

ADDITIONAL COMMENTS ON ECONOMICS.

A Macfarlane has produced two very different budgets :

- 1) The first budget was dated 24 April 06.
In this budget the calculated "return on marginal capital invested" was 9.5%.
 - 2) This budget was dated 18 Dec 06.
In this budget the calculated "return on marginal capital invested" was 14.8%
- This is a huge increase in just 20 Months.

WHY?.

Some major contributing factors noticed: a) An additional 2000ha dairying post CPW.

b)A reduction in wages post CPW.

c)A reduction in the cost of bought in feed for dairying post CPW.

d)Price differentials have been introduced between pre and post CPW for some fertilizers.

A) An additional 2000ha of dairying post CPW .

This additional area changes the economic difference between pre and post CPW by over \$7.9m.

The additional 2000ha for dairying came from the lowest producing sector of the budget being 5) Finishing (ir) at an EBIT of \$667/ha.

Whereas dairying has an EBIT of \$4413/ha.

The difference is an increase of \$3746/ha

Multiplied by 2000ha = \$7.49m.

Macfarlane has made no attempt to update the true comparison between what will exist immediately prior to the commissioning of the proposed CPW scheme and what he assumes will exist post CPW.

The 22000 ha used in the pre CPW budget is well out of date and should at least have been increased by a similar amount if not more.

B)Reduction in wages post CPW. Dairying.

In the first budget Macfarlane has used a labour cost of \$232 per cow for both pre and post CPW.

This approach would seem reasonable with wages increasing with the increased cow numbers post CPW.

In Macfarlanes second budget he has altered his wages calculations showing a marked decrease in wages between pre CPW and Post CPW.

Wages pre CPW are \$395800 for 1300 cows or \$304/cow.

Post CPW are \$374800 for 1400 cows or \$267/cow.

This is a reduction in wages of \$21000 for 400 ha not allowing for any increase due to more cows.

Over the full 46500 ha this represents a reduction of \$2.4m.

Macfarlane has used the lower wages over the entire 46500 ha dairying even although over half of that area will be from either pre CPW dairy land or from the portion of the 15000 ha outside the scheme that will become dairy land.. Existing dairy farmers will have to reduce staff wages to make Macfarlane's budget real.

C)Reduced cost of stock feed purchased.

Macfarlanes budget shows the purchase of 610 tonnes of grass silage on both the pre and post CPW budgets.

The price per tonne pre CPW is \$150/tonne or a total of \$91500.

Post CPW is \$120/tonne or a total of \$73200.

Difference for 400 ha is \$18300. or \$45.75/ha

This equates to \$2.12m over the 46500 ha

D)Price differences for fertilizers.

Macfarlane's latest budget shows the following differences in fert. costs:

	Pre CPW	Post CPW
	\$/tonne	\$/tonne
Sulphur superphosphate	265	280
Urea	750	675

The net effect of these changes is a difference of \$10,200 in favour of CPW.

\$10,200 for 400 ha equates to

\$1,185.750 for 46,500 ha.

The effect of these three changes on the comparison between pre and post CPW EBIT is :

Extra 2000 ha dairying	\$7.49m.
Lower wages	\$2.4m..
Lower feed costs	\$2.12m.
Reduced fert. cost	\$1.1m.
TOTAL	\$13m.

The benefit of the additional 2000 ha dairying is unjustified and should be updated to represent the true current situation represented by the 2007 census figures.

Lower wages cannot be justified.

Lower feed costs cannot be justified especially given the huge increase in demand created by the additional dairying.

Lower fertilizer costs post CPW cannot be justified.

This \$13m is in my opinion an overstatement of the benefits of the CPW scheme from just these four items alone and before Mr Donnelly gets hold of the figures and applies his multipliers.

Dairying is the only part of the budget that compares like with like but I am sure that there must be numerous other examples such as these in the cropping budgets.

I find it hard understand how CPWL and Mr Donnelly can accept and rely on this latest Macfarlane budget as evidence of the financial advantages the CPW scheme will bring to the community.

This is a multi million dollar scheme that will change the face of Canterbury and our society forever ,and yet it is based on the disputed workings of Mr Macfarlane ,a farm consultant.

Phil Donnelly has used Macfarlanes figures and must surely have noticed some of the points I have raised.

FURTHER OBSERVATIONS TO THE PREDICTION THAT POST CPWL ALL DAIRY FARMS WILL INCREASE THE PRODUCTION OF MILK SOLIDS BY 21%.

This increase cannot be justified.

Over 50% of the predicted 46500 ha dairying land post CPW is either from pre CPW dairy land or from part of the additional 15,000 ha included in the budget from outside the scheme area.

**The question arises as to what could possibly cause this huge increase?
As a farmer I have considered the following possibilities.**

- 1) More reliable water.**
- 2) More grass grown through increased fertilizer use.**
- 3) More feed purchased.**

1) Reliability of water.

Howard Williams who is a hydrologist with ECAN told me that he does not know of any occasion over the past year in which dairy farmers with deep wells were required to shut down irrigators or reduce pumping over the Central Plains area.

**Deep well water supply has thus been near to 100% reliable.
It is not known how reliable the CPW scheme will be.**

2) More grass grown as the result of more fertilizer.

Macfarlane,s budget shows exactly the same volumes and types of fertilizer used both pre and post CPW.

3) More stock feed purchased.

The budget shows some increase in the amount of stock feed purchased but this is not a substantial amount, mostly an additional 100 tonnes of silage.

It appears that there is no good reason for the assumption that the productivity of dairy farms will increase by 21% as a result of the CPW scheme.

The suggestion that they will be better managed is negated by the fact that CPW intend to reduce dairy farm manager's salaries by 10%.

22,000 HECTARES IN DAIRYING PRE CPW.

Is this correct?

Is this a realistic figure to use in the cost/benefit analysis to identify the benefits created by the CPW scheme on a with or without basis?

The 22000 ha is not a current figure and as such does not reflect a true picture of a with versus without comparison.

Where did the figure of 22000 ha come from .

It was used in the AEE produced in 2005.

Donnelly has made reference to the amount of irrigated land in Canterbury in his evidence 31-1-08.

On pg.4 cl 3.1 he states "The latest available information on the NZ farm area under irrigation is from the 2002 June Agricultural Census."

I have made the assumption that this is the case.

The June 2007 Agricultural Census figures have just been released.

The new figures show an increase in dairy cattle in Canterbury between 2002 and 2007 of 39.1%.

I have assumed that this also reflects the same increase in the area in dairying.

How many hectares are currently in dairying?

22000 ha in 2002 plus 39.1% gives us an increase of 8602 ha to 30602 at June 2007. This is an average increase of 1720 ha per year.

The estimated total hectares in dairying in June 2008 is 32322 ha.

A further calculation should be made to predict what the area will be by the time CPW might begin their operations. Let's say in 5 years time.

At the current rate of increase it would be over 40,000 ha.

At no further growth it would be 32,600 ha.

The effect of updating this figure is huge.

The pre CPW side of the equation would increase by 10,600 ha dairying minimum.

At an increase EBIT per ha of \$2518 /ha

Giving a total increase to the pre CPW side of \$26,690,800.

At 40,000 ha pre CPW this increases to over \$45m.

Workings

Macfarlane evidence shows	pre CPW dairying	EBIT/ha \$2645.
	Pre CPW livestock dry	EBIT/ha \$127
	Difference	\$2518/ha.

Agricultural Production Statistics (Final): June 2007

Table 1

Selected Livestock Numbers⁽¹⁾⁽²⁾⁽³⁾
By region

Region	At 30 June											
	Total sheep			Total dairy cattle			Total beef cattle			Total deer		
	2002	2007	% change	2002	2007	% change	2002	2007	% change	2002	2007	% change
	(000)			(000)			(000)			(000)		
Northland	522	534	2.3	405	367	-9.4	468	496	5.8	23	8	-67.7
Auckland	368	288	-21.9	150	113	-24.5	172	157	-9.0	20	12	-39.3
Waikato	2,592	2,660	2.6	1,663	1,669	0.4	667	677	1.5	143	117	-18.5
Bay of Plenty	415	385	-7.2	331	299	-9.8	135	120	-11.2	73	54	-25.6
Gisborne	1,679	1,825	8.7	13	8	-37.0	310	287	-7.3	26	27	3.7
Hawke's Bay	3,789	3,624	-4.3	89	80	-9.9	556	438	-21.2	127	88	-30.2
Taranaki	698	656	-5.9	652	590	-9.5	127	137	7.5	11	4	-58.6
Manawatu-Wanganui	6,564	6,747	2.8	417	393	-5.6	726	681	-6.2	147	104	-29.4
Wellington	1,813	1,822	0.5	111	93	-16.5	181	156	-14.0	27	16	-41.7
Total North Island	18,440	18,542	0.6	3,832	3,613	-5.7	3,343	3,148	-5.8	598	430	-28.0
Tasman	356	348	-2.2	67	64	-5.4	49	51	4.9	32	21	-35.9
Nelson	11	8	-31.1	C	2	C	3	1	-50.9	2	C	C
Marlborough	785	579	-26.3	33	24	-26.5	72	66	-9.3	23	C	C
West Coast	93	54	-41.5	125	152	22.3	39	30	-22.2	33	42	25.5
Canterbury	7,758	7,167	-7.6	543	755	39.1	505	585	15.7	412	395	-4.1
Otago	6,121	6,031	-1.5	205	218	6.6	267	292	9.5	197	188	-4.4
Southland	5,951	5,662	-4.8	356	433	21.5	204	208	1.9	352	308	-12.5
Chatham Islands	57	69	21.3	C	-	C	9	12	34.3	-	-	-
Total South Island	21,132	19,918	-5.7	1,330	1,648	23.9	1,148	1,245	8.5	1,050	966	-8.0
Total New Zealand	39,572	38,460	-2.8	5,162	5,261	1.9	4,491	4,394	-2.2	1,648	1,396	-15.3

- (1) In 2002 and 2007, an agriculture census was conducted.
 (2) Figures may not add to the totals due to rounding.
 (3) Percentage changes are calculated on unrounded numbers.

Symbols:

- C confidential
 - nil or zero

FERTILISER & LIME

CROP/BLOCK	AREA	FERTILISER/LIME	KG/HA	TONNES	\$/TONNE	TOTAL
	400	Sulphur Superphosph	550	220	265	58,300
	400	Mag Oxide	30	12	400	4,800
	400	Copper & Zinc	8	3	2,500	8,000
	300	Potassium Chloride	30	9	455	4,095
	200	Lime	1,000	200	35	7,000
Nitrogen:						
Half farm each	400.0	Urea	450	180	750	135,000
	600.0	Nitrate inhibitor	1,000	600	72.5	43,500

CROP	AREA	FERTILISER/LIME	KG/HA	TONNES	\$/TONNE
M.Wheat					
M.Wheat					
F.Wheat					
F.Wheat					
Oats					
Oats					
Barley					
Barley					
Peas					
Peas					
Other					
Other					
Grass 1					
Grass 1					
Grass 2					
Grass 2					
Clover					
Clover					
Other					
Other					
		Total Tonnes		1,224	
		Cartage Cost			\$/tonne
		Spreading Cost			\$/tonne
OR	2,800.0	Hectares at \$		6 /ha	16,800
OR				General	
				TOTAL FERTILISER & LIME	277,495

FERTILISER & LIME

CROP/BLOCK	AREA	FERTILISER/LIME	KG/HA	TONNES	\$/TONNE	TOTAL
	400	Sulphur Superphosph	550	220	280	61,600
	400	Mag Oxide	30	12	400	4,800
	400	Copper & Zinc	8	3	2,500	8,000
	300	Potassium Chloride	30	9	455	4,095
	200	Lime	1,000	200	35	7,000
Nitrogen:						
Half farm each	400.0	Urea	450	180	675	121,500
	600.0	Eco-N	1,000	600	73	43,500

CROP	AREA	FERTILISER/LIME	KG/HA	TONNES	\$/TONNE	TOTAL
M.Wheat						
M.Wheat						
F.Wheat						
F.Wheat						
Oats						
Oats						
Barley						
Barley						
Peas						
Peas						
Other						
Other						
Grass 1						
Grass 1						
Grass 2						
Grass 2						
Clover						
Clover						
Other						
Other						
		Total Tonnes		1,224		
		Cartage Cost			\$/tonne	
		Spreading Cost			\$/tonne	
OR	2,800.0	Hectares at \$		6 /ha		16,800
OR				General		
				TOTAL FERTILISER & LIME		267,295

CENTRAL PLAINS WATER LIMITED



19 November 2007

Brian Thompson and Helen Davey
Waianiwaniwa Valley Road
Sheffield

P.O. Box 13 468
Christchurch
New Zealand
Phone 377 8076
Fax 377 8575

Dear Brian and Helen

Your Property

1. I refer to our meeting at Buddle Findlay on 14 November 2007 afternoon which I attended in my capacity as a director of Central Plains Water Limited ("CPWL") to discuss concerns you have regarding your intention to subdivide and sell part of your property in the Sheffield Valley. I want to thank you for coming in to see me to discuss your concerns and now write to record what we discussed
2. You first wrote to CPWL on 30 November 2006 seeking consent to your subdivision plans. Through Buddle Findlay CPWL consented to you proceeding with your subdivision project by letter dated 12 March 2007. You informed me that you have not yet completed your proposed subdivision and that you are currently working through various issues with the Selwyn District Council.
3. You told me that to date you have not had a registered valuation of the property but on the advice of a real estate agent that you have consulted, Bob Scott, you consider that the two 20 hectare (50 acre) blocks that you propose selling may have a market price in the vicinity of \$750,000. The two blocks in question adjoin the Waianiwaniwa Valley Road and part of each block appears to be under the proposed reservoir designation footprint. You intend retaining the balance of your land, some of which is also under the proposed reservoir designation footprint, however, you do not wish to sell any of your balance land at this time. You wish to sell the 100 acres of your land that you have identified in order to improve your overall financial position.
4. I indicated to you, obviously without commitment either way, that CPWL would be interested in receiving any proposal that you might have in relation to the sale of your land that is potentially affected by the proposed reservoir designation. You have explained that because of the designation which would affect part of the land that you propose selling, it would be difficult for you to market your properties. I said that any decision by CPWL in relation to such proposal would need to be made by the board and that I was unable to commit the board in any way. I indicated that following due process, issues of most interest to the board would be:

- (a) clear definition of the land that you might wish to sell which is potentially affected by the proposed reservoir designation and the proposed terms of such sale;
 - (b) satisfactory evidence as to the proper market value of the land that you are intending to sell; and
 - (c) an appreciation of what offer you might be prepared to make to CPWL in respect of the balance of the land that you intend keeping, but which is potentially affected by the designation of the proposed reservoir.
5. If you decide to make a proposal to CPWL and it is not possible to then negotiate a sale, any such negotiations would be completely without prejudice to your usual legal rights including under the Public Works Act.
6. So there is no doubt I wish to record that neither I nor CPWL can provide any advice to you in relation to the action you should or should not take regarding your subdivision and/or sale plans. Of course any steps you take and the timing of such steps is entirely up to you.
7. If you wish to approach CPWL again with a proposal, then I would be happy to communicate with you in the first instance.

Yours faithfully



PP **Willie Palmer**
Director
Central Plains Water Limited

Direct dial: 0-3-371 3502
Email: willie.palmer@buddlefindlay.com

Copy to: Allan Watson / Derek Crombie
GHD
Level 4
Spicer Building
148 Victoria Street
Christchurch

HARTLEY HILLS
RD 1
DARFIELD
5-7-06

PAT MORRISON
C. P. W.

Dear Pat,

I have sent you a copy of a letter,
from you to me, dated 15 SEPT 05.

The updated report you referred to in your
last paragraph was I believe the "Donnelly
Report."

It is clear to me now that you had no
intention of providing me access to this report
"when they come to hand, which should be
in a couple of months."

I took your word at the time but it is
obvious now that you had no intention of
keeping your word.

This new report has been used in the
A.E.E. and yet no objectors to the scheme,
nor the Selwyn Dist. Council have been
allowed to see it.

Do you have any comment to make.

Yours sincerely

Brian Thompson



28 March 2006

~~URS (NZ) Ltd
PO Box 4479
Christchurch~~

Attention: Cliff Tipler

Dear Cliff

Request for Information: Mr Brian Thompson

As you will see from the attached letters, we have been in correspondence with Mr B Thompson for some time. He first wanted to view the initial economic work done and the report that supported the Feasibility Study was made available to him.

Mr Thompson is aware that as part of the current consenting process new economic assessments were carried out by Mr Phil Donnelley and reported in summary form in the AEE. You have advised that the report supporting this summary is being finalised and we have advised Mr Thompson that this material will be available for examination, but to date, despite repeated requests, the final report has not been delivered. This is now a matter of urgency in terms of our responsiveness to requests for information.

Could you please advise where this matter lies, and a time by which the report can be expected so that we can let Mr Thompson know.

Thanks

Allan Watson
for GHD
Project Manager

C.C. Douglas Marshall
Brian Thompson _____

Hartley Hills,
R.D.1
Darfield.
9/1/06

Allan Watson.
Service Group Leader,
G.H.D.

Dear Allan,

I wish to make a formal complaint to GHD about the apparent refusal of your company to supply information relating to the proposed CPW irrigation scheme and in doing so totally destroying the possibility of an open and honest consultation process.

As you know I have been trying to get the background workings behind the most recent "Economic Effects" report of the proposed CPW irrigation scheme apparently done by Phil Donnelly and Andy McFarlane. I have read the earlier reports done several years ago but have only seen the brief summary of this report as presented in the AEE submission.

CPW Ltd has vowed to have open and honest consultation with affected parties and to make information available. This is obviously not so as I have been unable to get this information despite several months of trying.

My efforts to get the workings behind the report summarised for the AEE have met resistance from GHD, URS and CPW. I am still waiting for any sort of background workings after having requested them several months ago.

After such a delay I cannot believe that the reason for not supplying this information can be anything other than deliberate withholding of information. At this I must express my dissatisfaction and disgust.

Some of my phone calls include:

28/10/05 Allan Watson
6/11/05 Eddie Thomas
26/11/05 " "
12/12/05 Walter Luthwaite
13/12/05 Eddie Thomas
20/12/05 Eddie Thomas (Walter away)
22/12/05 Alan Watson.

Yours sincerely,
Brian Thompson.

cc PAT. MORRISON.

Hartley Hills
RD1
Darfield.
25-11-07.

Willie Palmer,
Director
Central Plains Water Ltd.
P.O.Box 13468.
CHCH.

Dear Willie,

Thankyou for your letter of 19 Nov.re our discussions on 14 nov.2007.
There is nothing in your letter we disagree with as an accurate summary of our discussions apart from the following points :

- 1) We asked that CPW consider taking responsibility for our financial loss due to the 3 months (102 days) delay in giving us permission to proceed with our subdivision.
- 2) Because of this delay we are now in the position of having to refinance which is an additional cost to us that would not have been necessary had it not been for the effects of the CPW designation on our land.

We needed CPW authority before we could apply for a resource consent from SDC. This authority took 102 days ,a time which you dismissed as an acceptable time. Regardless of whether the time is acceptable or not it cannot be disputed that this delay has cost us a lot of time and money .We feel that under the conditions of the CPW designation that CPWL are responsible for this additional cost to us. The three months of extra finance costs has put us in a position of having to refinance as we do not start getting any income from lambs or wool until January.

What we need now is money.This was made quite clear at our meeting,and if we have to refinance because of the effects of the CPW designation then the additional costs associated with refinancing will eventually be claimed against CPW. If it is possible for the Board to consider paying us \$12,000 for the effect of the 3 Month delay in giving approval then this would probably avoid our need to refinance thus avoiding a future cost.We can provide the necessary evidence of our financial costs for the 102 days.

WE have a meeting with our Bank Manager on Fri 30 Nov. so we would need at least some indication that the Board was willing to consider our request prior to this meeting.

We have not taken legal advice on this matter as this would add further costs which we cannot afford.However we feel strongly that CPW should take responsibility, for without the designation we would not be in the position we are now and may well have already sold our subdivided blocks.

You had the right to deny us the right to subdivide but chose to allow us to proceed with our plans.You recognised at the time that this decision would put additional responsibilities and costs on CPW but so far you seem reluctant to discuss these with us.

We have arranged for a Registered Valuation to be done within the next two weeks and feel once again that this additional cost should be paid by CPWL as without the designation this cost would not be required.

It is our opinion that the CPWL Directors have let the affected parties and the community down through their reluctance to consult or respond to problems being suffered by the public as a result of your designations.

We first requested a meeting with CPWL Directors to discuss our problems on 30 Nov.2006. Our meeting with you(Willie Palmer)is the first time in almost a year that a CPW Director has offered to meet with us to discuss our problems ,and this only came about because we were willing to give up our time and travel to CHCH for the meeting. Just another cost to us.

Would you please ask the CPWL Board to consider our request for some financial assistance (compensation).

Eg. 102 days finance costs \$12,000.

The cost of the Reg. Valuation.

And perhaps even a payment for stress as offered in the AEE.

Yours sincerely,

Brian Thompson and Helen Davey.

A handwritten signature in cursive script, appearing to read "B J Thompson".

Hartley Hills.
R.D.1
Darfield.
29-06-07.

Pat Morrison,
Chairman,
Central Plains Water Ltd.

Dear Pat,

On 30-11-06 I wrote to you requesting authority from CPWL to subdivide and sell some of Hartley Hills farm to improve our financial position and profitability.

This permission was granted (with conditions) on 12 March 07 after a delay of some 3 1/2 months. (letter from Buddle Findlay).

In my letter I pointed out the negative affects CPW was having on us and requested to meet with the CPW Directors to discuss your taking ownership of the problems you had created.

Quote: "Your proposed scheme is no doubt having a negative affect on our ability to obtain true market for our land. We wish to speak to the CPW Directors regarding your taking ownership of the adverse effects you scheme is having on our commercial operation and look forward to any suggestions you may have regarding taking responsibility for these."

We have not heard from you or any of the CPWL Directors regarding the problems you have created for us.

Would you please advise us ASAP whether or not you intend discussing these matters with us or if you deny any financial responsibility for our situation.

We are also concerned about the financial situation CPW is in and whether or not you are in a financial position to meet your responsibilities under the Act. Can you please confirm that you are financially capable of settling fair compensation claims as they arise. Our fear is that there may be conditions attached to your new financial aid package that may preclude it being used for compensation such as ours. Is this so?

CPWL has already cost us - delays of 4 months causing us the extra cost of interest on our mortgage

- Devaluation of our land due to the threat of the CPW dam.
- Loss of value on our land due to a softening market and increasing interest rates.

Please let us know what your intentions are. Will you discuss the matter with us or will we be forced to look at the possibility of using S185 of the RMA?

Ideally we would like to sell our subdivision for market value (\$750000) to some willing buyer and have you compensate us for the additional interest we have paid due to delays caused by CPW. This is highly unlikely whilst the threat of the dam exists. The only other option is for CPW to buy our subdivision at market value, compensate us for our interest and then sell the

land if and when they can. This would transfer the problem from us to CPW where it belongs.

Yours sincerely,
Brian Thompson
Helen Davey.

cc. Rachael Dunningham
Hon. David Benson-Pope.

Hartley Hills
RD1
Darfield.
30-11-06

Pat Morrison,
Chairman
Central Plains Water Ltd.

Dear Pat,

Would you please grant us authority from CPW Ltd to subdivide and sell the two areas of land marked (1) and (2) on the enclosed proposed subdivision plan. My wife and I believe that we have an opportunity at the current high land values to considerably improve our financial position and profitability by selling off some land now.

As you know CPW has designated our land as part of your proposed irrigation scheme and because of this we must now seek your permission to carry out our business activities which were formerly our RIGHTS.

Your proposed scheme is no doubt having a negative affect on our ability to obtain true market value for our land. We wish to speak to the CPW Directors regarding your taking ownership of the adverse effects your scheme is having on our commercial operation and look forward to any suggestions you may have regarding taking responsibility for these.

If it were not for CPW Ltd we would definitely proceed with our plans immediately . Your prompt attention would be appreciated as timing is very important when buying and selling land.

Looking forward to your prompt response.

Yours sincerely,
Brian Thompson.

SENT

PO Box 13468

CHCH.



Office of Hon David Parker
Minister of Energy
Minister Responsible for Climate Change Issues
Minister for Land Information

10 OCT 2007

Brian Thompson
Hartley Hills
RD 1
DARFIELD

Dear Brian Thompson

Thank you for your letter of 29 June 2007 regarding the Central Plains Water Scheme.

In regard to your concerns about conditions attached to loan agreements, I am advised that there is nothing in Central Plains Water Limited's (CPWL) loan agreements that would prevent the loans from being used to pay compensation under the Public Works Act.

On your question about whether CPWL is responsible to pay compensation for adverse effects prior to gaining resource consents, I am advised that the Resource Management Act 1991 (RMA) does not require monetary compensation to be paid in this situation. However, there is a general duty under the RMA on everyone to avoid, remedy or mitigate any adverse effects of their activities on the environment (including people and communities).

I am also advised that if there is a designation or notice of requirement for a designation over your land, then section 185 of the RMA applies. This enables an application to be made, at any time, to the Environment Court for an order, that would require the person responsible for the designation or notice to acquire or lease all or part of the land under the Public Works Act 1981 subject to certain conditions. Please refer to the attached copy of Section 185 of the RMA.

I am unable to give you the reassurance that you seek but I understand that CPWL has sent you a letter agreeing to your proposal to subdivide and sell your land.

Yours sincerely

Hon David Parker
Acting Minister for the Environment