

IN THE MATTER OF

the Resource Management Act 1991

AND

IN THE MATTER OF

The Proposed Waipara Catchment
Environmental Flow and Water
Allocation Regional Plan ("the WRP")

MINUTE OF THE HEARING COMMISSIONERS

14 July 2009

1. Between 31 March and 6 April 2011 we heard submissions on the WRP. The hearing was subsequently adjourned.
2. Our draft recommendation to the ECAN Commissioners was substantially complete by 27 May 2011. However at that stage we were advised that a National Policy Statement (NPS) on Freshwater had been issued by the Ministry for the Environment on 12 May 2011, and that the Review of the Canterbury Regional Policy Statement was to be notified on 18 June 2011. No evidence and submissions on these matters were presented at the time that we considered the submissions on the WRP.
3. We were advised that in considering the Hearing Panel's recommendations, the ECAN Commissioners would be required to give effect to the provisions of the NPS and have particular regard to the reviewed Regional Policy Statement. In other words, although these Plans took effect after our hearing of submissions on the WRP, they would have effect prior to the date on which ECAN Commissioners could consider our recommendations.
4. Both the NPS and the reviewed Regional Policy Statement contain provisions which may be relevant to determining matters relating to the allocation of water in the Waipara River Catchment.
5. As a result, the Hearings Panel will have to reconvene the hearing on the WRP, in order to provide submitters with the opportunity to comment on how the NPS and the reviewed Regional Policy Statement might affect the content of their submissions.
6. We have sought and received legal advice on the above matters, which confirms that the hearing will need to be reconvened, and that submitters who wish to make additional comments should they so wish, be given the opportunity to do so.

7. We have requested that an addendum Section 42A Officers report be prepared on the NPS and reviewed Regional Policy Statement. This report will be placed on the Canterbury Regional Council's website on 29 July (<http://ecan.govt.nz/get-involved/water-projects/river-flow-review/waipara/Pages/hearings-appeals.aspx>). A copy of the report will also be sent on 29 July to all submitters who wish to be heard.

8. The hearing will reconvene at the 'Mud House' Waipara, on 18 August 2011 at 9 AM. The following day, 19 August, has also been set aside on the basis that it may be required. The sole purpose of the re-opened hearing is to deal with the effects of the NPS and reviewed Regional Policy Statement and how they affect submissions. The hearing is not an opportunity to re-present a case, or comment on other matters.

A handwritten signature in black ink, appearing to read 'Robert Nixon', with a long horizontal stroke extending to the right.

Robert Nixon

Chair, Hearings Panel