11 November 2026

Jennifer Caldwell
Associate Panel Convener
Environmental Protection Authority

Te Maru o Kaituna

Tēnā koe Jennifer

Wairākei South (FTAA-2605-1227): Response to Minute 7 of the Panel Convener

Thank you for the opportunity to comment on the proposed commencement date for the Wairākei South expert panel.

Te Maru o Kaituna River Authority (TMoK) wishes to raise concerns about the proposed commencement date and panel composition. Both matters were identified in our response to Minute 2 on 21 July 2026.

In raising these concerns, our aim is to support an efficient and fair process that:

- provides TMoK and its members with a meaningful opportunity to participate; and
- ensures the panel has the collective expertise needed to properly understand and address the Kaituna River Framework in its consideration of the Wairākei South application.

PROPOSED COMMENCEMENT DATE

The proposed commencement date of 30 November 2026, with comments invited in mid-December, raises practical challenges for TMoK in preparing an agreed collective response.

TMoK brings together representatives from five River iwi organisations and four local authorities. Developing a collective position requires time to share any new information, confirm collective positions and complete internal approval processes across member organisations.

While the statutory working-day calculation excludes the Christmas and New Year period, this does not fully address the practical constraints. Many members have limited availability over the first three weeks of January, restricting opportunities to coordinate and agree on a collective response.

TMoK requests a later panel commencement date that would allow invitations to comment to be issued in mid to late January 2027.

PANEL COMPOSITION

TMoK is concerned that the proposed panel does not appear to include a member with specific expertise in tikanga Māori, Treaty settlement implementation or statutory river co-governance.

The Kaituna River Framework was established through the Tapuika Claims Settlement Act 2014 and is directly relevant to the Wairākei South application. The vision and objectives of the Kaituna River Document have been recognised and provided for through the Regional Policy Statement (Change 5). The Kaituna River is also subject to statutory acknowledgements under three Treaty settlements: Tapuika, Waitaha and Ngāti Rangiwewehi. The Waitaha statutory acknowledgement for Te Kopuaroa River is also relevant to the Kopuaroa Canal along the southern boundary of the site.

These arrangements are more than background considerations. They establish statutory interests and direction that need to be understood and addressed in the panel's assessment, decisions and conditions, particularly where the proposal may affect the health and well-being of the Kaituna River, including its tributaries.

The need for this expertise was identified in our response to Minute 2 and reinforced in the joint councils' panel nomination letter of 4 August 2026. Drawing on advice from TMoK's Kaiārahi, the three councils suggested that an additional panel member with tikanga Māori, Treaty settlement and river co-governance expertise may be warranted, and recommended two potential candidates.

Schedule 3 of the Fast-track Approvals Act 2024 allows the Panel Convener to appoint up to four members and requires the panel to collectively have expertise relevant to the approvals sought.

TMoK therefore requests that the Panel Convener reconsider the proposed composition and appoint a fourth member with expertise in tikanga Māori, Treaty settlement implementation and statutory river co-governance.

CLOSING

Ultimately, our interest is in ensuring that the Wairākei South proposal does not compromise the health and well-being of the Kaituna River and its tributaries, and wherever possible, contributes to its restoration and enhancement. This is the shared responsibility that brings TMoK and its members together.

Thank you for considering our requests. We remain available to provide a briefing or any further clarification that may assist.

Nāku noa, nā



Jo’el Komene
Chair
Te Maru o Kaituna River Authority