



**SUBMISSION on Contact Energy Proposed "Te Mihi"
Geothermal Power station**

To: Minister for Environment

This Submission is from:

Waikato Raupatu Trustee Company Ltd

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Ngaruawahia

Executive Summary

1. The health and wellbeing of the environment in particular the Waikato River is of utmost importance to Waikato-Tainui.
2. Waikato-Tainui seeks to ensure the Te Mihi geothermal proposal is consistent with the Waikato River Claim outcomes and objectives.

Waikato-Tainui Interests in the Waikato River

3. The Waikato Raupatu Trustee Company Ltd is the principal constitutional and the legally mandated Iwi authority of Waikato-Tainui. This submission outlines Waikato-Tainui position in regards to the application by Contact Energy Ltd to build a new geothermal power station in the Wairakei-Tauhara Geothermal field "Te Mihi" and the variation of Contact Energy existing consents.
4. Waikato-Tainui are tangata whenua of the Waikato region and holds mana whakahaere over the Waikato River.
5. The Waikato River is of significant cultural and historical importance to Waikato-Tainui. The relationship of Waikato-Tainui with the Waikato River has extended over many generations, since the time of first inland explorations of our ancestors who brought the Tainui canoe to Aotearoa in the fourteenth century.
6. It is a unique relationship, in that the Waikato River is regarded as *te tupuna awa*, the ancestral river of the people. The river represents the *mana* and the *mauri* of the people, and is central to our tribal identity, and our spiritual and physical well-being. Its power is both protective and healing.
7. The definition of the river pursuant to clause 24 of the Waikato Deed of Settlement means: "the Waikato River from Huka falls to the mouth and includes its waters, banks and beds (and all minerals under them) and its streams, waterways, tributaries, lakes, aquatic fisheries, vegetation and floodplains as well as its metaphysical being". Under this definition the Waikato River covers the whole Waikato River catchment.

Contact Energy Te Mihi Proposal

8. Contact Energy Ltd is seeking resource consents to develop a new geothermal power station on a site located about 5 km west of the existing Wairakei Power Station, in the vicinity of the Te Mihi steamfield between State Highway 1 and Poihipi Road. The area the new power station is to be developed falls within the Waikato River Catchment area.
9. The new geothermal power station will utilise a number of resource consents already held by Contact Energy as part of its existing Wairakei Power Station operations. The four key components of the project for which new authorisations are sought:

- 9.1 The Construction, Operation and Maintenance of the Te Mihi Power Station
- 9.2 Te Mihi Switchyard and Transmission Line
- 9.3 Additional Reinjection of Geothermal Fluid
- 9.4 Air Discharge Permits

In addition Contact Energy is seeking to vary its existing Waikato River Discharge Consent.

10. Waikato-Tainui has in the past participated in the consenting of Wairakei Power station to ensure impacts on the Waikato River are eliminated and/or minimised.
11. Waikato-Tainui has had ongoing concerns in regards to the ongoing un-natural discharges of geothermal fluids from Wairakei power station into the River; in particular trace elements such as mercury and arsenic.
12. Waikato-Tainui understands that the commissioning of the Te Mihi Power Station will reduce the operational output of Wairakei Power Station and subsequent discharges to the Waikato River.
13. Contact Energy is seeking to irrigate steam condensate to pasture. Depending on the nature of the pasture and the influence that this new irrigation volume may have on current and future forestry conversation in the surrounding area, there will be potential for additional nitrogen runoff into the Waikato River. Nitrogen is the main cause of algal blooms being experienced within the Waikato region. Waikato-Tainui has always sought the reinjection of geothermal fluids from geothermal power stations back underground into the geothermal system it had come from.
14. Waikato-Tainui tribal members use the river on a daily basis for cultural and spiritual purposes and during numerous tribal activities and events. The River is a major source for sustenance for our people. It is known nationally and internationally that the Waikato River has always been a food bowl for the people of Waikato-Tainui. Algal blooms are directly impacting on the relationship of Waikato-Tainui with the River.

The Waikato River Claim

15. On the 20th December 2005 the Minister in Charge of Treaty of Waitangi Negotiations and the Waikato-Tainui Co-Negotiators signed Terms of Negotiation setting out the basis for the negotiation of the remaining historical claims of Waikato-Tainui. The Crown has agreed to give priority to the negotiation of the Waikato-Tainui claim to the Waikato River.
16. The River claim applies to the Waikato River from the Huka Falls to the mouth and includes its waters, banks and beds and its streams, waterways, tributaries, lakes, aquatic fisheries, vegetation and floodplains.
17. On the 16th December 2007 an Agreement in Principle for the Settlement of Historical Claims of Waikato-Tainui in relation to the Waikato River (*Agreement*

in Principle) was signed by Waikato-Tainui and the Crown at a Te Kauhanganui meeting.

18. The arrangements proposed under the Agreement in Principle reflect a commitment by the Crown and Waikato-Tainui to enter a new era of co-management over the Waikato River with an overarching purpose of the settlement to restore and protect the health and wellbeing of the Waikato River for future generations.
19. The Agreement in Principle outlines a process (among others) whereby representatives of Waikato-Tainui, other river Iwi, Environment Waikato (representing regional interests) and the Crown (representing national interests) form a Guardians Establishment Committee to develop a Vision for the Waikato River to be consistent with the overarching purpose of the Agreement.
20. A Strategy will also be developed to implement and promote the Vision for the Waikato River. The Vision and Strategy will be developed in consultation with the public and will be accorded the highest level of recognition in legislation affecting the Waikato River and its management.

Waikato-Tainui Position on the Te Mihi

21. The Te Mihi proposal has the potential to impact on the Waikato River, and if granted its consent and other associated varied consents should be consistent and be re-aligned with any future outcomes of the Waikato River Settlement; in particular the overarching purpose of the Waikato River Settlement and the proposed Vision and Strategy for the River that is soon to be developed by the Guardians Establishment Committee.
22. Waikato-Tainui seeks to ensure consistency and future alignment of the Te Mihi resource consents and other associated varied consents that is being sought by Contact Energy; by recommending the inclusion of a Waikato River Claim review clause provision:


“Within 12 months of the Crown settling any claim made under the provisions of the Treaty of Waitangi Act (1975) WRC may, following service of notice on the consent holder, commence a review of the conditions of this consent pursuant to section 128(1)(a) of the RMA, for the purpose of ensuring that this consent is in alignment with the provisions of any such settled claim.”
23. Waikato-Tainui recommends that the reduced operations at the Wairakei Power Station be staged and committed to by Contact Energy through resource consent conditions.
24. Waikato-Tainui recommends that steam condensate from both Wairakei Power Station and the proposed Te Mihi power station be injected back into the Wairakei-Tauhara geothermal system.

Conclusion

25. The Waikato River is the Tuupuna Awa of Waikato-Tainui.
26. Waikato-Tainui wishes to be heard in support of this submission

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