



Expert Consenting Panel
Kapuni Green Hydrogen

Via email kapunigreen@epa.govt.nz

Tēnā koutou e te Poari,

Kapuni Green Hydrogen Project - Comments on draft conditions

Te Korowai o Ngāruahine Trust (Te Korowai) provides the following response to a request for comments on the draft conditions for the Kapuni Green Hydrogen Project (Project).

Te Korowai is the post settlement governance entity for Ngāruahine Iwi. It is one of several entities which advocates for the rights and interests of Ngāruahine uri, whānau and hapū. This includes enhancing the social, cultural, economic, and environmental outcomes of the communities in which they live.

This means considering the extent to which any proposed activities may impact those areas under statutory acknowledgement and/or Deed of Recognition (Ngāruahine Claims Settlement Act 2016) but also:

- a. the environmental, cultural, and spiritual interests of Ngāruahine within its rohe; and
- b. any potential or actual impacts on the physical, psychological, cultural, and spiritual wellbeing of Ngāruahine (Te Korowai o Ngāruahine Trust Deed).

Fundamental concerns

In our Cultural Impact Assessment, submission to the Panel and recent letter to Minister David Parker we have raised our concerns regarding two fundamental matters that are not addressed by the project or the draft conditions:

- The fast-track process, as per the COVID-19 Recovery (Fast-track Consenting) Act 2020
- The impact the project has on our cultural landscape and relationship with the Maunga

The fast-track process, as per the COVID-19 Recovery (Fast-track Consenting) Act 2020, is designed to support the recovery of New Zealand from the economic impacts of COVID-19. It does this by accelerating the consent process for infrastructure and development projects. The process is, in effect, a direct assault on the rights negotiated in the Ngāruahine Claims Settlement Act 2016 and the yet to be completed Taranaki Maunga Settlement. Te Korowai o Ngāruahine Trust has a responsibility to ensure that it advances the economic, social, cultural, and environmental wellbeing of Ngāruahine. The fast-track process prevented us from doing this.

We understand that to meet the fast-track criteria, it required a lease agreement. The current lease agreement is with PKW on the proviso that hapū support the project. While hapū hold various views, and rightly so, their position can be described on a spectrum from strong opposition to unconvinced or not opposed. In no circumstance can hapū be described as strong supporters of the project.

The Ngāruahine Cultural Landscape is a combination of natural, man-made and historical features within the Ngāruahine Kaitiaki Area. It includes the kōrero of Ngāruahine tupuna and the land, waterways and coastal areas which are embedded in our Ngāruahine identity. The wind turbines significantly alter this landscape and do not consider the impacts on our sense of place. Sight lines and view corridors do not adequately capture the holistic nature of our Cultural Landscape. Many sites of significance within the Ngāruahine rohe, including the Ngāruahine Cultural Landscape, are not actively protected due to a lack of faith from Whānau and Hapū in statutory heritage and resource management processes. The adverse effects of the turbines in their current location have not been addressed by the applicant i.e. identifying an alternative site.

Specific feedback

The detailed feedback below cannot be interpreted as concessions or support for the project. Instead, they are recommended amendments should the project progress despite our fundamental concerns expressed above.

1. Culverts

Te Korowai would like Ngāti Tū and Ngāti Manuhiakai to have access to the following information contained in clause 36.

- e) *whether there are any improvements to the structure to mitigate any effects the structure may have on the passage of fish;*
- f) *whether the structure protects particular species, or prevents access by particular species to protect other species;*
- g) *the likelihood that the structure will impede the passage of fish.*

This would mean adding an additional clause for the consent holder to provide this information to Te Korowai o Ngāruahine Trust, Ngāti Tū and Ngāti Manuhiakai.

2. Lizard Survey

Similarly, we would like the results of the Lizard survey contained in clause 73 to be made available to Ngāti Tū, Ngāti Manuhiakai and Te Korowai o Ngāruahine Trust.

3. Cultural

- (91) *The consent holder shall provide an opportunity for a representative of Ngāti Tu and Ngāti Manuhiakai hapū to be present on site during any earthworks for the Kapuni Green Hydrogen Project.*

We would like it to be clear that a representative from each of Ngāti Tū and Ngāti Manuhiakai is provided an opportunity to be present during earthworks.

The consent holder shall provide an opportunity for a representative of both Ngāti Tū and Ngāti Manuhiakai hapū to be present on site during any earthworks for the Kapuni Green Hydrogen Project.

4. Air Traffic Safety (95)

Our Kaitiaki Plan notes that the clarity of the night sky is critical to utilising the maramataka for fishing, harvesting and planting activities. Artificial lighting is identified as an issue. Objective 4 of the plan seeks to protect the mauri of Ranginui by:

- avoiding an increase in noise and visual pollution;
- maintaining or improving the visual clarity of the Ngāruahine Cultural Landscape and the night sky.

Policy 2.1 TKoNT encourages the following conditions when assessing resource consent applications for activities which have adverse effects on the visual clarity of Ngāruahine Cultural Landscape and the night sky:

- c. Requiring artificial lighting to minimise glare and light trespass.

We are unsure of the effects that the aviation lighting on the turbines will have on the clarity of the night sky. In essence, the lighting is necessary for safety purposes and is required to have an intensity of not less than 1,600 candela of red light. We did not foresee the need for aviation lighting and consequently have not been able to consider options to protect the clarity of the night sky. We would like any aviation lighting used on the turbines to minimise glare and light trespass

5. Water Takes

The issue of water abstraction was raised in our CIA. Te Korowai is concerned that, should the project be scaled up in the future, there was potential for abstraction from the Waingongoro river to be increased under ongoing water permits. We are unsure of the panels powers regarding this and seek an understanding of how best to protect the Waingongoro river.

Conclusion

Te Korowai has fundamental concerns regarding the fast-track process and the location of the turbines. This has been communicated throughout our various submissions, and we are concerned by the precedence that this could set in our rohe.

We continue to work alongside our hapū to understand the various viewpoint, and support any escalation strategies to ensure our Ngāruahine interests are addressed.

Ngā mihi, nā



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