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WAR 010069

Report to the Rural Services and Wairarapa Committee
from Stephen Thawley, Resource Advisor, Planning & Resources

Applications for Resource Consent for the Ongoing Operation and Maintenance of the Kourarau Power Scheme

1. Purpose

To seek approval from the Rural Services and Wairarapa Committee for resource consent applications from Genesis Power Ltd under the Resource Management Act 1991.

2. Summary

Genesis Power Ltd have applied for resource consents for the continued operation and maintenance of the Kourarau Power Scheme near Gladstone. In total seven resource consents have been applied for including two water permits to take water, four discharge permits to discharge water, and one land use consent to disturb a river bed. The applications were notified in accordance with section 93 of the Resource Management Act 1991. One submission from the Department of Conservation (DoC) was received. The applicant resolved issues raised in the submission raised by DoC.

The applicant submitted a comprehensive 'Assessment of Environmental Effects' report with their resource consent applications. Assessment of the applications has been completed against the relevant statutory documents including the Resource Management Act (RMA) 1991, Regional Policy Statement (RPS), and Regional Freshwater Plan (RFP). The assessment is given in Attachment 1 to this report.

It is recommended to grant the applications subject to a number of consent conditions that will avoid, remedy, or mitigate any potential adverse effects on the environment. The discharge of contaminants associated with maintenance activities is unlikely to comply with water quality guidelines in the RMA and RFP. The discharge permit can be granted under section 107 of the RMA and

policy 5.2.10 of the RFP as the discharge is associated with maintenance activities.

3. Recommendation

That the Committee, under delegated authority by the Wellington Regional Council pursuant to sections 105 and 108 of the Resource Management Act 1991, grant the resource consents applied for by Genesis Power Ltd, subject to the following conditions:

For All Consents

1. *In terms of section 123(c) of the Resource Management Act 1991, the period for which these consents are granted is limited to 35 years from date of commencement of these consents.*
2. *The location, design, implementation and operation of the works shall be in accordance with the consent application and its associated plans and documents lodged with the Wellington Regional Council on 30 March 2001 and additional information dated 16 May 2001 and 29 August 2001 but subject to any modifications required to comply with any of the conditions of consent.*

Note: Any change from the location, design concepts and parameters implemented and/or operation may require a change in permit conditions pursuant to section 127 of the Resource Management Act 1991.

3. *The Wellington Regional Council may review any or all conditions of these consents by giving notice of its intention to do so pursuant to section 128 of the Resource Management Act 1991, at the following times:*
 - *within 6 months of the 5th, 10th, 15th, 20th, 25th, or 30th anniversary of the date of commencement of these consents; or*
 - *within 6 months of monitoring information being submitted to the Council as required under conditions 15, 23, and 24.*
4. *The purpose a review specified in condition 3 will be:*
 - *To deal with any adverse effects on the environment which may arise from the exercise of these consents, which is appropriate to deal with at a later stage.*
 - *To review the adequacy of any plan(s) prepared for this consent and/or monitoring requirement(s) so as to incorporate into the consents any modifications to any plan(s) or monitoring requirement(s) which may become necessary to deal with any adverse effects on the environment arising from the exercise of this permit.*
 - *To alter the monitoring requirement(s) in light of the results obtained from any previous monitoring.*
 - *To require consistency with any regional plan as a result of changes to a regional plan.*

5. *The Wellington Regional Council shall be entitled to recover from the consent holder the costs of the conduct of any review, calculated in accordance with and limited to that Council's scale of charges in force and applicable at that time pursuant to Section 36 of the Resource Management Act 1991.*
6. *The consent holder may apply, at any time, pursuant to section 127 of the Resource Management Act 1991, for the change or cancellation of any consent condition, other than condition 1 relating to the term of these consents.*
7. *The consent holder's interest in this consent may be transferred to any owner or occupier of the site pursuant to section 137 of the Resource Management Act 1991.*
8. *All practicable measures shall be undertaken to minimise any adverse effects on property, amenity values, wildlife, vegetation and ecological values.*
9. *A resource management charge, set in accordance with Section 36(2) of the Resource Management Act 1991 shall be paid to the Regional Council for the carrying out of its functions in relation to the administration, monitoring and supervision of resource consents and for the carrying out of its functions under Section 35 (duty to gather information, monitor and keep records) of the Act.*

WAR 010067 (21129, 21131) and WAR 010068 (21132, 21133) – Ongoing Operation of Kourarau Power Scheme

10. *The maximum rate at which water is taken from the Kourarau Stream via the upper reservoir for the purposes of generating electricity at or about map reference NZMS T27: 371-094 shall be 0.29 m³/sec.*
11. *The maximum rate at which water is discharged into the Kourarau Stream via the upper power station for the purposes of generating electricity at or about map reference NZMS T27: 369-098 shall be 0.29 m³/sec.*
12. *The maximum rate at which water is taken from the Kourarau Stream via the lower reservoir for the purposes of generating electricity at or about map reference NZMS T27: 368-098 shall be 0.9 m³/sec.*
13. *The maximum rate at which water is discharged into the Kourarau Stream via the lower reservoir for the purposes of generating electricity at or about map reference NZMS T26: 354-121 shall be 0.9 m³/sec.*
14. *The consent holder shall install at the Lower Power Station Tailrace and at the Lower Reservoir Spillway, rated automatic water level recorders that monitor stage height and flow at a minimum of every 15 minutes, for a two year period from 1 January 2002 to 31 December 2003. The flow rating curves shall be maintained so that they show the true flow, plus or minus 8%, for 95% of the time.*

15. The consent holder shall submit a monitoring report before 31 March 2004 that provides information collected under condition 14.

16. The consent holder shall operate the upper reservoir lake level within the 650 mm band stated in the 'Assessment of Environmental Effects' report.

WAR 010069 (21134, 21135, 21136) – Short Term Maintenance Activities of Kourarau Power Scheme

17. The Wellington Regional Council, Consents & Compliance Section and all landowners between the discharge point and the Ruamahanga River confluence shall be given a minimum of 48 hours written notice prior to the commencement of exercise of these consents.

18. The discharge of contaminants associated with the delimiting of the lower scheme pipeline and penstocks shall only occur on average once every 2 years, over a cumulative duration of no longer than 24 hours. The discharge and dewatering of the penstocks and insertion of hog shall be completed within the shortest timeframes practicable, to minimise potential effects on the flow regime in the Kourarau Stream.

19. The discharge of contaminants associated with desedimentation of the lower reservoir shall only occur on average once every 4 years, over a cumulative duration of no longer than 48 hours. The discharge shall be completed in the shortest practicable time.

20. The discharge of contaminants associated with delimiting of the lower scheme pipeline and penstocks and desedimentation of the lower reservoir shall only occur between April and June inclusive when the flow in the Taueru River at or about map reference NZMS 260 T26 2735884 – 6014890 is above 125 litres per second.

21. The consent holder shall advise the Wellington Regional Council, Resource Investigations Section at least one week prior to the commencement of discharge activities, so the flow in the Taueru River can be established.

22. The consent holder shall complete a minimum of one environmental monitoring programme undertaken by suitably qualified personnel for both the delimiting and desedimentation maintenance activities as outlined in the table below¹.

Monitoring frequency	Monitoring parameters
<ul style="list-style-type: none"> • Initial baseline survey • Survey within one week of desedimentation of the lower reservoir • Survey within one week of delimiting of pipeline and penstocks • Follow up survey after two months 	<ul style="list-style-type: none"> • Macroinvertebrate study • Electric fishing • Substrate composition

¹ The purpose of the environmental monitoring programme is to confirm that any effects of the maintenance programmes are minor and of short duration.

The monitoring sites shall be the same as those monitored in 2000-2001. Additional monitoring sites shall be included upstream and downstream of the Taueru confluence with the Ruamahanga River.

23. *The environmental monitoring programme shall be undertaken during the first period of maintenance activities following the commencement of these consents. Results shall be submitted to the Consents & Compliance Section, Wellington Regional Council within 3 months of the completion of monitoring.*

Note: Any further environmental monitoring will be considered after the first maintenance period through a review of consent conditions, as specified in conditions 3 and 4.

24. *The consent holder shall accurately measure the volume of sediment discharged as a result of desedimentation of the lower reservoir during each maintenance period and submit results to the Consents & Compliance Section, Wellington Regional Council within 3 months of the completion of monitoring.*

In recommending the above decision including the consent conditions, I believe that the matters identified in section 104(1) (detailed in section 4 of Attachment 1) and all submissions have been appropriately considered and addressed, particularly:

- *Sustainable management of the resources in the Kourarau Stream catchment will be achieved as specified in Part II of the Resource Management Act 1991.*
- *All objectives and policies in the Regional Policy Statement have been appropriately considered and addressed by way of consent conditions.*
- *All policies in the Regional Freshwater Plan have been appropriately considered and addressed by way of consent conditions.*
- *Appropriate consideration has been given to the one submission against the applications. That submitter has provided written approval to the applications.*

Report prepared by:

Approved for submission:

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