

# FTAA - Waitaha Hydro Project: Proffered Conditions for Complex Freshwater Fishery Permit

Version: 17.11.25

Version Description: This version imports changes made to the same or similar conditions set out in the 10.11.25 version of the suggested Resource Consent conditions.

## **PART A: DEFINITIONS AND EXPLANATION OF TERMS**

This table below defines the acronyms and terms used in the conditions.

Acronym/Term	Definition
<b>Application</b>	The document titled “Westpower Limited Waitaha Hydro Project: An Application made under the Fast-track Approvals Act (2024)” dated 31 July 2025, including all technical assessments and supporting reports.
<b>CEMP</b>	Construction Environmental Management Plan
<b>ESCP</b>	Erosion and Sediment Control Plan
<b>FEMP</b>	Freshwater Ecology Management Plan
<b>Grantor</b>	The Department of Conservation
<b>Streamworks</b>	All physical works undertaken within, and involving the disturbance of, any stream or riverbed excluding riverbed gravel extraction.

## **PART B: CONDITIONS**

ACTIVITIES AUTHORISED	LOCATION	TERM	LAPSE
Placement, use, maintenance and removal of structures in, on or over the beds of rivers and streams.	Various Waitaha River and Waitaha River tributary locations within the Project Site.	35 years	10 years

1. This permit authorises the construction, use and maintenance (including all associated Streamworks) of:
  - a) The Headworks diversion weir structure;
  - b) Box culvert structures in the beds of Alpha Creek, Allen Creek and an unnamed tributary of the Waitaha River;
  - c) The drift deck structure for the Macgregor Creek crossing; and
  - d) The Alpha Creek and Macgregor Creek flow training structures / bunds.
2. All construction, use and maintenance of the structures authorised by this permit must be undertaken in general accordance with the document titled “Westpower Limited Waitaha Hydro Project: An

Application made under the Fast-track Approvals Act (2024)” dated 31 July 2025, including all relevant technical assessments and supporting reports (“the Application”).

3. Where there is any inconsistency between the Application and:
  - a) these conditions, the conditions will prevail; and
  - b) the requirements of any Management Plan referred to in these conditions, the Management Plan requirements will prevail.

#### **Freshwater Ecology Management Plan**

4. The permit holder must engage an appropriately qualified and experienced ecologist (Project Ecologist - Freshwater) to advise upon, supervise and coordinate the implementation of the Freshwater Ecology Management Plan approved as part of the decision on the Application.

#### **Diversion Weir Structure**

5. The permit holder must engage a suitably qualified and experienced engineer and a freshwater ecologist to provide advice on the design of the weir and intake structures (including the diversion weir) with the objective to appropriately manage adverse effects on kōaro.
6. Prior to the commencement of any Streamworks associated with the Headworks, the consent holder must submit a FINAL Weir and Intake Structure Design Report to the Grantor for certification. The FINAL Weir and Intake Structure Design Report must be in general accordance with the preliminary plan drawing titled “Concept Design – Preferred Arrangement Headworks General Arrangement Channel and Intake” Revision E, and preliminary cross-section drawing titled “Preliminary Design – Headworks General Arrangement Section and Details” Revision E, provided in Appendix 42 of the Application and include:
  - a) Final detailed drawings of the weir;
  - b) Final location details of the weir;
  - c) Details of consultation undertaken; and
  - d) Confirmation of design features to maintain existing natural fish passage including the continued provision for upstream and downstream passage of kōaro and the continued exclusion of upstream salmonid passage.

Once certified, the permit holder must construct the Weir in accordance with the approved Weir and Intake Structure Design Report.

7. Prior to any changes to the design of the Weir, the permit holder must submit a Revised Weir and Intake Structure Design Report to the Grantor for approval. Any Revised Weir and Intake Design Report must include:
  - a) The reasons for changing the design (e.g. monitoring results of kōaro recruitment into Kiwi Flat);
  - b) Revised detailed drawings of the weir;
  - c) Any revised location details of the weir;
  - d) Details of consultation undertaken; and

- e) Reconfirmation of Condition 6 (d) matters.

Once approved, the permit holder must alter the Weir and Intake structures in accordance with the certified Revised Weir and Intake Structure Design Report.

### **Fish passage**

- 8. Prior to commencing the construction or installation of any structures authorised by this permit, the consent holder must engage a suitably qualified and experienced person to undertake a fish survey of the surface waterways within the site to identify the fish species present or expected to be present.
- 9. The design for all culvert and culverted ford structures must be informed by the most recent version of the New Zealand Fish Passage Guidelines, and must reflect the local waterway conditions and fish species present or expected to be present as identified in the survey required under condition 8 of this permit.
- 10. The Headworks diversion weir must be operated and maintained to maintain existing natural fish passage at this location, including the continued provision for upstream and downstream passage of kōaro and the continued exclusion of upstream salmonid passage. For all other structures authorised by this permit, fish passage must be maintained at all times in accordance with condition 9 of this permit except where pumping over or around culvert structures locations is required for maintenance purposes and is undertaken in accordance with Condition 11 of this permit.
- 11. Any diversion pumping activities must be undertaken using a fish screen with a mesh aperture size no greater than 3 mm (or no greater than 5 mm if combined with the pump head being submerged in a ballast-filled well pit or ballast-filled permeable vessel) must be installed and maintained on the diversion pump intake to minimise fish passing through the intake or being trapped against the screen.

### **Streamworks**

- 12. Streamworks associated with the construction of structures authorised by these Consents must be undertaken in accordance with relevant requirements set out in the CEMP, ESCP and FEMP.
- 13. Streamworks associated with the maintenance of structures authorised by these Consents must be undertaken in accordance with the SOMP.
- 14. Any diversion pumping activities during construction or maintenance must be undertaken under supervision of an appropriately qualified and experienced ecologist.