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## NOTICE OF SUBMISSION

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**To:** The Chief Executive  
Taranaki Regional Council  
Private Bag 713  
STRATFORD

**We:** Fish and Game New Zealand, Taranaki Region

**Address:** PO Box 662 New Plymouth with copies to PO Box 4152 Wanganui

**Name of contact person:** Allen Stancliff

**Phone Work:** (06) 757 9676

**Email:** [astancliff@fishandgame.org.nz](mailto:astancliff@fishandgame.org.nz)

**Cell:** 027 263 9152

**Pursuant to Sections 96 and 97 of the Resource Management Act 1991, hereby make a submission to Application Nos:** 1795-5.0; 1796-4.0; 1797-4.0; 5581-2.0; 4744-3.0; 4563-3.0; 5692-2.0; 10826-1.0

**Made by:** Opunake Power Ltd.

**For permits:** Relating to the operation of the Opunake Hydroelectric Power Scheme located adjacent to the Opunake township.

**Our reason for making this submission is:** The Waiaua River and Opunake Lake support a valued fishery for brown and rainbow trout and Fish & Game wishes to be involved in discussions relating to these applications for resource consent.

The Waiaua River is listed in Appendix 1A of the Taranaki Regional Freshwater Plan and Policy 3.1.4 requires that the Waiaua's high natural, ecological and amenity values are maintained and enhanced as far as practicable, and that adverse effects of activities on those values are avoided as far as practicable, or remedied or mitigated.

The power scheme adversely affects habitat availability and flow variability in the Waiaua River downstream of the diversion weir. The proposed minimum flow of 180 l/s below the canal sluice gate is there for 88% of the time and represents just 13.7% of the MALF (1,316 l/s). It is therefore too low and a higher minimum flow should be set.

Improving fish passage into the upper river is a high priority. The proposals outlined in the applications, including maximising the time when the fish pass is effective, holding the lake at its maximum level for longer to reduce water velocities at the river intake, effective monitoring and if necessary providing a separate fish pass from the canal to the river above the weir and/or a fish pass over the weir, are supported.

Previously, there have been issues with the inlet canal de-watering and stranding fish when the river inlet gates are shut during floods, and also with the minimum lake level being breached. Re-consenting needs to provide certainty that these issues will be addressed. The proposed 300mm operating range for the lake is supported.

De-silting of Opunake lake is not addressed in these applications. There appears to be widespread community support for lake de-silting, however it may be best if Opunake Power Ltd. holds a consent to allow this to occur.

**Our submission would be satisfied by the Council taking the following decision and/or incorporating conditions with the following intent:**

Setting conditions which ensure that any actual or potential adverse effects of the activities licensed by these consents are avoided, remedied or mitigated, including (but not limited to):

- Requiring a minimum flow downstream of the canal sluice gate of at least 400 l/s;
- Requiring fish passage issues to be resolved;
- Requiring improved lake level management so that issues with canal de-watering and lake level drawdown are resolved;
- Requiring effective monitoring, including monitoring of summer water temperature increases in the residual flow reach;
- If extraction of gravel or sand from the river immediately upstream from the weir is necessary, then conditions should require that any such extraction be done "in the dry" during periods of stream low flow between 1 November and 30 April.

**We DO wish to be heard in support of this submission.**

**Signature** 

**Date** 12/04/2020