

BEFORE THE EXPERT PANEL UNDER THE FAST-TRACK APPROVALS ACT 2024

IN THE MATTER OF an application for resource consents by Manawa Energy Limited (**Manawa**) for activities associated with the listed Kaimai Hydroelectric Power Scheme (**Kaimai HEPS**) Re-Consenting Project

JOINT RESPONSE TO REQUEST FOR INFORMATION (RFI)

FTAA-2502-1024 – 16 JANUARY 2026

Introduction

1. This joint response to the RFI from the Expert Panel dated 17 December 2025 (**RFI 1**) provides an update on the progress of Manawa’s ongoing engagement with mana whenua parties. In particular, as requested by RFI 1, it includes details as to:
 - (a) Which mana whenua groups this has involved;
 - (b) What (if anything) has been agreed including any proposed changes to consent conditions;
 - (c) What (if anything) remains to be resolved and any further steps proposed to seek resolution; and
 - (d) Any other matter that could assist the Panel to understand the nature and scope of the relationship agreement.

2. This response was prepared in draft by Manawa and provided to the mana whenua parties referred to within this response on 23 December 2025.
3. Although not signed by Pirirākau Tribal Authority (**Pirirākau**), this response has been developed in conjunction with Pirirākau.
4. Manawa received lengthy feedback from Te Wairoa Hapū at 12:00pm today. In the time available it has not been possible to incorporate it within this joint response. Manawa suggested attaching the commentary to this joint response in its entirety but that was not acceptable to Te Wairoa Hapū.

Mana whenua groups

5. As described in the substantive application (the **Application**), Manawa has sought to engage with all relevant tangata whenua groups. The Application describes the engagement undertaken with relevant iwi authorities, hapū, and Treaty settlement entities.¹
6. Since lodgement of the Application on 25 September 2025, Manawa has continued to engage with the following mana whenua groups:
 - (a) Ngāti Hangarau, through the Ngāti Hangarau Settlement Trust which is the mandated entity to receive the hapū's share of the Crown's Treaty settlement to Ngāti Ranginui. For completeness it is noted that engagement has also involved the Ngamanawa Incorporation, in its capacity as an owner of land blocks surrounding some of the Kaimai HEPS' structures. The Ngamanawa Incorporation is owned by different whānau and trusts that whakapapa to the land blocks of the Ngamanawa Incorporation. Ngamanawa is a party that has been invited to comment on the Application in its capacity as landowner.

¹ Substantive application, Section 8.3.

- (b) Pirirākau. Pirirākau records that:
- (i) Its Wai - Pirirākau Assessment of Cultural Effects (**W-PACE**) and the Ngā Hapū o Ngāti Ranginui Claims Settlement Act 2025 are clear that kaitiakitanga responsibilities and decision-making authority rest with the hapū and their mandated entities, not with land-owning incorporations or proxies. Any attempt to appoint a proxy for hapū kaitiakitanga responsibilities, such as assigning these to Ngā Manawa Inc - does not align with the statutory requirements for direct engagement and partnership with the relevant hapū. Engagement, consultation, and partnership in resource management must occur directly with the hapū entities as defined in the Settlement Act, and the W-PACE is the authoritative statement of Pirirākau's position and expectations for the Kaimai HEPS reconstituting process.
 - (ii) W-PACE, p. 12–14: Explicit discussion of hapū-centric statutory authority and the requirement for direct engagement with hapū entities.
 - (iii) W-PACE, p. 29: Statutory and regulatory layers, confirming that the panel must give effect to the Settlement Act and that hapū entities are the legal and cultural representatives for redress and kaitiakitanga.
 - (iv) Ngā Hapū o Ngāti Ranginui Claims Settlement Act 2025, s. 11–12: Defines hapū entities and their statutory roles.
 - (v) W-PACE, p. 6: “The Final W-PACE provides a comprehensive evaluation of the cultural and environmental impacts of the Kaimai HEPS reconstituting process, ensuring that the

perspectives, values, and interests of Pirirākau are respected and integrated into all decision-making.”

- (c) Te Wairoa Hapū (Ngāti Kahu, Ngāti Pango and Ngāti Rangī).
- (d) Raukawa Settlement Trust (**Raukawa**), representing Ngāti Raukawa.

7. In summary this engagement has involved the following:

(a) **Ngāti Hangarau**

Since lodgement in September 2025, Manawa has had continued engagement with Ngāti Hangarau on resolving the relevant matters outlined in their Cultural Impact Assessment (**CIA**). This included participation in a workshop on 4 and 5 December 2025 with key mana whenua parties and the Bay of Plenty Regional Council to discuss the proposed consent conditions submitted with the Application. The purpose of the workshop was for all parties to discuss the proposed consent conditions, understand Manawa’s rationale for the proposed consent conditions, and for the parties to provide their views on additional proposed consent conditions and/or adjustments.

(b) **Pirirākau**

Pirirākau provided a final copy of its W-PACE to Manawa on 16 November 2025.² The W-PACE outlines Pirirākau’s comprehensive assessment of the cultural and environmental impacts of the Kaimai Hydro-Electric Power Scheme (Kaimai HEPS) re-consenting process, including detailed recommendations for consent conditions,

² Conferences, workshops and hearings, memorandum of Pirirākau Tribal Authority Incorporated, Wai-Pirirākau Assessment of Cultural Effects (W-PACE) – Kaimai Hydro-Electric Power Scheme Reconsenting FTAA-2502-1024 / RM-0268 [Attachment-1-Wai-Pirirakau-Assessment-of-Cultural-Effects.pdf](#).

partnership mechanisms, and restoration priorities (see W-PACE, pp. 4–7, 29–34).

Manawa met with representatives of Pirirākau on 5 December 2025, as part of a broader workshop with key parties and technical experts. At this meeting, Pirirākau discussed in detail the conditions recommended in the W-PACE, such as the establishment of a Mana Whenua Kaitiaki Rōpū, the development of a formal Relationship Agreement, and the implementation of a Native Fish Management Plan focused on passive fish passage and the phasing out of trap and transfer (W-PACE, pp. 30–33).

Pirirākau has also proposed a relationship agreement, including a Cultural Flow Preference Study, on 8 January 2026. A relationship agreement has not been entered into between Manawa and Pirirākau yet, and engagement is ongoing.

(c) **Te Wairoa Hapū**

A representative of Te Wairoa Hapū also attended the meeting with Manawa and other key parties on 5 December 2025.

(d) **Raukawa**

Manawa has discussed and offered support to Raukawa to develop a CIA. Resourcing has been identified and a site visit was hosted; however, no proposal for completion of the CIA has been received.

Agreements reached

8. An agreement has been reached between Manawa, and the Ngāti Hangarau Settlement Trust and Ngamanawa Incorporation. The agreement resolves

Ngāti Hangarau Settlement Trust and Ngamanawa Incorporation’s position on the Application, based on the consent conditions proposed by Manawa as part of the substantive application. The agreement also addresses aspects of the wider relationship between the parties and the impacts of the Kaimai HEPS.

9. Manawa provided a draft relationship agreement to Pirirākau on 10 November 2025. Pirirākau has responded with its proposed relationship agreement on 8 January 2026. A relationship agreement has not been entered into between Manawa and Pirirākau yet, and engagement is ongoing.
10. Manawa has offered to develop a relationship agreement with Te Wairoa hapū through the Ngāti Kahu representative over the years; however, no response or progress has been received.
11. No other relationship agreements have been entered into.
12. Manawa remains open to discussing any unresolved matters with mana whenua parties.

Matters which remain to be resolved and steps proposed to seek resolution

13. Following the conditions workshops on 4 and 5 December 2025 as set out above, Manawa understands the following matters are agreed in principle, and it proposes to address these through conditions:
 - (a) That certain data recorded under the consent conditions is not to be uploaded and made available online but will be provided to the Mana Whenua Kaitiaki Roopu.³ This was raised by Pirirākau in its W-PACE and has been tentatively agreed to by Manawa, with further details to be discussed between the parties.

³ Conferences, workshops and hearings, memorandum of Pirirākau Tribal Authority Incorporated, Wai-Pirirākau Assessment of Cultural Effects (W-PACE) – Kaimai Hydro-Electric Power Scheme Reconsenting FTAA-2502-1024 / RM-0268, condition 13. [Attachment-1-Wai-Pirirakau-Assessment-of-Cultural-Effects.pdf](#).

(b) That, subject to further discussions as to details, the Mana Whenua Kaitiaki Rōpū (Manawa's proposed condition 13)⁴ could be refined to:

- (i) Clarify the purpose of the Mana Whenua Kaitiaki Rōpū;
- (ii) Define the roles within the Mana Whenua Kaitiaki Rōpū in order to provide mana whenua with a kaitiaki role;
- (iii) Clarify how each member will have the opportunity to deliver work from the Mana Whenua Kaitiaki Rōpū; and
- (iv) Establishment of procedures within the Mana Whenua Kaitiaki Rōpū.

(c) That conditions regarding native fish passage and the Native Fish Passage Management Plan will also become a standalone condition requiring the consent holder to be responsible for fish passage for the duration of the consent. The conditions regarding native fish passage are currently only situated within the Mana Whenua Kaitiaki Rōpū condition.⁵

14. The drafting of specific conditions to give effect to the above matters is underway by Manawa.

15. Pirirākau has raised other matters in its W-PACE which remain unresolved.

16. As the next step, Manawa has provided an updated set of conditions contemporaneously with this response, with its Memorandum for the Applicant Regarding Online Briefing, which include the changes detailed in paragraph 13(c) above.

⁴ Substantive application, Appendix E, condition 13.

⁵ Substantive application, Appendix E, condition 13.

17. For the avoidance of doubt, the updated set of conditions does not address any of the outstanding matters set out in paragraphs 13(a), or 13(b) above. Manawa will provide any further updates to the proposed set of conditions in response to comments on the substantive application, which are due on 4 February 2026 (with the response to comments being due on 12 February 2026).

Any other matters

18. Manawa does not propose to provide further information about the nature and scope of relationship agreements.

DATED at Tauranga this 16th day of January 2026



Vanessa Hamm
Counsel for Manawa Energy Limited



Mary Hill
Counsel for Ngāti Hangarau Settlement Trust and Ngamanawa Inc.