



## Your Comment on the Waitaha Hydro project application

Please include all the contact details listed below with your comments and indicate whether you can receive further communications from us by email at [substantive@fastrack.govt.nz](mailto:substantive@fastrack.govt.nz)

### 1. Contact Details

Please ensure that you have authority to comment on the application on behalf of those named on this form.

Organisation name (if relevant)	Department of Conservation		
First name	[REDACTED]		
Last name	[REDACTED]		
Postal address	PO Box 10420, Wellington 6140		
Mobile phone		Work phone	[REDACTED]
Email	<a href="mailto:fast-track@doc.govt.nz">fast-track@doc.govt.nz</a> and [REDACTED]		

### 2. We will email you draft conditions of consent for your comment

<input checked="" type="checkbox"/> I can receive emails and my email address is correct	<input type="checkbox"/> I cannot receive emails and my postal address is correct
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### 3. Please provide your comments on this application

Please find comments attached

[REDACTED]  
[REDACTED]  
Fast-Track Applications Manager

Acting pursuant to delegated authority on behalf of the Director-General of Conservation.

Date: 14/01/2026

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011

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## Comments on a fast-track consenting application

### Fast-track Approvals Act 2024 section 53

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**To:** The Expert Panel

**From:** Department of Conservation

**Regarding fast-track project:** Waitaha Hydro

**Fast track Reference:** FTAA-2505-1069

## Overview

1. Westpower ('the Applicant') proposes to develop a hydro scheme in the Waitaha River, West Coast to provide renewable hydro-electric energy, including a weir, an access road and a 66 kV transmission line.
2. The weir and intake structures, power station site and sections of the site access track and transmission line are located within Public Conservation Land (PCL), being 'Waitaha Forest Conservation Area' (Stewardship area) and 'Waitaha River, Allen Creek and Macgregor Creek Marginal Strip' (Marginal strip).
3. The Applicant seeks approvals that would otherwise be sought under the Resource Management Act 1991 (RMA), Freshwater Fisheries Regulations 1983, Conservation Act 1987, and Wildlife Act 1953.
4. The Department of Conservation (DOC / the Department) has previously prepared three Reports, and a supporting Covering Report, on behalf of the Director-General of Conservation, in accordance with s 51 of the Fast-Track Approvals Act 2024 (FTAA). Where any matters addressed in the s 51 Reports are also of relevance to these comments, these are cross referenced.
5. As detailed in the s 51 Covering Report, DOC has engaged with the Applicant on this project since approximately 2013. Since February 2025, DOC has engaged consistently with Westpower on their fast-track Application, including attending condition workshops and fortnightly meetings. The engagement has been constructive, and many issues have been resolved and/or appropriately addressed to DOC's satisfaction.
6. In accordance with sections 53(2)(k) and 53(2)(m)(i) of the FTAA, the Director-General of Conservation (D-G) has been invited to comment on the substantive application. Statutory delegations are in place for DOC to provide commentary on behalf of the D-G. These s 53



comments focus on bringing together the outstanding issues, including as raised in DOC's s 51 Reports.

## Department of Conservation advice

7. This assessment has been confined to actual and potential effects of the proposal on recreation, natural character and landscape, and ecological values and proposed measures to manage these effects. Accordingly, DOC has not commented on the Application's consistency with the wider statutory framework.
8. In summary, the Waitaha Valley has ecological, landscape and recreational values of local, regional, national and international significance. DOC considers that measures additional to those proposed by Westpower can be undertaken to further avoid, remedy, mitigate, or compensate adverse effects on the values present at the site. However, significant residual effects on both landscape and recreational values will remain.
9. It is DOC's view that the proposal will result in the fundamental loss of natural character, solitude and remoteness that underpin the Waitaha Valley characteristics of a back country-remote zone.
10. The scheme's positive contribution to renewable energy supply and energy resilience in the region must be weighed against the adverse effects of the activity, including effects on very high natural character and landscape values, on the regionally significant backcountry setting, and on internationally significant kayaking experiences.

## Assessment

### Recreation

11. Westpower provided a Recreation Effects Assessment (WREA) prepared by Rob Greenaway as Appendix 28 of their substantive application. A review of this assessment was included in the DOC Recreation Report (DOCRR) which can be found in Appendix C2 of DOC's s 51 Reports.
12. The WREA recommended a number of measures to mitigate adverse effects on recreational values, some of which were adopted by the Applicant, and some of which were not (page 304 of the AEE).
13. Based on its review of the WREA, and as detailed in Appendices C and F of the s 51 Reports, DOC considers:
  - a. Westpower's conclusion that the overall post-mitigation effects on recreational opportunities will be nil, as stated in the table on page 6 of the AEE, is incorrect. As detailed in paragraph 37 of the DOCRR, DOC considers the change to the recreation experience would be significant during the construction phase and high for the lifetime of the Scheme.
  - b. Overall, DOC is of the view that the mitigation measures are not sufficient to address the adverse effects on recreational opportunities and values. The introduction of man-

made structures and activity would be a fundamental change to Waitaha Valley's character and values as a backcountry-remote setting, potentially adversely affecting all users of the Upper Waitaha Valley. Contrary to Westpower's assessment, DOC considers the effects beyond Morgan Gorge as not merely perceptual, as visitors passing through the construction zone will experience direct noise, machinery, fuel odour and visual intrusion. Effects also extend well into the Upper Valley, where frequent helicopter operations during the construction period and the introduction of permanent monitoring stations and associated infrastructure erode naturalness and represent visual intrusion.

- c. The effects on recreation values will vary depending on the phase of the proposed Scheme. During the construction phase, effects will be greatest due to noise and human activity, particularly at the Headworks and Power Station site. The net effect after any mitigation measures are taken will be a 'significant' intrusion and disruption to backcountry recreational users.
- d. During the operation phase, the effects remain 'significant' as the infrastructure, monitoring stations and ongoing helicopter use for maintenance will permanently erode naturalness and solitude in the area. While helicopters do operate in the area already, the Scheme will increase this activity. The transformation from a wild, free-flowing river to a regulated system represents a very high effect on the recreation setting, which will persist for users in the Upper Valley through perceptual changes. The sense of entering or exiting a backcountry setting will be delayed or truncated. In particular, kayaking in Morgan Gorge would be severely compromised, and trampers, hunters and visitors to Kiwi Flat would be adversely affected, and no recreational gains have been identified.
- e. DOC does not agree that it is possible to entirely or appropriately address adverse effects on paddle sports / whitewater recreation by reference to the agreement of one group, that being WWNZ. Furthermore, the proposed "opt out" provisions allowing for no no-take days, means that the effects are being addressed through financial compensation rather than mitigation to reduce the scale of adverse effects on the kayaking opportunity.
- f. The replacement of a wild, free-flowing river with a controlled, regulated system introduces a dramatic change at Morgan Gorge – the centrepiece of the Waitaha Valley kayaking experience, valued as a continuous, unmodified journey. The opportunity to kayak the river would remain, however, the key experiential values of the backcountry-remote zone would be severely compromised. DOC concludes the residual effects to kayaking opportunities and further recreational experiences remain high due to a significant change to the nature of the river.
- g. The proposed one-off \$25,000 contribution toward track and hut maintenance is inadequate given the scale of the proposal and duration of effects. The contribution does not address the permanent loss of naturalness and experiential values central to

the recreational experience in the backcountry-remote setting that the CMS objectives and policies seek.

- h. The associated proposed condition (Condition 128 of the proposed short-term (construction) lease/licence concession conditions, dated 27 November 2025) is also unclear and unworkable as it does not specify who would receive this payment, adding considerable uncertainty to its effectiveness as compensation. DOC notes this is a feature of all the proposed Westpower Resource Consent compensation conditions that will need to be addressed by the Panel.

14. In conclusion, Westpower has sought to address the effects on recreational opportunities and values identified through various mitigation measures, consideration of design elements, and engagement with relevant user groups. However, DOC does not agree with Westpower's assessed scale of residual effects (as outlined in the s 51 Reports.) Therefore, although various methods to avoid, remedy, mitigate or compensate for the adverse effects are proposed, many of the measures remain inadequate and the effects significant from DOC's perspective.

15. Notwithstanding the above, should the Panel be minded to grant the approvals sought, DOC recommends the following additional measures to reduce adverse effects of the proposal on recreational values:

- a. The original track to Kiwi Flat along the true left of the river should be reinstated and maintained for the life of the project, rather than the alternative track proposed by Westpower.
- b. The transmission lines should be buried for at least 200 m from the Power Station and no transmission tower should be erected at the switchyard to mitigate effects of the new transmission lines from the Power Station site to the substation.
- c. The conditions should be amended to remove the "opt out" provisions where Westpower can cancel and not replace, and WNZ can elect not to take the no-take days, so there absolutely must be provided four no-take days and no opt out for \$5,000 instead (which is compensation and not mitigation that reduces the scale of the effects).
- d. The value of compensation should be adequate to address residual adverse effects on recreation, based on the loss of recreational values over a 20-year period. DOC's recommended sum is \$16,000 p.a over 20-years or a \$315,000 one off payment (see Appendix C2 of the s 51 Reports).
- e. The funding should be paid directly to DOC as administrator of the land, be CPI adjusted, and should be required as a condition of a Conservation Act Concession such that it is administered and enforceable by DOC. This is because DOC is the responsible landholding and regulatory authority managing the area affected. It is not considered appropriate that the recreation compensation be administered by a local authority or any other group.

#### **Natural Character and Landscape**

16. Westpower provided a Landscape Effects Assessment (WLEA) prepared by James Bentley as Appendix 27 of their substantive application. A review of this assessment has been undertaken for DOC by Jeremy Head, Landscape Architect (see Appendix C1 of the s 51 Reports). The review relates to the methodology and findings regarding potential effects on landscape values, natural character and visual amenity as set out in the WLEA of the parts of the Scheme that fall within DOC stewardship land.
17. The review supports the WLEA description of the existing environment (at all scales) and broadly supports the assessment of values present. However, the review also identifies areas of disagreement, particularly in relation to the degree of adverse construction effects, and how these effects will change over time.
18. Based on the review of the WLEA, and as detailed in Appendix C of the s 51 Reports, DOC concludes:
  - a. The ample number of landscapes on the West Coast with similar levels of natural character value does not mean the valued attributes at the proposal site are any less valued, nor that effects of a change may be somehow more 'acceptable' due to the area's high albeit ubiquitous levels of landscape character. On a regional basis, the West Coast has a very high proportion of New Zealand's natural areas.
  - b. The proposal represents semi-industrial activity being introduced into a near-pristine and highly natural setting. Even after some time (10 years+), parts of the Scheme will remain visible with enduring adverse visual effects. It will never be fully mitigated to view, although over time the built introductions will weather and revegetate, which will help.
  - c. The ongoing instream maintenance work using an excavator and at times helicopters ferrying supplies and personnel to and from parts of the Scheme means it will always be 'active' to a degree where the levels of perceived naturalness will be reduced – at times greatly, especially during construction and active maintenance.
  - d. There will be permanent adverse effects on natural character and landscape character, irrespective of whether the changes can be seen.
  - e. While Westpower has made appropriate efforts to remedy, mitigate or avoid adverse effects on landscape values, the Scheme inherently detracts from the current very high natural character and landscape values. The effects on natural character and landscape values cannot be fully remedied, mitigated, avoided, compensated for or offset despite Westpower's best efforts. Notably, Westpower have not attempted to offset or compensate for the loss of natural character and landscape values.
19. Notwithstanding the above viewpoint, should the Panel be minded to grant the approvals sought, DOC recommends further mitigation measures be adopted to lessen the remaining adverse effects on natural character and landscape values. These include:

- a. Making the permanent access road narrower in width than 12 metres where practicable.
- b. Ensuring the colour of the structures blend in with the natural environment by requiring the use of an appropriate colour palette.
- c. Undergrounding transmission cables where practicable.
- d. Requiring the retention and protection of enough of the vegetation to best screen building, machinery, stockpiles and general activities; using more definite terms, such as 'will assist', in conditions; and requiring that the species list provided be drawn on for any required detailed landscape plan in the future.
- e. Appropriate compensation to address conservation values rather than discrete ecological values.

## **Ecology**

### *Terrestrial vegetation*

20. The proposed construction works will result in the permanent loss of 4.46 ha of indigenous vegetation, the temporary loss of 2.25 ha of indigenous vegetation, and potential weed incursion. The proposed operational activities will have a more limited effect on terrestrial vegetation, resulting in the ongoing possibility of weed incursion and required trimming of vegetation to maintain safe clearances from transmission lines, buildings, and accessways.
21. Westpower provided a Vegetation Effects Assessment (WVEA) prepared by TACCRA Ltd as Appendix 20 of their substantive application.
22. The WVEA concludes that based on the relevant provisions in the RPS, TPP, WDP and CMS, indigenous vegetation within the Scheme's footprint is assessed as being of high natural value and significant indigenous vegetation. The WVEA further states that effects of the Scheme on the area's indigenous vegetation viability, quality, integrity and intactness are likely to be inconsequential considering its small project footprint within the surrounding contiguous area (total construction footprint of 6.8 hectares within the indigenous vegetation cover of the Base Area of c. 447.5 hectares, representing an affected area of 1.5%), combined with measures to be implemented wherever practicable that avoid affecting important habitat components (e.g. large forest trees).
23. As detailed in Appendix C of its s 51 Reports, DOC considers:
  - a. There are no rare or unusual vegetation species within the areas of PCL to be cleared, and that those species present are well represented in the surrounding PCL.
  - b. The proposed mitigations are generally satisfactory to mitigate the adverse effects on PCL or at least limit those adverse effects as much as practicable by minimising the footprint of vegetation that is removed, avoiding areas identified as having significant ecological values, and rehabilitating vegetation on sites where works are temporary.

- c. Any final Vegetation Management Plan required under the concessions should be approved by an appropriate DOC representative before works commence to ensure the methods are in line with best practice.
- d. For any final Vegetation Management Plan required under the Westland District Council (WDC) specific resource consent conditions, the Consent Holder should be required to provide the council with written confirmation from the DOC Liaison Officer that DOC is satisfied that the management plan meets the objective and requirements for that management plan, as set out in the resource consent conditions.
- e. That provided the weed management methods described in the Vegetation Management Plan are adhered to, and the Vegetation Management Plan is approved by a DOC representative (as noted above), DOC is satisfied that any adverse effects on vegetation within the project area can be adequately avoided, remedied or mitigated.

*Avifauna (excluding whio)*

24. As noted in Appendix D of the s 51 Reports, DOC considers that the proposed measures to protect birds during construction to be adequate given the nature of the works and the relatively small construction footprint. However, DOC notes two matters for further consideration: the electrocution risk to New Zealand falcon (kārearea) and the potential presence of kiwi pukupuku (little spotted kiwi).

*Whio*

25. As noted in Appendix D of the s 51 Reports, DOC generally supports the provisions for protecting whio during construction works detailed in the Avifauna Management Plan, however further clarification and improvement is required, specifically in relation to the proposed nesting deterrent measures and the proposal to continue construction works in the event of whio mortality or injury. DOC therefore considers:

- a. Clarification of the nesting deterrent methods proposed and evidence to demonstrate their effectiveness is required.
- b. In the event of whio mortality or injury, construction activities must pause until a review can be undertaken and mitigation measures implemented.

*Long-tailed bats*

26. As noted in Appendix D of the s 51 Reports, DOC recommends changes to the proposed bat management plan to ensure the proposal is consistent with the Bat Roost Protocols. The protocols aim to reduce the likelihood of killing or injuring bats present in roosts at the time of felling.

27. DOC also notes that whilst there may be plentiful roosting habitat available outside of the Scheme's footprint, bats are very specific about the trees that they use, are faithful to sites

(often returning to the same trees year after year), and can move trees every night so require many trees as part of their roosting pool. DOC consider that effects could be further avoided and minimised by reducing the width of the permanent access road and moving transmission cables underground where possible.

#### *Lizards*

28. As detailed in the s51 Reports, DOC considers:

- a. Best practice principles have been addressed in the LMP, with reference to DOC guidelines and inclusion of a best practice table. However, DOC notes that while methods for temporary holding of lizards has now been provided within the LMP, information on transport options to the nearest wildlife veterinarian, including distance, should also be provided.
- b. The LMP states that there are provisions for continuing salvage until captures decline; however, does not provide any information about which species / how many lizards may trigger this being enacted. This should be explicitly stated to avoid any ambiguity.
- c. A good level of detail is provided around individual release sites; however, LMP Section 4.2 (Release site management) states that 'either predator control or a contribution to an ecosystem programme is supported'. It is unclear whether this refers to predator control being undertaken at the proposed release site(s), or at the proposed compensation site (Zero Invasives ecosystem programme). Managing predators at a release site is generally a requirement of lizard salvage to protect salvaged lizards when they are at their most vulnerable immediately post-release.
- d. Given the potential for up to 20 individual West Coast green gecko (Threatened – Nationally Vulnerable) to be present within the overall footprint, these lizards should not be released into unprotected areas without predator control and protection in perpetuity.
- e. Given the Threatened status of the West Coast green gecko, provisions should be made to suppress predators at any release site receiving this species. Additionally, triggers should be set in relation to the salvage of a certain number of At Risk lizards (e.g. 20 or more At Risk lizards will trigger either predator control for a limited duration or provision of predator-proof rock refuges).
- f. A detailed contingency plan is prepared as an Appendix to the LMP prior to works commencing that can be implemented if one (or more) individual West Coast Green Gecko are encountered. In the alternative, DOC considers a "stop works" condition will be required such that plans can be developed.
- g. Clearance of potential lizard habitat may only be undertaken outside of the approved lizard management season (October – April inclusive) in areas that have been subject to pre-clearance salvage effort during the March / April months that immediately

precede and do not result in the detection of lizards. Any area that is found to contain resident lizards may not be subject to any winter habitat clearance activities.

*Terrestrial invertebrates*

29. Westpower provided a Terrestrial Invertebrates Effects Assessment (WTIEA) prepared by Richard Toft of Entecol Ltd as Appendix 23 of their substantive application.
30. DOC agrees with the conclusion in the WTIEA that one of the primary threats to invertebrate communities in riparian river habitats is colonisation by weed species which results in binding of the loose sandy substrates that specialist invertebrate species are adapted to.
31. DOC is concerned that, due to the duration and frequency of equipment and human movements to and from the site, the introduction of exotic plants is almost inevitable even if 'basic biosecurity precautions' are diligently adopted during construction activities. The chance of blackberry, lupin, broom and gorse establishing at Kiwi Flat is relatively high, with all species likely to thrive on the flats and riverbanks.
32. DOC therefore seeks that contractors be scrupulous against weed invasion into riparian environments during construction and maintenance, particularly in the light penetrating forest margins surrounding the service road (between the tunnel portal and weir) and Kiwi Flat.
33. As detailed in Appendix C of the s 51 Reports, the proposed Vegetation Management Plan addresses the residual risk of weeds being introduced to the site by requiring weed monitoring in identified risk areas at least twice per annum both in the construction phase and during the operational phase. Weed monitoring is proposed to continue at construction-only sites until no weeds are found at that site for two consecutive years and will occur for the life of the assets over operational areas.
34. DOC notes that specific weed control methods are not specified in the management plan. The current conditions submitted by Westpower for both the resource consent and the concessions do not provide for the approval of the Vegetation Management Plan by DOC.
35. As noted above, DOC's view is that any final Vegetation Management Plan required under the concessions should be approved by DOC before works commence to ensure the methods are in line with best practice. For any final Vegetation Management Plan required under the Westland District Council (WDC) specific resource consent conditions, DOC's view is that the consent holder should be required to provide the council with written confirmation from the DOC Liaison Officer that DOC is satisfied that the management plan meets the objective and requirements for that management plan, as set out in the resource consent conditions.

## Comments on conditions

36. There has been and continues to be constructive engagement between DOC and Westpower on the resource consent conditions for this Application. Discussions around outstanding issues are still occurring. To assist the Panel, the primary outstanding issues of contention, based on the Applicant's proposed resource consent conditions provided to DOC on 21 November 2025,

are identified below. See Appendix A for the full condition set, including tracked changes. The full condition set provided outlines rationale from both DOC and Westpower where disagreement remains to assist the Panel.

### **Compensation**

37. Compensation remains an outstanding issue for DOC. As such, DOC anticipates further changes to conditions relating to compensation (resource consent, concession(s) and Wildlife Act). Discussions around the size of the compensation package, the effects to be compensated for, and where and how funds could best achieve appropriate conservation outcomes are ongoing between Westpower and DOC. DOC expects there to be further conversations between Westpower, Ngāi Tahu, and DOC before a resolution on this matter is reached and shared with the Panel.
38. As detailed in Appendix F of the s 51 Reports, DOC considers that compensation should sit within (and be enforceable under) the approval or consent that it relates to.
39. In any instances where conditions state the value of compensation to be paid, DOC seeks inclusion of a requirement that these values must be adjusted with CPI. This is clarified in a new proposed condition within Appendix A.

### *Short-Term Concession Conditions*

40. DOC notes that the proposed conditions for the short-term (construction) lease/license concession (provided to the Panel on 27 November 2025) include compensation requirements for the following:
  - a. Construction related effects on bats;
  - b. Construction related effects on whio;
  - c. Operational effects on local biodiversity;
  - d. Construction related effects on forest birds;
  - e. Effects on lizards (veg clearance during winter);
  - f. Effects on recreational visitors.
41. DOC considers that the compensation requirements for effects on bats, whio, forest birds and lizards should instead be included in the Wildlife Approval conditions.

42. The conditions relating to recreational compensation include an advice note stating that for the avoidance of doubt, the requirement is also required pursuant to the Concessionaire's consents for the Scheme, and so to this extent, any associated financial payment obligations on the Concessionaire are not duplicated by the concession. The advice note further states that whilst the condition is included in the concession, the DOC Liaison Officer is not required to enforce compliance with these obligations including the payment obligations. It is DOC's view that recreation compensation should only be required under the Conservation Act Concessions, and accordingly should be enforced by DOC, not by any other authority.

*Long-Term Concession conditions*

43. DOC further notes that the proposed conditions for the long-term (operation) lease/licence concession (provided to the Panel on 27 November 2025) include compensation requirements for the following:

- a. Operational effects on local biodiversity;
- b. Effects on recreational kayakers.

44. As above, DOC considers that the compensation requirements for effects on local biodiversity should instead be included in either the Concession conditions or the Wildlife Approval conditions.

45. As detailed in the s 51 Reports, it is DOC's view that payments to WWNZ should not be specified in the Concession conditions as they are a private agreement and not enforceable by DOC.

*Resource Consent Conditions*

46. DOC notes the resource consent conditions (provided to DOC on 21 November 2025) include compensation requirements for the following:

- a. Construction related effects on bats;
- b. Construction related effects on whio;
- c. Operational effects on local biodiversity;
- d. Construction related effects on forest birds;
- e. Effects on lizards (veg clearance during winter);

- f. Effects on recreational visitors.
- 47. As stated above, it is DOC's view that recreation compensation on conservation land should only be required under the Conservation Act Concessions, and accordingly should be enforced by DOC, not by any other authority.
- 48. For the ecological compensation ((a) to (e) above), DOC agrees that requirements for these should be included in the resource consent conditions but considers that the requirements should also sit within the DOC Concession and Wildlife Act approvals given administration and enforceability will ultimately sit with DOC under those regimes.

### **Management Plans**

- 49. Westpower is currently proposing a set of management plans to be approved by the Panel and a further set to be approved by the councils.
- 50. As detailed in Appendix F of the s 51 Reports, it is DOC's view that there should be a role for DOC as a certifier of management plans that relate directly to wildlife approvals sought or are relevant to public conservation land.
- 51. The tracked changes to the proposed conditions included in Appendices to the s 51 Reports identified where DOC should have a certification role for management plans prepared under concessions or Wildlife Act approvals.
- 52. In relation to the management plans referenced in the Applicant's proposed resource consent conditions, DOC seeks that when the consent holder seeks certification from council for management plans applicable to any Project Construction Work Component occurring on, over or under land administered by the Department of Conservation, they must provide written confirmation from the DOC Liaison Officer that DOC is satisfied that the management plan meets the objective and requirements for that management plan, as set out in the resource consent conditions. A requirement to simply engage with DOC is not sufficient as it does not require the consent holder to address any issues raised by DOC.
- 53. DOC also seeks a condition requiring that the consent holder reimburse DOC for any actual and reasonable expenses associated with the review of the management plans to confirm they meet the objectives and requirements set out in the conditions for those plans.
- 54. DOC also seeks the removal of provisions in the proposed consent conditions which allow for management plans to be deemed to be certified if the consent holder has not received a response from the relevant regulatory authority within a specified timeframe.

## Request for further information

55. DOC requested additional information from Westpower in relation to landscape design issues on 17 November 2025. DOC received a response to these questions on 5 January 2026. DOC technical experts were not available to review the information received fully in time for this commentary. DOC is prepared to submit an additional response to this information if required by the Panel.
56. As the additional information overlaps with and is to be read in conjunction with Westpower's response to the Panel's RFI of 19 November 2025, the information requested by DOC and Westpower's response can be found in Appendix B.
57. The additional information does not satisfy all concerns DOC has regarding landscape design. As highlighted in paragraph 18 of this commentary, a key concern for DOC is the uncertainty around ongoing impacts caused by works required to maintain a channel for the river to flow into the intake structure.
58. DOC is concerned that the scheme underestimates the extent and uncertainty of in-river works required to construct and maintain the artificial channel. Of particular concern is the actual time a digger would need to be operating within the river, and the potentially significant ongoing impacts on the river's naturalness, including direct effects on flora and fauna from repeated gravel extraction and sediment movement. Westpower has acknowledged the river's high sediment load, which indicates a highly dynamic system and raises questions about the long-term viability of the proposal without frequent intervention. While maintenance is now estimated at 5–15 times per year, DOC considers this estimate uncertain in duration and basis, with the potential for regular machinery access to the riverbed for the life of the scheme posing ongoing environmental effects.
59. A further concern is about ongoing visibility of the Scheme. In Appendix B Westpower's response states the wingwalls are not visible above the water, however, on page 6-7 of Memorandum 5 Attachment 2A provided in response to the Panel's RFI the images clearly depict wingwalls visible above the water level.

## Summary

60. As detailed above, DOC considers that there are number of additional measures that can be undertaken by Westpower to further avoid, remedy, mitigate or compensate adverse effects on recreational, ecological, landscape and natural character values present at the site. DOC considers that the residual effects on recreational opportunities and values remain significant,

and that despite Westpower's efforts to remedy, mitigate or avoid adverse landscape effects, not all effects can be mitigated, and the Scheme inherently detracts from the very high natural character and landscape values.

61. As noted in the DOCRR, the Waitaha Valley is recognised as a regionally significant backcountry setting, offering a distinctive combination of accessible remoteness, challenging terrain and unique features such as Morgan Gorge. The Waitaha is also part of a much larger network of backcountry opportunities across the West Coast, which collectively provides a wide range of tramping, hunting and advanced internationally significant kayaking experiences.
62. The Scheme's contribution to New Zealand's renewable energy strategy is a relevant positive effect. However, DOC considers that the overall contribution of the Scheme to the strategy is small and regional in scale given the indicated generation of the Scheme is a small fraction of the increased generation of 926 MW that Transpower indicates New Zealand will require by 2030 to meet increasing demand. Therefore, while there is a positive contribution through contributing to the overall renewable energy goals, and a regional benefit through increased resilience to the West Coast electricity supply network during times of interrupted National Grid supply to the region, these benefits must be weighed against the adverse effects of the activity at place, specifically effects on very high natural character and landscape values, on the regionally significant backcountry setting, and on internationally significant kayaking experiences.
63. In DOC's view, the proposed conditions do not currently adequately avoid, remedy, mitigate, offset or compensate for the loss of values, and the project will result in the fundamental loss of natural character, solitude and remoteness that underpin the Waitaha Valley characteristics of a back country-remote zone.

## Appendices

**Appendix A – DOC Commentary on Proposed Consent Conditions 21.11.25**

**Appendix B – DOC questions to Westpower on landscape design issues and Westpower's subsequent response.**