

## **Procedural Statement of Hearing Panel**

Delivered orally by Prof Peter Skelton(Chair) at the Hunter Downs Irrigation Scheme Hearing in Timaru on Wednesday 19<sup>th</sup> December 2007.

This statement should be read in conjunction with the first Procedural Statement which the Panel delivered on 5 October 2007.

At the conclusion of the hearings on 5 October 2007 relating to the North Bank Tunnel Scheme, the Panel adjourned the applications relating to that proposal sine die with leave reserved to have them brought on at 21 days notice.

The Panel also said that it would review the possible decision-making processes for the North Bank Tunnel Scheme and Hunter Down Irrigation Scheme at the conclusion of the current hearing on the latter scheme.

In the first procedural statement the Panel indicated an intention to complete the hearings on all four groupings of applications, that were earlier identified in that first statement, before making any decisions. However, since then the circumstances have changed and a new decisions procedure has now been adopted as follows;

1. In respect of all the priority issues that were the subject of the hearings before Commissioner Skelton, sitting alone on the 25<sup>th</sup> and 26<sup>th</sup> October 2007, the Commissioner will complete and issue his decision by mid-March 2008.
2. The Panel will then proceed to consider and prepare its decision on the North Bank Tunnel Concept applications with a view to issuing that decision before the end of May 2008. The hearing of those applications will remain adjourned sine die on 21 days notice until the Panel is satisfied that it no longer requires any further information to complete its decision. The parties to those proceedings will be advised about this by Minute to be issued in due course.
3. The application by Meridian Energy Ltd and the South Canterbury Irrigation Trust for resource consent to take and use water for the Hunter Downs Irrigation Scheme will be adjourned sine die with leave reserved to have it brought on at 21 days notice. The Panel repeats that this is not an open invitation for parties to seek to provide further information on this application. If the Panel requires further information it will ask for it.
4. The Panel now proposes to hear all the pending applications for water takes and associated consents in the Lower Waitaki catchment, both above and below Black Point, in the weeks of 11 and 18 August 2008 and the weeks 1 and 8 September 2008. These dates have been selected to cater for various absences and other commitments by the Commissioners between the end of May 2008 and the beginning of August 2008.
5. It is not intended to issue a decision on the application for the Hunter Downs Irrigation Scheme until the hearings referred to in (4) above have been completed.

6. The Panel intends setting dates for the hearing of applications for water takes and associated consents in the Upper Waitaki catchment late in 2008 following the completion of the hearings referred to in (4) above. However, Environment Canterbury staff will consult with the parties to those proceedings about suitable dates closer to the time.

The current hearing of the Hunter Downs Irrigation Scheme application is adjourned sine die accordingly.