

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of applications for resource consents to take and use water, disturb the Waitaki riverbed to install an intake and to disturb riverbeds and excavate slopes of greater than 21 degrees to install pipes - **CRC040427, CRC040428 and CRC040429**

BY Waihao Downs Irrigation Limited
Applicant

TO Environment Canterbury
Regional Council

BRIEF OF EVIDENCE OF PAUL HARRISON

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1. My name is Paul Harrison and I am a farmer from Waihao Downs, a mixed farming district, 15 kilometres southwest of Waimate.
2. I am a shareholder in Waihao Downs Irrigation Limited and as of July 2006 have chaired the Board of Directors of the company.
3. The initial concept of this scheme was developed by board member Jon Kirk and Robin Murphy a prominent local irrigator, at a meeting in 2000 where the possibilities for further irrigation in the Waimate District were discussed.
4. Drought has been a perennial issue for our community since farming started in the 1860s. With limited success in groundwater abstraction and extraction from the Waihao River constrained by low flows, the consensus held that Waihao Downs, with its fertile soils, easy topography and superb moisture retention, would continue to be captive to its harsh dry land climate, unequalled grass growth in wet years combined with pasture and soil degradation and the all too common dry times.
5. The concept developed by the two aforementioned gentlemen and the resulting work done taking levels and determining a possible irrigable area, resulted in a concept for extracting water from the Waitaki River to irrigate almost 7000 hectares in the Waihao Downs area.
6. A meeting was called for May the 10th 2001 at which 51 farmers agreed to explore the possibilities. A steering committee was formed and a pre-feasibility study undertaken. Once it was obvious that the concept could be realised, all farmers agreed to a levy of \$20 per hectare. This, coupled with assistance from the Waimate District Council, led to company incorporation and the filing of resource consent applications.

7. We then ran smack into the development of the Waitaki Water Allocation Plan.
8. During this hiatus, the company formulated a share profile equating one share to one hectare of irrigable farm area. The company has called in per hectare levies on several occasions to unanimous support, albeit mutterings over the length of the process.
9. During the call in process two issues somewhat tangential to Waihao Downs's original applications, have absorbed much of the company's time.
10. The first being the Meridian Energy/South Canterbury Irrigation Trust proposal to build a scheme which would bring the Waihao Downs area within its boundaries. This proposal had an effect somewhat akin to a grenade being lobbed into a henhouse as it ushered in the prospect of rental over ownership. It's extraction only strategy put forward the possibility of an alternative but provided no immediate prospect of cost comparison. Most crucially, the non-complying application turned our attention to where it has essentially been ever since - water reliability and the river.
11. At the request of the Hunter Downs applicants, representatives of Waihao Downs Irrigation Limited joined the Hunter Downs Steering Committee. It soon became apparent that the major point of difference between the two applications was the minimum flow level being sought. Hunter Downs was non-complying at 100 cumecs, Waihao Downs going with the Plan at 150. Environment Canterbury were happy for us to apply on our own as such, as well as being part of Hunter Downs but come notification time, we had to make a call on our minimum flow preference.

12. Running parallel with these happenings was a groundswell of support for the 100 cumec minimum flow among existing and potential abstractors on both sides of the river.
13. There is a higher bar for non-complying activities and high bar clearance demands quality evidence and plenty of it. As our company became more familiar with issues around the river it became obvious that irrigation reliability at 150 cumecs was compromised and that if the evidence was compelling enough to ensure the integrity of the river system at 100 cumecs, then the possibility of an outcome that would meet the needs of all the River community was there.
14. Waihao Downs Irrigation began to recognize the advantages of a collective approach, which leads into the second of the issues - flow sharing.
15. The plan chooses to make no distinction between abstraction rights existing or potential. It only works on the premise that there is plenty of water - so what's the problem?
16. The problem appears to be that for all intents and purposes, the head of the Lower Waitaki River is the Waitaki Dam. While the Plan would have 150 cumecs of water released there plus up to 90 cumecs for irrigation abstraction, the Dam consent holder would contend that their consent requires them to release only 120 cumecs, this condition being unalterable until perhaps 2025.
17. The arguments in and around Rule 7 are no place for a potential irrigator but the consequences of this legal quandary soon become obvious. The hand on the tap would not or could not serve two masters.
18. The "hand on the tap" then floated a solution. Essentially it would make available enough water to satisfy irrigation demand pretty much

all of the time but the solution involved an in-catchment get out clause and banding regime, tilting the balance of priority slightly in favour of existing extraction over potential abstraction.

19. After genuine and significant effort this solution died quietly on the vine, mainly because it was seen to have the potential to drive a wedge between irrigators through its banding mechanism. All those with interests in irrigation were unanimous that any such divisions must not be given a chance to occur.
20. Some twelve months have now passed and a second flow sharing agreement has now emerged. This agreement has the potential to solve the issues facing irrigators and the Dam consent holder regarding reliable flows.
21. The Waihao Downs Irrigation Scheme itself has had little mention thus far in my evidence, which is, I suppose, a reflection on the course of events since our applications were made some five years ago.
22. Our company enjoys a cordial working relationship with the Morven - Glenavy Irrigation Company and the possibility of using their infrastructure for the delivery of water to our pumping station has been explored and positively received by them.
23. The land holders affected by the main pipe from the pumping station to the highest lift point have also expressed support for the scheme and a willingness to allow the pipeline to be laid under their properties. Waihao Downs Irrigation has in turn recognised possible issues with the earthworks and inconvenience to those landholders and will draw up agreements with them to ensure minimal inconvenience to their operations.

24. From the upper lift point the water is reticulated through the scheme area in a manner that will be described in the technical evidence to follow.
25. On the 23rd of July 2008 the directors of the company and those preparing our applications made a tour of the Waihao Downs Irrigation area. Mr Tim Ensor, the Investigating Officer from Environment Canterbury who had prepared our Section 42A Report prior to his visit, joined us this day.
26. The company was pleased that Mr Ensor had accepted the invitation to inspect the proposed irrigation area and we were heartened by his comments after the site visit, comments that essentially recognized the suitability of the area for irrigation from a topographical, contour and soil perspective as reflected in his report.
27. His comments basically completed the circle first formed in the year 2000 by the gentleman referred to at the beginning of this Brief Evidence. We at Waihao Downs Irrigation have no doubt that water application will enhance both our physical and economic environment. We are in no doubt that water application will stem our District's declining population and we are in no doubt that the more experienced locals who describe the area as having "the best wheat growing soil in New Zealand" will take some pleasure in seeing their land vindicate their faith in it every year rather than every tenth.
28. In conclusion, we are more than happy with the ability of our land to adapt to a modified but ultimately less harsh soil moisture situation.
29. As to reliable access to this water, our influence amounts to little enough. At Waihao Downs Irrigation, we feel we have made this application with an eye to both our own prospects as well as to the common good.

30. Should these consents be granted it is our intention to quickly move to get the necessary consents from the Waimate District Council, finalise the Scheme and Farm Management Plans, get prices and put the scheme construction out to tender. The company has appreciated the ongoing support of it's founding shareholders and has thus far declined any approaches from those outside the landholder group for a stake in the project.

31. We are confident of a full take up on the irrigable option offered to all members, should we fall short we have funding options which would see full allocation a formality

32. We would ask that you help us to achieve that satisfaction.

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Paul Harrison

28 July 2008