

For immediate release

9 August 2007



Central Plains Water wins court case against Malvern Hills Protection Society

The Malvern Hills Protection Society (MHPS) today lost its challenge in the Environment Court regarding Central Plains Water's (CPW) powers as a requiring authority, granted by former environment minister David Benson-Pope in 2005. The status allows CPW to designate land, including private land, for the proposed scheme.

Chairman of Central Plains Water Limited, Pat Morrison said today, "We are pleased with the outcome, however we never doubted it would be in our favour. We were always confident the procedure for processing our various applications was robust and would withstand scrutiny. The judge's criticisms of the Malvern Hills Protection Society, including his comments that they were "frivolous and vexatious " bear that out.

"We look forward now to progressing to a hearing without such distractions which is where the real debate over the merits of the proposal should be taking place.

"Nevertheless I want to take this opportunity to make two statements. The first is to refute MHPS's claims that if CPW is granted its consents, farmers will be 'thrown off their land and lose their livelihoods'. The facts, not the emotion of the situation are that CPW would enter into a process of negotiation with affected landowners and CPW will properly compensate all affected parties. Only when negotiation fails does the Minister of Lands take over and initiate a process to acquire the land.

"My second point is that this is one of several court cases that CPW has had to fight to maintain its ability to access the water in priority to competing applications from Ngai Tahu and Synlait]

"These challenges continue and we have two more cases to prepare for over the next six months. My point here is that members of the public who believe that by opposing the CPW scheme they will somehow halt the spread of intensified agriculture on the central Canterbury Plains are being naïve. Neither of these other parties are planning large scale water storage for use during drought. I've heard no mention of them establishing new wetlands and they will never be able to claim to have provided hundreds of farmers with an alternative to continuing to deplete our aquifers, nor restore flows in our lowland streams nor control nitrate contamination in our precious groundwater. But CPW can.

"Despite what our opponents claim via the media, our environment will be better off with the CPW scheme than without and I look forward to the detailed and considered examination of the scheme's impacts and mitigation measures that the consent hearing process will allow.

"In addition, CPW's resource consents will be owned by the Christchurch City and Selwyn District Councils and controlled by an appointed board of Trustees. Let's

ensure our water is used for maximum benefit and for the maximum number of farmers – not the select few who will get their hands on it if the CPW scheme fails, “ says Pat Morrison.

Central Plains Water is considering its options with regard to claiming costs against MHPS.

-Ends-

For further information:

Pat Morrison

Chairman – Central Plains Water Limited

(03) 318 3783 or (021) 434 222