

Please Quote File: APP.042595.01.01

24 November 2021

Glenview Estate Limited  
512 Knight Road, RD9, Kokopu

Dear Neil

### **S92(1) REQUEST FOR FURTHER INFORMATION**

#### **RESOURCE CONSENT APPLICATION - APP.042595.01.01 –Glenview Estate – Hydroelectric power station at Knight Road, Kokopu.**

I have been engaged by Northland Regional Council to assist in the processing of your application to construct a new hydroelectric power station by diverting water from the Wairua River through a proposed channel on the property at Knight Road, Kokopu.

I have reviewed your response to the s92(1) letter, including the appended assessment of ecological effects prepared by Ecoprojects Consulting Collective. Based on my understanding of the proposed works and the review of information provided, there are some points that need clarification and some further information to enable a full assessment of potential effects resulting from the proposal.

#### **1. Assessment of Ecological Effects**

I note that the s92(1) request sought an updated Assessment of Environmental Effects that was to include an ecological assessment of effects for the section of river affected by the diversion and details of any proposed mitigation (including fish passage). Having discussed this internally with the NRC's fish passage specialist, more clarity is required on your response in the following regard:

- a. **The state of the existing environment.** The Ecoprojects Assessment references a general fish survey that was undertaken in 1999. The Ecoprojects Assessment states conclusively that no native fish are present with the exception of longfin and shortfin eels. Reliance on this survey is inappropriate given the amount of time that has passed and the lack of site-specific investigations.

As per the s92(1) request, please engage a suitably qualified freshwater ecologist to assess the existing ecological values of the section of river to be affected by the proposed diversion and structures within the river.

- b. **Maintaining fish passage (weir and eel screen).** The Ecoprojects Assessment describes in some detail how the weir and intake screens will operate. Given that these structures will require resource consent as well as permission from the Department of Conservation (in accordance with the Fisheries Act 1996), it is recommended that the proposed design is acceptable to DoC as well as NRC to achieve alignment and avoid doubling up on your design requirements.

Please confirm if discussions with DoC have been progressed. Ideally we could have a joint meeting on the proposed design (with the appropriate DoC decision maker) to facilitate a conclusion.

## **2. Site Plans**

Thank you for submitting the concept design drawings and plan layouts with your s92 response. I agree with your suggestion of a site visit to put the drawings into context and will confirm whether any further drawings are necessary following that.

## **3. Tangāta Whenua Values**

Thank you for providing your letter sent to tangāta whenua. From your statements, I believe this letter has been sent to Ngāti Hau. Can you please confirm this is the case and can you please provide us with any received correspondence from that hapu? While Ecoprojects has undertaken an assessment of the relevant policies in the Proposed Regional Plan, only tangāta whenua are in a position to determine whether or not a proposal could impact on their cultural values.

If a site visit with Ngāti Hau is planned, we could join to minimise the number of site visits undertaken.

## **4. Erosion and sediment control plan**

Thank you for providing a high-level discussion around the proposed erosion and sediment control measures. I agree that a final ESCP can be required as a condition of resource consent; however, prior to lodgement, it will be useful for all parties if clarification could be provided on:

- a. The fate of excavated material, including soil, rock, and other material excavated during the construction of the channel and structures. If these are to be stockpiled / retained on site, management of this significant volume of material is essential to demonstrating that effects can be mitigated.
- b. If, in accordance with GD05, settling ponds, bunds, and other large-scale sediment management devices are required, confirmation that there are workable locations for adequately sized ponds is needed to fully assess the potential effects of the proposal.

## **5. Further points of clarification.**

The s92 response included statements that warrant further discussion and clarification:

- a. Your statement in the s92 letter (paragraph 5) and page 16 of the Ecoprojects Assessment indicates that you are proposing to divert water to the point where the resultant water flow within the river will be decreased to 200 L/s, stating that this is the lowest acceptable flow. It is unclear how this figure has been attained,

particularly where the lowest flows during the 2020 summer drought did not drop below 576 L/s (as measured at Purua, upstream of the proposal). Please confirm how this figure was attained.

- b. The Ecoprojects Assessment (page 4) stated that water samples were collected from the Wairua River during representative conditions for the time of year. Please confirm the dates where site visits were undertaken and the locations (preferably on a map) of where samples were collected.
- c. The Ecoprojects Assessment (page 8) briefly discusses riverside environs and includes mention of riparian vegetation but does not go into detail as to the types of vegetation. Given the proposed diversion and resulting reduction in river flows in the subject reach, it is important to understand if existing riparian vegetation will be affected by this change in the environment – for example, if there are species of trees or grasses that rely on occasional flooding or require ‘wet feet’. Please elaborate on the species composition of ‘riparian plantings’ and ‘native forest’, and what effects will result on the riparian margins of the subject reach.
- d. The Ecoprojects Assessment (page 13) states that the subject reach of the river is not accessible to diadromous native fish; however, it is also noted throughout the report that longfin and shortfin eels are present and that their passage will be maintained/improved. Please clarify.

The matters discussed in points 1 – 4 are considered to be outstanding matters requested from the original s92(1) request for further information. Until these matters are adequately addressed, your application will remain on hold. The matters raised in point 5 will be helpful for me to fully assess the effects of the proposal, the notification of the application, and will also benefit from a site visit with yourself and supporting consultants.

Please note that the council has the ability to decline your application on the grounds that it has insufficient information to determine the application.

I am more than happy to discuss the matters raised in this letter and suggest that we meet to go through these points if suitable.

Best Regards,



**Leon Keefer**

Associate – Environmental Planning

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