

IN THE MATTER OF

the Resource Management Act 1991

AND

IN THE MATTER OF

The Proposed Pareora Catchment
Environmental Flow and Water
Allocation Regional Plan ("the PRP")

MINUTE OF THE HEARING COMMISSIONERS

2 August 2011

We have completed the hearing of submissions on the PRP, which took place between 27 July and 1 August 2011. The hearing has now been adjourned, but during and at the close of the hearing, we indicated to the parties present that we would be issuing a Minute outlining further information we would require.

The actions and information we require are as follows;

1. Council officers are to provide further information as to the reliability of water (in terms of reliability as determined under the NRRP) in terms of the following scenarios;

- the 'A' block in terms of the 'status quo' option;
- the 'A' block in terms of the PRP as notified;
- the 'A' block if the minimum flow was set at 600litres per second(l/s);
- the 'A' block if the minimum flow for takes into storage was set at 1600l/s;
- the 'A' block if the minimum flow for takes into storage was set at 2700 l/s;
- the 'B' block if the minimum flow for takes into storage was set at 3700l/s;
- the 'B' block if the minimum flow for takes into storage was set at 5000 l/s.

(We acknowledge that reliability can be determined in different ways, but we consider it would be useful to our deliberations to assess scenarios against the now settled provisions of the NRRP).

2. We request that Council officers obtain legal advice as to whether it is lawful to incorporate policies or rules into the PRP which restrict the size of an individual allocation block, or which *require* a flow sharing arrangement.

The information requested under (1) and (2) above is to then be circulated to members of the hearing panel and to the parties who attended the hearing, with any comments by the parties to be received by us in writing by Friday 26 August.

3. To assist the Hearings Panel in the drafting of its recommendation to ECAN, the reporting officer is to prepare a version of the PRP containing ECAN's recommended text changes, to be received by us by Friday 12 August.

4. The Hearings Panel is to be provided with copies of ECAN decisions and information relating to the following resource consent applications;

- The Fernwood application to take 'A' allocation water into storage;
- The Silver Fern Farms application removing any conditions for minimum flow requirements;
- The Walters application to take 'A' allocation water into storage at a minimum flow of 2700 l/s.

5. An assessment of the extent to which climate change is expected to influence rainfall and surface flows in the Pareora River, having regard to Canterbury Regional Council Report R07/4 (as required in terms of the National Policy Statement on Freshwater).

The Hearings Panel has not commenced its deliberations and will not complete its deliberations until the information requested is available. The questions raised in this minute should not be interpreted as reflecting any conclusions the Panel may reach on the matters before it.



Robert Nixon

Chair, Hearings Panel