

Hon Penny Simmonds

Minister for the Environment
Minister for Vocational Education
Associate Minister for Social Development and Employment



13 January 2026

PS-COR1715

The Expert Panel
Fast-track Approvals Act 2024
C/O Environmental Protection Authority
Level 10, 215 Lambton Quay, Wellington 6011

RE: FTAA-2505-1069 – Waitaha Hydro invitation to the Minister for the Environment to comment on draft conditions

To the Panel,

I am writing in response to your invitation to provide comments on the draft conditions for Waitaha Hydro substantive application under section 53 of the Fast-track Approvals Act 2024 (FTAA) that is currently under consideration.

As Minister for the Environment, I have statutory functions and responsibilities under the Resource Management Act 1991 (RMA), the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 (EEZ), the Waste Minimisation Act 2008, the Hazardous Substances and New Organisms Act 1996 as well as the Environment Act 1986. I consider section 6 of the RMA and national direction, in particular the National Policy Statement for Indigenous Biodiversity 2023 (NPS-IB) are of particular relevance to the request to comment.

As part of its decision making, the panel needs to consider how and to what extent the adverse impacts of the proposal can be managed. I note that the applicant has agreed to a range of conditions that aim to manage the adverse impacts on indigenous biodiversity. My view is the expert panel should consider the following changes to the conditions offered to improve outcomes for the significant fauna impacted by the project:

- a. amending the 'Avifauna Management Plan' condition to include a specific requirement for Whio that ensures the 'avoidance' of helicopter movements during the breeding season.
- b. amending the proposed 'Lizard Management Plan' condition requirements to include post-release lizard monitoring.
- c. amending the 'Bat Management Plan' requirements to address the impacts of artificial lighting on bats during the construction phase of the project and on an ongoing basis, as much as is possible.

These suggested amendments would improve the project's consistency with government's no net loss biodiversity goal.

Should you decide to grant the consent, the response to manage impacts on indigenous biodiversity should ensure conditions reflect, over the long term, as accurately as possible an assessment of the values being impacted.

Thank you again for the opportunity to provide comments on this application.

Ngā mihi,

Hon Penny Simmonds
Minister for the Environment