

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

**EXPERT PANEL: WESTPOWER LTD MEMORANDUM #10
MEMORANDUM OF COUNSEL IN RESPONSE TO MINUTE #7**

Dated: 10 February 2026

BUDDLE FINDLAY
Barristers and Solicitors

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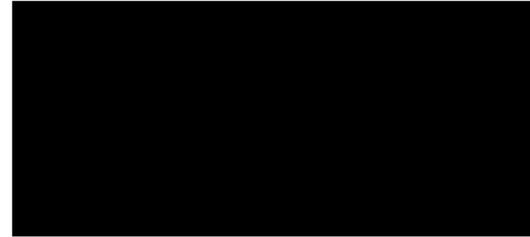
MAY IT PLEASE THE PANEL:

1. This memorandum is filed on behalf of the Applicant, Westpower Limited (**Westpower**).
2. The Panel issued Minute #7 on 27 January 2026 inviting Westpower to comment on the peer review reports (**Review reports**) it commissioned and published alongside Minute #7.¹
3. To assist the Panel, the experts named below comment, and the material attached includes:
 - (a) **Attachment 1:** Table detailing scope of comments and overall position;
 - (b) **Attachment 2:** Response of Mr Rodger Griffiths;
 - (c) **Attachment 3:** Response of Mr Ian McCahon;
 - (d) **Attachment 4:** Response of Mr Jeremy Kent-Johnson;
 - (e) **Attachment 5:** Response of Dr Dougal Clunie;
 - (f) **Attachment 6:** Response of Dr Murray Hicks;
 - (g) **Attachment 7:** Response of Mr Martin Doyle
 - (h) **Attachment 8:** Response of Ms Shelley McMurtrie
 - (i) **Attachment 9:** Response of Dr John McLennan
 - (j) **Attachment 10:** Response of Mr Rob Greenaway
 - (k) **Attachment 11:** Response of Mr Mason Jackson, appending updated proposed resource consent conditions that also respond to Question 5 of RFI #5, issued on 4 February 2026. This has been done to reduce the number of versions of condition sets received by the Panel. Westpower's full response to RFI #5 will be provided to the Panel on or before 13 February 2026.
4. The use of adaptive management conditions is raised in Dr Tunnicliffe's review. Counsel agrees with the position adopted by Mr Jackson that the approach is appropriate. Counsel has therefore not provided legal

¹ [Panel Minute](#).

submissions on this matter but can do so if that would assist the Panel, or respond to any questions during the empanelment session on Friday.

Dated: 10 February 2026



Paul Beverley / David Allen / Rachael Balasingam

Counsel for Westpower Limited