

**IN THE MATTER** of the Conservation Act 1987

**AND**

**IN THE MATTER** of an application by  
**WESTPOWER** to the  
Department of  
Conservation for a  
concession to permit  
operation of a hydro  
electricity facilities in the  
**WAITAHA** valley.

**Submission of Mick Hopkinson B.Ed. T.Cert**

**Introduction**

1. My name is Michael Hopkinson. I am the owner and Director of the New Zealand Kayak School (established in 1992) which is based in Murchison on the Buller River.
2. I started kayaking in 1963 in England. I raced in kayak slalom for seven years before taking up river running.
3. At the time many rivers around the world had not been run in kayaks or any other craft and I was fortunate to make the first descents of many rapids in Austria and Switzerland.
4. This led to a series of kayak expeditions that became the model for future exploration.

- 5. In 1972 I was on an expedition that made the first descent of the upper Blue Nile in Ethiopia.**
- 6. In 1976 I was on an expedition that made the first descent of the Dudh Khosi River in Nepal. This river flows from the flanks of Mt. Everest and was hailed as the "Everest of Rivers". A TV documentary was made of the expedition which subsequently won 35 major awards at Film Festivals and inspired a whole generation of kayakers to explore rivers all over the world.**
- 7. In 1978 I was a member of the British Karakorum Kayak Expedition attempting the first decent of the Braldu river which flows down from K2 in Baltistan.**
- 8. In 1987 I was part of an expedition that made the first descent of the Karnali River, The largest river in Western Nepal.**
- 9. In 1990 I was part of a team that made the first decent of the Indus river in Baltistan.**
- 10. I have also paddled in Canada, the USA (including the Grand Canyon), Australia, China, and Borneo.**
- 11. Since 1983 I have played a part in exploring many of the rivers on the West Coast of the South Island of New Zealand.**
- 12. On October 4<sup>th</sup> 2008 I was inducted into the International White Water Hall of Fame in the Explorer Category.**
- 13. In 2011 I was invited to a reception to be given at Buckingham Palace by The Queen and The Duke of Edinburgh for those involved in Exploration and Adventure.**
- 14. In 2012 I was awarded Honory Life Membership of the New Zealand Outdoor Instructors Association and I was national assessor for the Association's Climbing, Tramping, Caving and Kayaking Awards.**

15. In 2016 I was awarded Honorary Life Membership of Whitewater New Zealand.
16. Previous to running the New Zealand Kayak School I was the director of Castle Hill Outdoor Centre and The Sir Edmund Hillary Outdoor Pursuits Centre.
17. In February 2008, aged 59, I paddled the regular class 5 run on the Waitaha which involved portaging around the Morgan Gorge.

Extract from my Mohikunui Submission:-

1."The recent changes in government legislation have allowed every line distribution company to move into generation. Sadly there is no central government policy regarding which rivers should be dammed or any apparent order of priority in which they should be developed. Right now on the South Island there are proposals to modify the Arnold, Wairau, Matiri, Mokihinui, Ngakawau, Matakītaki, Taipo, Nevis, Waitaha and further down the track the Kakapotahi and the Totara. There is no national evaluation of the individual worth of each river or any notion of evaluating New Zealand Rivers relative to the rivers in other countries. We have no framework to establish minimum ecological flows and no framework to establish minimum recreational flows. These frameworks should be the precursor to the present "blitz" on New Zealand's remaining wild rivers instead of the present system of death by a thousand cuts. The total lack of any central planning becomes apparent when Trustpower offers to mitigate the loss of kayaking amenity on the Arnold River by offering Riccarton High school and Tai Poutini Polytechnic accommodation in Murchison whilst at the same time Network Tasman is planning to build a hydro scheme on the Matakītaki one of the most popular teaching rivers in the Murchison District."

Presumably as result of this flurry of hydro schemes Jan Wright, Parliamentary Commissioner for the Environment in her 2102 report Hydroelectricity OR Wild Rivers, recommended that "The Minister of Conservation direct her officials to identify important wild and scenic

rivers running through stewardship land and reclassify the land if they consider the rivers need protection”

Was this ever done? It is obvious from the reports by both proponents and opponents of this scheme that the Waitaha fits exactly the niche identified by Mrs. Wright.

## 2. Rationale:-

Westpowers initial press statement. The purpose of the power scheme was “to provide power for the burgeoning eco-tourist industry in Fox and Franz Joseph”. The staff at Westpower were obviously not believers in climate change as a result of global warming! Right now the glaciers are receding faster than DOC can grant concessions for roads to keep up with them and the future of Fox and Franz Joseph townships is tied to activity along the Alpine Fault.

The current raison d’etre, “security of supply” doesn’t stand much close inspection either. In recent years plans for much larger hydro schemes, on the Waitaki, Wairau, Arnold, Mokihinui and Matakotaki have been shelved because they were not economically viable.

The Arnold scheme, a mere 21 kms from Greymouth is fully consented on a river that is already heavily modified. The Waitaha is 91.6 km away from Greymouth.

The Stockton plateau scheme, which I submitted for is a much more environmentally friendly scheme, helping to restore the ravages of coal mining on the plateau and going a long way to improving water quality in the Ngakawau river.

Given that the national grid was upgraded on the West Coast in 2011 and that it withstood a hundred year storm....”The damage to Westpower’s network from this weather event was the equivalent of all customers being without power for a period of more than 7 hours.” This was the Westpower network. The National Grid, the system whose failure the Westpower scheme is supposed to insure against held up!

Where is the “security of supply issue”?

And only a few weeks ago, October 22<sup>nd</sup>, we had the news item that said :-

“New generation batteries bring major changes for electricity industry”

And Alison Andrews of Transpower was telling us that in future the national grid might be only used for charging the Tesla style batteries. Security of supply will mean having ones own batteries that can be charge off peak from the grid.

And if I read the article correctly in the NZ Herald Friday 28<sup>th</sup> October Meridian Energy is only contracted to sell 572 Megawatts of power from the Manapouri power station. Does this mean that Manapouri is not operating at full capacity and could generate another 228 megawatts? In which case why do we need another 10-20 Megawatts?

3. Does Westpower have plans to remove this large industrial structure at the end of its working life? Shouldn't the cost benefit analysis of such a scheme include the price of its removal?

In 2008 I visited 3 dam sites in Idaho, the Eileen dam on the Moyie River, The Sunshine Dam on the Salmon River and the Teton Dam on the Teton River. The first two, both about 25 metres high, had been decommissioned simply by blowing holes in the left side of them, leaving tons of reinforcing bar and concrete in the river and the majority of the dam still intact. The Teton dam was the last big dam built by the Bureau of Reclamation in the 1970's. It collapsed as it was being filled in 1976, destroying two towns and killing 14 people. Luckily it collapsed at 10.30 am otherwise the whole town of Rexburg (pop. 10,000) would have been killed. It was 30 stories high and most of it is still there as monument to a major human and environmental disaster.

Currently the US Superfund is spending \$100, 000,000 to clean up a dam site on the Clark Fork in Montana. In the rest of the US approximately 60+ dams per year are being removed.

Whether Hydropower is seen to be renewable or not might be a matter of opinion or definition but it should be apparent to all, that New Zealand River Valleys are not renewable.

**4. Section 17.4 part a of the Conservation Act states:**

**“ The Minister shall not grant any application for a concession to build a structure or facility, or to extend or add to an existing structure or facility, where he or she is satisfied that the activity—**

- (a) Could reasonably be undertaken in another location that—**
  - (i) is outside the conservation area to which the application relates; or**
  - (ii) is in another conservation area or in another part of the conservation area to which the application relates, where the potential adverse effects would be significantly less; or**
- (b) could reasonably use an existing structure or facility or the existing structure or facility without the addition.**
- 

**In the Matiri decision Mrs. Wilkinson accepted the premise that the “activity” was the production of electricity. In the final decision DOC decided that the activity, the production of electricity was not taking place on DOC land, and that even though the dam and penstock were on a DOC wildlife reserve, the power station was on private land belonging to the Hydro Company.**

**In the case of the Waitaha this is not true: -**

**The Scheme is located within and on the true right bank of the Waitaha River between the lower end of Kiwi Flat and Macgregor Creek within the Waitaha Valley, and within the northern half of the Westland District. It is predominantly on Stewardship Land managed by the Department of Conservation (DOC). Sections of the access road, at or on the north bank of Macgregor Creek are located on land.**

**That is privately owned or crown land administered by Land Information New Zealand (LINZ).**

**If the whole activity, the production of electricity is on DOC land and we already know that the activity can very reasonably take place on the Arnold river, a scheme which is already consented on an already modified river that is 70 kms closer to the town of Grey mouth and**

thus has a greater "security of supply" then it is incumbent on the Minister to not grant a concession on the Waitaha.

#### 5. Opinions can be bought?

According to Dr Mark Mabin Senior Environmental Scientist for Meridian: -"The Mokihinui Hydro Project will have a less than minor effect on the landscape geomorphology of the Mokihinui area. The total footprint (4.5 km<sup>2</sup>) represents only 0.4 % of the landscape area. The landform directly affected, the Mokihinui River gorge, is a type well represented in the region. The dam and resulting lake will be features not unlike other landslide dammed lakes that are common in this area."

According to Michael L. Steven, an equally qualified Landscape Planner, it is his "considered opinion that the damming of the gorge and the formation of the proposed reservoir lake does not represent the sustainable management of physical and natural resource insofar as the preservation and protection of natural character and landscape values are concerned."

Two polar opposite views of the same Mokihinui scheme. Which to believe?

Westpower have chosen to build a lot of their case on the word of Mr. Greenaway.

According to Mr. Greenaway:

"However, the net effect on the West Coast kayaking scene is likely to be minor, considering the number of kayaking alternatives, the ability to retain the kayaking opportunity in the Morgan Gorge, and the relative low level of use of the Waitaha River, and far lower level of use of Morgan Gorge (although this is a natural feature of such extreme kayaking settings). The challenge in protecting the regional kayaking resource, with the Morgan Gorge in mind, will be establishing a protocol for ceases to abstraction that is suitably flexible for kayakers, and ensuring that weir design and construction is carried out in consultation with kayakers.

The Waitaha River was one of 14 grade 5 runs with helicopter access on the West Coast. Grade 5 and grade 4 runs were identified as the most common kayaking opportunities on the West Coast (24 and 14

runs respectively). There is a high level of choice for high-grade kayaking options on the West Coast, and the Waitaha contributes to a relatively abundant kayaking opportunity setting (and hence its significance at the international level).

This is the same Mr. Greenaway who submitted for the Mokihinui dam. Then there were "15 other rivers". His magic number of other available river runs should see out his career until we are down to "the last other alternate river." But, lets put his conclusions in parentheses:

However, the net affect of building a 100 million dollar industrial scheme on the Milford Track is likely to be minor, considering the number of tramping alternatives.

However, the net affect of building a 100 million dollar industrial scheme on the Grand Plateau of Mt. Cook is likely to be minor, considering the number of alternatives glaciers.

However the net affect of building a 100 million industrial scheme on Huka Falls is likely to be minor, considering the number of alternative waterfalls,

However the net affect of building a 100 million dollar industrial scheme on Mitre Peak is likely to minor considering the number of alternate peaks in Fiordland.

However the net affect of building a 100 million dollar industrial scheme in a wilderness area is likely to be minor as there are lots of alternate wilderness areas in the world.

**However the net affect of building a 100 million dollar industrial scheme on one of the remaining 1% of wild rivers left in the world is likely to be minor as there lots of alternate wild rivers left...???**

I have paddled all the rivers on Mr. Greenaway's invisible list and in my opinion if New Zealand were to ever establish a World Heritage Park for wild rivers, the top two rivers on the list would be the Waitaha and the Hokitika.



And as ever Mr. Greenaway tries to play plenipotentiary. In his Mokihinui submission he said that there were 15 other rivers left on the coast so it was OK to completely inundate the Mokihinui. In his draft version of the Waitaha Recreation report he said there were "four or five other rivers" that provide the same experience. In his most recent version there are now 14 other rivers that provide class 5 experiences. You Gentlemen and Ladies are being asked to take his word. No evidence has been produced to show that all these rivers provide the same experience. Graham Charles's guidebook has told him that 14 other rivers have class 5 rapids. Initially I felt that Mr. Greenaway should have provided at least 5 other in depth reports of similar class 5 rivers. Now it is incumbent on you to ask him for fourteen other detailed reports so that you can actually compare and contrast. At the moment you are being asked to compare with 14 other nameless rivers, with no evidence whatsoever.

Since Mr. Greenaway neither provides you with the name of these other fourteen rivers nor any evidence of their existence except for a brief scan of Graham Charles's guidebook, I ask you to disregard his opinions as lightweight.

Westpower have even taken Mr. Greenaway's words and used them in their "Application for Concessions and Assessment of Effects July 2014"

"At the wider regional scale, which is more appropriate for kayaking opportunities due to the mobility of kayakers and their national and international origins, the Report concludes that, ... the effect of the Scheme on West Coast recreation and tourism generally will be very slight due to the high number of alternatives available for all activities affected by the Scheme and the relatively low level of use of the Kiwi Flat area ....".

Please remember that this is only an opinion and an opinion that was purchased. Westpower are naïve to think that a marketing exercise becomes the TRUTH.

And what of the international standing of this river? Shouldn't a recreation report of an outstanding internationally famous river such as this include comparison with rivers in the USA, Canada, the Himalayas, the Karakorum and Europe?

And as a report on Tourism it doesn't even start to deal with the issues. New Zealand and the South Island in particular are sold as some kind of Lord of the Rings, idyllic wilderness. Greenaway's study doesn't even begin to deal with issues arising from the building of this scheme. This is not the nineteen fifties and sixties when the major hydro schemes were built on the Waitaki, Clutha, Tongariro and Waikato before the existence of the Internet. I suspect most people on the North Island had no real idea of the scale of the schemes and that the Wanganui would be de-watered and fed into the Waikato and that the major rapids of that river would disappear or that the second largest geyser in the world in the Orakei Korako thermal area would, as Mrs. Wright notes, disappear under the waters of Lake Ohakuri.

No. Every stage of the Westpower scheme will be filmed, photographed and described and uploaded to National Geographic, The Sierra Club, and the other 348 conservation organisations listed online. Imagine the Headlines.."Bulldozers in the Bush" "New Zealand's wildest river dammed," "Clean and Green- Hokum!" Etc. This is where the real damage to New Zealand tourism will be done!

Has any damage assessment been done?

Meanwhile in the USA 60 + dams are being removed every year.

I guess for thirty pieces of silver you don't get to travel too far.

I have kayaked, inspected and portaged gorges in Switzerland, Austria, Ethiopia, Nepal, Pakistan, Canada, the USA and here in New Zealand. I have paddled through some of the remaining gorges on the River Inn, the Blue Nile, the Dudh Khosi, the Grand Canyon, the river Indus, the Karnali.....

I have paddled the Mokelumne river, Fantasy Falls section in California, designated Wild and Scenic and considered by California kayakers to be the most beautiful river run in the USA. On the run I did I was able to point out the ski field towers visible on the skyline. And in my considered opinion I told them that the scenery on the Clarke's Fork of the Yellowstone was much better. The granite gorges were deeper, more vertical and the sense of isolation was much greater. But even the Wild and Scenic Clarke's Fork passes through a ranch in its early stages and its central canyon, the BOX, has power lines passing over head. Both of these river runs can be reached by road. So although they are "wild and scenic" they are not pristine. One's sense of "wilderness" is quickly destroyed by the occasional car tyre or roadside rubbish that has blown into the river.

Ironically none of the rivers I have paddled in the Himalayas are pristine. They might be wild and scenic but they are densely populated along the river terraces and side stream deltas.

The Waitaha has no such visual intrusions and is in every sense pristine. Few such wild and scenic and pristine rivers exist on the planet. The remote, pristine nature of South Island, West Coast Rivers is probably unique!

Sadly I arrived at the Morgan Gorge, after the run down from Moonbeam hut, tired and aged 59 and in no state to take on the splendid Morgan gorge. But I could stand there and take it all in.

I have had a busy life in the Outdoors. I have climbed El Capitan in Yosemite, one of the "Cathedrals of climbing", sailed to Greenland, paddled and trekked in the Himalayas, worked in China, travelled, kayaked and climbed extensively in the USA and Canada and last year I had the privilege of making the three day trip through Stormy Pot to Nettlebed, the deepest cave in the Southern Hemisphere and one of the deepest "through" trips in the world.

My experience on the Waitaha River and the view into the Morgan Gorge ranks as high as any visual and emotional experience I have had in the rest of the world.

Mr. Greenaway's conclusions are spurious, parochial and worse they are illogical. He must be the only existing "expert" arguing for fewer

recreational amenities and less diversity in an already over developed planet.

#### 6. "Run of the River"

We seem to be suffering from some sort of post Mokihiui malaise here. Because the Waitaha scheme is not an 80 metre dam and is not inundating 400 + hectares of Native Bush therefore it could be acceptable because the company are going to build the buildings in neutral sand stone colours, etc. This is complete sophistry. Run of the river schemes are large, extremely ugly concrete structures that have no place in Wilderness areas: -



**The Poutu intake on the Tongariro River.**

**A "run of the river scheme" and site of one death, Simon McLearie, 1987.**


# WARNING


## POUTU INTAKE




 RISK OF FALL FROM HEIGHT

 RIVER LEVEL AND FLOW MAY CHANGE AT ANY TIME

 PRIOR TO THE EVENT OF ANY SUDDEN RISE IN WATER LEVEL ASSOCIATED WITH THE OPERATION OF THIS STRUCTURE A BELL WILL SOUND FOR 2 MINUTES

 UNDERWATER HAZARDS

 KAYAKING IS PROHIBITED ON OR AROUND THIS STRUCTURE

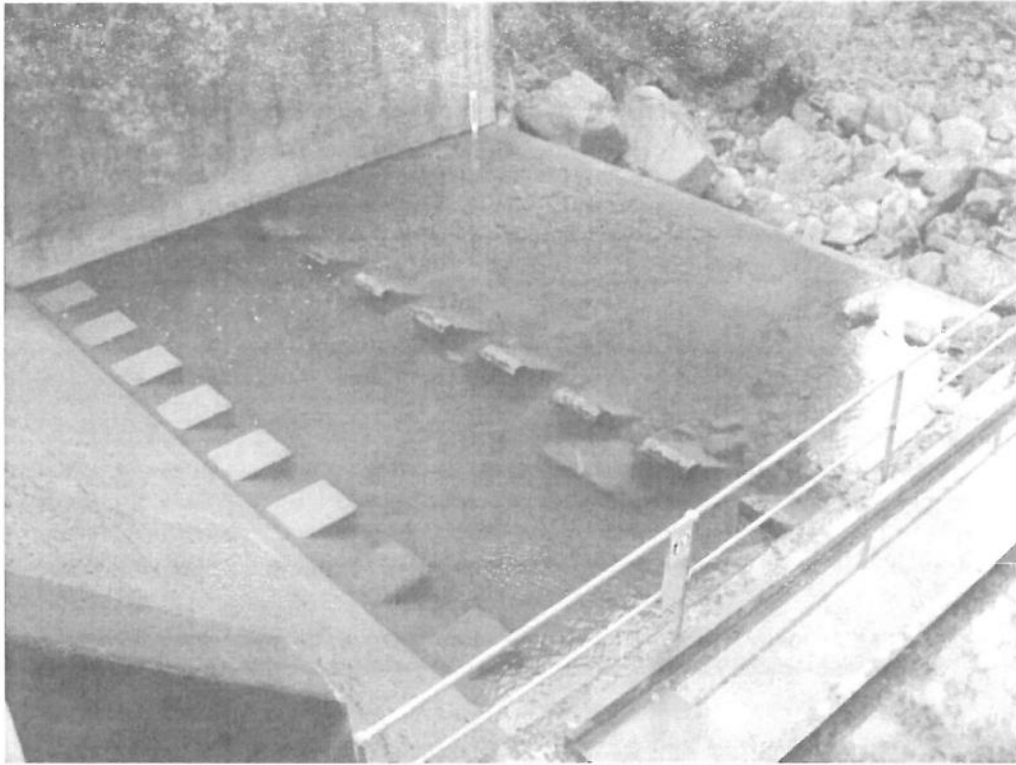
STRICTLY NO ABSEILING OFF THIS STRUCTURE WITHOUT PRIOR WRITTEN PERMISSION FROM GENESIS ENERGY LTD  
TOKAANU POWER STATION. CONTACT 67 294 720

THIS STRUCTURE IS UNDER VIDEO SURVEILLANCE

### WARNING

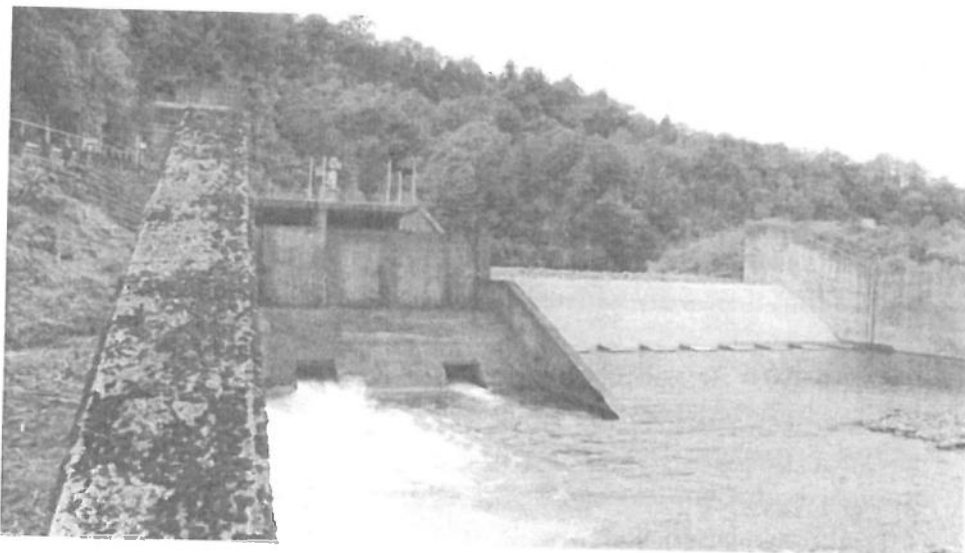
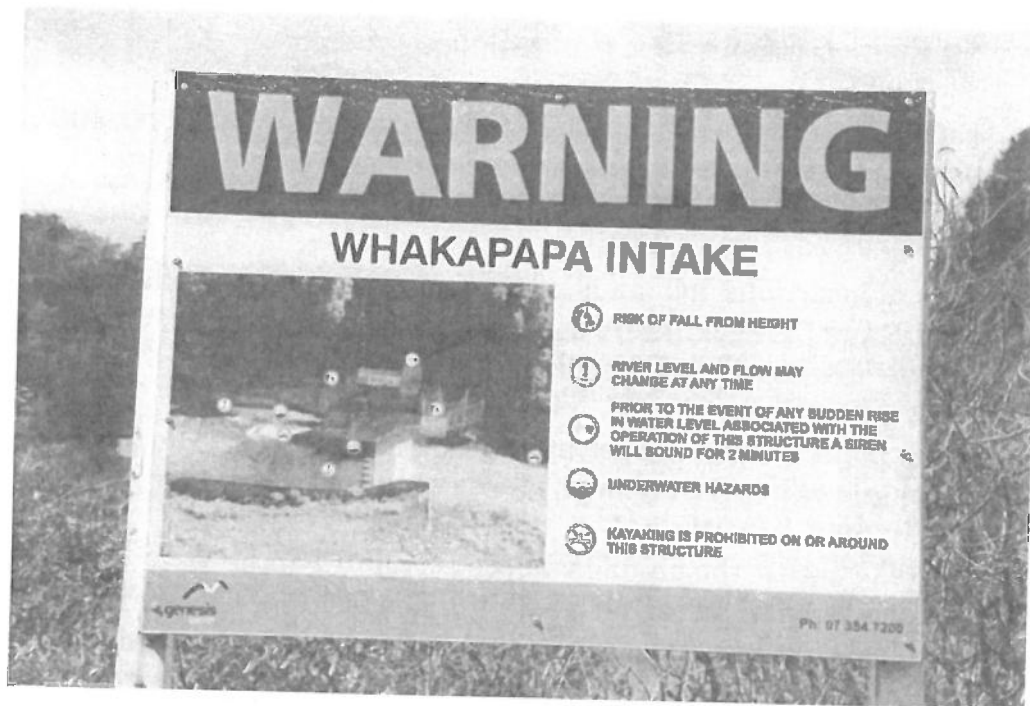


Possible Water Level Changes at any time  
KEEP AWAY



**The Mangatepopo Intake on the Tongariro Power Scheme. A “run of the river” Scheme and the site of seven deaths, 2008.**





**Whakapapa Intake. This was the site of a death, Matt Link, in 1989.**

**Lets make no bones about it! These are large, extremely UGLY, industrial constructions and no amount of twee phraseology will make them blend into the environment. One kayaker has drowned on the Poutu Scheme, one on the Whakapapa scheme and on April 15<sup>th</sup> 2008 a teacher and six Year 12 students drowned: Antony McClean, Natasha Bray, Portia McPhail, Huan (Tom) Hsu, Anthony**

Mulder, Floyd Fernandes and Tara Gregory drowned exactly where the photo is taken on the Mangetopopo Scheme.

I struggle with the concept that in New Zealand we are even still contemplating building weirs/low head dams on any river let alone one as wild as the Waitaha.

Talk of insertions and landscaping and colouring the buildings "sandstone" is again, mere sophistry of the worse kind. With all that clever "insertion" was the Pike River mine invisible?

What point is there in even attempting to disguise the buildings when Worksafe will insist on large, visible orange/neon signs?

At stake here is the unique wilderness nature of the Morgan gorge, which will be impaired for all time. The fact that kayakers are the only few people to have explored it so far is a complete red herring. Up until 1953 nobody had climbed Mt. Everest. John Wesley Powell made the first descent of the Grand Canyon in 1869 but it took 100 years before Grand Canyon National Park was founded in 1969. Marble Canyon still bears the scars of the exploratory tunnels drilled by Floyd Domini. It was so nearly dammed, now 22,000 people a year float the river.

The Morgan gorge was first fully navigated in 2010 and only 6 years later Westpower is trying to despoil it. Is Mr. Caldwell determined to be the Floyd Domini of New Zealand?

**Conclusion:**

Having read the literally thousands of words that this scheme has generated it is hard to come away without a strong sense that Mr. Greenaway, (eponymous?) is in the process of obfuscating the issue. "There are 14 other rivers" for the Decision Maker to not feel too bad about granting a concession on the Waitaha, (even if it is the wildest river of all?)

**The Waitaha is unique and should be treated as such.**

But in attempt to sum it all up...

1. There is no mitigation for this scheme.  
Destruction of Wilderness is forever.



2. The activity, the production of electricity can reasonably take place elsewhere on the Arnold, a pre-modified river much nearer to Greymouth.
3. The DOC CMS defines the setting as backcountry remote, and a hydro-development is not compatible with this recreation management category.
4. The National Grid has proven to be durable in a 100-year storm on the West Coast, the area that Westpower serves. What is "security of supply"?
5. "Mrs. Wright in her 2012 report recommended that The Minister of Conservation direct her officials to identify important wild and scenic rivers running through stewardship land and reclassify the land if they consider the rivers need protection"

If the Department of Conservation has not followed up on this recommendation then clearly you should defer any decision on the Waitaha scheme until such a time when wild and scenic rivers have been identified.

6. If the Minister grants Westpower consent for this scheme then the effects on the Wilderness Values of the Morgan Gorge will be greater than can be measured. There is no price or human scaling on Wilderness. It either is wilderness or it isn't wilderness.
7. If the Minister does not grant consent to Westpower then the effect on the production of Electricity in New Zealand will be considerably less than minor to the point of being negligible.

I oppose the Westpower scheme and I challenge the Minister to uphold the Conservation Act whose purpose is to conserve magnificent features of New Zealand's landscape such as the Morgan Gorge.

I oppose and object to the Minister of Conservation's intention to grant a concession to Westpower Ltd to construct and operate a hydro scheme on the Waitaha River.

I wish to be heard.

**Yours faithfully**

**Mick Hopkinson**  
**9.11.16.**

# WARNING



**Siren indicates a  
release of water.  
Move to safety  
immediatley.**

# **WARNING**

## **SUDDEN UNCONTROLLED WATER DISCHARGE**

THE GENERAL PUBLIC ARE WARNED THAT WATER FLOWING AT UP TO 20,000 LITRES PER SECOND MAY DISCHARGE FROM THIS SOURCE AT ANY TIME.

A SIREN WILL SOUND WHEN WATER IS DISCHARGING. THIS IS TO GIVE WARNING THAT DISCHARGES MAY ENDANGER PERSONS IN THE IMMEDIATE AREA.

SHOULD A SIREN BE HEARD PERSONS IN OR ADJACENT TO DISCHARGE CHANNELS MUST EVACUATE THE AREA IMMEDIATELY.

IT IS DANGEROUS TO SWIM IN THE RACE OR NEAR INTAKES OR TO ENTER CHANNELS WHERE WATER IS FLOWING.

TrustPower  
CORPORATION

# **DANGER**

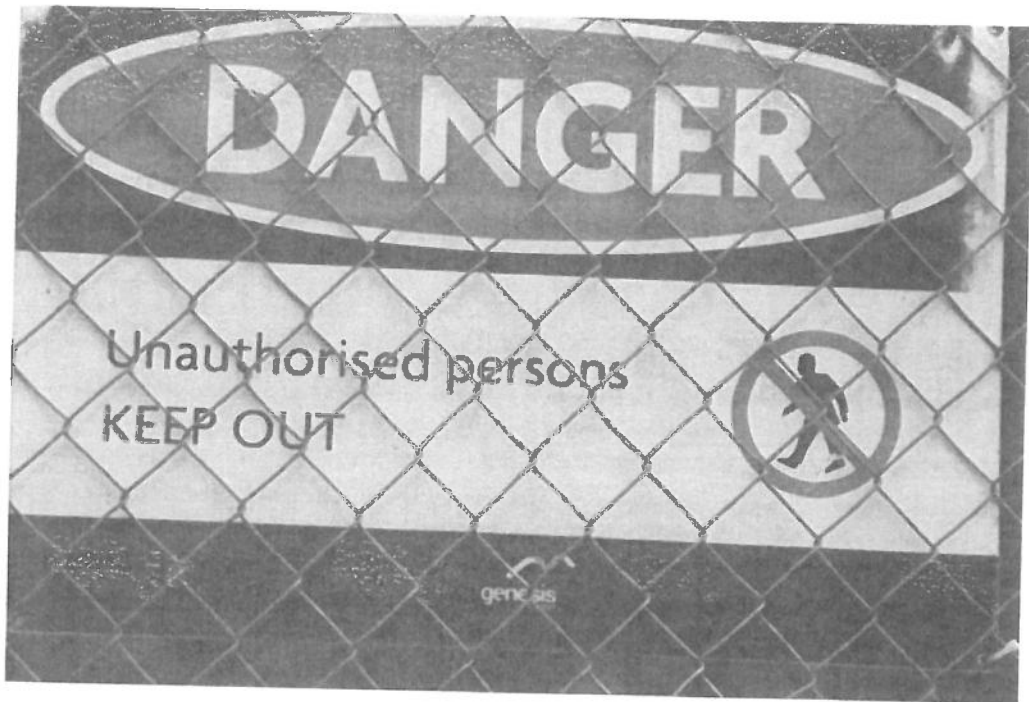
**KEEP CLEAR OF SPILLWAY.**

**AREA SUBJECT TO HEAVY ICING.**

**EXTREMELY SLIPPERY WHEN WET.**

**FLOODING MAY OCCUR WITHOUT WARNING.**

**AUTHORISED PERSONNEL ONLY.**



**Will these signs be painted in "muted sandstone tones" so that they will be an "only minor" intrusion into the "ambience" of the Westpower Hydro Scheme"?**





**Submission: Waitaha River**

**Submitter: Waitaha Executive Grandmothers Council of the Waitaha Nation**

**CONSERVATION ACT 1987  
SUBMISSION/OBJECTION ON/TO AN INTENTION TO GRANT CONCESSIONS**

**TO: Director-General  
Department of Conservation  
Private Bag 701  
Hokitika 7842**

**Attention: Pauline Adams, [permissionshokitika@doc.govt.nz](mailto:permissionshokitika@doc.govt.nz)**

**Address for Service:**

**Waitaha Executive Grandmothers Council  
c/- Jane Mihingarangi Ruka Te Korako  
Kaiwhakahaere  
35 Glynnbrooke St  
Te Atatu South  
Auckland  
0610**

**mobile: 021 02266071  
email: [janeruka@ymail.com](mailto:janeruka@ymail.com)  
[aimee.paterson777@gmail.com](mailto:aimee.paterson777@gmail.com)**

## **Executive Summary**

1. The Waitaha Executive Grandmothers Council opposes and objects to the Minister of Conservation's intention to grant a concession to Westpower Ltd to construct and operate a hydro scheme on the Waitaha River.

### ***Concession Applicant Details***

2. Westpower Ltd wishes to obtain a concession to construct, maintain and operate a run-of-the-river hydro scheme at the Morgan Gorge on the Waitaha River on Department of Conservation (DOC) stewardship land. Westpower propose to abstract water via a highly visible weir across the river and tunnel entrance located in the rock face on the true right bank at the start of the Morgan Gorge. This structure and an adjacent access tunnel portal will be significant industrial intrusions into an otherwise pristine landscape and environment. The scheme proposes to take much of the flow of the river (up to 23 cumecs, river median flow (50% of the time) is 19 cumecs) and leave a residual flow of 3.5 cumecs in the Morgan Gorge at all times – higher and flood flows will still travel down the Morgan Gorge when the proposed Westpower take is exceeded. The water is returned to the river about 2.5 km downstream of the intake via a powerhouse on the true right bank of the river.

### ***Objections***

3. The Waitaha Executive Grandmothers Council opposes the concession. There have been a number of deficiencies in the way the process has been conducted. These include:
  - a) Lack of consultation with tangata whenua
  - b) Consultation time and depth
  - c) Deficient cultural assessment report
4. The Waitaha Executive Grandmothers Council also have a number of issues with the substance of the Westpower Ltd application. These include that the proposed development:
  - a) will destroy the Mauri of the Awa;
  - b) is incompatible with the outstanding natural feature and outstanding natural landscape status of the stewardship land involved;
  - c) is incompatible with the purpose of the Conservation Act, and especially with respect to DOC stewardship land;
  - d) is not needed for the power it will generate, nor would it provide for greater reliability of power distribution for the West Coast;
  - e) is contrary to various Objectives and Policies in Regional and District Plans and the West Coast Conservation Management Strategy;
  - f) will prevent current recreational users from accessing the Morgan Gorge and a river reach below, which is an outstanding recreation resource, and
  - g) is contrary to precedents set in the decision to decline the Fiordland Link monorail proposal concession.



## Process deficiencies

### **Lack of consultation with Tangata Whenua**

1. At page 5, paragraph 2.5 of the Notified Concession Officer's Report to Decision Maker (the Concession Report), it is stated that the area is in the Taklwa of both Te Runanga o Ngati Waewae and Te Runanga O Makaawhio, and that notification was sent to both these groups on 19 August 2014.
2. Waitaha are also tangata whenua of this area and have not received any information regarding Westpower Ltd's proposal, from either Westpower Ltd or the Department of Conservation. The Waitaha Executive Grandmother Council only found out about the proposal recently through word of mouth.
3. The Waitaha Executive Grandmother Council do not dispute the right of Ngati Waewae or Makaawhio to be consulted as tangata whenua. However, they do dispute the fact that they have not been accorded the same treatment by Westpower Ltd or the Department of Conservation as these two groups, when they are also tangata whenua.

### **Consultation time and depth**

1. The Waitaha Executive Grandmother Council notes, in addition to lack of consultation with all tangata whenua described above, the consultation process has been inadequate for the lack of time provided to submitters and the accessibility of the information describing the proposal.
2. The Minister publicised her intention to seek submissions on her decision to 'approve in principle' the application from Westpower Ltd to construct and operate a hydro electric power scheme on the Waitaha River on 16 September 2016 on the Department of Conservation website. However it was more than a month later before the Waitaha Executive Grandmother Council heard of the proposal due to inadequate publicity. Consequently they had less than a month to consult amongst Waitaha and prepare a submission. They also note that a request for an extension sent to the [permissionshookitika@doc.govt.nz](mailto:permissionshookitika@doc.govt.nz) email address on Thursday 10 November 2016 was not answered.
3. The Waitaha Executive Grandmother Council has found the information provided by both Westpower Ltd, and more specifically the Department of Conservation, very inaccessible. While we can appreciate that this is a complex project, information needs to be available to the general public and iwi in an accessible form in order for them to be able to comment. The Waitaha Executive Grandmother Council notes that the Department of Conservation's website contains:
  - 190 pages of the Concession Report
  - 178 pages of "DOC's technical reports"
  - 395 pages of "other information received"
4. The Westpower Ltd website contains 1,662 pages of Application for Concessions and Assessment of Effects.
5. The Waitaha Executive Grandmother Council appreciates the thoroughness of the investigation. However they note that little or no effort has been made by either Westpower Ltd or the Department of Conservation to summarise this information into a format which the average person can read and understand. The information as it exists now is just too large and complex for the Waitaha

Executive Grandmother Council to sort through and comment on without expert support.

6. In addition, the Waitaha Executive Grandmother Council have been participating in the Wai 2358: National Freshwater and Geothermal Resources Inquiry in the Waitangi Tribunal. In particular Stage Two of the Inquiry has just taken place from 7-11 November 2016. The Waitaha Executive Grandmother Council expect this Inquiry to have a significant impact on their water rights as tangata whenua in the Waitaha River.
7. This submission has therefore been prepared in haste and is based largely on the Concession Report.

**Deficient cultural assessment report**

8. Of the 190 pages in the Concession Report, approximately one page is devoted to an assessment of cultural effects. This is severely inadequate.
9. Westpower Ltd and the Department of Conservation agree that the potential effects on cultural values are no more than minor. However no investigation has been conducted into how the proposal would effect the mana whenua of Ngati Waewae and Makawhio, let alone Waitaha. The majority of the discussion is devoted to listing the conditions on ownership of pounamu imposed by the Ngai Tahu (Pounamu Vesting) Act 1997.
10. Waitaha are tangata whenua on the area which includes the Waitaha River. The nation of Waitaha whakapapa to Te Poutini through the tupuna of Korako and Te Pahi Whakapapa. We also have evidence of whenua held at Arahura, registered in the Maori Land Courts.
11. Waitaha have korero passed down many generations regarding whakatuaki and whakapapa of the Waitaha River. This is recorded below.

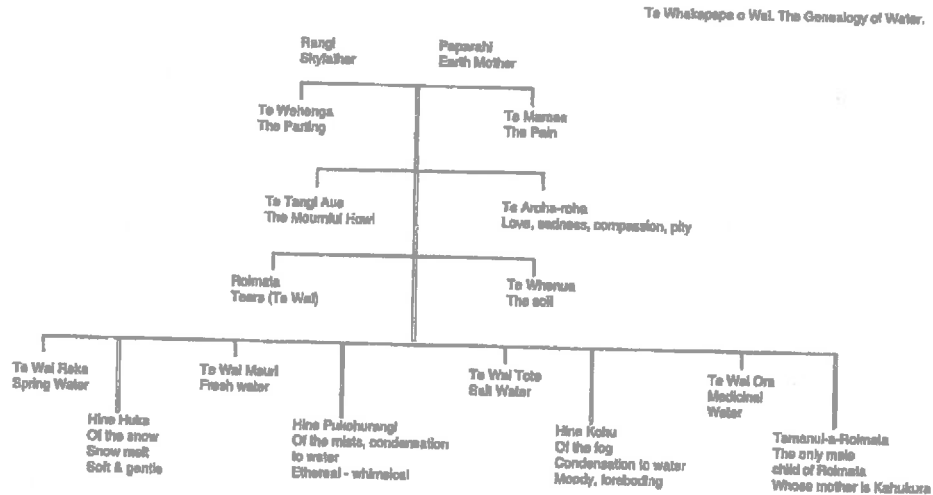
*Whakapapa o Waitaha Awa.*

Ko tenei te Awa Waitaha	This is the river Waitaha
He Awa Rangatira mo nga Iwi Waitaha	It is a revered entity of the Iwi Waitaha
I roto o te taikorua o Waitaha	Inside the valley of Waitaha
E whakanoho ai i tenei wahi o te tai Poutini	Which sits inside the boundaries of the West Coast of the South Island
Tenei te Rangatiratanga o nga whenua o Waitaha	These are the Territorial boundaries of Waitaha

**No rei ra Tihē Mauri Ora Waitaha!**

Kia whakapapa atu o tenei wai, tenei Waitaha Awa ki nga Tupuna o Ranginui me Papatuanuku.

This is the genealogy of Waitaha River from Ranginui and Papatuanuku.



Copyright © Survey, Te Raukōwhiri, Pūāhau, Te Kōwhiri II

Nga ka puta ki waho te Ihi, wehi, wana, o tenei Awa rangatira Waitaha.

Then was born the fear, the awe, the authority of the entity Waitaha River

### Mōhiotanga

12. The Waitaha River starts at the Puna of Waitaha, Ivory Lake in the Mt Bloomfield ranges of Ka Tītiritiri o Moana (Southern Alps).

13. The Waitaha River personifies the **Whakapapa o Te Wai**:

- **Te Wai Reka** (Ivory Lake - the water source),
- **Te Wai Mauri** (Fresh Water - the length of the river),
- **Te Wai Ora** (Hot Springs - accessible through the DOC track Morgan Gorge at the bottom end),
- **Te Wai Tote** (Salt Water - where the Waitaha river greets the sea).

14. Importantly, we the Nation of Waitaha do not wish to have our name attached to a project with obvious intention of destroying the pristine natural environment around and including the Waitaha River. We therefore would like to notify the Department of Conservation and Westpower Ltd that authority to use our name has not been granted.

### Substantive objections

15. Waitaha Executive Grandmothers Council request that the Minister of Conservation's intent to grant a concession to Westpower Ltd to construct and

operate a hydro scheme on the Waitaha River be reversed and that the concession not be granted as the proposed development:

- a) will destroy the Mauri of the Awa;
- b) is incompatible with the outstanding natural feature and outstanding natural landscape status of the stewardship land involved;
- c) is incompatible with the purpose of the Conservation Act, and especially with respect to DOC stewardship land;
- d) is not needed for the power it will generate, nor would it provide for greater reliability of power distribution for the West Coast;
- e) is contrary to various Objectives and Policies in Regional and District Plans and the West Coast Conservation Management Strategy;
- f) will prevent current recreational users from accessing the Morgan Gorge and a river reach below, which is an outstanding recreation resource, and
- g) is contrary to precedents set in the decision to decline the Flordland Link monorail proposal concession.

**The proposal will destroy the Mauri of the Awa**

16. The proposal of Westpower Ltd extracting 23 cumecs of the flow of the water will in fact interfere with the 'Haa' of the river. The outward breathe of Mauri that is released into the atmosphere and cleansing it.
17. The birthplace of Mauri is from **Te Puku o Papatuanuku**, it pours down from the mountains, and up from plains. A river holds its Mauri - the energy, the memory of its whakapapa, its birthplace and of every living being and inanimate object it touches on its journey towards the sea and the cycle of Whakapapa Wai.
18. The healthy streams and rivers as they flow through the landscape gather momentum, strength and energy.
19. The Waitaha River is met along its journey by many tributaries and rivers, approximately 73 in number. If one river holds the Mauri of all beings and life forms intrinsically - Waitaha River is holding the life force of the 73 rivers and streams, including the Mana of **Ka Tititiri o Moana**.
20. Where there is no resistance the rivers progress is gentle, the Mauri spreading out across the whenua. The river gathers its momentum through the gorges, the force, pounding against the walls of chasms, drives through and over rock formations; this energy cuts through mountains. This force is known as the **Taniwha Matiriraia of the Awa Waitaha**. The turbulence of the river as the rapids toss this energy up into the air and releases the Mauri cleansing the surrounding environment and atmosphere - the energy, the life force, the Mauri - **Te Aho Tapu** - the ties that binds us all.
21. The Mauri, energy force of the Waitaha river is calculated as; flow rate, cubic volume and by the gradient of the land. The mauri can be considered (in part) as similar to the energy carried by the water, of which the vast bulk is being taken from the river, used to drive power station, that is then converted to 110-120

GWh per year<sup>1</sup> and then sold for an undisclosed sum of money on the electricity market.

22. The average flow of the river is 32.7 cumecs. Westpower will take up to 23 cumecs maximum, and only leave a minimum of 3 cumecs to continue down Morgan Gorge. They are proposing to take the vast bulk of the inherent energy, ie the mauri of the awa.
23. Therefore, when considering the Mauri of this entity, and the suggestion of placing a Pou to appease the Mauri in the surrounding Te Talororua o Waitaha, is inadequate and ineffective in comparison to the majesty of Waitaha Awa and Ka Titiriri o Moana.

**The proposal is incompatible with the outstanding natural feature and outstanding natural landscape status of the stewardship land involved**

24. The assessment of Natural Character, Landscape and Visual Amenity begins at page 14 of the Concession Report.
25. It is Westpower Ltd's own assessment that, "it is likely that the Upper Waitaha Catchment would be considered an outstanding natural landscape at both a district and regional scale. Morgan Gorge itself is considered to be an outstanding natural feature within this landscape, due to its exceptional biophysical and perceptual values." Westpower Ltd's report also notes "the hot springs (Waitaha River Springs) at the bottom of the Morgan Gorge and their recognition by the Geopreservation Society."<sup>2</sup> This is accepted in the Concession Report.<sup>3</sup>
26. It is acknowledged by Westpower Ltd that there would be "high natural character effects at both the intake and powerhouse sites"<sup>4</sup> and "high level effects" on the landscape as a whole.<sup>5</sup> The Department of Conservation's own assessment of the natural character, landscape and visual amenity effects appears to be that the effects would be "greater than low".<sup>6</sup>
27. However Westpower Ltd essentially argues that their proposal is an appropriate development because the "underlying values which comprise/define the outstanding natural landscape and outstanding natural feature are protected."<sup>7</sup> They do not provide any evidence of how they are protected.
28. The Waitaha Executive Grandmother Council submits that the Upper Waitaha Catchment and the Morgan Gorge, as an "outstanding natural landscape/feature", should not be subject to development for the purposes of generating power for commercial benefit. While Westpower Limited may have attempted to mitigate certain features of the design of the hydro scheme to reduce its visual impact, it is still going to be a large industrial-looking complex in the middle of rugged and wild land of incredibly high conservation value. The desecration of this pristine environment by explosives, and man-made structures, including the release of concrete, hydrocarbon contaminants and sediment shift

<sup>1</sup> Tony Baldwin "Proposed Waitaha Hydro Scheme: Assessment of Reasons, Financial Viability, and Alternative Locations", 1 May 2015, page 159, figure 46.

<sup>2</sup> Concession Report, page 15, paragraph 4.38.

<sup>3</sup> Concession Report, page 28, paragraph 4.97.

<sup>4</sup> Concession Report, page 16, paragraph 4.40(c).

<sup>5</sup> Concession Report, page 28, paragraph 4.40(e).

<sup>6</sup> Concession Report, page 20, paragraph 4.67.

<sup>7</sup> Concession Report, page 16, paragraph 4.39.

will negatively impact and alter the natural beauty of the landscape. The claimed benefit does not justify this visual intrusion into the natural landscape.

29. We attach as **Appendix A** photos which show the natural beauty of this pristine environment.

**The proposal is incompatible with the purpose of the Conservation Act 1987, and especially with respect to DOC stewardship land**

30. Section 17U(3) of the Conservation Act 1987 states that the Minister shall not grant an application for a concession if the proposed activity is contrary to the provisions of this Act or the purposes for which the land concerned is held.
31. The Department of Conservation's website states that a key function of the Conservation Act 1987 is to provide for the management for conservation purposes of all land and natural and historic resources held under the Conservation Act 1987. The area where Westpower Ltd proposes to put their hydro scheme is stewardship land. It is the Department of Conservation's duty to manage this land for conservation purposes, ie conserve its natural and historic value. The proposal to allow development of a hydro scheme for commercial benefit is the complete antithesis of this legislative duty.
32. Section 4 of the Conservation Act 1987 states that "this Act shall so be interpreted and administered as to give effect to the principles of the Treaty of Waitangi." Granting the concession to Westpower Ltd would be inconsistent with the principles of the Treaty of Waitangi. These principles include partnership and active protection. The Department of Conservation has not acted in partnership during the consultation process, nor have they upheld their duty of active protection, as the proposal is an intrusion on the rights of tangata whenua and their taonga, namely the Waitaha River.
33. Further, section 25 of the Conservation Act 1987 states that "every stewardship area shall be so managed that its natural and historic resources are protected." The Department of Conservation is currently carrying out a project to reassess the classification of stewardship lands. The purpose of this is to see if these lands have the high conservation values which justify more stringent legislative protections. It is submitted that no concession should be granted until the Waitaha River and surrounding area has been through this process. To do so would be hugely detrimental to New Zealand's conservation estate, as it is further whittled away in the name of commercial development without a proper assessment as to its conservation value.

**The proposal is not needed for the power it will generate, nor would it provide for greater reliability of power distribution for the West Coast**

34. The Waitaha Executive Grandmother Council dispute the claimed benefits of the hydro scheme by Westpower Ltd.
35. We submit that the proposal is not needed. Westpower Ltd have not provided any evidence, as far as we are aware, of a desperate shortage of electricity on the West Coast. We rely in this respect on the conclusions of Mr Tony Baldwin in his report *Financial viability of Waitaha hydro proposal*. He states at page 191 that "no information is provided in the Waitaha application to support this forecast [of electricity consumption], and the application contains no other information in relation to whether additional generation is needed to meet electricity demand."<sup>8</sup>

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<sup>8</sup> Tony Baldwin "Proposed Waitaha Hydro Scheme: Assessment of Reasons, Financial Viability, and Alternative Locations", 1 May 2015, page 191.

As Mr Baldwin further points out, the weakness of this reason would suggest that the Minister should not grant the concession in accordance with section 17U of the Conservation Act 1987.<sup>9</sup>

36. Due to the rugged and changeable nature of the landscape around the Waitaha River and in the Upper Catchment, flooding and earthquakes are a significant risk. This would reduce the reliability of the hydro scheme for power generation, another factor relevant to the assessment under section 17U of the Conservation Act 1987.
37. By act of law, if there are alternative sites that can produce as much or more power it must be used. We rely on Mr Tony Baldwin's conclusion in his report. He states at page 14 of his report: "there is a wide range of alternative locations within the relevant time-frame at which the activity in question could be reasonably undertaken outside the relevant conservation area. Under section 17U(4)(a) of the [Conservation] Act, the Minister is therefore not allowed to grant concessions for the activity proposed by Westpower in relation to the Waitaha scheme."<sup>10</sup>
38. There are already other alternatives for hydro generation on the West Coast. There are already consented proposals for hydro including the schemes on the Arnold River and at Stockton. There is no case for further hydro generation that justifies the destruction of such a wild and special place.
39. The Waitaha Executive Grandmother Council have also been investigating environmentally friendly alternatives for power generation using water power. One of these is the Ruka Marine Turbine. It will not have the severe environmental effects that Westpower Ltd's proposal will have. The designers are currently looking for funds to build and test a prototype. This shows that there are alternative methods of electricity generation out there which should be investigated, before significant and irreversible damage is done by placing a hydro scheme on the Waitaha River.

**The proposal is contrary to various Objectives and Policies in Regional and District Plans and the West Coast Conservation Management Strategy**

40. The Waitaha Executive Grandmothers Council, supporting the submissions of Forest and Bird, objects to the permanent loss of 3.5 ha of native forest with a reduction in the intactness of the vegetation.
41. The removal of vegetation as a result of the proposal will cause the permanent loss of habitat of lizard species at risk of extinction, including the green and forest gecko.
42. Westpower has not adequately assessed the presence of these highly threatened species and have not given any assurance that the impacts on them can be properly avoided or mitigated. Trout and salmon will not be affected as badly as the native species, such as the kokopu, koura, long fin eel, lamprey. eg. in the case of the koaro, passage through the headworks, settling basins and turbines will result in the injury or death of laval koaro.
43. The proposal will result in the destruction of these nationally important species, any loss therefore is significant. Westpower has identified 27 native bird species

<sup>9</sup> Tony Baldwin "Proposed Waitaha Hydro Scheme: Assessment of Reasons, Financial Viability, and Alternative Locations", 1 May 2015, page 190.

<sup>10</sup> Tony Baldwin "Proposed Waitaha Hydro Scheme: Assessment of Reasons, Financial Viability, and Alternative Locations", 1 May 2015, page 14.

with the hydro footprint, including a number of threatened native bird species. These include kaka, falcon and whio.

44. Westpower notes that western weka are recorded in the catchment. Western weka are genetically distinct from other populations of weka north of the Waitaha catchment. There is insufficient information about the impacts of the resident whio population, including the importance of the Morgan Gorge to them. There can be no confidence that Westpower is able to avoid, remedy or mitigate impacts on this iconic species, including the impacts of construction and the dewatering of the Morgan Gorge.
45. The long tailed bat is present within the footprint. The clearance of habitat and tree felling will result in loss of both their breeding and feeding habitat and has the potential to cause the death of bats. This is an entirely unacceptable and inappropriate risk and one that cannot be adequately mitigated for.
46. Due to the slowing of the river, the tributaries will experience a speeding up of invasive algae such as didymo, which is already causing issues in the rivers of New Zealand
47. We would hope that this operation and the construction of tunnels is not a covert attempt at further mining within the heart of the Waitaha Valley.

**The proposal will prevent current recreational users from accessing the Morgan Gorge and a river reach below, which is an outstanding recreation resource**

48. By act of law recreational activities have priority over commercial industrial enterprises. The Morgan Gorge, famed for its white water and kayaking opportunities, will become an industrial site. We support the submissions of the White Water New Zealand kayakers in this respect. We draw attention in particular to their analysis that: "if the proposed Westpower hydroscheme goes ahead, none of the predicted 'suitable' days would be realistically available to kayakers. As a result, the scheme represents a 100% loss of the resource to kayakers."<sup>11</sup>

**The proposal is contrary to precedents set in the decision to decline the Fiordland Link monorail proposal concession.**

49. Finally, we note that a precedent was set by the Minister of Conservation at the time (Dr Nick Smith) in his decision to decline the application by Riverstone Holdings Limited to build and operate a \$240 million monorail in Fiordland.
50. The Minister said "Developments in an area with World Heritage Status and which impact on the Fiordland National Park must meet the highest of standards and I have concluded that the risks of this proposal are too great."<sup>12</sup>
51. Such a statement could apply equally to the proposal to build a hydro scheme on the Waitaha River, amongst the outstanding natural landscape values which the Upper Waitaha Catchment and Morgan Gorge have. The Waitaha Executive Grandmothers Council submits that Westpower Ltd need to show their proposal meets the "highest of standards", ie that it is absolutely necessary for power generation, that there is no alternative sites or methods, that it will provide a

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<sup>11</sup> Douglas A Rankin and Shane Orchard "Impacts of the Proposed Waitaha River Westpower Hydro Scheme on White Water and Kayaking Values", January 2015, page 15.

<sup>12</sup> Nick Smith, "Fiordland Link monorail declined", 29 May 2014; <https://www.beehive.govt.nz/release/fiordland-link-monorail-declined>, accessed on 12 November 2016.



reliable and financially viable source of power, and that it does not intrude on tikanga Maori or conservation values. They have not done this.

### Conclusion

52. In conclusion, Waitaha Executive Grandmothers Council requests that the Minister of Conservation's intent to grant a concession to Westpower Ltd to construct and operate a hydro scheme on the Waitaha River be reversed and that the concession not be granted. This development is clearly not appropriate at many levels, and therefore the concession application must be declined.
53. In Aotearoa we are fortunate to still have areas of such beauty remaining. As Tangata Whenua we have very little say about our Taonga. Environmental beauty and the Mauri cannot be replaced, once destroyed.
54. We claim this river entity as a member of our house of Waitaha. We wish to share it, with its environment safe, and with all participants in recreational activities - all the children of Tane, all the children of Tangaroa and with Io Matua Kore, authority over all the above.

Kia a mau te Aroha me te Oranga o Rongomarearoa,  
Nga matau e nei korero,  
Nga Tupuna Whaea o Waitaha.



Jane Mihingarangi Ruka Te Korako  
Kaiwhakahaere  
11th November 2016

### Waitaha Executive Grandmother Council.

#### **Aotearoa (New Zealand)**

Te Rungapu Te Wera Ruka Te Korako – Waitaha Ngati Pakau, Te Uriroro, Ngapuhi  
Miriam Solomon – Ngai Tu, Te Roroa, Ngapuhi, Waitaha  
Annie Ngaere Botcher – Waitaha Ngati Pakau Ngapuhi  
Celia Rahui Marsh – Ngai Tu, Ngapuhi, Waitaha  
Grace Hart – Waitaha, Ngati Pakau, Ngapuhi, Waitaha  
Te Miringa Rosina Huriwai – Ngai Tu, Ngapuhi, Ngati Porou, Waitaha  
Ngaronoa Kimura – Mahurehure, Ngati Pakau, Te Uriroro, Ngapuhi, Tainui, Waitaha  
Kathleen Ruka Tuhiwai – Ngati Pakau, Ngati Hine, Te Uriroro, Ngapuhi, Waitaha  
Paehere Clark – Muriwhenua, Ngati Mahana, Ngapuhi, Waitaha  
Mere Taylor Rakete – Ngati Tautahi, Taiamai, Waiariki, Ngapuhi, Waitaha  
Margaret Te Pahi Thompson – Ngati Rehia, Ngapuhi, Rapuwai, Waitaha  
Anne Carmen – Ngati Pakau, Mahurehure, Ngapuhi, Te Uriroro, Waitaha  
Jane Hotere – Te Aopouri, Waiariki, Ngapuhi, Waitaha  
Gaynor Rae – Waitaha, Ngati Pakau, Ngapuhi  
Vida Jane Gwynne – Waitaha, Ngati Pakau, Ngapuhi  
Mihi Pene – Tuhoehoe, Waitaha  
Petal Clay – Waitaha, Ngati Pakau, Te Uriroro, Ngapuhi  
Kate Cassidy – Waitaha, Ngati Pakau, Te Uriroro, Ngapuhi  
Dr Makere Stewart Harawira – Ngati Rakai, Waitaha

Jane Mihingarangi Ruka – Waitaha, Ngati Pakau, Te Uriroro, Ngapuhi

**Rāwāhi (International)**

Dr Makere Stewart Harawira – Ngati Rakai, Waitaha, Alberta, Canada

Kate Cassidy – Waitaha Ngati Pakau, Te Uriroro, Ngapuhi, Sydney Australia

Nancy Noret Moore – Waitaha, Texas USA

Lee Nitsch – Seneca, Waitaha, Atlanta Florida USA

Leilani Petranek – Waitaha, Hawaii

Renchin Yonjan – Waitaha, Kathmandu, Nepal

Junko Nakatani – Waitaha, Japan

The Waitaha Executive Grandmothers Council would like to acknowledge and thank Whitewater NZ for support and sharing important information regarding this submission.

Dr Makere Stewart Harawira for her expertise.

Steven Bray for his research.

Margaret Te Pahi Thompson.

The Te Maiharoa whanau for their submission Waitaha ki Waitaki.

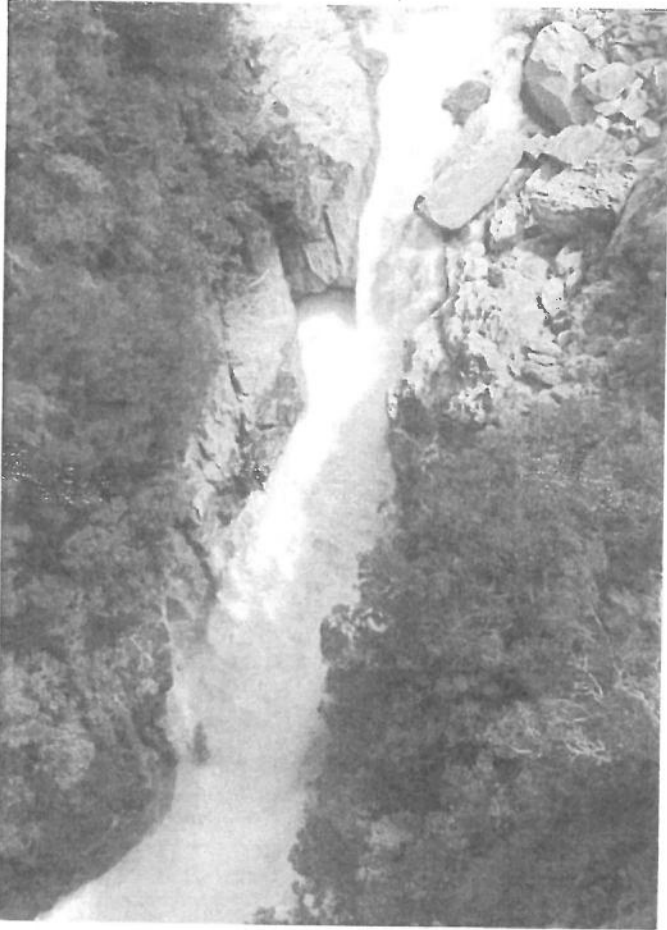
Tony Baldwin for his report.

Forest and Bird New Zealand

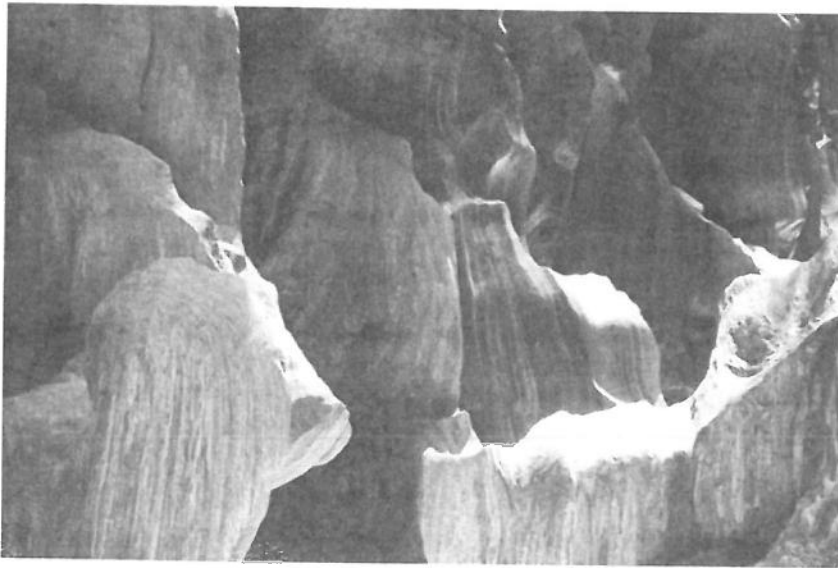
Green Peace New Zealand



**Appendix A**



*A section of the upper Waitaha showing wild and scenic nature (Photo: Zak Shaw Photography)*



*Fluted sculpted water-smoothed schist rock features in the Morgan Gorge (Photo: Zak Shaw Photography)*



**Mikey Abbott kayaking through part of the water sculpted and smoothed Morgan Gorge (Photo: Dave Kwant)**

**Lucy Croft**

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**From:**  
**Sent:** Thursday, 10 November 2016 11:39 a.m.  
**To:** Permissions Hokitika  
**Subject:** submission by CORANZ on Waitaha

**Waitaha River.**

**Submission from the Council of Outdoor Recreation Assns of NZ (CORANZ)**

**To the attention of Pauline Adams  
Department of Conservation.**

10/11/2016

The Council of Outdoor Recreation Associations of NZ opposes the application by Westpower Limited for a lease, easement and license for a hydro-electricity proposal on the Waitaha River.

The Waitaha River has high scenic values particularly in the Morgan Gorge reaches. It has unique outdoor recreational values for white water kayaking. Further, the area has special values for tramping and hunting as well as extremely high wilderness values. Below the Morgan Gorge the river is a public trout fishery.

The development of a hydro scheme in this area will be detrimental to these uses and values.

Efforts by Westpower to mitigate likely or real adverse impacts of the proposal will not be effective. Structures will intrude on values while below the gorge, variable water flows will detrimentally affect the fishery.

The Waitaha is a wild river with outstanding natural landscape in the Morgan gorge and with wildlife values in bats, wekas, lizards and other fauna. It should be left natural and unexploited.

Population trends on the West Coast do not justify the development. There are other alternatives that could be used if electricity was required. We also understand there is ample supply of electricity on the West Coast due to recently upgraded line capacity. There are other avenues that can be explored to meet future needs without affecting the Waitaha.

**Bill Benfield**  
**Co-chairman CORANZ.**  
P.O. Box 1876.  
Wellington.  
Ph. 06 306 9926.



**Submission opposing an application by Westpower Limited for a Run-of-River hydro scheme on the Waitaha River, Westland.**

This submission is made by Trevor M. Hunt representing the Taupo branch of the Royal Forest & Bird Protection Society, and was authorised at the branch committee meeting of 9 November 2016. We are opposed to the application by Westpower Limited for a Lease, Easement and License for a Run-of-River hydro scheme on the Waitaha River, and request that the Minister of Conservation decline the Application.

We oppose the application on two broad grounds: its **impact on the environment** and because there are much **better alternative schemes** which would provide electricity to Westland :

**Impact on the environment**

The Waitaha Valley has high ecological, wilderness and recreational values. This is a truly wild river and its intrinsic character (which includes the native flora and fauna) would be destroyed or significantly adversely affected by building a hydro scheme on this public conservation land. We consider that the Morgan Gorge is an outstanding natural feature and one of the most spectacular gorges in the country. In our opinion there are no mitigation measures that can compensate for the change from an outstanding wild and remote experience in the upper Waitaha to what would become a significantly modified and unnatural environment as a result of the reduced river flow, and the presence of a weir and associated infrastructure. Of particular concern to us are:

- **The area is a significant habitat of indigenous fauna, especially blue duck (*whio*) and has high natural heritage values for this species (Grant, 2014).** The blue duck population in the Waitaha is currently vulnerable as a result of predator pressure, and we believe that this development will exacerbate this pressure on the *whio* population despite the proposed mitigation, whose effects and efficiency cannot be accurately forecast.
- **Disturbance to *whio* and other native fauna due to blasting.** We are not happy with the proposal to move the birds before blasting by 'scaring them off' or catching and temporarily holding them in captivity until after blasting ceases or relocation to a 'safe' area. This idea is credulous and naïve – they are not easy to catch and the idea of a significant construction project waiting every day until such shy and elusive birds have been caught or moved on before proceeding with blasting is ludicrous.
- **The *whio* flight paths may coincide with aerial obstacles** such as power lines, towers etc associated with the proposed scheme. Line strike could increase mortality which, if it kills productive females or established pairs, could have a major influence on the local and wider *whio* population.
- **There are at least eleven nationally threatened bird and bat species in addition to the blue duck (O'Donnell, 2015).** The most notable are populations of the critically endangered long-tailed bat and grey duck, nationally endangered kea and nationally vulnerable kaka and falcon. The proposed development will have major impacts by way of **loss of breeding and/or feeding habitats of both threatened and representative bird species and long-tailed bats** through felling of trees and clearance of habitats, associated with road development and construction of the weir and tunnel.
- **Introduction of exotic weeds due to construction activity.**

- **The permanent loss of 3.5 ha of native forest with a reduction in the intactness of the vegetation.**

The impact on the environment will also significantly affect kayakers, trampers, hunters and mountaineers seeking a remote and challenging natural environment. We support the concerns raised by these groups in opposition to the proposal.

#### **Better alternative schemes**

We question whether consents for a new power scheme are really needed, and if so is this proposal the best which surpasses all other schemes that already have consents. Ideally, the next power project to be built should be the one with the lowest total cost – **including both economic and environmental factors**. We point out:

- **A large volume of new generation capacity in New Zealand is waiting to be built with consents already obtained.** In April 2015, MBIE advised that there is more than 4700 MW of generation that has been consented. Although the majority of consented generation is wind, there is an additional 714 MW of consented renewable generation, including 263 MW of geothermal (Baldwin, 2015). Furthermore there is an additional 980 MW of consented gas. We do not think that consents for the Westpower proposal are needed.
- **Westpower's electricity demand growth rate forecasts incorporate possible new mining developments and ongoing growth in dairy farming and milk processing.** However, reputable economists (e.g. Baldwin, 2015) doubt Westpower's forecast of 8 - 13 MW of growth in electricity demand from the dairy sector up to 2023. We contend that even if Westpower's forecasts are correct, which we also do not accept, the new demand could easily be satisfied by generation elsewhere in the country.
- **There are already other alternatives for hydro generation on the West Coast, including already consented proposals for hydro schemes on the Arnold River and at Stockton.**
- **There are much better (financial and environmental) options available such as the 250MW Tauhara No 2 geothermal (79.06 \$/MWhr) and the 35MW Lake Pukaki hydro (90.45 \$/MWhr) schemes (Baldwin, 2015, p.33).** By comparison the proposed 20MW Waitaha proposal is much more expensive (98.39 \$/MWhr). We know (because we live nearby and have worked in the geothermal industry) that much of the infrastructure (production and reinjection wells) is already in place for Tauhara No 2 and (decisively) this geothermal resource has been tested and proven.

**In summary we believe there is no case for hydro generation on the Waitaha that justifies the destruction of such a wild and special place.**

Submitted by: Dr Trevor M. Hunt, Taupo branch, Royal Forest & Bird Protection Society,  
P.O. Box 1105, Taupo.

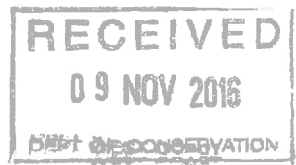
E-mail: [rainbow@reap.org.nz](mailto:rainbow@reap.org.nz)

Tel.: 07-85975

Date of submission: Thursday 10 November 2016

We do not wish to be heard in support of our submission or appear before the Director-General.





Director-General,  
Department of Conservation,  
Private Bag 701,  
Hokitika 7842

From; Charlie McBeath,  
Chairman, Ross Community Society,  
25 Stewart St.  
Ross 7812  
[mcbeathsturm@vodafone.co.nz](mailto:mcbeathsturm@vodafone.co.nz)  
021618802  
8/11/16

Attention; Pauline Adams

Dear Pauline,

I would like to voice the Ross Community Society's total support for the 'run of the river' power scheme proposed by West Power on the Waitaha River. Small low impact power schemes like these are vital for the continuance of power supplies on the West Coast during extreme weather events that happen in the mountain areas or Canterbury Plains, where the bulk of our powers supplies come from. There is also the added benefit of lower power costs for our Communities. A considerable cost is added to our power accounts caused by power loss due to the distance that the power is currently transmitted from.

There is of course the very real possibility of a major earthquake that would isolate the West Coast from the rest of the South Island for weeks. Smaller power schemes like the one proposed, are vital to keep the 'Coast' functioning.

West Power are to be congratulated for the research on the flora and fauna, in the affected areas, and ways of mitigating any issues that this project is likely to cause.

The benefits that this clean air scheme would bring to our West Coast Communities, and people that live here, should be a major consideration in any determination on this very important project.

I would like to speak to this submission.

Kind regards,

Charlie McBeath, Chairman Ross Community Society

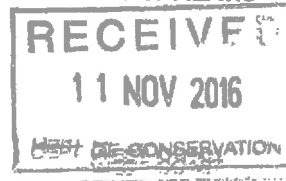




## Peninsula Tramping Club (INC)

e-mail: [secretary@peninsulatrampingclub.org.nz](mailto:secretary@peninsulatrampingclub.org.nz)  
[www.peninsulatrampingclub.org.nz](http://www.peninsulatrampingclub.org.nz)  
Affiliate of the Federated Mountain Clubs of NZ Inc

1046  
Address:  
The Secretary  
PTC  
PO Box 13 258,  
Christchurch 8141



8<sup>th</sup> November 2016

Director-General  
Department of Conservation  
Private Bag 701  
Hokitika 7842

Attention: Pauline Adams  
[permissionshokitika@doc.govt.nz](mailto:permissionshokitika@doc.govt.nz)

**Re: Proposed concession for the Westpower run of river scheme – Waitaha River**

Thank you for the opportunity to comment on the Minister of Conservation's intention to grant a 49 year concession to Westpower Ltd to construct and operate a run of the river hydro electric scheme on the Waitaha River.

### 1. PTC USE OF THE WAITAHA

The Peninsula Tramping Club is actively involved in outdoor recreation. The club runs a mix of multi-day, weekend, and day trips. Club members tramp, climb and mountain bike in many parts of the South Island, including multi day tramping and transalpine trips to the West Coast side of the Southern Alps.

Numbers of current PTC members are familiar with the Waitaha. In past years, access via Allen Rd up the south bank provided access to the downstream outlet of Morgan Gorge, giving a view valued as unparalleled in the area. From there, the route above the gorge provided access up to Scamper Torrent and beyond. Or further up the Waitaha. In recent years in response to the ongoing problem with access via Allen Rd, DoC set up the track up the north bank, up to the swingbridge at the upstream entry to the gorge. This solved the access problem for now, but is a poorer substitute for the Allen Rd route passed the gorge mouth.

As always with track maintenance and particularly on the Coast, usage is related to track standards. If the track condition deteriorates; soon, too, does the usage. Last year we were pleased to have club members involved in Permolat track clearing work in the Waitaha above Kiwi Flat. We expect that to be ongoing.

### 2. WAITAHA HYDRO SCHEME

As a power generation scheme, we can appreciate the Waitaha has potential for Westpower. A local source of up to 20MW, with a powerhouse only a few kilometres from S/H6.

We note also the negotiations between Westpower and DoC to agree on conditions to mitigate as far as possible, the impact of the scheme on recreational users of the Waitaha. That includes Westpower undertaking relocation of sections of the true right walking track, up Alpha Creek and it's forming to DoC standards.



### 3. WAITAHA TRUE LEFT ACCESS

As noted above, we consider the current access up the true right to be a poorer replacement for the former true left route from Allen Rd. And we have noted the DoC conclusion that it is unlikely that the current landowner will ever agree to restoring true left access. But land ownership is never permanent and we would like to believe that at some stage in the future, an ownership change would make a return to the true left possible.

In which case, having lost the iconic view up the mouth of the gorge with the river in full flow, would be doubly sad.

### 4. PTC SUBMISSION

Having reviewed the proposal and the Department's assessment of the application, including the mitigation steps proposed, our club OPPOSES the proposal for the following reasons and asks that the Department decline the concession application:

- 4.1. The Waitaha River is a principal access route for trampers, climbers and hunters from the West Coast into the Central Southern Alps. The area has outstanding recreational and natural values, with the Waitaha catchment recognized as an Outstanding Natural Landscape and the Morgan Gorge as an Outstanding Natural Feature. Although the area is currently classified a 'stewardship lands', we are of the view that if a proper assessment of the values of the Waitaha catchment had been carried out, the area would have been assigned a much high conservation status.
- 4.2. Given a higher conservation status, the proposal is unlikely to have progressed to this stage
- 4.3. The proposal is opposed from the viewpoint of our tramping club members and the permanent loss of the outstanding feature of the Waitaha valley. However, even more so, we empathise with the kayaking fraternity and the loss of what for them, could be the ultimate in extreme kayaking. We suggest that this factor alone is enough to reject the proposal
- 4.4. Although the proposal is to grant the concession for a fixed term of 49 years, the practical outcome will be to allow Westpower to make permanent changes to the valley and its landscape, in effect acquiring 'defacto property rights' over the public land. Once the concession comes up for renewal in 2045, it is highly unlikely that an application to renew the concession for an established hydroelectric scheme would be turned down.
- 4.5. Although Westpower's application includes mitigating the effects of the current proposal, once a hydroelectric scheme is established on the Waitaha River, a precedent has been created. Many commercial enterprises frequently seek to amend the conditions of their concessions, e.g. helicopter flights to the glaciers, or resource consents in the light of changing demand or market conditions. Consequently, it would be very difficult for the Department to decline any future application to modify the terms of the concession, if the applicant sought to divert more river flow or establish a storage capacity, for example, in response to increasing electricity demand

Yours sincerely

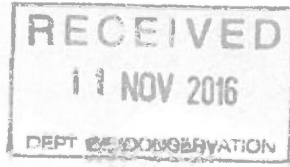


Gary Huish

President, Peninsula Tramping Club

Cc Secretary, Federated Mountain Clubs





1045

10 November 2016

Director General  
Department of Conservation  
Private Bag 701  
Hokitika 7842



High Places Ltd  
PO Box 30MAPUA 7048  
Nelson  
New Zealand

Telephone: 03 540 3208  
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email: highpl@ts.co.nz  
www.highplaces.co.nz  
bob@highplaces.co.nz  
mary@highplaces.co.nz

Dear Lou Sanson

**Submission against the Waitaha Hydro Scheme – Westpower.**

High Places is a long established (26 years) Inbound Adventure Tour Operator based in Mapua, Nelson. We have a main marketing outlet in UK from where our clientele largely comes. Our core product is a 26 day walking holiday 'NZ Contrasts' featuring conservation land in both islands including the West Coast and for which we hold DOC concessions.

The preservation of landscape values and the world-wide perception of NZ's '100% Pure' image is the basis of our business. That is why our clients have come to New Zealand.

The Waitaha river like many of the 'wild West Coast rivers' is part of an area of safeguarded 'stewardship' land – defined by Government as "... to protect ... from development or extractive use until their conservation value could be established."

The empowering photographs of the sculptured rock towers in the Morgan Gorge or the film of kayakers paddling down the gorge belie the need for any further argument. It is quite clearly a wild place of 'intrinsic natural value' We therefore find it inconceivable that this project is even under consideration.

*"...once I had mountains in the palm of my hand  
and rivers that run through every day...  
I must have been mad, I never knew what I had  
I threw it all away" - Bob Dylan*

We vigorously oppose all attempts to encroach into recognised wild places for economic "development" - Conservation for Posterity.

Yours faithfully

Bob and Mary Lancaster  
Directors – High Places

**High Places**

*Treks and Mountains Worldwide*

GST No:  
72-297-075







Waitaha River Submission from the NZFFA

NZ Federation of Freshwater Anglers Inc

C/O 13 Cameron Street  
Methven 7730  
steve@flyshop.co.nz

Attention: Pauline Adams

Director-General  
Department of Conservation  
Private Bag 701  
Hokitika 7842

06 Nov 2016

The NZ Federation of Freshwater Anglers Inc opposes to the application by Westpower Limited for a Lease, Easement and License for a hydro scheme in the Waitaha River.

The NZ Federation of Freshwater Anglers Inc request that the Minister of Conservation decline the Application.

The NZ Federation of Freshwater Anglers Inc oppose the application because: The proposal does not meet the purpose of the Conservation Act;

The Waitaha River in the area below the Morgan Gorge we understand supports a river fishery, this area provides the opportunity for anglers to explore this fishery and enjoy the remote natural environment as it is. The development of a hydro scheme in this area will detract from that experience, particularly the development and siting of the power station itself and its supporting infrastructure.

Further the NZ Federation of Freshwater Anglers Inc values and supports the protection of the natural environment, particularly on proposals that will have irrevocable impacts on the high natural values as this proposal will have on this wild river. The mitigation proposed by Westpower will not mitigate the impacts of the intrusion of manmade structures and altered river flows on this outstanding natural landscape.

This is a truly wild river and its intrinsic character that includes the native flora and fauna would be permanently destroyed by imposing a hydro scheme on public conservation land.

The impacts on these values include;

- The intrinsic nature of the magnificent undisturbed river in South Westland. The Waitaha is an unobstructed wild river.
- There is wide agreement that it is an outstanding natural landscape.
- The Morgan Gorge is an outstanding natural feature and one of the most spectacular gorges in the country.
- The construction of a weir and associated infrastructure close to where the Waitaha enters the gorge will have an entirely unacceptable and inappropriate impact on the overwhelming naturalness of this special place.

## **Waitaha River Submission from the NZFFA**

- **The upper catchment of the Waitaha; It is highly valued for its sense of remoteness by trampers and hunters alike and is considered to be of international significance for kayakers.**
- **There is no mitigation measures that can compensate for the change from an outstanding wild and remote experience in the upper Waitaha to what will become a significantly modified and 'industrialised' environment as a result of the reduced river flow, weir and associated infrastructure.**
- **The values of the Waitaha are important in and of itself.**

### **Effects on significant flora and fauna habitat;**

- **The permanent loss of 3.5 ha of native forest with a reduction in the intactness of the vegetation.**
- **The removal of vegetation as a result of the proposal will cause the permanent loss of habitat for lizard species at risk of extinction, including the green and forest gecko.**
- **Westpower has not adequately assessed the presence of these highly threatened species and have not given any assurance that the impacts on them can be properly avoided or mitigated.**
- **The proposal will result in the destruction of these nationally important species, any loss therefore is significant. Westpower has identified 27 native bird species within the hydro footprint, including a number of threatened native bird species. These include kaka, falcon and whio.**
- **Westpower notes that western weka are recorded in the catchment. Western weka are genetically distinct from other populations of weka north of the Waitaha catchment. There is insufficient information about the impacts of the resident whio population, including the importance of the Morgan Gorge to them. There can be no confidence that Westpower is able to avoid, remedy or mitigate impacts on this iconic species, including the impacts of construction and the dewatering of the Morgan Gorge.**
- **The long tailed bat is present within the footprint. The clearance of habitat and tree felling will result in loss of both their breeding and feeding habitat and has the potential to cause the death of bats. This is an entirely unacceptable and inappropriate risk and one that cannot be adequately mitigated for.**

**Furthermore, the NZ Federation of Freshwater Anglers Inc understands there is ample supply of electricity on the WestCoast with recently upgraded lines capacity to bring more in as needed, which negates the need to impact on such a wild naturally outstanding place.**

**S Gerard**

**On behalf of the NZ Federation of Freshwater Anglers Inc**

# Unions West Coast

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PO Box 2, Blackball 7804; [wkultur@ihug.co.nz](mailto:wkultur@ihug.co.nz); 037324010

8/11/2016

Director-General  
Department of Conservation  
Private Bag 701  
Hokitika 7842

Submission re Waitaha Project.

Unions West Coast is an informal regional grouping of NZCTU affiliated unions which shares workplace information and mounts events to mark the labour history calendar. Over the last three years we have held a series of Mayday seminars focusing on a just transition/sustainable economy for the West Coast region..

Unions West Coast congratulates both DOC and Westpower for the process to date. The application is detailed and transparent. DOC's report is thorough and coherent and there has obviously been negotiation and dialogue in good faith.

At stake are a number of use values for the area, use values which are detailed in the Act.

Firstly, there is the intrinsic worth, that valuing of an area of wilderness, for itself, with no reference to social use. Wilderness is a cultural construct. The visitor is valuing his or her absence, valuing the fact that this has existed before he or she, or for that matter, man, existed. As a counterpoint, this presence of non-presence has to be managed. This is the first use value of the area.

As well, the visiting of such sites as a non presence is considered a healthy activity and a morally and spiritually uplifting experience, which spills over into adventure activities. This is the second use value of the area. There are times when the adventure activities involve technology which challenges the quality of non-presence. Mountain biking and helicopter lifting of equipment or support services are two instances.

Wilderness areas are also home to native flora and fauna, able to exist as they have always existed. Except, because of the introduction of predators, this 'naturalness' also has to be managed. This is a third use value.

The fourth use value being proposed is Westpower's run of the river hydro scheme, which will impact on the other use values. The fourth use value has, in our view, the following positives:

1. The Coast as a region should be self sufficient in terms of power generation, in order to cut back on transmission losses, to have some bargaining power when it comes to electricity pricing, and to prepare for the prospect of earthquake or other disaster severing the alpine link.
2. As part of the difficult transition to a sustainable economy, locally owned and democratically-controlled businesses investing in, and returning profit to the area, have a key role to play. Westpower is an example of such a business.
3. The project is sustainable and reversible, two key environmentalist touchstones.
4. The project, being run of the river, will have small environmental impact, especially if there is the promised care in construction.
5. It configures with the sustainable and democratic model of small in many places, rather than big in one.
6. It has the support of tangatawhenua and the local conservation board.

It will impact on the first use value by introducing a visible social presence into two discreet parts of the area, and the knowledge that this presence is there, even when not obvious. Despite that, most of the area remains untouched.

It will mediate the second use value, in that the elite kayaking experience of the Morgan Gorge will need to be arranged with the company beforehand. Other kayaking, that which can be done by those with a normal skill level, remains untouched. It does not reduce the physical or moral benefits of tramping in the area.

The third use value, the area as home to native flora and fauna, is impacted upon in the small envelope which the scheme involves, especially in the construction phase, but can be managed.

The task has been to negotiate and mediate between these use values and to see if a compromise is possible. DOC rightly considers a just compromise is possible, which is why careful approval has been given to the scheme.

In our view, Westpower have every right to produce power and make their own judgments (on behalf of community stakeholders) about the economics. The investment of \$80-100 million in the construction phase is useful for the local economy. For power supply profits to be returned to this community rather than going to shareholders elsewhere is also useful.

The Coast is currently both economically and socially stressed. The task of creating a sustainable economy and society is Herculean. Seen within the environmentalist paradigm of environmental justice, this is a small positive step forward.

For the above reasons, we support the decision to grant a concession.

Paul Maunder  
Co-ordinator

31 October 2016

Whitewater Canoe Club (Inc)  
P.O. Box 4476  
Christchurch 8140

To:

Director-General  
Department of Conservation  
Private Bag 701  
Hokitika 7842

Attention: Pauline Adams

The Whitewater Canoe Club in Christchurch is the largest member club of Whitewater New Zealand and is active in river conservation issues throughout the country. Our membership base takes special interest in conservation matters – especially when wild rivers are threatened by the prospect of hydro electric dams or for intense irrigation purposes.

The club is saddened to receive notice of the Minister of Conservation's intention to grant a concession to Westpower Limited to construct and operate a run of the river hydro scheme on the Waitaha River on the West Coast.

The Waitaha River is a significant white water river on the West Coast offering kayakers and those interested in kayaking the opportunity to experience, wilderness, white water and river features truly unique and unparalleled by anywhere else on the West Coast or throughout New Zealand.

The proposed power scheme at Morgan Gorge will put an end to kayaking from the start of the gorge and then from below the point where kayakers portage to in order to avoid river features which are otherwise unpaddable. Morgan Gorge is considered to be an outstanding natural feature. It has been described as captivating and for those who have had access to this area the gorge provides a strong sense of an untouched world in its natural state. To spoil such a truly magnificent landscape and river is unthinkable.

This letter serves as a formal submission from the Whitewater Canoe Club (Inc) to the Department of Conservation. We seek that the Waitaha River and Morgan Gorge are protected from any development which would hinder accessibility and significantly alter the landscape including stopping the river from flowing in its natural state. This is for now and for future generations of kayakers, trampers and visitors who appreciate New Zealand and its untouched clean and green image.

Yours sincerely,

John Hunter - Conservation Officer, WWCC (Inc), Christchurch NZ.



5 October 2016

Director-General  
 Department of Conservation  
 Private Bag 701  
 Hokitika 7842

Attention: Pauline Adams, [permissionshokitika@doc.govt.nz](mailto:permissionshokitika@doc.govt.nz)

Dear Minister

### **WAITAHA HYDRO SCHEME**

Westpower Limited is applying for concessions to construct a hydro-electric power scheme on the Waitaha River on the West Coast (the Scheme).

I am writing to support their application.

Westland Milk Products is the second largest dairy co-operative in New Zealand. We have over 400 shareholder farmers on the West Coast and process over 700 million litres of milk each year at our dairy factory in Hokitika. We are the highest user of electricity in the Westland region and have a vested interest in seeing the Scheme proceed.

A secure electricity supply is essential for our business. In the past, our electricity supply has been cut-off to our Hokitika plant. When this happens the immediate cost to our business is significant and immediate, and in the past has been run to several hundred thousand dollars. The flow-on effects, for example in production downtime, milk that has to be disposed of, and wasted product, cause further financial loss. It is impossible to insure against an outage, so Westland bears the costs incurred by these events.

Our shareholders also suffer significantly in the event of power loss, as their milking schedules are time critical and their sheds and refrigerators require power to operate. A lengthy outage also creates animal welfare issues, as cows need to be milked regularly or begin to suffer health problems.

The positive effects of the Scheme on Westland, the region and the community are many. Westpower is a locally owned company, so the benefits of developing the Scheme as a major sustainable asset will be distributed locally and for the long-term.

Having locally generated power provides economic development for the region. We also understand the Scheme will bring significant environmental benefits, in the use of a renewable water resource that will have minimal effect on the local

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ecology. The low impact run of the river Scheme will provide opportunities to improve walking access, improving public knowledge and access of the area and enhance the habitat for native animals through weed and pest control.

Westpower has proven success with this type of development, in its development of the Amethyst Scheme and has the experience to make the Waitaha Scheme a success.

In short, electricity disruption is a very significant risk and cost to our business, our community and economy. By granting the concessions and having the Waitaha Scheme proceed, this risk would diminish greatly whilst benefitting the local region in many ways.

I trust this information will assist you when considering your decision. If you would like any more information about our submission, please do not hesitate to contact me.

Yours sincerely



**Toni Brendish**  
Chief Executive Officer  
Westland Milk Products

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