

In the matter of the Resource Management Act 1991, the Resource Consent Applications to the Selwyn District Council and Environment Canterbury, and the Notice of Requirement by Central Plains Water Trust and Ashburton Community Water trust.

Statement Of Evidence - Bevan Mehrtens

Background.

1. I am a 50 year old farmer who along with my wife Kathy and our two children, live and farm 260 hectares at Kowai Bush, on the banks of the Waimakariri and Kowai Rivers.
2. The upper Waimakariri intake, settling ponds and canal are planned to pass along approximately 1.5 kms. of our property.
3. I am a shareholder in CPW.
4. We irrigate 100 hectares of our property. I believe in the value of irrigation in a sustainable manner.
5. However, I am totally against this scheme in its present form for the reasons I will outline.

The CPW Scheme

6. In my 32 years in business, I have never come across such an unprofessional, amateurish and seriously flawed set of designs.
7. In regard to our property, we have managed to get hold of 4 sets of different plans for the intake, fish screens and settling ponds. Only one set, which has since been superceded, was ever sent to us.

The Potential Effects Of the Scheme On Our Property

The Intake

8. As there has been no specific design shown to us, it is difficult to evaluate. However, what we have been able to see suggests a very broad, sweeping arc which could allow the intake canal to come from the river flow anywhere from straight down the riverbed, around to a 90 degree angle from the main flow. Any angle beyond straight down the river is pointing right into our property. In my mind, this is ludicrous, arrogant and damn dangerous. To have a 40 cumec capable canal in the Waimakariri River bed aimed at my property of a similar ground level in a 500 cumec flood, beggars belief.
9. A straight intake also has potential to cause huge damage further down stream. As Trevor Taege stated in his submission, the main stream had for at least the past 30 years been flowing on the north side of the riverbed until a couple of years ago. It is now flowing down the south side, against our boundary.

In my opinion and from my observations over the past 17 years, this has come about from the canal dug out by the tourist jet boat operators at the Taegé's property to allow the boat operators access against the river bank below the rocky point. Prior to this canal being dug, the boats operated anywhere in the riverbed that had a suitable water flow and access.

In a major flood the main pressure would curl around the rocky curve below Milliken's property and push the main stream to the middle or the north allowing a shingle buildup on the rocky point. Since the canal has been there, it has allowed flood water to channel down this canal and blow out down the south side.

In two recent floods, we have had water flow out into our paddocks just above Hacketts Stream. To my knowledge, this has not happened for at least 30 years prior to now. It has also chiseled away at least two hectares of island on the south side of the river bed.

The CPW intake canal, which would be much larger than the tourist jet boat operator's channel, in my view, could have the potential to send a vast amount of water down the south side, thus threatening Hacketts Stream and the Kowai River shingle fan.

10. I consider CPW's designs and plans to be very amateurish, unprofessional and impractical. Prior to at least the fourth set of drawings relating to our property, one designer that actually inspected the area, commented that he didn't realize we had all these river terraces and that they would not be able to make water "go up there." Really?

The Settling Ponds

11. The proposed settling ponds are obviously designed to allow river silt to settle. When the river is at low flows or in high flood, which is a fair bit of the year, the settling ponds will not be in use and have the potential to cause dust storms in times of high wind. When we suggested this to Lewthwaite, one of the main engineers of this scheme, he said he hadn't thought of that.
12. Also the thought of this and other unnatural eyesores detracting from what is a fantastic scenic outlook, is incomprehensible.
13. With these unnatural large flat areas of slow flowing water, there is also the potential for a large increase in water fowl like Canadian geese and ducks, which are already a major pest and pollutant of our property.

Farm Drainage

14. As pointed out to you during a site visit, we have the Waimakariri flowing east along our northern boundary, and the Kowai flowing north along our eastern boundary. However, the Kowai River also flows underground in a westerly direction until it hits Hacketts Stream, from where it flows into the Waimakariri. There is a huge flow of water underground with a variable depth depending on the flow in the Kowai River.
15. CPW have ignored my concerns regarding the water flows from this area being dissected by the canal, with Lewthwaite telling me: water will find its own level. I guess he won't remember saying this, but I can assure you he did. Apart from the arrogance, my main concern is that the lowest ground where all of these waters meet, is right where CPW plan to put a dirty great canal.

Salmon Spawning

16. As you are aware from other submitters, Hacketts Stream is held in high regard as a salmon spawning stream and we offer whatever assistance we can to maintain and enhance this.

17. CPW have suggested they will go over the top of the stream. Do they know the elevations?
18. If they go over the top, this will mean piping a section of Hacketts.
My understanding is that salmon will not enter a tunnel or pipe if they cannot detect light at the other end. A canal with a 50 metre footprint over the top of Hacketts Stream must surely create a fairly dark obstacle for the fish.

River Access

19. At present we have vehicle access from our private property into the riverbed, an access we use for recreation and weed and pest control.
20. At our discretion, we allow numerous locals and friends access to the river for fishing, hunting, boating and recreation, as the only other close access is commercial.
21. We expect and desire our own access to the river to remain.
22. As well, we expect ready access to all parts of our farm that may be intersected by any of CPW's waterways and infrastructures. Why should we be disadvantaged by having to drive hundreds of extra metres to access any part of our privately owned land?

The Notice of Requirement

23. The Notice of Requirement should not be able to be applied to a private company to the detriment of private landowners. This is a breach of basic human rights.

Why should we have to give up our irrigated and unirrigated land for the benefit of someone else to irrigate their land?

It is our land. We bought it, developed it and farm it.

24. This is a private scheme, owned by a select shareholding.

To claim the Public Works Act and portray this CPW scheme as being for the benefit of the New Zealand public and economy, is bollocks. The majority benefit will go to the shareholders and the investors that will fund the scheme.

In my opinion CPW's land acquiring designation in its present form is nothing short of illegal and I request proof of its legality, otherwise it should be rejected.

25. 900+ properties are to be affected to benefit less than 300. A whole lot of very good privately owned land lost to enhance other people's privately owned land. In a commerce commission scenario I would suggest it could be regarded as monopolization.

Why should one group of farmers be allowed to gain an advantage over another group of farmers by enacting the Public Works Act in a private capacity?

26. I support and endorse the submissions in opposition that have been presented by all the other affected land owners.

27. I request that you, the Commissioners, decline all CPW applications in their present form and reject and reverse the notice of requirement applied to our land.

Other Points I Would Like To Expand On Verbally

- The distribution of water to the area from Sheffield west. (Tipler has told of at least 3 different options.)
- The notion that everyone already irrigating from wells will join the scheme. Yeah, right.
- The sheer cost of a poorly planned and designed scheme. At the last count it has been suggested at over \$10,000-00 per Ha.
- Is this a responsible use of other people's land when there are other possible alternatives ?

- Alternatives:- Access or purchase land (from a willing vendor) further inland for water storage to allow the generation of electricity as well as irrigation and give more benefit to the community.
 - Use natural waterways to distribute the water.
 - On farm storage.
 - Pump run of river water when flows allow.

If CPW are committed to this being a community scheme and not a private scheme, then maybe they should put things on hold and join in with the Canterbury Mayoral Forum to develop a water strategy for the benefit of everyone in Canterbury.

Thank you for your time.

- Bevan Mehrtens July 2008