

Under the                   **FAST-TRACK APPROVALS ACT 2024**

In the matter of           an application for approvals in relation to the Waitaha Hydro  
Scheme

Between                   **WESTPOWER LIMITED**

Applicant

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**EXPERT PANEL: WESTPOWER LTD MEMORANDUM 4**

**MEMORANDUM OF COUNSEL PROVIDING UPDATED DRAFT CONCESSION  
CONDITIONS**

Dated: 27 November 2025

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**BUDDLE FINDLAY**  
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**MAY IT PLEASE THE PANEL:**

1. This memorandum is filed on behalf of the Applicant, Westpower Limited (**Westpower**). In Memorandum #2, Westpower recorded that there has been a constructive working relationship with the Department of Conservation (**Department**) to develop three sets of concession conditions:
  - (a) short-term lease and licence (construction);
  - (b) long-term lease and licence (operational); and
  - (c) easement (operational: access and transmission).
2. In Memorandum #2 and at the Project Overview Conference, Westpower noted that it would keep the Panel updated as to progress with the Department on the concession conditions and that revised condition sets would be filed with the Panel.<sup>1</sup>
3. Westpower attaches to this Memorandum three updated sets of concession conditions. The conditions are work in progress and there is ongoing and constructive engagement between Westpower and the Department on the conditions. Inevitably, there will be further updates to be made to the conditions and there are a number of issues that the Department has raised that are still to be worked through.
4. The updated conditions are provided to the Panel at this point in order to:
  - (a) provide the Panel with a well-advanced set of concession conditions in place of the concession conditions filed with the application;
  - (b) allow the Department to comment on these updated draft conditions in its s 51 report; and
  - (c) provide an opportunity for the other parties invited in Minute #3 to provide comments on the updated draft conditions should they wish to do so.
5. For clarity, the lease and licence concession conditions are structured in four schedules as explained below:
  - (a) front-end background and signing sections;

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<sup>1</sup> At [27].

- (b) schedule 1: key descriptions of the activities and core terms;
  - (c) schedule 2: a modified version of the Department's standard terms and conditions for concession lease/licences (modified as appropriate for the nature of the activities authorised);
  - (d) schedule 3: special conditions incorporating the relevant Resource Management Act 1991 conditions (as updated with the Panel on 17 November 2024 and incorporating some further changes to address comments from the Department); and
  - (e) schedule 4: listing activities that will occur in described project areas; linking to 'schedule 4 Maps' that are labelled Waitaha Map 001 to Map 005; and identifying the location of key activities that the concessions authorise in each area.
6. The easement concession conditions follow a similar structure subject to some amendments to the schedules.
7. Westpower will file updated concession conditions with the Panel following further engagement with the Department.

**Dated:** 27 November 2025



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Paul Beverley / David Allen / Rachael Balasingam

**Counsel for Westpower Limited**