

# Fast-track Approvals Act 2024

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## MINUTE #9 OF THE EXPERT PANEL

Updated directions re joint empanelment and conferencing  
Waitaha Hydro [FTAA-2505-1069]

11 February 2026

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[1] The purpose of this **Minute #9** is to expand the joint empanelment to include freshwater ecology and whio, to cancel the direction regarding expert conferencing in those areas, and to make associated changes to directions.

### Background and what has led to the changes

[2] In our Minute #8 we directed joint empanelment in the area of hydraulic engineering, fish passage (from a technical design rather than an ecological perspective), and fluvial geomorphology. This was on the basis that DOC's freshwater ecology/fish passage expert was not available and there was uncertainty as to whether the DOC whio expert was available.

[3] DOC has now advised that both of its experts will be available to participate in a joint empanelment, and the Applicant has confirmed that its experts also remain available.

[4] In addition, both the Applicant and DOC have advised the EPA of the persons who will be attending in an observer capacity. In this regard, the Panel notes its peer review recreation advisor will not be attending.

### Change to directions

[5] As a result of the above developments the Panel has determined it is appropriate to issue amended directions so that it is clear to all the scope of the empanelment on Friday, and what impact this has on the following procedural steps.

### Joint empanelment

[6] The relevant expert witnesses for the joint empanelment on 13 February 2026 will now comprise the following:

*Hydraulic engineering, fish passage (technical design) and fluvial geomorphology*

- a) Paul Morgan;
- b) Associate Professor Jon Tunnicliffe;
- c) Dr Murray Hicks;
- d) Martin Doyle;
- e) Dr Dougal Clunie;
- f) Jeremy Kent-Johnstone;

*Freshwater ecology:*

- g) Shelly McMurtie;
- h) Marine Richarson;

*Whio*

- i) Dr John McLennan; and
- j) Jason Malham.

[7] Rodger Griffiths and Mason Jackson will also attend for the Applicant and be available for any questions relating to design or conditions respectively.

[8] The following persons will attend as observers (noting that leave is reserved for legal counsel to make an oral application to address the Panel):

*DOC*

- a) Shona Bradley (legal);
- b) Shelly Sidley (recreation);
- c) Jeremy Head (landscape);

*Westpower*

- d) David Allen (legal); and

*Panel*

- e) Megan Couture (planning).

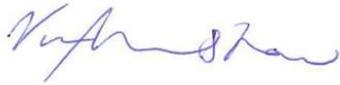
Conferencing

[9] The joint expert conferencing sessions in the separate areas of freshwater ecology and whio are cancelled.

Amended directions

[10] The directions in relation to upcoming steps are therefore amended as follows:

- a) **By 12pm on 12 February 2026:** Applicant to file a statement of issues in relation to hydraulic engineering, fish passage, fluvial geomorphology, and to the extent relevant to matters raised in the peer review and Applicant response, freshwater ecology and whio.
- b) **At 1pm on 13 February 2026:** Joint empanelment session commences.
- c) **By 5pm 20 February 2026:** Applicant and DOC to file any response statements from their landscape and recreation experts to matters raised in the joint empanelment.



Vicki Morrison-Shaw

**Waitaha Hydro Expert Panel Chair**