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**SUBMISSION ON CONTACT ENERGY LIMITED'S APPLICATIONS FOR RESOURCE CONSENTS
UNDER SECTION 145 OF THE RESOURCE MANAGEMENT ACT 1991 "TE MIHI"**

To: Ministry for the Environment
PO Box 10362
The Terrace
Wellington 6143

Name: Tuwharetoa Maori Trust Board ("TMTB")

Address: C/- Tina Porou
Tuwharetoa Asset Management Unit
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TURANGI

1. **TMTB** neither supports nor opposes the application.
2. **TMTB** neither supports nor opposes the whole of the application.
3. **The reasons for this position is to:**
 - a. Provide a further opportunity for **Te Kapa o Te Rangiita ki Oruanui** to clarify their issues in regards to the resource consent application.
4. There are significant issues to be addressed and these have not, for various reasons been resolved through the pre-consultation process. TMTB understands that key issues raised by **Te Kapa o Te Rangiita ki Oruanui** include the following;
5. **WRC 116786:** The reinjection consent application area (Drawing 124922-RC01) represents Wairakei and Tauhara hapu interests and associated Land Trusts

(under Te Ture Whenua). There is no question that increased reinjection will have significant environmental benefits to both the wairua of the river and the geothermal system. The hapu are seeking:

- a. Clarification of the Land Trusts within the consent application area.
 - b. To support in principle adaptive management in relation to reinjection but require Contact to consider particular taonga or surface features in the Spa area and Onekeneke valley which may benefit from staged reinjection.
 - c. Clarification on the exclusion zones for reinjection. Do they exclude the Wairakei Valley, (old geyser area). It is understood by hapu that the mitigation of impacts from early generation activities are not considered in this process. However, post commissioning very little fluid will be withdrawn from the western bore field. The hapu are seeking information on the status of these areas and any potential for enhancement of the taonga/surface features.
6. **WRC 116787:** The hapu are also beneficiaries of the Taupo nui a Tia and are concerned that discharge to land may comprise the integrity of groundwater and seek clarification of the key chemical constituents of the discharge water.
7. **WRC 116788:** It appears that the system developed for the disposal of sewerage meets the standards required by Environment Waikato for wastewater treatment. The hapu seek the generation of a map which identifies the septic tanks in relation to areas/site significance identified in the CIA and if outside the area of the CIA, the area should be appropriately mapped for cultural significance.
8. **WRC 116789:** The activity reduces significantly the impact of concentrated contaminants in the Wairakei Valley area. The hapu seek that a drawing

- discharge modelling of the early commissioning contours and also post run down of the existing Wairakei station be overlain on to the base map that identifies areas of significance noted in the CIA.
9. **WRC 116790:** This activity is not related to the CIA carried out for Te Mihi. The Power Station is located on the original Rangatira. For completeness the hapu expect that a CIA report be completed for this activity.
10. **WRC 116791:** The activity will impact on land outside of the CIA, although this activity is not likely to impact on existing identified taonga, the hapu are seeking an extensive inventory of historical sites in relation to the steam field.
11. **WRC 104709:** The CIA identifies Rau o te huia as a key taonga of the descendants of the Oruanui Blk. The hapu are seeking
- a. Clarity around the extent of monitoring to date of the stream.
 - b. Clarity around the proposed use of the take from Rau o te huia. In Part B AEE page 17, it appears that the take will not be intermittent but ongoing for cooling water and domestic supply. Rau o te huia was a traditional fishery which has not been accessible to the hapu for over 50 years. The hapu would like to consider the status of the traditional fisheries associated with the Wairakei-Tauhara system.
12. **Section 127 Variation to WRC 104712:** The draft variation was sent to Dr Severne on the 9th August 2007. Unfortunately it did not arrive at NIWA until after the 14th of August hui a hapu. The variation was lodged on the 12th August by Contact. The hapu are very concerned about the process and lack of consultation prior to lodging.
13. **Ngati Tuwharetoa** confirm that we have a relationship with the geothermal resource, which is a taonga in terms of our culture and traditions, and that we

have customary interests stemming from Maori law and Treaty rights in the geothermal resource, including a right to development of the resource.

14. We believe that under sections 6(e), 7(a) and 8, this application potentially effects the interests of **hapu** in terms of our kaitiakitanga (role as managers of resource), our customary and Treaty interests (ownership/ allocation of resource), and our right to development (opportunity to develop, by joint venture or otherwise).
15. The findings of the Waitangi Tribunal's CNI Report found that Ngati Tuwharetoa has customary ownership of the geothermal resource, and further that the tribe have a right to share in the Crown's royalties from geothermal power generation and that opportunities should be provided to develop the geothermal resource tribally.
16. The Wairakei-Tauhara system has significant loading on it in terms of current allocation of the resource: Contact's current rights will expire in 2026.
17. If resource management decisions are made now that affect future allocation decisions, the relationship **hapu** have with their taonga will be affected, and it will prejudice the prospect of Ngati Tuwharetoa being able to meaningfully exercise their relationship with their taonga.
18. A letter was received from Contact Energy Limited by **Te Kapa o Te Rangiita ki Oruanui** on the 18th of February 2008 responding to these issues. However the **TMTB** believes that it has been difficult to discuss these responses in depth with Contact Energy due to the time constraints of the submission closure dates.
19. This submission provides an opportunity for these issues to be discussed and if appropriate, resolved.
20. **TMTB wishes the Council to:**

- a. Arrange a pre-hearing meeting to discuss the issues raised in this submission.
- b. Place the application on hold until such time as the applicant can provide an opportunity to further discuss the issues raised by **Te Kapa o Te Rangiita ki Oruanui**.

21. TMTB wishes to be heard in support of this submission and intends to present evidence relating to the points previously raised.

Signature: The Tuwharetoa Maori Trust Board
by its Agent:



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