

## CONTACT ENERGY LIMITED – TE MIHI RESOURCE CONSENT APPLICATIONS

### SUBMISSIONS BY ALISTAIR MCLACHLAN, AVA MARIE MCLACHLAN and MAC POWER LIMITED

in relation to applications for Resource Consents for a geothermal power station utilising the Wairakei-Tauhara Geothermal System.

1. Te Mihi Call In  
C/- Ministry for the Environment  
PO Box 10362  
The Terrace  
Wellington 6143
2. Name of submitter: Alistair McLachlan, Ava Marie McLachlan and MacPower Limited
3. Contact person, Alistair McLachlan
4. Address for service:  
C/- P M Lang – Barrister  
PO Box 19-539, Hamilton  
email: [p.lang@xtra.co.nz](mailto:p.lang@xtra.co.nz), ph (07) 839-090; fax (07) 838 9319
5. **The submitters interest in the applications:**  
The submitters have an interest in the company Geotherm Group Limited (in receivership) that holds resource consents for establishment and operation of a Geothermal Power Station at Poihipi Road, utilising the Wairakei-Tauhara Geothermal System.

Although the submitters do not oppose the applications made by Contact Energy Limited in their entirety, the submitters do wish to protect their interests in the resource consents and the exercise of those consents by Geotherm Group Limited, and to ensure that adverse environmental effects are not caused by the cumulative effects of the Contact proposal and the other existing and consented uses of the resources in the geothermal system.

The particular issues that the submitters raise are set out in the following paragraphs of this submission.

6. Potential environmental effects of the Contact Energy Limited proposal and potential effects on exercise of other consents:

- (a) Potential for air discharges from the Contact proposal to cause cumulative adverse effects on air quality through additional air discharges. Consent conditions should ensure that the cumulative adverse effects of such air discharges are kept within appropriate limits.

The consent conditions should ensure that the treatment and discharge methods for all air discharges are adequate to avoid adverse environmental effects. The submitters are concerned that current discharges of gas from the Poihipi Power Station do not meet existing consent conditions and exceed the limits for discharges under those conditions. The submitters are anxious to ensure that the provisions relating to air discharges under the Te Mihi consents will provide adequate safeguards for those in the locality where discharges are to occur.

- (b) Potential conflict between existing consents and the proposals for reinjection of geothermal fluid from the Te Mihi Power Station. The proposed reinjection of fluid has the potential to cause inappropriate constraints on the reinjection of fluid from the Geotherm Power Station in the event of exercise of its existing consent. The Contact Energy Limited reinjection should be controlled by consent conditions in such a way that it does not cause inappropriate constraints on exercise of Geotherm consents or other existing consents using the same geothermal system.

The conditions should include requirements that no generation activities will occur at Te Mihi until the consent holder demonstrates that it has secured all necessary authorisations from landowners for reinjection of power station fluids. The submitters are concerned that Contact is presently discharging geothermal contaminants to ground from the Poihipi Power Station without all necessary landowners' authorisations and wishes to ensure that adequate safeguards against that type of activity are included in the requested consents.

- (c) Noise effects caused by the Contact proposal should be assessed taking account of effects that are cumulative with effects of other activities already occurring and activities that are already consented, including the Geotherm consents. Conditions should contain appropriate controls on those cumulative effects, if sufficient evidence is presented to demonstrate that the cumulative effects can be adequately controlled.
- (d) Contact should be required to ensure that the transmission capacity of the transmission facilities that are to be used for the Contact Energy Limited generation will be adequate to meet Contact's transmission needs along with the transmission needs of Geotherm and other existing and consented generators. Consent conditions should ensure that outcome, if Contact produces adequate evidence to demonstrate that such an outcome is achievable.
- (e) Where the exercise of the Contact consents has a potential to inhibit or adversely affect the exercise of Geotherm's consents or any other existing consents, the Contact consent conditions should ensure that such an outcome does not occur and ensure that those exiting consents can be exercised in a reasonable and efficient way.
- (f) The consents sought by Contact relate to activities using resources of a geothermal system that is also able to be tapped by other consented users. The consents will also generate effects within the same locality and affecting the same environment that is affected by other consented geothermal generators. In those circumstances it is appropriate that any consents issued to Contact include controls on activities and their effects that are consistent with controls on the other consented activities and their effects.
- (g) Where the other environmental effects of activities proposed by Contact may combine with effects of other existing and consented activities, the consent conditions should ensure that the cumulative effects caused by the Contact activities are appropriately controlled.

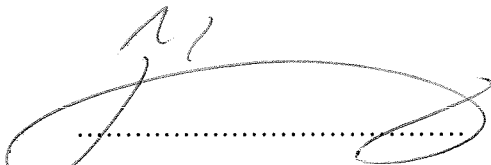
- (h) Where the Contact proposal includes any provision for extension of the land areas associated with the Poihipi Power Station and activities, care needs to be taken to ensure that any such expansions are warranted and are consistent with existing Court decisions relating to the activity areas for that power station. Conditions of consent should specify the uses to which particular land areas may be put, consistent with past Court decisions and the demonstrated needs for any expansion of activity areas.
- (i) The submitters are concerned that Contact has recently drilled a new well within a short distance of the Geotherm boundary, contrary to undertakings given by Contact to the Wairakei Power Station Reconsenting Hearing Commission in 2001. The Board of Inquiry should satisfy itself as to the use that is proposed to be made of that well, particularly whether it is associated with the Te Mihi or Poihipi Power Station activities. Conditions of consent should address the issue of proximity of any new wells to the Geotherm boundary.

**7. Decisions sought from the Board of Inquiry:**

The submitter seeks the imposition of consent conditions that achieve the outcomes identified in paragraphs 6(a) to (i) of this submission.

The submitters wish to be heard in support of this submission.

Dated 7 March 2008



P M Lang,  
Counsel for the Submitter