



Department of Conservation
Te Papa Atarahai

6 July 2009

West Coast Regional Council
PO Box 66
388 Main South Road
Greymouth

Attention: Rachel Clark

Dear Rachel

Resource Consent Application for Hydro Development Limited – Stockton Plateau

As you know the Director General's submission of 30 January 2009 on the above application supported aspects of the proposal but also opposed aspects of the application that had not sufficiently avoided remedied or mitigated adverse effects on the environment.

It is recognised that the major intent of this application is to “clean up” the Ngakawau catchment and this aspect of the application is still supported by the Department, as is the generation of electricity from renewable energy sources.

Our cover letter accompanying the submission also foreshadowed that those aspects that had not sufficiently been avoided remedied or mitigated could quite likely be addressed through the provision of further information, refinements to the application and/or appropriate consent conditions.

Since lodging its submission the Department has been giving further careful consideration to the HDL proposal and its effects, both in relation to RMA matters, and also in relation to other Departmental processes (as you know the applicant, HDL have also submitted a land exchange application to the Department) which will require approval if this scheme is to proceed. In order to consider the effects of the HDL proposal on the environment, the conservancy office undertook an assessment of the conservation values on the Stockton Plateau and the effects of the HDL proposal on those values; we also commissioned an external expert (NIWA) to peer review the marine aspects of the proposal. This assessment (internal and external) helped to clarify

and determine a series of key issues. The main points arising out of this assessment are as follows:

- Freshwater- While there are some inconsistencies in the info provided in the application, overall it appears there will be an improvement of water quality. However there are some changes in the design which would be desirable in order to protect existing streams which currently have good water quality.
- Fauna – In general terms the Stockton plateau supports a range of threatened and common indigenous fauna. This includes 4 threatened, 5 at risk and upwards of 20 non threatened indigenous species of bird, and 3 species of lizard, (2 of which are chronically threatened). There will be 80 ha of coal measure habitat lost and this represents a substantial loss to local biodiversity; 100 pairs of fernbirds (at risk) will be disturbed, no *Powelliphanta* species survey has been conducted, however they appear to be absent, bat species also appear to be absent. Invertebrate values within the region are poorly understood.
- Flora- Because of the mosaic landscape and the fact that the vegetation information provided by the applicant is not complete, it was difficult to quantify and therefore fully understand the reduction of vegetation associations. As above, 80 ha of coal measure vegetation will be lost; rare plant species are contained within the footprint of the proposal and the two vegetation associations least likely to be well represented in the ED are the cedar forest association and the red tussock wetland.
- Historic- There is no mitigation suggested in the application for the loss of a historic site that is nationally significant, New Zealand's first Electric Locomotive Line. Alternative locations have been considered, however, topography has made it difficult to avoid the site. The archaeological assessment states that inundation of this site should be avoided at all costs, however the resource consent application and the s92 information contradicts this and states that the inundation of part of the line will be minor. The applicant has not suggested any compensation for this loss. Mitigation suggested for the other historic sites adversely affected is considered to be adequate.
- Marine- While there are shortcomings in the modelling undertaken by the applicant; overall if managed properly it seems that there should be no adverse effects. Good management would include modelling of maximum and minimum discharge rates, accurately modelling dilution rates using the best quality data and using this information to determine the type and size of the diffuser to install, the rate of discharge and whether further water treatment would be required up on the plateau in order to ensure the discharge complies with ANZECC standards at the outfall.

The above analysis highlights the need for comprehensive conditions to avoid remedy or mitigate the adverse effects of the HDL proposal, if it is to proceed. Fundamentally, however, the analysis also highlights that the adverse effects of the HDL scheme are considered to be less than those of a number of other renewable energy proposals under consideration elsewhere at present.

As the majority of the activities which are the subject of this application are proposed to occur on public conservation land the Department's view is that the remaining issues noted above can be appropriately considered through the Department's internal processes, under the Conservation Act and Wildlife Act (in respect of protected fauna) which the applicant is already engaging in.

Those aspects of the application that are outside the scope of legislation administered by this Department have been carefully considered (Marine environment and downstream freshwater environment). Through our assessment, the Department has established that these values will not be adversely affected if managed appropriately.


The Director-General accordingly gives notice that he withdraws his wish to be heard at the hearing set down from the 30th of July 2009.

This withdrawal should not be seen as lack of interest in this application. The Department is still willing partake in any discussions about draft conditions, as they relate to conservation values.

As there are still some outstanding issues relating to historic and terrestrial values as well as other issues relating to freshwater values, as discussed above, this withdrawal of intention to be heard at the hearing should not be viewed as an approval by the Department in favour of the application under either the RMA, or other legislation administered by this Department. In particular, this withdrawal of our wish to be heard is not written approval to the application for the purposes of s 104(3) (b) RMA and it should be noted that currently the Department is processing a concession for a different hydro scheme that is proposing to use the same resource.

In order to assist the council and the applicant in determining the most appropriate way of managing the ocean discharge, the Department is also attaching the report from NIWA which discusses the marine aspect of the application (dated 9 June) and comments on the proposed draft conditions (dated 23 June).

Yours sincerely



Chris Hickford
Community Relations Manager
For Director General of Conservation