

18 November 2025



Fast-track - Environmental Protection Authority

Attn: Nicole Regnaud
Private Bag 63002
Wellington 6140

Via online Fast-track portal

Dear Nicola,

FTAA-2502-1024 Kaimai Hydro Electric Power Scheme Reconsenting – Minute 1 of the Panel Convener- Response

Thank you for the Minute dated 12 November 2025. BOPRC have the following written response to the matters set out in this Minute, including Schedules 1 and 2 and also the List of Iwi Authorities in Schedule 3.

Approvals

The applicant has applied for all relevant consents from BOPRC under the RMA, Regional Natural Resources Plan and the NES-F.

Timeframes

BOPRC are flexible and agree with the timeframes set out in Schedule 1.

BOPRC have no comments regarding when the panel commences.

Given the extensive and constructive pre-application discussions with the applicant, 10 working days to provide comments to the panel is sufficient for BOPRC in this particular case, provided there are no changes to the application in its current form.

BOPRC request at least 15 working days to comment on the draft conditions (s70(2)).

Complexity and issues

Consultation with BOPRC has been undertaken since the lodgement of a consent application for the reconsent of the Kaimai Hydro-Electric Power Scheme (HEPS) with BOPRC in June 2023 (referenced as RM23-0268), and included the following:

- Technical review of reports and conditions pre-lodgement with the EPA.
- Site visit / site walkover.

BOPRC have had the following technical reviews of the proposal undertaken:

- Hydrology and sedimentation.

- Freshwater ecology and water quality.
- Recreation.
- Natural character, landscape and visual amenity.
- Terrestrial ecology.

No further information requests pursuant to section 92 of the RMA were issued in relation to the now withdrawn prior consent application (RM23-0268).

The substantive application is for replacement (renewal) consents for a long-established, lawfully operating, non-consumptive hydro-electric scheme. Accordingly, the approvals sought do not create any new consumptive allocation and would enable the continued lawful operation of the existing activity.

As such, outstanding issues from BOPRC's perspective are:

Fish passage

The draft Native Fish Management Plan provided as Appendix N goes some way to addressing effects on fish passage, however, it does not yet provide sufficient certainty of outcomes. Specifically, the plan lacks clear, time-bound targets and KPIs, a prioritised programme of works across key structures (including Opuiahi, Ngatuhua and Omanawa), and adequate technical specification of the measures to address both upstream and downstream passage (such as the creation of receiving pools below weirs and dams to improve survival). These details and associated monitoring/adaptive triggers are important to ensure that fish passage effects will be minimised within a reasonable timeframe, and the mitigations are measurable.

Cultural effects

BOPRC have reviewed the applicant's summary of consultation with iwi and hapū, and the CIA provided by Ngāti Hangarau. Notable themes from the summary and CIA include:

- Restoration of Mauri and Flows: Universal concern for the restoration of river health, flows, and mauri, with a focus on indigenous species and cultural sites.
- Fish Passage: Strong emphasis on the need for effective, sustainable, and preferably passive fish passage for tuna and other native species.
- Active Kaitiakitanga: Desire for ongoing, meaningful involvement in management, monitoring, and decision-making.

It is BOPRCs understanding that the applicant is still involved in discussions with iwi and hapū to address their concerns.

Consent conditions

BOPRC have reviewed the consent conditions lodged with the EPA and have not reached full agreement with the applicant regarding these.

BOPRC consider that the issues can be appropriately managed through consent conditions. I note that BOPRC has remained active in working through proposed draft conditions with the applicant and iwi and hapū.

Panel Composition

BOPRC recommend that a lawyer, experienced planner and a panel member with tikanga Maori knowledge and experience sit on the panel for this application. Depending on the size of the panel, consideration could also be given to appointing a panel member with expertise in freshwater ecology.

Procedural requirements

BOPRC are willing to engage with the panel directly as and when required.

BOPRC recommend that any outstanding issues are referred to expert conferencing and then mediation (if required) – for example – outstanding ecological issues could be resolved or significantly narrowed through expert conferencing.

Participants at the Panel Convener’s conference

Not all relevant Iwi Authorities have been included in Schedule 3. In addition to the iwi and hapū listed in Schedule 3, Ngāti Pango, Ngāti Rangī and Ngāti Raukawa have been involved in consultation with the applicant regarding the Kaimai HEPS reconsent, as evidenced in section 8.3 of the substantive application document titled “Part A – Substantive Application Report”).

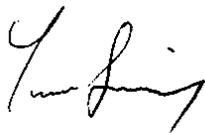
Confirmation of attendance

Marlene Bosch, Principal Advisor, BOPRC
Rachel Boyte, Legal Counsel, BOPRC

Anything else

As outlined above, BOPRC are concerned that Ngāti Pango, Ngāti Rangī and Ngāti Raukawa have not been included in Schedule 3. These iwi and hapū have been involved in pre-application consultation and are still in discussions with the applicant directly regarding this application.

Nāku noa, nā



Yvette Shirley
Senior Consents Planner