

IN THE MATTER OF the Resource Management Act 1991

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 for the Central Plains Water Enhancement Scheme and for associated consents required for the construction and operation of the Central Plains Water Enhancement Scheme

AND

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

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

**JOINT DECISION AND RECOMMENDATION OF
INDEPENDENT COMMISSIONERS
28 MAY 2010**

PART 12

List of Hearing Dates and Appearances

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- PART 1** – Introduction, Part II RMA, assessments, objectives and policy summary, conclusions, decisions and recommendations
- PART 2** – Disputed conditions
- PART 3** – Beneficial, economic, social and cultural effects of the scheme
- PART 4** – Intakes and headraces
- PART 5** – Distribution network
- PART 6** – Waimakariri and Rakaia takes
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1. APPEARANCES

The submitters who appeared at the hearing are listed below.

Central Plains Water

Matthew Casey Q.C. (Lead Counsel)
Mr. E.D. Wylie Q.C. (opening submissions)
Ms R. Dunningham (Counsel)

Mr. D. M. Marsh (CPWT Trustee and Director)
Mr. D.J. O'Rourke (CPWT Trustee)
Mr. R.W. Davison (CPWT Trustee)
Mr. P.G. Morrison (Chairman of CPWL)
Mr. J.W. Donkers (Director CPWL)
Dr. T.D. Heiler (Engineer – Water Resource Engineering)
Ms. E. Jamieson (Communication Advisor)
Ms. D. Jolly (Iwi Environmental Management Consultant)
Mr. C.J.M. Tipler (Environmental Engineer, URS)
Mr. W. J. Lewthwaite (Environmental Engineer, URS)
Mr. T.J. McMorran (Engineering Geologist)
Mr. R. R. Davidson (Geotechnical Engineer)
Mr. M. D. Gillon (Engineer)
Dr. J.C. Bright (Specialist Engineer and Director of Aqualinc Research Limited)
Mr. J. J. Weir (Hydrogeologist)
Mr. M. F. Close (Water quality research scientist specializing in groundwater quality)
Dr. G. Francis (Specialist Soil Scientist)
Ms. C.M. Mulcock (Resource Manager and Hydrologist)
Mr. I.C. Brown (Environmental Farm Plans)
Dr. M.C.G. Mabin (Environmental Scientist, URS)
Mr. P.C. Kennedy (Environmental Scientist – Botany and Zoology)
Dr. G.P. Burrell (Freshwater Ecologist)
Dr. R.M. Allibone (Freshwater Scientist)
Dr. G.J. Glova (Freshwater Fisheries)
Dr. C.D. Bishop (Ecologist)
Mr. C.R. Glasson (Landscape Architect)
Dr. N.C. Taylor (Social Researcher)
Dr. J. Habberfield-Short (Heritage Archaeologist)
Mr. A.M. Whaley (Civil Engineer)
Mr. A.W. McFarlane (Farm Management Consultant)
Mr. P.T. Donnelly (Economic Consultant)
Mr. D.J. Murray (Resource Management Planner)
Ms. S. Robson (Consultant Planner)
Mr. S.G. Chiles (Acoustic Engineer)
Mr. R. Budd (Consultation Facilitator for CPWT)
Mr. A. F. Curtis (Dust Control)
Mr. A. M. Whaley (Traffic)

Ashburton Community Water Trust

Ms J.M. Appleyard (Counsel)
Mr. D.N.H. Borrie (Engineer)
Mr. J. Dunning (Resource Management Planner)
R.I.C. Mackenzie (Chairman of ACWT)
Mr. S. Woods (Civil Engineer)

Environment Canterbury

V.J. Bidwell (Section 42A Report - Senior Research Engineer)
M.J. Duncan (Section 42A Report - Scientist – Surface Water Hydrologist)
Mr. L. Fietje (Section 42A Report)
Ms. A. Dean (Section 42A Report)
C.R. Hanson (Section 42A Report - Groundwater Quality Scientist)
S.A. Hayward (Section 42A Report - Groundwater Quality Scientist)
Mr. A.S. Meredith (Section 42A Report - Water Quality Scientist)
D.M. Scott (Section 42A Report - Groundwater Hydrologist)
H.R. Williams (Section 42A Report - Groundwater Resources Scientist)

Dr. P. Grove (Land Resources Scientist)
Ms. K.J. Johnston (Civil Engineer)
Ms. D. Lucas (Consultant Landscape Architect)
Mr. V.M. Smith (Planner)
Mr. R.J. Vesey (Engineer)
Ms. J. Whyte (Consultant Planner)

Selwyn District Council

Mr. H.M. Blake-Manson (Asset Manager Utilities)
Ms. D. Buchan (Social Scientist)
Mr. G.V. Butcher (Economics)
Mr. C. Jacomb (Archeologist)
Mr. J.W. Trevathan (Acoustic Engineer)
Mr. N.J. Williams (Consultant Transport Engineer)
Mr N.B. Boyes (Section 42A Officer's Report - Planner)
Mr W.A.N. Brown (Economist)
Nr. A. Craig (Consultant Landscape Architect)
M. Davis (Ecologist)
S.J. Ford (Agribusiness Consultant)
P. Grove (Land Resources Scientist – Ecology)

Christchurch City Council

A. Prebble (Counsel)
P.F.Callander (Hydrogeologist)
K.Davis-Miller (Planner)
E.M. O'Neill (Water Engineer)

Department of Conservation

P.N. Rutledge (Counsel)
S.C.C. Bowie (Terrestrial Ecology)
K.F.D. Hughey (Environmental Management)
A.R. McIntosh (Terrestrial Ecology)
D.M. Newey (Planning)

Fish & Game/Department of Conservation

G.P. Canham (Recreation)
T.R.H. Davies (Engineering Planning)
R. de Joux (Hydrogeologist)
J. Hay (Terrestrial Ecology)
J.W. Hayes (Terrestrial Ecology)
S.T. Larned (Scientist)
D.A. Olsen (Terrestrial Ecology)

North Canterbury Fish & Game Council

J.M. Crawford & S.J. Eveligh (Counsel)
D. Barr (Club President)
D. Bejakovich (Senior Fish & Game Officer)
N. Goldie (Angler)
J.M. Holland (Environmental Officer)
T. Isitt (Angler)
A.B. Matravers (Angler)
I. McCrory (Ranger)
R. van der Zwet (Angler)

New Zealand Salmon Anglers Association Incorporated

R.M. Stuart (President)
P. Robinson (Angler)
N.F. Ellis (Past President)

Christchurch International Airport

P.F. Callander (Hydrogeologist)
R.K. McAnergney (Manager Airport Planning)
J.A. Renwick (Scientist)

Royal New Zealand Forest and Bird Society

F. MacKenzie (Counsel)
C.D. Meurk (Scientist)

Ngai Tahu Property Limited

M. Christensen (Counsel)
E.N. Jansen (Property Management/Development)

Te Runanga o Ngai Tahu

M.J. Wallace (Counsel)
D. Brown (Fishery Protector)
H. Burgmann (Archeologist)
B.T. Coffey (Scientist)
M.C. Copeland (Economist)
D.P. Hamilton (Lake Ellesmere)
D.M. O'Connell (General Manager of Tribal Interests)
P.A. White (Scientist)
P.S. Whyte (Planner)

Canterbury District Health Board

A.G.H. Humphrey (Medical Officer of Health)

Department of Corrections

M.C. McGrath (Planner)

Canterbury Coal

D. Bell
K. Shearer

Gravel Extractors Group

E. Chapman (Counsel)
K. Bligh (Resource Management Advisor)
P. Callander (Hydrogeologist)
K.M. Seaton (Planner)
B. Warren (Chief Executive Officer)

New Zealand Recreational Canoeing Association

T. Ward-Holmes (Conservation Officer)
M. Baker (Counsel)
H.J.P. Canard (Conservation Officer)

Speight's Coast to Coast

R. Judkins (Race Coordinator)

Whitewater Canoe Club

M. Gill-Fox (Kayaker)
G. Wilson (Past President)
I. Huntsman (Race Coordinator)

Waimakariri Irrigation Limited, Waimakariri District Council & Kaiapoi Community Board

J.M. Appleyard (Counsel)
P.F. Callander (Hydrogeologist)
G.H. Clemens (Director/Chairman Waimakariri Irrigation Limited)
R.D. Keating (Mayor)
D. Young (Manager Utilities and Roading)

Paparua Water Race Irrigators Group

A. Nicol (Representative)

Mainpower

C.E. Robinson (Counsel)

Green Party Aotearoa New Zealand

R. Norman (Co-leader)

Farmers Group Southern Headrace

R. Austin & T. Austin (Representative)
J. Deans (Representative)

Lowland Farming Group

D.P. McEvedy (Representative)
R. Heslop (Representative)

Silver Fern Farms Limited (formerly PPCS)

G.M. Keeley (Technical Manager)

Selwyn Plantation Board Limited

C. Fowler (Counsel)
K. Ellem (Representative)

Waihora Ellesmere Trust

R.J. McPherson (Trustee)
H.G. Rennie (Chairperson)

Leeston Rural District Drainage Committee

J.E. Sunckell (Chairman)

GUARDIANZ

A.J. Cook (Representative)
G. Nelson (Representative)

Malvern Rifle Club

G.R. Smith (Representative)

Water Rights Trust

M. Rodgers (Chairman)

National Council of Women of New Zealand

S. Lukey (Representative)

Waimakariri Alpine Jet Limited

W.J.A. Raymond (Managing Director)

Jet Stream Tours

P. Vernel (Representative)

Homebush Stables Historic Society

L.M. Deans (Representative)

Oaks Historic Homestead

M. de Jong (Owner/Operator)

Ascot Park Limited

J. Crawford (Counsel)

South Canterbury Federated Farmers

T. Henderson (Vice President)

Hopefield Investments Limited

W.O. Harrington (Director)

Ritso Society

M.R. Keeley (Representative)

G. Stevenson (Representative)

R. Lawrence (Representative)

Rosendale Holdings

B. Rawstron (Owner/Operator)

Mr. H. Williams

Coalgate Township Committee

C. Morris (Representative)

Kimberley Residents Association

NE & JA Cameron

AG Cammock

GJ and LN Hewitt

J Justice

J McCausland

IH and CM Reed

DW & JI Syme

ID & AM Syme

BG & JA Reed

Prebbleton Community Association Incorporated

V.M. Challies (Representative)

Malvern Hills Protection Society

M. Parker (Counsel)
J.A. Burns & S. Schlaepfer (Counsel)
D.J. Lucas (Landscape Architect)
J.K. Campbell (Natural Hazards)
M. de Jong
T.J. Hazeldine
G. Horner
M. Lucas
B. Mathers
C. Morris
C. Robertson
M. Robertson
M. Robertson
R. Snoyink
B.I. Thompson
C. Thornton Owen & T. Owen
L. Weir

Taege Family

A.F.J. Gallen (Counsel)
T. Taege & H. Taege

Kirkstyle Farms Limited

D. Scott

Westacre Farms Limited

J.G. Hardie (Counsel)
G. Judd

Bull Family Trust

J.M. Crawford (Counsel)
A.F. Bull

Drumnacott Farm Limited

G. Hewitt & L. Hewitt

R & B Partnership & Hicken Family Trust

R. Hicken

New Zealand Historic Places Trust

Ms. J Easterbrook
Ms. B. Moseley

Synlait Limited

Mr. E. Chapman (Counsel)
Mr. A. Barton
Mr. D. W. Stewart

Trustpower Limited

Ms. L. C. R. Burkhardt (Counsel)
Ms. K. A. Joynt

Jetboating New Zealand

Mr. P. G. Kiesanowski

Mr. R. H. Adams

Individual Submitters

D. Catherwood

R. Freldman

G. Janson

P. Jarman

R. Manson

D.L. Summerfield

R.H. Williams

T. Abbott

T.J. Austin

K. Cookson

T. Cookson

A.H.M. Couper

J. & P. Deans

T. Deans

G. Deans

G.T. Deans

J. (Judy) Deans

J. (James) Deans

F. Denson

C. (Christine) Dennis

C. (Christopher) Dennis

G.P. Dennis

C.J. Garland & J. Pilbrow

C. Mackenzie

E. & I. McLeod

J.H. Robinson

Sheen & Broughton & Broughton

J. Snoyink

A.D. Stevens

P.D. Thomas

G. Thompson

H. Thompson

K.W. Briden

G. Brookland

M.R.T Brown

J. Campbell

M. Clarke

S. Clarke & L. Barlow

W.C. Clarke

R. Dougherty

R.S. English

W. Kolff

R. MacFarlane

K. McIlraith

G. Mackinnon
 S. Molloy
 F. Ogilvie
 A. Raizis
 L. Shand
 P. Sumpter
 T.J. Wardell
 E. & F. Williams
 B. Woods
 C.A. Bascand
 R. Deans
 J.B. Deans
 S.J. Dennis
 B.J. Douglas
 M.E. Hawke
 P. Heddell
 H. Heddell
 M. Mathers
 K.M. Oxley
 J.H. Thwaites
 G.E. Williams

Note for Submitters

As will be apparent, the Hearings Panel heard very large number of submissions throughout the hearing, and accumulated a substantial volume of evidence and notes. It is conceivable that our summary and commentary in the text of this recommendation and decision may not have captured all statements of evidence placed before us, or particular points raised in submissions. We apologise for any omissions that may occur in this regard.

2. CHRONOLOGY OF HEARINGS PROCESS

Date	Party
18 December 2007	Pre-hearing
25 - 27 February 2008	Applicant
3 – 13 March 2008	Applicant
21 – 24 April 2008	Applicant and ACWT
28 and 30 April 2008	ACWT Richard English Ritso Society Ross Manson Martin Bruce Applicant Christchurch City Council
12 – 16 May 2008	Community District Health Board ECan Fish and Game

Date	Party
19 – 23 May 2008	
20 & 21 May 2008	DoC/Fish and Game
22 May 2008	DoC/Fish and Game Malvern Hills Protection Society
23 May 2008	Selwyn District Council Historic Places Trust Ngai Tahu
3 – 6 June 2008	
3 June 2008	Ngai Tahu
4 June 2008	Malvern Hills Protection Society
5 June 2008	Malvern Hills Protection Society Farmers in support
6 June 2008	Malvern Hills Protection Society
10 – 13 June 2008	
10 June 2008	Forest and Bird Di Lucas Kayakers
11 June 2008	Kayakers Coast to Coast Jetboaters Association Trevor Tague
13 June 2008	Kayakers Water Rights Trust Gravel Extractors
24 – 26 June 2008	
24 June 2008	Gravel Extractors Trustpower Synlait
25 June 2008	Coalgate Township Committee Farmers in support
26 June 2008	Waimakariri District Council Mainpower Ngai Tahu Property Department of Corrections
24 – 25 July 2008	Directly affected submitters/landowners
5 – 8 August 2008	
5 August 2008	Individual submitters
6 August 2008	Applicant
7 August 2008	Lowland Farming Group Leeston Drainage Committee Prebbleton Community Association Waihora Ellesmere Trust Little Rakaia Boating Club Paparua Water Race Irrigator Group Canterbury Coal Limited
8 August 2008	Individual submitter Kirkstyle Farms Limited Christchurch International Airport Limited Green Party Godfrey Judd and Westacre Farms Ltd
11 – 14 August 2008	
11 August 2008	Individual submitters
12 August 2008	Individual submitters

Date	Party
13 August 2008	Individual submitters Selwyn Plantation Board Limited Farmers Group Southern Head race Jet Thrills Alpine Jets Silverfern Ltd Guardianz
14 August 2008	Fish and Game National Council for Women Malvern Hills Protection Society
25 – 29 August 2008	
25 August 2008	Individual Submitters Department of Conservation Fish & Game (incl Salmon Anglers) NZ Canoeing Association
26 August 2008	New Zealand Salmon Anglers Association Reporting Officers (SDC)
27 August 2008	Reporting Officers (SDC)
28 August 2008	Reporting Officers (ECan)
29 August 2008	Reporting Officers (ECan)
9 – 12 September 2008	Reporting Officers (ECan) and Applicant's Right of Reply
24 September 2008	
11 May 2009	Applicant Fish and Game Individual Submitters Department of Conservation Malvern Hills Protection Society Ashburton Community Water Trust Reporting Officers
12 - 15 October 2009	
12 October 2009	Applicant
13 October 2009	NIWA (Nitrate Report) Christchurch City Council Individual Submitters
14 October 2009	Gravel Extractors Fish and Game Ngai Tahu Community and Public Health Individual Submitters Reporting Officers
15 October 2009	Reporting Officers Applicant
24 – 25 March 2010	
24 March 2010	Applicant Christchurch City Council Waimakariri District Council/Waimak Irrigation Ltd NZ Historic Places Trust Fish and Game Department of Conservation Kayakers Gravel Extractors Individual Submitters

Date	Party
	Reporting Officers
25 March 2010	Ngai Tahu Reporting Officers