

**BEFORE WEST COAST REGIONAL COUNCIL AND BULLER  
DISTRICT COUNCIL**

**IN THE MATTER** of the Resource  
Management Act 1991

**AND**

**IN THE MATTER** of an application by  
Meridian Energy  
Limited for resource  
consents for the  
Mokihinui Hydro  
Project

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**MINUTE OF COMMISSIONERS APPOINTED BY WEST  
COAST REGIONAL COUNCIL AND BULLER DISTRICT  
COUNCIL**

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**17 December 2009**

### **Background**

- 1 This Minute refers to the application from Meridian Energy Limited (the applicant) seeking a suite of resource consents from West Coast Regional Council (WCRC) and Buller District Council (BDC) to construct and operate a hydroelectric power station (MHP) on the Mokihinui River, located in Buller District.
- 2 On 23 October 2008, having heard the applicant's case, the submissions on the application and the report from the councils' planning consultants, we (the hearing committee) adjourned the hearing.
- 3 On 7 November 2008 we received further expert evidence from the applicant's witnesses in response to issues and questions raised during the hearing. This was followed on 20 November 2008 by closing submissions from the applicant, accompanied by a revised set of proposed conditions.
- 4 We decided that submitters should have the opportunity to respond to this information and our instructions to this effect were contained in our Minute dated 3 December 2008.
- 5 Subsequently, we released another Minute, dated 9 February 2009, advising that we proposed to reconvene the hearing at the Westport Bridge Club on 15 April 2009, in order to revisit several key matters concerning the proposal.
- 6 The purpose of this Minute is to inform all parties as to progress with our decision.

### **Progress since the reconvened hearing on 15-16 April 2009**

- 7 Since the hearing in April we have, within limits imposed by other commitments, been working very hard to complete our decision in a timely manner.
- 8 In view of the seriousness of the issues before us, we have approached the task with a great deal of care. However, because of the volume of evidence and submissions that we have had to assimilate, this process has been very time consuming.
- 9 Our goal is to provide a decision that is quite clear in its findings and one where all parties are able to understand the reasoning behind it, whether they agree with it or not.
- 10 We had hoped to be able to release the decision prior to Christmas. However, this has not been possible. Although the bulk of the decisions we need to make are almost complete in draft form, there are, unfortunately, some remaining matters that we have not yet been able to resolve satisfactorily.

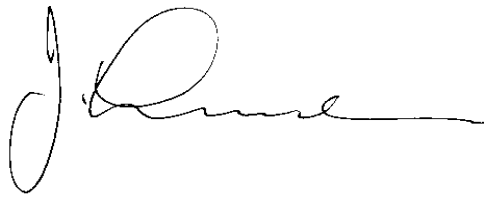
### **Decision release**

- 11 We are sorry about the length of time this decision is taking and we realize that, for some parties, the delay will be frustrating. We have simply run out of time to complete it before Christmas and it will not now be issued until early in 2010.
- 12 Until the outstanding matters that remain of concern to us have been resolved, and we have determined whether or not to grant the application, we are not able to provide a release date. However, given Commissioners' commitments between

now and the end of January, it may be later in February before we are able to release the decision.

- 13 We would like to thank all parties for their patience and wish everyone a happy Christmas and best wishes for 2010.

**DATED** this 17th day of December 2009

A handwritten signature in black ink, appearing to read 'John Lumsden', written in a cursive style.

**John Lumsden, Chair**  
on behalf of the *HEARINGS COMMITTEE*