

IN THE MATTER of the Resource
Management Act 1991
(the Act)

AND

IN THE MATTER of applications by the
Central Plains Water Trust
(CPWT) and the
Ashburton Community
Water Trust (ACWT)

Statement of Evidence of Liz Weir

Introduction

1. My name is Liz Weir and I am a resident of Coalgate, site of the proposed CPW dam and irrigation reservoir. I have lived in Coalgate for 8 years with my family and run my own business from home. I am a trained teacher but for the past 8 years have worked as a freelance storyteller and lecturer. My partner, Colin Morris is a self-employed builder who works in and around the Selwyn District region. We built our own home in Coalgate and we value the quiet, restful surroundings in which we are lucky enough to live.
2. Before moving to Coalgate I lived and worked in Christchurch as an Outreach Children's Librarian for Christchurch City Libraries. The move to Coalgate meant having to forgo the convenience and pleasures of services such as the theatre, films, concerts, recreational activities and easy access to libraries, the museum, the art gallery and shops. In hindsight, the most difficult part of the move was losing the proximity of close friends and family.
3. I chose to relinquish these conveniences however, because I felt that the benefits of living in a small, quiet, rural environment far outweighed the allure of the city. I no longer have easy access to cultural and artistic pursuits but I do have rivers, mountains and the bush as my backyard playground.
4. The Proposed CPW irrigation scheme and the Notice of Requirement will provide our community with no benefits whatsoever but will put our community at considerable disadvantage. It will have severe adverse

effects on my family and me. Therefore, I submit that all consents be declined and that the Notice of Requirement be withdrawn.

Personal Effects

5. We are situated at the end of Lower High Street and have a beautiful view of the foothills from our property. Across from our home is a paddock that is normally used for grazing sheep and sometimes horses. Although we have neighbours on two sides, it is a quiet, fairly secluded spot in the township and one that is highly valued by those of us who live there.



View from 20 Lower Street, Coalgate. The hill on the right would be the eastern edge of the dam.

6. Our house is a stone and timber house. The house was carefully planned and designed to incorporate sustainable and energy efficient features. Colin oriented the house to achieve maximum solar benefit. The thick stone walls of the house provide a natural heat sink and the indoor terracotta tiles absorb heat from the sun during the day and release that heat at night.



20 Lower High Street.

7. Our spacious kitchen is dominated by a refurbished double-oven Shacklock wood burning stove that not only heats our house in winter but also heats our water. The large stove is built in to a low stone wall, that is not only pleasing to look at, but acts as another heat sink. I use the stove for cooking and baking in the winter; this reduces our energy consumption considerably. Our warm inviting kitchen is the place where people gather when visiting in the winter.



Kitchen of 20 Lower High Street.



Shacklock double-oven wood burner – in winter it heats the house, the water and our food.

8. Building the house was a labour intensive project that took Colin eleven years to complete. At the time of the house construction, Colin worked as a leather craftsman during the summer months and during the winter months he worked in the ski industry. During the summer, Colin made hand-sewn leather products, which he would then sell at the Arts Centre Market in Christchurch over the weekend. He would spend one week doing leatherwork and one week working on the house; this was his work pattern over many summers. In the winter Colin worked as Ski Patrol manager at several ski fields in Canterbury and latterly as a Heli-ski Guide for Mount Hutt Helicopters. This was Colin's normal working pattern for many years; most of his time was spent either working to earn a living or building the house. There wasn't time for much else.



Front deck.



Commissioned hand made window.

9. Although building a home was sometimes a huge learning curve, Colin enjoyed the experience so much that he decided to become a builder. He is mainly self-taught but recently completed his Certificate of Carpentry and is now a qualified builder. He runs a small but successful business in the area.
10. We have been living in our house for 8 years now and during that time have had a warm, comfortable and aesthetically pleasing home. Because the house is built of stone, it is warm in winter but remains cool in the summer. The house features a timber spiral staircase, thick, naturally shaped matai timber benches, timber and terracotta floors and vaulted cathedral timber ceilings. It is not a house that could be replicated somewhere else.



Hand Built Spiral Staircase.

11. We are keen gardeners and have worked hard over the years to build up organic, well-balanced soil in our vegetable garden. During the summer months we eat well from the garden and in the winter months enjoy the frozen and preserved produce it has provided. I derive immense pleasure from working in my flower gardens, which have grown and developed over the years. The gardens, I believe, add to the appeal of our home.



Stained glass window in back door.



Bush baths - river stone and tile.

12. Colin and I chose to settle in Coalgate with the thought that we would be there for the rest of our lives. We have worked hard to achieve what we have and were devastated when we first heard about the CPW scheme. We never envisaged that our bucolic setting would be replaced by a 55 metre high dam to the north and a 50m wide headrace canal to the east and south of our property and that our quiet rural life style would be destroyed.

13. I am the Secretary of the Malvern Hills Protection Society Inc. I have been involved with the society since its inception and have been secretary for 5 years. Along with other members of my community, I have spent untold volunteer hours, over the past 7 years, trying to ascertain how the CPW Scheme will impact on my local community and the wider environs. I struggled to get sufficient information from CPW in order to gain a clear understanding of the scheme and felt unwillingness on the part of the applicant to divulge information.

14. Because I took the time to seek information, I believe I have a relatively good understanding of what CPW is proposing for our community. However, when rumours about the scheme started circulating most people in Coalgate did not really understand what impacts the scheme would have upon the community and many still do not to this day. There are numerous retired and elderly residents in Coalgate who do not have the energy or desire to spend countless hours trying to understand the huge complexities of this scheme. CPW did not make a full-scale 3-D model of the scheme so that people could get a real feel for what was being proposed. Because CPW pushed the 'lovely lakeside recreational' aspect of the scheme, many residents still have no idea about the scale of the dam and reservoir.

15. I strongly refute Ms Jamieson's claims that 'stakeholders' were consulted. I have followed the progress of this scheme closely over the years and would say that the people of Coalgate are one of the major stakeholders, yet consultation with them was appalling. There were only ever 2 public meetings held in Coalgate, one of which was organised by the Malvern Hills Protection Society. These meetings were not for consultation; they were simply meetings where residents were told what was going to happen. Any contact that we did have with CPW was usually through a PR person who could never answer any questions. Over the last five years we only ever saw one trustee in Coalgate. For a scheme that purports to be a public scheme, with a trust set up for charitable purposes there was not much charity shown to Coalgate residents.
16. When we received a 'Dear Landowner' letter in November 2005, telling us that our house would be within 200 m of the proposed headrace canal and therefore subject to the Notice of Requirement, Colin and I wrote a letter to CPW asking for further information. We are still waiting for a reply.
17. In November 2006, we received a letter from SDC notifying CPW's application for a Notice of Requirement. We still had no idea whether or not our land would be included in that notice and it took hours of delving through piles of documents to find the answer. I believe that there are individuals who still have no idea that a canal may pass through their land.
18. Because I found it so difficult to get answers from CPW, I had to seek those answers elsewhere. I joined the Malvern Hills Protection Society because I wanted to ensure that the concerns of our residents and our environs were not left by the wayside in this process.
19. The following is a list of just some of things I have done over the past five years as a member of the Malvern Hills Protection Society:
 - Attended CPW meetings (when the public was allowed to attend);
 - As Secretary of the Malvern Hills Protection Society, I have written countless letters, attended untold meetings, sent thousands of emails, written screeds of minutes, liaised with government and council officials, made hundreds of phone calls and received and filed thousands and thousands of documents;

- Organised community meetings. This included booking halls, organising advertising, setting out chairs, making supper, answering questions, explaining about the RMA, helping people to understand the submission process, lending a sympathetic ear to people who were confused, worried and stressed;
- On at least half a dozen occasions, I have given tours of the Waianiwaniwa Valley and scheme area to groups interested in learning about the impacts of the scheme. Each tour lasted the entire day;
- Created and delivered information fliers throughout our rural community (often by bicycle);
- Attended untold council meetings CCC/SDC/ECan;
- Lobbied central and local councillors for help;
- Liaised with other groups concerned about the scheme;
- Campaigned for local government candidates who might listen to our concerns;
- Organised and run fund-raising events (mostly held at weekends); and
- Baked an enormous number of muffins and cakes.

20. All of these things were done on a volunteer basis in my own free time. I was able to do this because I am self-employed and have some degree of flexibility to my working hours. I gave up such a huge chunk of my life because I love my little part of New Zealand and want it to remain the idyllic community that it is. I also value and appreciate the natural environment too much to see it destroyed by CPW's scheme.

21. I do, however, deeply resent the toll that this process has had on my life. Too much of my time has been spent lying awake at night after having attended meetings about the CPW scheme. I was often tired and frazzled and found it difficult to set aside this issue that has dominated my life.

22. Colin and I worry about what we will do if the scheme proceeds. We do not want to leave the home that we have made for ourselves but would not even contemplate living in Coalgate if the scheme were advanced. We are no longer young and after suffering a major back injury, Colin is no longer physically capable of making another stone house. We would have to leave the area that we love and leave our friends and neighbours to start all over again. Our loss would be huge but it pales into insignificance when

I think about my friends and neighbours in the Waianiwaniwa Valley who will have no choices at all.

23. If CPW is granted consent to build the dam and reservoir we will have to move. As much as we love our home and neighbourhood, we would find it impossible to live in an environment dominated by noise, dust, blasting, vehicle movement etc. Even if we were able to live through years of disruption, the threat of living beneath 280 MCM of water would be too stressful. The value of our property would be substantially decreased because of the lengthy construction period and it may prove impossible to sell property at all. The issue of compensation for Coalgate residents has not been discussed by CPW in its evidence. It would appear that we are expected to give up everything we have worked hard to achieve and receive nothing in return. The least we would expect to receive from CPW is compensation for our property if we cannot sell it and move on.

Noise, dust, vibration... general disruption to Coalgate Residents

Section 326 of RMA - Meaning of excessive noise

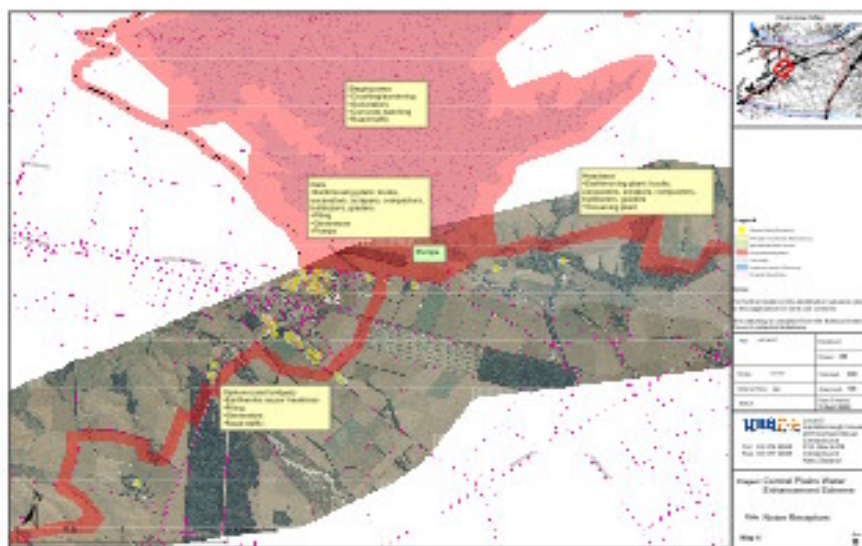
24. In the Act, the term “excessive noise” means any noise that is under human control and of such a nature as to unreasonably interfere with the peace, comfort, and convenience of any person ...
25. I fail to see how CPW can sufficiently mitigate or diminish the effects of at least three years of construction disruption in Coalgate without interfering with the “peace, comfort and convenience” of an entire township. Mr. Ed Wylie in his opening statement said the dam was 1.4 km from Coalgate. This statement is disingenuous to say the least. At some points, the edge of the dam footprint closest to Coalgate will be less than 200m away from the township boundary. There are properties within 250 m of the dam footprint so I fail to see how these homes can be unaffected by construction noise. The level and intensity of noise that CPW is proposing is well outside what is allowed within the District Plan and would be ongoing for many years.
26. Mr. Chiles, Acoustic Engineer and expert witness for CPW, stated in his evidence “with appropriate controls in place, such as those I have suggested as consent conditions, I consider that the construction and operational noise and vibration effects of the scheme will be no more than

minor.”

27. Those of us who work and live in Coalgate know how easily sound travels in our rural community and I strongly dispute that effects will be minor. I live on the south eastern aspect of Coalgate and work from home; it is common for me to clearly hear the noise of trucks travelling along Homebush Road, which is not far from the dam footprint. The constant stream of vehicular traffic along Coaltrack Road and Homebush Road would be intolerable.

28. I cannot even imagine what the noise of blasting, heavy machinery, drilling and major earthwork movement would be like and I do not want to find out. People who live in Coalgate chose to live there because it is a quiet, rural setting. The degree and intensity of noise, dust, vibration and vehicle traffic that the CPW construction would entail is totally unacceptable and it would be unconscionable to ask a community to live with those conditions. For this reason alone the scheme should not proceed.

29. In the supplementary evidence provided by Mr. Chiles, he highlights houses within 250 m of the construction areas that would be affected by noise. How does he come to the assumption that only properties within 250 m will be affected by noise? Does the noise stop once it reaches 250m? Once again, I stress that noise travels very well in our community. From my own long-term personal experience I suggest that houses within 500m will be greatly affected also. That means just about all of Coalgate.



Mr. Chile's map showing areas that would be affected by construction noise.

30. Because of where Colin and I live, we will not only have the effects of dam construction to contend with but also those of the headrace canal. Our property is located less than 200 m from the designated area proposed for the headrace canal skirting the eastern border of Coalgate and less than 250 m from the southern border of the headrace. We will literally be surrounded by noise, dust and constant disruption during the construction phase.

Embankments

31. The level headrace must leave the 235 contour to avoid part of Coalgate. “In this case it will be necessary to make embankments or cuttings to maintain the grade.... The height of the embankments... will generally be no more than 5 m high and the width at the base will be up to 75m. (AEE page 3-29, 3.9.6 Embankments).

32. Residents living on the eastern side of the township will be surrounded by the ‘Great Wall of Coalgate.’ I for one would not want to be living on an island encircled by walls of gravel to the east and south and a dam on the northern side. If ever there were a dam breach ‘event’, we, on the eastern side of Coalgate, would be trapped on three sides within walls that would not allow water to run off.



Eastern Township residents enclosed by the “Great Wall of Coalgate”.

Personal Background

33. I am originally from Canada but came to New Zealand in 1986 on my way back home after a year overseas in Australia. A planned two-week visit to

New Zealand turned into 22 years. I can honestly say that I was hooked by New Zealand as soon as I stepped off the plane in Christchurch. I travelled into Christchurch one cool winter evening on an old, smelly diesel bus (which I found charming) and marvelled at the beauty of the trees, the Avon River and all the neat 'old' cars.

34. I am a keen trumper and love the outdoors so was soon heading for the bush and mountains. When I arrived on the West Coast, I knew that I needed to stay in New Zealand for longer than 2 weeks. The allure of New Zealand for me was largely its outstanding natural beauty but it was also the people and at that time, the genuine 'Clean Green' nature of the rivers, streams and lakes that attracted me. New Zealander's and the government of the day, really seemed to understand what a privilege it was to live in such a beautiful country and respected and protected the natural environment.
35. At the time I came to New Zealand, I was wrestling with the thought of returning to my home country, Canada where regrettably, this same view did not exist. The push for constant economic growth was generating unprecedented levels of pollution and in many cases the total destruction of too many of Ontario's thousands of small lakes. As a canoeist, I found it difficult to enjoy the outdoors when I paddled across ancient lakes that were totally devoid of life because of Acid Rain contamination. Most of this Acid Rain is carried North by the prevailing winds from The United States and is deposited onto Canadian lakes and trees.
36. The absence of frogs croaking, birds chirping and small fish swimming around created an eerie, barren waterscape and I became increasingly anxious about the widespread environmental devastation. I even felt a loss for the dreaded lake weed that gets tangled up in one's paddle.
37. The Canadian Government chose not to confront their bigger, more powerful neighbours to the south about the Acid Rain problem, for fear of economic reprisals. The problem still exists today because no one will accept responsibility for the pollution. Large corporations deliberately choose to pollute and then pay the paltry pollution penalties, rather than install the necessary equipment to reduce the pollution, because polluting is the cheaper option.

38. Acid rain is still a major problem in eastern Canada. Because of economic imperatives, thousands of lakes and vast forest areas continue to acidify as levels of acid deposition exceed critical loads. Scientists estimate that despite existing Canadian and U.S. emission reductions, approximately 95,000 lakes in southeastern Canada will be acidified if further reductions are not made.¹

Groundwater and Freshwater contamination in Canterbury

39. I have relayed this story about the reasons behind my decision to make New Zealand my new home, because I fear that the environmental degradation that occurred in Canada (and persists) is happening here in New Zealand. I have seen time and time again how beautiful, robust ecosystems around the world have been exploited, destroyed and then abandoned, all for the sake of making money. The environment always seems to lose out to the almighty dollar and I cannot bear to see this happen in Canterbury.

40. The CPW irrigation proposal is a huge scheme which not only has the potential to cripple two of New Zealand's iconic rivers, but also has the potential to contaminate Canterbury's enviably pure but complex aquifer systems. I know it is a highly unscientific approach to say 'err on the side of caution' but evidence from CPW to prove that the aquifers will categorically NOT be contaminated, does not exist, so it seems logical to take the precautionary approach. The consequences of proceeding with a scheme that could have potentially catastrophic effects on drinking water quality are too dire to contemplate.

41. The recent media coverage regarding contaminated drinking water supply in Springston Canterbury shows how easily groundwater can be contaminated. If contamination is happening at this level with current intensive land use, what could potentially happen to drinking water supplies once CPW's scheme is up and running? Adaptive management plans cannot provide concrete, decisive plans for this very real concern.

¹ February 19, 2003, Pollution Probe calls for major reductions in acid rain-causing pollutants in Ontario.
www.pollutionprobe.org/publications/air.htm.

42. In Canada, I watched in horror as lake after lake died because no one had the guts to say 'enough, clean, healthy waterways are more important than money.' The dead lakes in Canada will take years to restore, it will cost millions of dollars and it will not be the polluters who pay either.
43. If CPW is given consents for its irrigation scheme, I firmly believe that the increase in intensive dairy farming has the potential to cause massive contamination problems for groundwater, rivers and lowland streams and for Lake Ellesmere/Te Wahora. In his report *Growing For Good: Intensive farming, sustainability and New Zealand's Environment*, October 2004, Dr Morgan Williams, Commissioner for The Environment concludes "...there is intensive pressure on our natural capital - rivers, lakes and aquifers, soils, biodiversity and atmosphere. Between 1996 and 2002, synthetic fertiliser use across all sectors grew by 21% and the use of urea fertilizers soared by 160%."
44. In its Assessment of Environmental Effects, CPW states that it hopes to double the amount of dairying in The Central Plains region. In their paper *Some External Costs of Dairy Farming in Canterbury* Peter Tait and Ross Cullen, report - "Over the 2004/05 summer 71% of river sites monitored in Canterbury were not suitable for contact recreation (ECan 2005b). This is made up of 57% having a 'very poor' grading and 14% a 'poor' grading. Sites graded very poor have direct discharges of faecal material and swimming should be avoided, permanent signage is erected informing the public. These sites provided samples with *E. coli* concentrations above the action mode guideline of <550 *E. coli*/100ml. Davies-Colley et al. (2004) show how a dairy herd crossing a stream temporarily raises *E. coli* concentrations by 100x the contact recreational guidelines. As well, appreciable mobilisation of nitrogen and fine suspended matter occurs causing turbidity."
45. What will the rivers and streams be like after the CPW scheme allows for even more intensive land use?
46. Messieurs Tait and Cullen go on to comment on groundwater contamination in Canterbury. "The Canterbury Plains are particularly susceptible to aquifer intrusion over time due to their physically flat nature exacerbating downward seepage of surface contaminants. Currently there are few immediate contamination issues, however there is evidence that

nitrates are penetrating lower over time and it **seems inevitable that mitigation costs will be incurred into the future.**"

47. The Annual Ions Survey (ECan, 2002b) for 2001/02, shows that Maximum Acceptable Values (MAV) (MoH, 2000) for the health-based standards were not met for: faecal coliforms in 36 samples (15%); *E. coli* in 35 samples (14%); nitrate nitrogen in 5 samples (2%) and manganese in 6 samples (2%). There is evidence of an increasing long term trend of nitrate in groundwater. Trend analysis tests conducted on nitrate concentrations from 255 wells in Canterbury identified long-term increasing trends in 43 wells. These wells were distributed across the Canterbury Plains and in most other areas of Canterbury where groundwater quality is monitored (ECan 2002a). Approximately 5% of 151 wells monitored in 2003/04 had nitrate levels above the MAV. A contaminated well can be made deeper to avoid nitrate at considerable cost to the owner. Reverse osmosis is a treatment that is employed at around \$1000 per unit. These costs to **private individuals** are not recorded in analysis of groundwater surveys."²

48. I have no faith in the applicant's reassurances that voluntary sustainability codes of practice and adaptive management plans will work. Ultimately, CPWL's bottom line is to serve its shareholders, even if that means ignoring best practice environmental standards. The Assessment of Environmental Effects produced by Central Plains Water Trust (CPWT) contains the Memorandum of Agreement (2004) between the CPWT and Central Plains Water Ltd (CPWL), the operating company and states:

Section 14.2(a) "*CPWL will adhere to and uphold best practice environmental standards of such type and to such levels of performance as shall be agreed by the parties. Such standards:*

- a. Must be reasonable and appropriate;*
- b. Must be financially viable to implement; and*
- c. Must not affect the financial viability of water user's use of water from the scheme.***

49. This statement implies that CPWL shareholders will have no compulsion to use the irrigation water efficiently or to comply with pollution control measures that may restrict their profit margin. Besides, who will be

² Source www.lincoln.ac.nz/story_images/2347_tait_s6599.pdf.

monitoring all these new dairy farms? ECan currently has trouble effectively monitoring the dairy sector that already exists in Canterbury.

Wider environmental concerns

50. Another major concern that I have about the CPW Scheme is the effects on two of Canterbury's (in fact New Zealand's) iconic braided rivers. I do not have the scientific expertise to give quantitative data on how such large water abstractions will affect the rivers, but I have read and concur with Fish and Game's submission and also Forest and Bird's. I have seen the effects of low water flows on my local river, Waikirikiri/Selwyn River and can only assume that large water takes from the Waimakariri and Rakaia Rivers will only exacerbate existing problems with algal bloom and loss of fish, bird and invertebrate habitat and numbers.

51. The Canterbury mudfish is a unique and valuable habitat indicator for freshwater stream health. I was recently employed by ECan to use my storytelling skills in an attempt to disseminate information about the plight of the endangered Canterbury Mudfish. While researching this special fish, I discovered the extent to which its existence is already compromised by pollution, loss of habitat and destruction from livestock in waterways.

52. I was pleased and pleasantly surprised at how readily children championed this little critter. But I do wonder why all this effort and money is being put into saving this species if no REAL effort will be made to protect its habitat and to curtail the alarming number of dairy conversions. The Canterbury mudfish is an indicator of stream health. How many other species are being lost to land conversion with its consequent habitat destruction, intense and unmonitored pollution of fresh waters and the ever-increasing disregard for nature? Who gave us the right to destroy these habitats just so that some people can gain even more material wealth? I think it is obscene.

53. Colin and I are keen trampers and head to the mountains whenever we can. The Arthur's Pass area is one of our favorite spots and we have crossed the Waimakariri River many times on our tramps. Just last year on a return visit from the west coast, we were alarmed to see how low the water level was. I have grave doubts that the Waimakariri and indeed the Rakaia, can supply enough water for CPW's water hungry irrigation

scheme during these drier summer periods. Filling a reservoir with water taken from the rivers throughout the rest of the year will only result in putting the rivers under stress for the entire year and not just during the drier summer months.

54. Why should my appreciation of and value for the water that stays IN the river be deemed any less important than CPW's desire to rob the river of its water for financial gain? I am tired and worn out from constantly having to submit on resource consents, which seek to take every last bit of water remaining in the rivers. To paraphrase Mr. Milne's paper on dealing with cumulative effects of water takes *Now is Enough, Enough!*

55. The dairy sector has got away with polluting waterways for far too long without paying any significant penalties and has had free access to the water that belongs to all of us. I cannot believe that we have to continually fight to keep water in the rivers that belongs to all New Zealanders. I strongly object to any scheme that will allow further dairy conversions; especially on land such as the Canterbury Plains, which is not suited to such intensive, destructive farming.

Requiring Authority Status

56. In his opening statement Mr. Ed Wylie insisted that the Requiring Authority Status (RAS) was not an issue that the Commissioners should consider, because they have no authority to overturn the RAS granted by the Ministry for the Environment. When the RAS was granted to CPWL by the then Minister David Benson-Pope, many people wrote to the Minister expressing outrage that a private company should be given such wide sweeping powers. The Minister assured the public that everyone who wished to, would have an opportunity to comment on CPW's RAS at the Resource Consent Hearing. If this current consent hearing is not the forum for discussing CPW's RAS, why did over 250 individuals fill out Form 21, a Submission on a Publicly Notified Requirement for Designation under the RMA on a notification put out by SDC? The huge number of submissions received by SDC about the RAS is indicative of the feeling in the community regarding CPW's choice to compulsorily purchase properties for their private scheme.

57. The issue of the RSA is one that I believe is central to the consent hearing. Mr. Wylie referred to landowners who could potentially 'hold the scheme to ransom' yet he fails to point out that CPWL is holding over 100 landowners to ransom. Part 8, section 167 of the RMA, states that a Requiring Authority must give '*... proper regard to the interests of those affected and to the interests of the environment.*' Everyone who has been served with a Notice of Requirement for their property is currently in limbo. Many are not investing in betterment of their land because they do not know if they will even own their land in ten years' time. Why would one build new sheds, barns, and fences or improve property if future farm viability remains uncertain? CPW has not given proper regard to the affected landowners. Their scheme plans to date are far from complete, leaving affected landowners waiting unnecessarily.
58. Those landowners in the Waianiwaniwa Valley, who have had gutsful and want to move on, cannot do so because they cannot get a fair price for their land while it is crippled by the Notice of Requirement. Talk about being stuck between a rock and really hard place. They can do nothing on their property without first asking CPWL (who do not actually own any of the land yet) and they have no confirmed time as to when they will be able to return to working their land. Currently CPWL is preventing these landowners from moving ahead yet they are not required to compensate for lost income and opportunity. If CPW is granted consents to take water but does not have the finances to proceed with their scheme, the RAS allows them to retain the Notice of Requirement on affected properties for up to ten years. Who is holding whom to ransom here?

Governance Issues

59. CPW has persisted over the years in referring to its scheme as a public scheme; one which would protect the water for the community's use. It sold 350 shares in the scheme area with the promise that CPW Trust would give CPW Limited's shareholders sole use of the water. In 2007, before the CPW resource consents hearing even commenced, CPW found itself short of finances to proceed to the hearing and entered into an agreement, which makes a total mockery of the "trust" idea.
60. I understand that in exchange for a \$4.6 million dollar loan, CPW has agreed to allow certain shareholders, Dairy Holdings Ltd, Clovernook

Dairies and Wilsden Farm Ltd., access to the Rakaia River water take consents (if granted) until its own scheme is operational. In essence, dairy corporations will have acquired a consent that they did not apply for through the correct procedures, nor have they given any information as to how the water will be used. This is outrageous and must be illegal. If I were a CPW shareholder I would be asking why I was being asked to subsidise corporate dairy ventures.

61. As a submitter to the CPW proposal, I did not have the opportunity to comment on this "backdoor deal" because I was not aware of it when I made my submission.

Conclusion

62. Because of the overwhelming negative impacts that the CPW irrigation scheme would have on the Coalgate community, and the potential for irreversible adverse effects on the environment, I ask that the all resource consents be declined and that the Notice of Requirement be withdrawn.

***"Only when the last tree has died and
The last river has been poisoned and
The last fish has been caught,
Will we realize that
We cannot eat money"***

19th Century Cree Proverb

**Liz Weir
Coalgate
April 2008**