheme has actual and potential impacts on:</p> <ul style="list-style-type: none"> the hydrology of the waterways impacts on freshwater habitat including flora and fauna and impacts on flood management and erosion from the continued damming, diversion and taking of water, impacts on water quality and instream ecology from the discharge of sediment associated with these activities; and Impacts on cultural values and the mauri of the waterways. <p>They have recommended the following assessments and information be provided with any substantive application:</p> <ul style="list-style-type: none"> A detailed planning assessment against the relevant regional and national planning documents (e.g. NESFW, NPSFW etc). a comprehensive AEE that would include: <ul style="list-style-type: none"> Hydrology assessment Water quality and instream ecology assessment Impacts on terrestrial ecology/wetlands (if relevant) Fish passage and habitat assessment Recreational impacts; and Cultural effects (informed by feedback or engagement with the relevant iwi and hapu). The provision of any required management plans relating to the above effects; and Proposed draft consent conditions. <p>We consider this is already required by Schedule 5 of the Act and therefore do not consider you should direct the applicant to provide this information.</p>	<p>Further information from applicant, relevant local authorities, relevant administering agencies</p> <p><i>Horizons Regional Council (HRC) - on whether they anticipate any challenges or delays associated with the re-consenting process for the project.</i></p> <p>HRC commented that requests for further information under s92 are typically the main cause of delays. The length of time is dependent on the notification decision and whether a hearing is required.</p> <p>The challenges identified include:</p> <ul style="list-style-type: none"> Consideration of the impact of effects of fish passage, instream ecology and hydraulic impacts on the waterways would require comprehensive assessment. Consideration of impacts on cultural values may also be complex depending on the information provided by the applicant after engagement with iwi and hapu. a white-water rafting group is an interested party that rely on specific flows through this waterway to enable their recreation use. <p><i>The applicant-to provide further information and data to support their claim that this project is of national significance and the economic benefits associated with this project in that context.</i></p> <p>The applicant provided further information and data to support the assertion that the project is of national significance and delivers economic benefits in that context.</p> <p>In summary the Mangahao HEPS provides a controllable and dispatchable supply of electricity to 'firm' intermittent wind and solar generation during peak demand by its ability to selectively release dammed water when other energy generation methods are not able to run at their peak output. Its continued operation avoids the need for replacement generation from other sources—estimated at \$189.4 million in capital costs, \$5.8 million in annual fuel costs, and 25,800 tonnes of CO₂ equivalent</p>		

The application should also have regard to the following Statutory Acknowledgements:

- Rangitane o Manawatu: Rangitāne o Manawatu Statutory Acknowledgements - 14 January 2021
- Rangitane o Wairarapa and Rangitane o Tamaki nui-a-Rua: Statutory-Acknowledgements-FINAL.pdf

Horowhenua District Council (HDC)

Comments as Water Supplier under Water Services Act 2021 - HDC is the Water Supplier for the Shannon water supply which is of critical importance in supporting the health and wellbeing of the Shannon community. The supply sources water from the Mangaore Stream a short distance upstream of the Mangahao Power Station discharge. HDC is currently in a resource consent renewal process for the water take for this supply. The existing resource consent is expired, and the scheme is operating on the basis of s124 RMA rights to continue to exercise the expired consent. A key factor in the consenting process that has resulted in significant delays and additional costs to HDC has been the absence of any hydrological monitoring of, or agreed flow regime for, the stream. The technical assessments undertaken by HDC's advisors as well as Regional Council's advisors agree that fluctuations in flow due to the power station are likely to dominate effects on the hydrology downstream of the power station.

HDC therefore has a direct interest in the discharge regime from the Power Station as it is the dominant factor in the Stream's hydrological regime and is a key factor which influences the effects associated with HDC's water supply abstraction.

In addition to the water take, HDC is also seeking to renew consents for discharges from the Shannon Water Treatment Plant associated with reservoir cleaning and overflow. These discharges are to a roadside drain which connects to the Mangaore Stream downstream of the power station discharge. Regional Council has indicated it will likely be imposing conditions of consent which will require HDC to undertake discharges from its WTP only when the power station is discharging (as far as practicable). This is another reason for HDC's interest in the discharge regime.

HDC acknowledges the work the applicant is doing to determine the hydrological regime of the Stream, and that they have engaged Tonkin and Taylor Ltd to undertake this assessment. HRC has advised HDC that it does not and is not intending to undertake hydrological monitoring or investigations on the Stream and that this is required to be determined by consent applicants. HDC is keen to share its hydrological assessments with the applicant and ensure that there is a common understanding of the hydrology across all permits determined for the Stream so that all discharge and water permits can be assessed on the same basis.

Comment as Local Government provider of Community Services – HDC commented that the Mangahao HEPS operates within a community that experiences high levels of socio-economic challenge, with an average adult income of \$30,000 compared to the national average of \$41,500 (2023 Census). While the scheme makes a very significant contribution to New Zealand's renewable energy network and has a high value over the lifetime of the consent, the local community has not always had the opportunity to share fully in these benefits.

As the provider of community services and open spaces, HDC is mindful of the importance of ensuring that the scheme's operation can also create positive outcomes for Shannon and the wider Horowhenua community, such as through the Mangahao WhiteWater Park - a community-led initiative that delivers strong wellbeing, recreational, and tourism outcomes but currently operates under an agreement allowing only a limited number of water release days.

HDC state that there is a clear opportunity through the consenting process to explore ways of increasing the number and reliability of release days, and more broadly, HDC sees potential for initiatives that complement the scheme's operation and leave a legacy of long-term community benefit, including improvements to public facilities, flexible release schedules, and investment in infrastructure, education, and recreation. HDC would welcome further discussion with the applicant on how such measures could be advanced in a way that balances national energy objectives with community aspirations.

HDC confirmed they have not received any applications which would be considered competing applications if a substantive application for the project were to be lodged, and there are no existing resource consents issued by HDC where sections 124C(1)(c) or 165Z1 of the Resource Management Act 1991 (RMA) could apply. For completeness, HDC advises that the following have been granted with respect to the overall activity for which the Fast Track referral application relates to; LUC/501/2019/125 - Resource consent for soil disturbance affecting a piece of land within a HAIL site at Mangahao Substation and 504/2019/30 – Alteration to Designation.

HDC is not opposed to the project being considered under the Act.

Ministers

Minister for Energy and Minister for Climate Change consider that the project will support climate change mitigation and adaptation, and this factor should be taken into account as part of your consideration of whether the project is an infrastructure or development project that would have significant regional or national benefits.

- On mitigation: the application is regionally and nationally significant as it supplies controlled renewable energy generation directly into the local region and excess into the National Grid.
- On adaptation: the application is regionally significant from an adaptation perspective as King Country Energy Limited as recognised as a lifeline utility under the civil defence Emergency Management act of 2002.

The Minister for Regional Development commented that the direct regional economic impacts of the proposal are not quantified in the application. The application appears to primarily have implications for New Zealand's energy system, and commentary from the Energy portfolio will be more relevant in assessing the strategic importance of the project.

The Minister for Economic Growth commented the continued operation would allow use of existing infrastructure to support regional energy resilience and avoid the costly capital investments of building a new power scheme.

The scheme currently supports local businesses and contributes to approximately \$1 million annually to the local economy along with six full time equivalent jobs. The primary benefit of this project is maintaining the supply of renewable energy it currently provides it provides no additional economic

(CO₂e) per year. The firming output of 59.3 GWh is required over 3,890 hours annually. The applicant states that the scheme also reduces transmission losses and supports national renewable energy and emissions reduction targets, delivering clear national benefit.

benefits is the project enables the use of renewable energy it is estimated it could prevent emissions of around 67,000 832 tonnes of CO₂ equivalent (CO₂e) (from gas use) or 172,208 tonnes of CO₂e (from coal use). Given this the project may also be evaluated under supporting climate change mitigation and reduction or removal of greenhouse gas emissions under section 22(2)(a) vii of the FTAA.

The Minister for the Environment has reviewed this application and does not wish to provide comment on the application.

Māori Groups

Ngāti Kahungunu ki Tāmaki-nui-a-Rua (NKKTNAR) provided the following comments on the application:

- a. The headwaters of the Mangahao awa are one of the forces that bring Kahungunutanga to life, 'Tihei Kahungunu!'. The connection to this area was through the atua (deity) Tangaroa, as the Mangahao awa is the final resting place of the pūtātara (conch trumpet) that Tangaroa left behind when 'Te Ika a Maui', the great fish of Maui that is now Aotearoa, was pulled from the depths of his domain.
 - b. NKKTNAR supports the proposed resource consent renewal for the Mangahao Hydro Scheme and has been engaging with the applicant on the proposal for over 12 months. This engagement has been grounded in a mātauranga Kahungunu ki Tāmaki-nui-a-Rua approach with a focus on relationship/co-operation and collaboration.
 - c. NKKTNAR has been commissioned in principle by the applicant to undertake a cultural impact assessment, which will articulate how mātauranga and western science can be applied together to benefit the health of the tipuna awa.
 - d. NKKTNAR request to speak verbally to the expert panel in respect of this submission.
2. NKKTNAR advocates that:
- i. a "suitably qualified experienced person" be required to implement the environmental plan for managing effects of the Hydro Scheme including (but not limited to) undertaking surveys, and salvage and management of fauna;
 - ii. appropriate provision is put in place for salvaging and handling fauna at each fauna management site;
 - iii. the applicant continues consultation with NKKTNAR and an agreement is formalised for undertaking cultural impact assessment;
 - iv. opportunities for co-leadership and training are provided to wider group of kaitiaki/poutiaki in relation to the proposal; and
 - v. Kahungunu mātauranga and any NKKTNAR recommendations are implemented in agreed conditions of consent.

Other persons or groups

Department of Conservation (DOC) was asked to confirm if the application involves the maintenance, upgrading or continued operation of existing electricity infrastructure or the construction and operation of new electricity lines on 'eligible land' as defined in s 24(3). Noting that the applicant was not seeking any approvals with DOC as the relevant administering agency.

DOC confirmed that there are no areas of the project site that fall under Schedule 4 or national reserves; therefore section 24 (3) does not apply.

On the wider application, DOC commented that it seeks RMA consents only and does not include approvals under Acts administered by DOC. They note that King Country Energy Limited lacks a concession for use of Public Conservation Land (PCL) for roading and access. (The Applicant has confirmed that they will seek this separate to this application)

Overall, DOC considers that with appropriate design and conditions; environmental effects can likely be managed and is not aware of any reason the project should not be referred and requests that they be included in consultation going forward on this application.

Chief Executive of Transpower New Zealand Limited commented that they support the project as it relates to renewable electricity generation and will support climate mitigation (section 22(2)(a)(vii) of the Act).

Chief Executive of Electra Lines Company Limited did not comment on the application.

Based on the information in the application, we consider the project is eligible for referral 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
- it would not occur in a customary marine title area or protected customary rights area as it is not in the common marine and coastal area
- it 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 common marine and coastal area
- 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 be prevented by section 165J, M, Q, ZC or ZDB of the RMA because it will not occur in the common marine and coastal area
- 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
- is not a prohibited activity or decommissioning activity under the EEZA, 15B or 15C of the RMA as it would not occur in the coastal marine area or New Zealand's exclusive economic zone.
- is not for the purpose of an offshore renewable energy project because it will not occur offshore.

No comments raised by parties invited to comment have indicated that the project would be ineligible for referral.

The Minister must decline an application if the Minister is satisfied that the project involves an ineligible activity [section 21(3)(b)]

The Minister must decline an application if the Minister considers they do not have adequate information to inform the decision [section 21(3)(c)]

Relevant considerations and procedural requirements in Treaty settlement, Mana Whakahono ā Rohe, joint management agreement, or the Marine and Coast Area (Takutai Moana) Act 2011 or the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 [section 16]

We consider the applicant has provided sufficient information to inform your decision.

Pursuant to section 16(2)(c), to direct any panel considering a substantive application for the project (in a notice of your decisions) to comply with the applicable requirements identified in the section 18 report by:

- having regard to statutory acknowledgements when deciding whether the holder is an 'affected person' for the purposes of notification decisions under the RMA, as provided for in the Rangitāne o Manawatū Claims Settlement Act 2016 and Rangitāne Tū Mai Rā (Wairarapa Tāmaki nui-ā-Rua) Claims Settlement Act 2017; and
- complying with the procedural requirements of the deeds of recognition, including having regard to the views of Rangitāne o Manawatū Settlement Trust relating to their association with the Manawatū River (and its tributaries) and the Mangahao River, as provided for under the Rangitāne o Manawatū Claims Settlement Act 2016.

Section 22 assessment criteria

The project is an infrastructure or development project that would have significant regional or national benefits [section 22(1)(a)]

The Minister may consider any of the following matters, or any other matters the Minister considers relevant.

Assess the factors that are relevant to the application. How is the factor relevant and is it being met by the project?

Will deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure [s22(2)(a)(ii)].

The Mangahao HEPS generates up to a maximum 39.9 megaWatts (MW) of electricity with an average annual output of 131 Giga-Watt-hours (GWh) which is enough to power approximately 20,000 homes in an average year. The scheme provides a controllable and dispatchable supply of electricity to 'firm' intermittent wind and solar generation during peak demand by its ability to selectively release dammed water when other energy generation methods are not able to run at their peak output. Its continued operation avoids the need for replacement generation from other sources. The firming output of 59.3 GWh is required over 3,890 hours annually. The applicant states that the scheme also reduces transmission losses and supports national renewable energy and emissions reduction targets, delivering clear national benefit. King Country Energy Limited as recognised as a lifeline utility under the civil defence Emergency Management Act of 2002.

HRC states that the scheme is considered to be regionally and nationally significant infrastructure and therefore provides important benefits to both the region and nationally.

The Minister for Economic Growth commented the continued operation would allow use of existing infrastructure to support regional energy resilience and avoid the costly capital investments of building a new power scheme

We recommend referral on the basis that the project enables the continued functioning of existing regionally and nationally significant infrastructure, including its role as a recognised lifeline utility under the Civil Defence Emergency Management Act 2002.

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

The applicant considers the project will have significant economic benefits including:

- direct cost savings of approximately \$4–6 million by avoiding traditional consenting costs, with savings ultimately passed on to consumers.
- preserving generation output, avoiding up to 7% loss in electricity generation (worth \$190 million to replace) and maintaining supply for approximately 20,000 homes in Horowhenua
- supporting the regional economy through local employment and over \$1 million in annual economic contribution.
- strengthening national energy security by providing controllable, renewable energy during peak demand and reducing reliance on more costly and polluting thermal generation.
- avoiding additional infrastructure costs (for example \$130 million in wind generation and \$60 million in thermal peaker plants or avoids \$5.8 million/year in fuel costs and 25,800 tCO₂e in emissions).
- improving grid efficiency and resilience by reducing transmission losses and regional supply vulnerability.

In addition to this the applicant states that Mangahao HEPS provides a controllable and dispatchable supply of electricity to 'firm' intermittent wind and solar generation during peak demand by its ability to selectively release dammed water when other energy generation methods are not able to run at their peak output. Its continued operation avoids the need for replacement generation from other sources—estimated at \$189.4 million in capital costs. The firming output of 59.3 GWh is required over 3,890 hours annually. The applicant states that the scheme also reduces transmission losses and supports national renewable energy and emissions reduction targets, delivering clear national benefit.

HRC commented that like any development there will be an element of economic benefit associated with the project including the continuation of existing jobs with the continued operation of the HEPS.

HDC commented that the Mangahao HEPS operates within a community that experiences higher levels of socio-economic challenge, with an average adult income of \$30,000 compared to the national average of \$41,500 (2023 Census). While the scheme makes a very significant contribution to New Zealand's renewable energy network and has a high value over the lifetime of the consent, the local community has not always had the opportunity to share fully in these benefits.

The Minister for Economic Growth commented the continued operation would allow use of existing infrastructure to support regional energy resilience and avoid the costly capital investments of building a new power scheme. The scheme currently supports local businesses and contributes to approximately \$1 million annually to the local economy along with six full time equivalent jobs. The primary benefit of this project is maintaining the supply of renewable energy it currently provides it provides no additional economic benefits is the project enables the use of renewable energy it is estimated it could prevent emissions of around 67,000 832 tonnes of CO₂e (from gas use) or 172,208 tonnes of CO₂e (from coal use).

We recommend that you can refer on this criterion given the continued operation of this infrastructure avoids the need of alternative infrastructure and power generation from out of the region.

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 Mangahao HEPS contributes towards decarbonising New Zealand's economy. It will also contribute to achieving the 90% renewable energy target by 2025 set out in the National Policy Statement for Renewable Electricity Generation (NPS-REG) and the aspiration to achieve 100% renewable energy by 2030. The Mangahao HEPS has an important role in achieving New Zealand's 2050 targets in the Climate Change Response Act 2022.

The applicant also notes that the Mangahao HEPS will play a role in substituting fossil fuel energy with renewable energy. That amounts to real emissions reduction, especially as New Zealand's electricity cannot be imported, and therefore it will contribute to reductions in the country's greenhouse gas inventory. Economic analysis by NZEIR indicates the greenhouse gas emission equivalent of the renewable energy produced at the Mangahao HEPS would be approximately 67,830 tCO₂-e (for gas) or 172,208 tCO₂-e (for coal).

The NPS-REG provides for renewable electricity generation, including its benefit of maintaining or increasing electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions, as a matter of national significance (Policy A). The preamble to the NPS-REG notes "the contribution of renewable electricity generation, regardless of scale, towards addressing the effects of climate change plays a vital role in the wellbeing of New Zealand, its people and the environment". The applicant asserts that Mangahao HEPS is entirely consistent with that national direction.

Minister for Energy and Minister for Climate Change considers that the project will support climate change mitigation as the application is regionally and nationally significant as it supplies controlled renewable energy generation directly into the local region and excess into the National Grid.

The Minister for Economic Growth commented the continued operation would allow use of existing infrastructure to support regional energy resilience and avoid the costly capital investments of building a new power scheme. The primary benefit of this project is maintaining the supply of renewable energy it currently provides it provides no additional economic benefits is the project enables the use of renewable energy it is estimated it could prevent emissions of around 67,000 832 tonnes of CO₂e (from gas use) or 172,208 tonnes of CO₂e (from coal use).

Chief Executive of Transpower New Zealand Limited commented that they support the project as it relates to renewable electricity generation and will support climate mitigation.

We recommend referral on the basis of this criterion, based on the estimate of avoided emissions associated with other types of power schemes.

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, as a generator of electricity, KCE is recognised as a lifeline utility under the Civil Defence Emergency Management Act 2002 (Schedule 1, Part B). Lifeline utilities play a vital role in recovery from natural hazards and have statutory duties such as the need to ensure the ability to function to the fullest possible extent, even though this may be at a reduced level, during and after an emergency. This includes the Mangahao HEPS. As New Zealand de-carbonises and shifts its view to achieving a high percentage of energy generation coming from renewable sources it is vital that existing renewable energy generation is preserved. The project seeks to re-consent the Scheme, which contributes towards New Zealand's current renewable electricity generation and in doing so supports the country's climate change adaptation.

Minister for Energy and Minister for Climate Change considers that the project will support climate adaptation as the application is regionally significant from an adaptation perspective as King Country Energy Limited as recognised as a lifeline utility under the civil defence Emergency Management act of 2002.

We recommend that it be referred on this criterion.

Is consistent with local or regional planning documents, including spatial strategies [s22(2)(a)(x)]

Based on an initial assessment, the applicant states that the Mangahao HEPS is consistent with the relevant regional planning documents as follows:

The Regional Policy Statement (RPS) and the Regional Plan, included as part of the Horizons One Plan, are the relevant regional planning instruments for the Manawatu-Wanganui Region. Infrastructure activities with effects on freshwater, natural character values, biodiversity and/or public access must be managed to mitigate the effects. However, the RPS is clear in its express recognition of and provision for significant infrastructure with local effects but regional or national benefits – particularly where the infrastructure already exists. The RPS policy settings directly inform the Regional Plan provisions, which require environmental effects to be managed while enabling the continued operation of existing significant infrastructure. No relevant local planning instruments (including spatial strategies) have been identified, noting that no replacement consents are sought under the Horowhenua District Plan.

This is a controlled activity renewal project, as there is no further assessment from commentators on this matter, we consider that you do not have enough information to refer on this criterion.

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)]

The applicant notes that using the fast-track process the consolidated timeframes for engagement with interested stakeholders and parties, wider consultation requirements to support substantive applications, and the overall detail required support a more timely and efficient consideration of the project. They commented that even though they application included the renewal of controlled activities that timeframes and associated costs could still affect timeframes. HRC commented that there were a number of factors that could delay this process even related to renewals of existing applications (see full response above) which support the applicant's assertion regarding possible challenges.

We agree with the applicant's statement that the use of the fast-track process would facilitate the project in a more timely and cost-effective manner than under the conventional RMA consenting pathways.

Is unlikely to materially affect the efficient operation of the fast-track approvals process [s22(1)(b)(ii)]

We agree that the project will not significantly impact the efficiency of the fast-track approvals process.

Referring the project to the fast-track approvals process [section 22(1)(b)]

Reasons to decline

Minister must decline [section 21(3)] Minister may decline [section 21(4) and 21(5)(a-h)]

The Minister must decline a referral application if:

The application may not be accepted under subsection 1 (meets referral criteria)

We do not consider this applies based on our above analysis that the project meets the criteria in section 22.

The Minister is satisfied the project involves an ineligible activity

As discussed above, we do not consider that the project involves an ineligible activity.

The Minister considers that they do not have adequate information to inform the decision under this section
We consider you have adequate information to inform your decision.

We do not consider that you must decline the application under this section.

The Minister may decline a referral application for any other reason, whether or not it meets the criteria in section 22. Reasons to decline a referral application under subsection 4 include, without limitation:

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

Nothing in the application indicates the project would be inconsistent with these documents.

It would be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts

No comments provided by parties invited to comment indicate that it would be more appropriate to deal with under any other Act or Acts.

The project may have significant adverse effects on the environment

HRC noted the effects of the scheme on the environment particularly on freshwater and related species and recommended a list of assessments and information for the applicant to include for any substantive application.

No comments from the parties invited to comment indicated that the project may have significant adverse effects that would trigger declining the referral.

The applicant(s) has a poor compliance history under a specified Act that relates to any of the proposed approvals

HRC provided the following overview of the applicant's compliance history but stating that no formal enforcement action has been taken against the applicant for this proposal. The council did not provide any further detail on the nature of these compliance matters.

As no formal enforcement actions were taken with the applicant related to these matters we do not consider this a reason to decline the application's referral.

The project area includes land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes

Not applicable to the project area

The project includes an activity that is a prohibited activity under the Resource Management Act 1991

The project does not appear to include any prohibited activities under the RMA.

A substantive application for the project would have one or more competing applications.

There are no other substantive applications under the FTAA for the project area, and both HRC and HDC confirm that neither Council has any record of competing applications within the same area.

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 comments from HRC and HDC did not identify any resource consents of the kind referred to in section 30(3)(a).

Any other matter

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

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 Man 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 s22
 - b. you are satisfied the project involves an ineligible activity (s5)
 - 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 s21(5) and even if the application meets the s22 referral criteria.
5. You can decline an application before or after inviting comments under s 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 this initial stage you must copy the application to, and invite written comments from:
 - a. the relevant local authorities,
 - b. the Minister for the Environment and relevant portfolio Ministers
 - c. the relevant administering agencies
 - d. the Māori groups identified by the responsible agency
 - e. the owners of Māori land in the project area:
 - f. 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.