

Media Release
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Top Energy to appeal Ngawha consents decision

Top Energy is to lodge an appeal in the Environment Court against the consents decision handed down by a three-member Joint Hearings Committee of Northland Regional and Far North District Councils, following the recent Ngawha Power Station resource consents hearing.

The Committee declined consents for the expanded plant and while the current consents were renewed, the term was only for 15 years. The company is challenging the Commissioners' decisions, in terms of both the extension of its current geothermal field consents as well the declining of consents for its expanded plant.

According to Chief Executive, Roger de Bray, the company was surprised by the Committee's decision to grant existing consents renewal for 15 years only, instead of a full 35 year term. "Over the last 6 years we have invested well over \$1 million in research and careful monitoring of the existing plant's effect on the geothermal field and surrounding environs. The results show no adverse affect, beyond natural variations. Also during that time, we have received no Notices of Mitigation from Councils, to suggest that our operation was affecting the resource. The Regional Council has no reason to expect any variation and can require changes or mitigations should this change. We believe there is no point restricting the period of the consents as granted", Mr de Bray said.

The Consents given provide for some 100 conditions to be adhered to. According to the company, many of these are expensive to implement and some impractical in their timeframes. "We will appeal these and hope to resolve them by negotiation with the consent authority", Mr de Bray added.

In addition, Top Energy is appealing the decision to decline the increased geothermal take and discharge consent which would allow the plant expansion. "Top Energy does not believe the Committee gave sufficient weight to the wider issue of New Zealand's electricity generation capacity shortage in reaching its decision. Nor did they in our view give adequate consideration to the mitigation proposals included in our application", Mr de Bray said.

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