

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of applications for water permits to abstract water, land use consents to excavate and disturb the bed of the Homestead Stream, the construction and operation of a dam and discharge of water from a dam for the proposed Foveran and Winterberg activities

**BY** ROBERT HAY ROBERTSON  
**Applicant**

**TO** ENVIRONMENT CANTERBURY  
**Local Authority**

---

**EVIDENCE OF BARRY JOHN GARD  
IN SUPPORT OF THE APPLICATIONS BY ROBERT HAY ROBERTSON**

---

**NORTH SOUTH ENVIRONMENTAL LAW**

Barristers & Solicitors  
PO Box 109045  
Newmarket  
AUCKLAND

Phone: 09 304 0043  
Fax: 09 303 2427

Counsel: R A Makgill

## **INTRODUCTION**

1. My name is Barry John Gard. I am the Farm Manager for Foveran Deer Park ("Foveran") and Winterberg Farm ("Winterberg").
2. I have worked on these farms for 19 years.
3. I am here today to provide a brief statement for Robert Robertson ("Bob Robertson"), the owner of Foveran and Winterberg, as he is not able to be here in person due to prior commitments.

## **FOVERN DEER PARK AND WINTERBERG FARM**

4. Foveran and Winterberg are two separate blocks of land of about 2000 ha. Foveran is situated approximately 10km up the Hakataramea Valley, and Winterberg is another 5km beyond that.
5. Foveran has been in the Robertson family for three generations. Bob Robertson purchased Winterberg in 1988 to compliment the Foveran operation.
6. Bob Robertson purchased Foveran in 1982 from his father and since then thousands of trees have been planted on the property. An extensive tree planting programme has been implemented on Winterberg.
7. We predominantly farm deer and Merino sheep. We are recognised as one of the leading deer studs in New Zealand and are proud of that reputation.
8. We have irrigation systems on both properties. Due to the low water holding capacity of the soils we have introduced K line irrigation within the last 5 years to increase the efficiency of our irrigation and to minimise the run off. We also have a centre pivot irrigator operating on our Winterberg property.
9. Our deer stud operation is reliant on irrigation to grow our own winterfeed supplements and to sustain high quality pasture through the summer dry months for lactating hinds and velvet and antler development.

## **THE FOVERAN APPLICATION TO TAKE WATER**

10. Bob Robertson seeks consent to extract the extra 26 l/s for irrigation for the Foveran block of land.
11. I understand that the application is mainly intended to amend an earlier miscalculation by Environment Canterbury made in respect of an earlier resource consent which was granted on 23 November 1991 (CRC950601). A copy of that resource consent is **attached** as "**A**".

12. Mr Dave Stewart has informed me that the crux of the problem is that while the existing consent entitles Foveran to take water to irrigate up to 80 ha, condition 1 of that consent restricts Foveran to taking 26 l/s, which is only enough water to irrigate 65 ha of land.
13. The application not only seeks to increase the rate of take to match the area to be irrigated. The opportunity has also taken at this time to seek an increase in the area of land to be irrigated by a further 50ha. The application therefore seeks to increase the existing rate of take from 26 l/s to 52 l/s. It is planned that the existing application will be used in conjunction with the proposed application to take a total of 52 l/s for spray irrigation of 130 ha of land.
14. This total 130ha land comprises all the land suitable for K line irrigation at Foveran and is within our deer fenced area. This will allow us to provide improved pasture and winterfeed supplements for our existing deer herd.

### **THE WINTERBERG APPLICATION TO TAKE WATER**

15. Bob Robertson also seeks consent to construct a dam on Homestead Creek. The intention is to harvest water from Homestead Creek and in particular capture water that would otherwise flow straight into the Waitaki River and out to sea in high rainfall events. In the event that consent is granted the water would be used for the spray irrigation of up to 690 ha of pasture.
16. Most of the Winterberg farm consists of large flat terraces of land which could easily be irrigated. There is tremendous scope to transform these dry areas into irrigated pasture and winterfeed supplements and would give us the options of increasing our deer fenced area and also to guarantee our winterfeed supplements for our Merino sheep.

### **FISH & GAME NZ ENVIRONMENT AWARD**

17. Bob Robertson's commitment to environmental issues and passion for the Haka Valley is obvious.
18. He has invested heavily in the aesthetic and ecological values of all of the properties through the provision of riparian fencing and wetlands. In addition there are shelter belts and specimen trees in every paddock, which will enhance the Haka Valley's grandeur as they grow and be able to be enjoyed by future generations.
19. These efforts were recognized in 2005 when we were awarded the Fish & Game NZ Environment Award for excellence in riparian management as part of the NZ Deer Industry Annual Environment Awards. A copy of this award is **attached** as "B".

### **CONCLUSION**

20. Foveran and Winterberg require consent to take additional water to increase our area of high quality pasture and winterfeed supplements for our deer stud operations.

21. The continued operation of our deer stud depends on the sustainable management of the Hakataramea and the Homestead Creek tributary water resources.
22. To these ends we will continue to manage our riparian margins to retain water quality and employ spray irrigation in to conserve water use. In addition, I wish to confirm that we agree with the conditions that have been proposed by our experts, and are committed to ensuring that they are implemented with the very highest standard of care.

Barry Gard  
19 August 2008