

IN THE MATTER OF the Resource Management Act
1991

AND

IN THE MATTER OF applications by Central Plains
Water Trust to:

Canterbury Regional Council for
resource consents to take and
use water from the Waimakariri
and Rakaia Rivers and for all
associated consents required for
the construction and operation of
the Central Plains Water
Enhancement Scheme

Selwyn District Council for
resource consents to construct
and operate the Central Plains
Water Enhancement Scheme

AND

IN THE MATTER OF a notice of requirement by
Central Plains Water Limited to:

Selwyn District Council for the
designation of land for works
associated with the construction
and operation of the Central
Plains Water Enhancement
Scheme

BRIEF OF EVIDENCE OF RICHARD ANDERSON BUDD

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My full name is Richard Anderson Budd.

1. I was appointed consultation facilitator for the feasibility study for Central Plains Water by the Steering Committee, a joint committee of Selwyn District and Christchurch City Councils. I was involved with the scheme at different times from 2000 up to 2006. My role was to access, record and report the views of the community on issues relating to the use of water and how these may be overcome. I have worked and specialised in the area of public consultation for nearly 20 years and was an Environment Canterbury Councillor for 12 years.
2. This evidence needs to be read in conjunction with the brief of evidence provided by Erin Jamieson which outlined the consultation and communications carried out from 2000 to 2007. The focus of my evidence is from 2000 to 2006. I have included information pertaining to the landowners affected by the distribution race canals, however some of this work I was not directly involved in.
3. I would like to emphasise that throughout all the consultation people have been informed and invited to participate in many meetings where updated information and maps could have been sourced, however many people did not take up these opportunities.
4. The development of this project has occurred over many years. Consultation has had a significant influence in shaping the proposal from the early days in 2000 when the consultation had a broad perspective, down to more targeted consultation as details began to emerge. The time frame for this process has been lengthy and very frustrating for those people potentially affected. Some have spent years living under a cloud because of the proposed scheme and it is inevitable that for some people, no matter how much consultation occurred, it would never meet their expectations.
5. My evidence responds to three of the questions set out at bullet point 17 of the Commissioners' Minute (No 4) issued on 6 June 2008. These queries are:
 - (a) What have affected landowners been told regarding whether whole or part of their land will be acquired if the Scheme proceeds?

- (b) What information has been provided directly to landowners affected by Scheme works as to the location of such works on their land?
 - (c) Were all such landowners made aware that their land was directly affected by the NoR or consent applications prior to the closure of submissions?
6. Within the consultation programme landowners directly affected by the scheme were afforded the highest status. Consultation with these groups included personal visits, telephone calls, letters to their house, public meetings and invitations to a series of drop-in meetings.
 7. Over one hundred meetings with interested and directly affected parties were held and there was significant effort by CPW and its representatives to inform people about the scheme and to listen to the views of the wider community. An important mindset was adopted that affected parties should hear information first hand and not hear of it through some other medium.
 8. To answer the Commissioners questions, the consultation and communication undertaken has been broken down into:
 - (a) Consultation / communication with people affected by the main headrace canal.
 - (b) Consultation / communication with people in the Waianiwaniwa area.
 - (c) Consultation / communication with people affected by the distribution races.
 - (d) Other consultation.

**Note – there is repetition in the letters listed below for each group as some letters were common among the three groups. All letters referred to have already been made available to the commissioners in a pdf document.*

9. Consultation / communication with people affected by the main headrace canal.

10. Landowners affected by the headrace canals were identified through the GIS data at URS and using the rates database at Selwyn District Council.
11. In November 2000 I organised four headrace canal meetings (refer to point 21 in Erin Jamieson’s evidence) to initially give all landowners potentially affected by the headrace canal a ‘heads up’ about the proposed scheme.

These meetings were held at four landowners' properties and landowners who had nominated themselves as co-ordinators at the previous woolshed meetings spread the word about these meetings.

12. As the information progressed, for example that there was a shift to a level head race canal and more certainty began to emerge in regard to its location, two meetings were held for potentially affected landowners— one in the Sheffield Rugby Club and one in the Hororata Hall. An A3 map was available at these meetings indicating the position of the headrace canal, It was made clear that this map was a GIS representation of the contour and that there was ability to shift the canal to avoid infrastructure and this would be done on a case by case basis. These meetings were well attended
13. In November 2005 a letter was sent to this group informing landowners that their property had been identified as potentially affected by the scheme. However as a result of the earlier communication described above, as far as we are aware, all of the people potentially affected by the headrace canal had been previously contacted and viewed initial maps. In this letter CPW Directors' contacts were listed if people wanted further information.
14. In December 2005 a general update letter was sent, again listing CPW Directors' contacts if people wanted further information.
15. In March 2006 Individual letters were sent to all farmers affected by the main headrace canal inviting them to attend one of a series of woolshed meetings. At these meetings maps of the location of the headraces were shown to the farmers and they were told that the exact location of the canal would be determined after consultation with them.
16. In May 2006 as a result of the above meeting new maps incorporating amendments resulting from consultation and a letter advising people of the changes were sent to farmers on the headrace canal.
17. In June 2006 a general letter was sent that informed landowners that there had been changes to the main headrace and distribution canals as a result of consultation. The letter also provided a name and phone number and encouraged people to contact the person listed. It also stated that further information or a meeting would be arranged. Less than 20 people contacted the nominated person for further information.
18. In October 2006 two half-page advertorials were run in the local paper Central Canterbury News – the first answered questions on the scheme and

the second informed the public that the consents had been notified. Copies of both are attached.

19. Bob Bennett consultation – In September / October 2006 CPW contracted local farmer Bob Bennett to contact all landowners affected by the main headrace and reservoir. Attached are copies of the notes Bob made after each contact. Every person was sent a letter thanking them for talking with Bob and in a lot of cases new maps were sent to landowners.
20. In July 2007 an invitation via letter was sent to attend one of four drop-in meetings (each running three hours). These meetings were attended by CPW engineers and were well attended. Again a name and phone number were listed for further information.
21. In December 2007 a letter was sent to all landowners affected by the designation explaining what a designation was. It also gave mention of the submission process and included in this letter was a copy of a booklet from the Ministry for the Environment called 'The Designation Process – An Everyday Guide to the Resource Management Act'. Again contact details of one of the project team and their phone number was listed for further information.
22. In conclusion landowners potentially affected by the main headrace canal were given priority with regard to the consultation programme. This also included several visits to more affected landowners by CPW Board members. This group had access to maps from an early stage. URS Engineer Walter Lewthwaite also made over 150 individual visits to landowners, including many affected by the main headrace.

Consultation / communication with people in the Waianiwaniwa Valley area.

23. Landowners in the Waianiwaniwa Valley were identified using the same GIS/rates data process.
24. A specific database was prepared of people living the Valley potentially affected by the reservoir. In 2002 these people were contacted by letter and phone by me and I offered to meet to discuss the proposed scheme. Where requested individual meetings were held. This group was informed that CPW was now investigating the Valley as a location for the reservoir. CPW Director Doug Catherwood and I met quite a few of the residents.

25. In 2003 CPW Trustee Richard Davison also conducted meetings with residents in the Valley. Specifically he met with Richard Loe (since sold his farm), David Scott and Brian Deans. Andrew Scott did not wish to attend the meeting.
26. In 2005 a meeting for of all property owners in the Valley was held in the Coalgate Tavern.
27. In November 2005 another meeting was held at the Coalgate Tavern and Valley residents were sent a letter inviting them to attend. A note by CPW Director Doug Catherwood from the minutes of this meeting on Tuesday 22 November 2005 refutes claims that Mr Craig Robertson has never been consulted. In fact Mr Robertson videotaped this meeting. Mr Catherwood's minutes says: "*There was some contention that CPW had not consulted and was not consulting with Waianiwaniwa property owners. This claim was made by Craig Robertson who has interests in the Valley. This claim was strongly refuted. The meetings with property owners were outlined, including the meeting of all the property owners in the valley in the same room at the Coalgate Tavern. A meeting that Mr Robertson was at. Also the current process with landowners in the valley and the canal route was outlined. The fact that Brian Deans had insisted on contacting other farmers for these meetings was not CPW's failure if he had not done so. CPW would raise this matter with him.*" At this meeting maps were available for people to review so they could assess the effects on their property. To further assist in this regard URS placed pegs at strategic locations in the Valley to indicate highest water levels. Some properties were not available for this purpose as owners would not allow URS contractors on site and unfortunately some of the pegs disappeared.
28. At the above meeting there was extensive discussion about compensation and concerns about the Public Works Act.
29. I also dropped off a copy of the AEE to Mrs Roberson at her home on Courtenay.
30. In November 2005 a letter was sent to landowners informing them that their property had been identified as potentially affected by the scheme. CPW Directors' contacts were listed if people wanted further information. However as a result of previous consultation most of the landowners were aware of this fact.

31. In December 2005 this group received a letter that was a general update again listing CPW Directors contacts if people wanted further information.
32. In June 2006 a letter was sent that informed all landowners that there had been changes to the main headrace and distribution canals as a result of consultation. The letter also provided a name and phone number and encouraged people to contact the person listed to register interest in an area. The letter stated that further information or a meeting would be arranged. Less than 20 people contacted the nominated person for further information.
33. In October 2006 two half page advertorials were run in the local paper *Central Canterbury News* – the first answered questions on the scheme and the second informed the public that the consents had been notified. Copies of both are attached.
34. Bob Bennett consultation – In September / October 2006 CPW contracted local farmer Bob Bennett to contact all landowners affected by the main headrace and reservoir. Attached are copies of the notes Bob made after each contact. Every person was sent a letter thanking them for talking with Bob and in a lot of cases new maps were sent to landowners.
35. In July 2007 an invitation via letter was sent to attend one of four drop-in meetings (each running three hours). These meetings were attended by CPW engineers and were well attended. Again a name and phone number were listed for further information.
36. In December 2007 a letter was sent to all landowners affected by the proposed designation explaining what a designation was. It also gave mention of the submission process and included in this letter was a copy of a booklet from the Ministry for the Environment called 'The Designation Process – An Everyday Guide to the Resource Management Act'. Again contact details of one of the project team and their phone number was listed for further information.
37. This group was a top priority for CPW and every effort was made to ensure they had access to information and maps [although it is accepted that maps were not delivered or sent to property owners unless requested].

Consultation / communication with people affected by the distribution races

38. The database CPW used to communicate with people regarding notification of that their property may be affected by the distribution canals consisted of 573 people. The list was sourced from URS which obtained it from Selwyn District Council, and used GIS (with buffer criteria) to produce the lists of affected/ unaffected properties.
39. This group received letters informing them about the scheme and the effects it may have on their property. In each letter it was stated that it was CPW's intent to keep people informed and contact numbers and names were provided for people to gain further information.
40. In November 2005 a letter informing landowner that their property had been identified as potentially affected by the scheme. CPW Directors' contacts were listed if people wanted further information.
41. In December 2005 a general update again listing CPW Directors' contacts if people wanted further information.
42. In February 2006 a letter informing landowners that there was flexibility regarding the location of the proposed distribution races and that the races would not run "through someone's house" as had been quoted in the media by someone opposing the scheme.
43. In April 2006 another letter provided answers to a range of questions and four ways for people affected by the distribution races to seek further information:
 - (i) a phone number was included where people could ring to have a CD copy of the maps sent to them.
 - (ii) a website was also listed where the maps could be viewed.
 - (iii) seven locations around the scheme area were listed where people could view the maps and then make comments.
 - (iv) four drop-in (each for three hours) meetings were promoted.
 - (v) These meetings were also advertised in the local paper in the scheme area – *Central Canterbury News*.
44. In June 2006 another letter informed the landowners that there had been changes to some of the locations of the main headrace and distribution

canals as a result of consultation. The letter also provided a name and phone number and encouraged people to contact the person listed. The letter stated that further information or a meeting would be arranged. Less than 20 people contacted the nominated person for further information.

45. In October 2006 two half-page advertorials were run in the local paper *Central Canterbury News* – the first answered questions on the scheme and the second informed the public that the consents had been notified. Copies of both are **attached**.
46. In July 2007 an invitation via letter to attend one of four drop-in meetings (each running three hours) was sent to the 573 people on the list. These meetings were attended by CPW engineers and were well attended. Again a name and phone number were listed for further information.
47. Significant changes were made to the location of the distribution race canals as a result of consultation and people potentially affected by the distribution races were kept well informed and had opportunities to view maps and make changes to the locates of the races.
48. I note that some individuals affected by the Scheme have claimed in their submissions that they had never been consulted. Where the people listed below are affected landowners they should also have received all the communication listed above. Below are some specific examples:
49. Chris Bascand, Glentunnel Primary School–The Scheme’s Engineers, URS were instructed by the Minister of Education to liaise with Mark McGrath from Opus who was representing the Ministry of Education regarding all schools that will be affected in the scheme area. This was why Mr Bascand was not contacted directly.
50. Carol Thornton and Trevor Owens – Carol and Trevor spent time with one of the URS dam engineers, Tim McMorran, at their property. They also attended the public meeting organised by CPW at Coalgate to explain the dam design. This meeting was promoted to every house in Coalgate and Glentunnel via a flyer hand-delivered to their letterbox. After the meeting, at a later date, Walter Lewthwaite (the scheme's principal engineer) met with them at their property to further discuss their concerns.
51. Marty Lucas – Mr Lucas should have received the letters outlined in the communication undertaken with people in the Waianiwaniwa area. Bob Bennet also contacted Mr Lucas on 23 October 2006.

Conclusions

52. It is important to realise that this process has taken many years which is frustrating for those potentially affected by the scheme. Further to this, while CPW was preparing its prospectus in 2004, there was no outward communication until late 2005. At this stage a strong point from the opponents of the scheme was that the farmers did not want the scheme. The prospectus programme clearly indicated this was not the case illustrated by the over subscription of the prospectus. During this stage the project had an internal focus to raise the capital needed for the resource consent stage.
53. In all my years of consultation the work undertaken on behalf of CPW from 2000 onwards has been the most extensive and inclusive consultation programme I have been involved in. I am satisfied that landowners directly affected by the scheme works have all been advised and had ample opportunity to participate in consultation processes regarding what part of their land would be affected by those works and all would have known that their land was directly affected by the Notice of Requirement before the closure of submissions on the resource consent. I can not say what they have been told about whether the whole or part of their land will be acquired if the scheme proceeds, but I understand that the company has more recently made a public commitment to purchase the whole of the landowner's land where part of it is designated if that is the desire of the landowner.

Richard Anderson Budd