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12 January 2026

## **Comments on the Waitaha Hydro Project in Response to Minute 3 of the Panel of the Convenor [FTAA-2505-1069]**

### **Introduction**

The West Coast Regional Council (WCRC) has engaged with Westpower in regard to a proposed hydro scheme on the Waitaha River since 2012. Initial discussions around lodging an application and notifying it were put on hold when Westpower decided to pursue the necessary approvals required with the Department of Conservation (DoC) prior to engaging in the consent process. Those approvals were not granted, and as a result no further progress was made on the project until the Fast-track consenting process enabled renewed consideration of the proposal.

### **Engagement**

The applicant has been in regular contact with WCRC since commencing preparation of its application under the Fast-track process. Reports were provided to WCRC as they became available and prior to the lodging of the substantive application, allowing for ongoing input and feedback from WCRC staff. Engagement has been regular and constructive, with the applicant considering all feedback provided by WCRC and making agreed amendments where appropriate.

### **Input From Internal Staff**

The flow modelling provided has been reviewed by internal WCRC staff at a high level. Noting that staff advised that the specialist expertise required to undertake a full technical peer review was not held in-house. On the basis of that high-level review, no issues were identified with the report.

WCRC Consents and Compliance staff also reviewed the draft consent conditions prepared by the applicant. Amendments were made in response to feedback from WCRC staff, and that input was incorporated by the applicant into the application lodged.

### **Draft Conditions**

WCRC has had input into the development of the draft consent conditions to date.

WCRC recognises that further amendments or additions to the conditions may be required following review by the technical experts engaged by the Panel, particularly where such changes improve clarity, enforceability, or alignment with statutory functions. WCRC would welcome the opportunity to provide input on any such amendments.



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WCRC has no objection to DoC having a joint certification role in respect of management plans that are otherwise the responsibility of WCRC, as outlined in DoC's section 51 report.

WCRC has some remaining concern regarding conditions that require the consent holder to make payments or provide compensation to third parties, such as representative recreational groups. WCRC is uncertain how such conditions could be practically or lawfully enforced, as the Council would not be able to verify whether payments had been made, the quantum of any payments, or whether payments had been received by the relevant third parties. An example is provided below:

27. Prior to submitting the Weir and Intake Structure Design Report, the consent holder must consult with WWNZ on the provision of a portage across and around the weir to ensure the safe passage of kayakers and pay the reasonable and agreed costs of an expert to advise WWNZ in relation to the portage design.
28. Within three months following Commencement of Generation, and then every twelve months thereafter, the consent holder must offer WWNZ four no-take days along the abstraction reach of the Waitaha River for the upcoming 12 month period with one no-take day occurring during each month between November and February (inclusive) unless agreed otherwise. If the Consent Holder cancels a no-take day it must consult with WWNZ to arrange another no-take day during the same 12 month period or, if that is not practicable, pay WWNZ \$5,000 (excluding GST) per no-take day cancelled up to a maximum of \$20,000 (excluding GST) for each November to February period (inclusive). If WWNZ informs the Consent Holder that it does not wish to use a no-take day the Consent Holder must pay WWNZ \$5,000 (excluding GST) per no-take day declined, up to a maximum of \$20,000 (excluding GST) for each November to February period (inclusive).
29. The consent holder must pay WWNZ \$15,000 (excluding GST) per annum and make publicly available through its website, in consultation with WWNZ:
  - a) information regarding access to and the kayaking opportunities on the Waitaha River; and
  - b) information on risks and safety requirements due to the Scheme.



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## Conclusion

WCRC has no significant outstanding concerns with the application, aside from the enforceability of conditions relating to payments or compensation to third parties. Subject to that matter, WCRC is otherwise comfortable for processing of the application to proceed before the Panel.

Yours faithfully

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**Rachel Clark**

Principal Consents Officer

**West Coast Regional Council**