

To: Michelle Tucker  
Consents Administrator  
Horizonsmw  
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From: Don Robinson  
Chairman  
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Tēnā koe Michelle

**Re: Application by NZ Energy Ltd  
Consents: Discharge of water containing contaminants of volumes exceeding 50 cubic metres per day (50 m<sup>3</sup>/day).**

The Uenuku Tribal Authority opposes the above consent application pursuant to section 88 of the Resource Management Act (1991).

Our opposition is based on the following points:

1. Objection to the 30 year consent term
2. Objection to the lack of consultation with the Uenuku Tribal Authority (U.T.A.) by the applicant.
3. Objection to the lack of technical information.

My name is Don Robinson. I live at 30 Duncan Street, Whanganui. I am the Chairman of Uenuku Tribal authority. The Uenuku Tribal lands cover the lands and the waterways relating to the Raetihi Hydro Scheme flows. I will not be presenting supporting evidence. I only wish to speak to the items listed.

Uenuku Tribal Authority on behalf of the Uenuku people opposes this application and wishes to be heard. A number of other Uenuku Tribal members also wish to be heard.

**Reasons for Submission**

Uenuku opposes this application for the following reasons:

1. There has been no tangata whenua consultation with Uenuku by the applicant (NZ Energy Limited) regarding these current applications.
2. Lack of waterway catchment plans for this application and other water abstraction applications for the Makotuku catchment. There is currently no waterway catchment and water allocation plans for this waterway that can be used to determine the amounts of water that can be sustainably abstracted from the Makotuku, Makara or Makaraiti at present and in the future.

3. Degradation of the Mouri of the Makotuku, Makara and Makaraiti Streams due to the continued abstraction of water from these streams. Sustained long term suffering of tangata whenua cultural, spiritual values and general wellbeing as a result of continued over allocation.
4. Long term adverse impact on aquatic ecosystems, fishery species and mahinga kai as a result of current abstraction and increased impact if proposed increases in water abstraction are permitted.
5. The need to retain future water allocation capacity for the future growth and needs of local communities (Raetihi community) as an essential priority over electricity generation.
6. Unacceptable diversion of Mouri from one river catchment to another – from the Whangaehu to Manganui o te Ao.

This hydro scheme has been in operation for approximately 90 years without much consideration of sustainable environmental management until the last eight years following the need to acquire resource consent. At that time Uenuku was made aware of what was happening through the Ngāti Rangi submission to Horizons including:

1. Lack of proper and adequate consultation with Tangata Whenua.
2. Uenuku Waitangi claims over waterways within the Uenuku tribal region.
3. Degradation of the Mouri of associated rivers and streams being diverted.
4. Adverse impact on stream and river flows and degradation of the Mouri of associated waterways.
5. Unacceptable diversion of Mouri from one river catchment to another.
6. Adverse impact on aquatic ecosystems, fishery species and mahinga kai.
7. Adverse effects on downstream amenity and recreational values.

While a number of these issues were addressed through the consent process Uenuku Tribal Authority was not confident that many of these issues were adequately understood nor that decisions fully took into account our cultural and spiritual values inherent in our principles of waterway management.

It is our view that the Mouri of the Makotuku, Makara and Makaraiti streams are under stress and are suffering from a continuous lack of water as a result of over extraction predominantly for hydro energy generation and Raetihi municipal water supply requirements. This is further exacerbated by negative impacts from poor market gardening practice, increasing dairy farm use and, finally, in the lower reaches, increased sewerage discharge into the Makotuku. The overall effect is a very unhealthy river system which is in need of more water rather than less.

This, in itself, has a tangibly negative effect on the Marae and people who live besides these waterways and derive their spiritual substance from the wairua elements of the Makotuku on her journey from the Mountain to the sea. The greater her flow is reduced, the greater the negative impact on her Mouri, her life supporting capacity and the people.

Uenuku is unilaterally opposed to the increased water extraction volumes proposed by the applicant for the Makotuku, Makara and Makaraiti streams. We do not believe that any extra water should be extracted for electricity generation.

While the overall health of the river system is currently under pressure we believe it is expedient to retain whatever remaining water allocation for the immediate and future needs of our local community. Particularly the water supply needs of the Raetihi community given that the source of its municipal water is upstream of the NZ Energy intake on the Makotuku. It is critical to retain future water resources to support the growth and expansion of this community in terms of the municipal water supply requirements. To grant a 30 year increase in water extraction for the sole benefit of electricity generation would be irresponsible.

### **Raetihi Hydro Power Scheme (Evidence of David Graeme Inch)**

#### Benefits of the Power Scheme (Pages 7 & 8, Paragraph 28 and 29)

How does 1500l/s water uptake of the water for generation of 4GWH/ year help the residents of Raetihi and the Uenuku peoples?

Does each householder and Uenuku peoples get a share in the scheme or see a calculated reduction in their power bill? I cannot see these savings.

#### Savings on CO<sub>2</sub> Emissions (Page 8, Paragraph 30)

Will these savings be passed on to the residents of Raetihi and the Uenuku peoples?

#### I have found consultation with Iwi to be very worthwhile (Page 8, Paragraph 31)

October 2013 is the first time Uenuku has had any form of communication with NZ Energy Ltd. I have never heard from or met the cultural experts referred to.

### **Other Proposed Changes to Current Consent Conditions**

#### **Land Use Consent**

This existing land use consent is for the excavation and disturbance of the bed of the 4.6km open channel canal between the Makotuku River and Middle Road and the Scheme's head pond for the removal of sediment, weed debris and other material in, under, or adjacent to the beds of the watercourses and associated discharges of sediment to water in the artificial canal and pond. Such excavation and disturbance is undertaken as required to maintain the operating capacity and flow of water in the canal and pond.

#### **Consent Term**

The applicant has requested a term of 30 years presumably to align the Makotuku and Makara water permits with already consented permits for the Makaraiti and Un-named tributary of the Mangaone, which have a 35 year consent period, already approved.

Uenuku is opposed to such a long term consent period. While we understand the applicant's desire to have long term security for their hydro generation infrastructure we take issue with water allocation continuing to favour the first come first served

decisions of the past and continuing to commit significant resources to individual water users.

### **Un-natural diversion of the Makotuku catchment into the Manganuioteao catchment**

Uenuku continues to be opposed to waterways being diverted outside of their natural catchments. In this case water is being diverted from the Makotuku Catchment into the Manganuioteao River catchment. This practice is unacceptable from a Māori perspective as the Mouri from another waterway is unnaturally mixed with the other. The primary problem with this being the amelioration of the Mouri in the Makotuku and the negative impacts that are experienced downstream throughout the course of the river.

### **Uenuku related decisions required by the consent authority**

Uenuku is opposed to the granting of the increased water allocations for both the Makotuku and Makara streams. We believe that any additional water allocation should be reserved for the potential domestic use of Raetihi residents.

We remain unconvinced that the current water allocation provided under existing water permit consents are sustainable. Key requirements which need to be considered by the consenting authority are:

- Will consent conditions be a barrier to Crown settlement of Waitangi claims by any iwi in respect of any land, rivers and streams affected by the scope of this resource consent. This is particularly relevant to grievances over water allocation models and access to water allocation by tangata whenua.
- Uenuku policy only supports consents up to 15 years for water abstraction.
- How will best practice be implemented for sediment maintenance of the Head pond and canals during the life of the consent? A formalised maintenance plan and procedures would provide a better basis for ongoing compliance.
- If any fish species are seen to be stranded out of water due to this activity every reasonable effort should be made to return them to the waterway.
- Trend monitoring of fish species should be incorporated into the review of these consents to establish if there are any long term negative trends for the Mahinga kai species.
- Uenuku shall be advised two weeks prior to any maintenance activity taking place that involves instream disturbance either to existing natural water course or canals. To provide an opportunity to monitor activity compliance to ensure best management practice is achieved.
- Uenuku requires provision for an archaeological accidental discovery protocol for any earthworks involved in infrastructure maintenance. The following wording is currently recommended:

In the event of any archaeological site being uncovered or discovered during any physical works associated with this resource consent activity then the following accidental discovery protocol shall be followed. Evidence of archaeological sites can include oven stones, charcoal, shell middens, ditches, banks, pits, old building foundations,

artefacts of Māori or European origin or human burials. The Consent holder:

- Shall immediately cease further work in that area, shut down all machinery and secure the site to prevent further damage or unauthorised access. Uenuku Tribal Authority requests that there be no media coverage of any find without the written permission of Uenuku Tribal Authority.
  - Immediate contact shall be made with Uenuku Tribal Authority.
  - Further work on the immediate site will be suspended until Uenuku are satisfied that the discovery has been appropriately dealt with under Uenuku tikanga and provided written permission to the Consent Authority that operations may recommence.
- The Consent Authority must give appropriate weight to the needs of future community requirements for water from the Makotuku and Makara Streams.
  - There must be robust long term data to support many of the changes proposed by the applicant. If there is any doubt about the long term validity of the data used as the basis of these decisions then the changes must be declined.

**In Conclusion:**

The Uenuku Tribal Authority Board is opposed to the granting of the discharge of contaminants into the Makara Stream Weir, Makaraiti Stream Weir and Unnamed Tributary of the Mangaone Stream Weir. Based on this opposition, we propose that if these consents are approved that the following conditions are put in place:

- a. Consent conditions are consistent with the Ngāti Rangi Waterways Management Policy Document 2002, which has been submitted with the Regional Council;
- b. Consent conditions provide for the sustainable management of Mouri within waterways as is acknowledged in the proposed One Plan;
- c. Consent conditions should take into account downstream use, including recreational use at and around Raetihi township,
- d. Consent conditions are cognisant of Treaty of Waitangi settlements,
- e. The consent term is no more than 15 years. This is consistent with Uenuku policy,
- f. Conditions are included regarding sediment maintenance,
- g. Conditions are included regarding fish passage and iwi fish monitoring associated with the works activity and an agreed monitoring regime,
- h. Uenuku are informed a minimum of two weeks prior to any maintenance activity taking place that involved in-stream disturbance to existing natural water courses and/ or canal to allow for iwi monitoring which will assess the impact of the activity,
- i. The Consent holder will pay for all iwi monitoring agreed between the Consent holder and the Uenuku Tribal Authority
- j. Provision for archaeological accidental discovery protocols for any earthworks involved in infrastructure maintenance includes Ngāti Rangi and Uenuku Tribal Authority. Should any remains or historical objects be discovered, the Consent holder will remunerate the iwi organisations for all reasonable costs and time.

- k. That Uenuku be involved in the operation and the maintenance of the final pond and that reports produced around water quality, fish life and water flows are forwarded each month to the registered office of Uenuku Tribal Authority at 156 Seddon Street, Raetihi.
- l. That an Uenuku cultural report around all waterways in questions be commissioned by the Uenuku people and the cost met by NZ Energy Ltd.

Don Robinson  
Rangi Bristol  
Tracey Repia  
Johanne Patel  
Raymond Rapana  
Geraldine Taurerewa  
Caroline Heta  
Missy Edmonds  
Te Mataara Pehi  
Lesley Edmonds  
Jim Edmonds (Kaumātua)  
Brendon Puketapu  
Robert Cribb

For Uenuku Tribal Authority  
31 October 2013

With acknowledgements to:  
Tamahaki Incorporated Society  
Ngāti Rangi Trust  
Whanganui River Māori Trust Board