

IN THE MATTER OF the Resource Management Act
1991

AND

IN THE MATTER OF applications by Central Plains
Water Trust for resource
consents from CRC and SDC for
the CPWES

A N D a notice of requirement by
Central Plains Water Limited to
SDC for the designation of
works for the CPWES

EVIDENCE OF JAMES DEANS

1. My name is James Deans and I submit this evidence on behalf of Farmers Group – Southern Headrace. I am familiar with the farming businesses affected by the headrace proposed at locations between Homebush and Rowallan Roads and also south of the Selwyn River. I have run the farm known as Homebush for more than 30 years and am familiar with the economics and practicalities of farming operations on farms affected by the headrace where farms consist of both flat land and adjoining clay downs. I am familiar with the area crossed by the relevant part of the headrace.

Headrace Route

2. The application states that there will be consultation with individual land owners. The exact location will be of critical importance to land owners and in my opinion it is essential that conditions be imposed requiring that an individual land owner be duly notified of the exact headrace location. Then after reasonable interval the applicant should be required to carry out proper consultation with the land owner and thereafter to complete the preparation of the Outline Plan required by Section 176A of the Act. The present application states that such a plan will be prepared but the obligation on the applicant needs to be reinforced by a condition that the applicant will not request nor accept any offer of an exemption by the Council under Section 176A(2). If there is not this reinforcement, the applicant could unilaterally negotiate with the Council so that the applicant did not have to prepare or submit such Plan.
3. From my knowledge of the farms affected and the width of the designation band, I consider that the designation is not acceptable in the form applied for unless there is a binding requirement on the applicant to carry out the offer it makes reinforced by the requirement that the applicant will both lodge such plan with the Council and also request the Council to process it under Section 176A.

Existing Streams

4. The application states that culverts will be constructed to carry streams under the headrace including the one known as Blacks Stream and there will be very significant damage to the environment if streams were re routed due to lack of culverts or culvert capacity. Also the application states that there will be a discharge to the Waianiwaniwa River i.e. that environmental flow releases of water will be made to maintain the recharge to groundwater. The application states the discharge to be at NZMS260 L35: 275-475.
5. I consider that conditions are required to ensure that culvert numbers and designs are adequate and second to ensure that a continual discharge is made to the north branch of the Waianiwaniwa River in the volume required to effect an equivalence to the annual average recharge to groundwater and further that such release is made into the original stream bed of that river where it has carried water annually since 1960. That point is defined by the point where the major water supply outflow pipe of the Malvern Hills Water Scheme crosses the creek bed where water has flowed since the year 1960. By way of explanation I would add that the relevant part of the stream bed is an original stream bed and water has flowed there for longer than the 100 years preceding 1960 but the river works prior to 1960 altered the course of the river upstream of that point.
6. The point of discharge stated in the preceding paragraph will be more accurately recorded, using the same map as the applicants use, as 280-480. Also while the river will be largely dry, as the application states, between the dam and the headrace, because of the continual discharge condition, the river will not be dry immediately downstream of the headrace.
7. Also because the map used in the application is not accurate and omits a part of the Waianiwaniwa River there needs to be a condition that culvert numbers are adequate to provide for every tributary of a river which is crossed by the headrace.

Emergency Discharges

8. Farms adjoining the headrace will suffer major environmental damage if there is any emergency discharge from the headrace anywhere between the two ends of the headrace except direct into the principal water bodies of the Selwyn River at Coalgate and into the Hororata River at Hororata. A condition needs to be imposed that there be no emergency discharges into any tributary of those two rivers.

Scheme Area Boundary (Map 1)

9. In order to maintain viable farming operations, if the scheme is to proceed the Boundary needs to be in the optimum place in relation to the existing farming businesses. In my opinion the 290 metre contour as shown on NZMS260L35 should be the North-East Boundary limited to the North by the full length of the legal Rowallan Road and bounded on the West by the dam. This will then incorporate farm land into the Area which ought to be there as a matter of economics if the headrace is there. By way of an example of the inconsistency and errors if the Boundary is not revised, I draw attention to the fact that the Boundary in the application excludes flat land on the North-west corner of Deans and Homebush Roads i.e. flat land at a level considerably below the elevation of the headrace and part of Homebush Farm. But the Area includes flatland between the Rakaia River and Windwhistle Road which is considerably above the elevation of the headrace. There needs to be amendments imposed removing anomalies and changing the Boundaries for the reason stated above and so that any resource consents relate to irrigable areas on all farms adjoining the headrace.

Use of Designated Land

10. In my opinion the farming businesses will be able to continue and retain as much as possible of the existing investment in farm infrastructure and farm improvements, only if the land designated for the headrace carries a requirement that it be used strictly for core irrigation activity which can best be defined as "Irrigation Water Movement". Irrigation Water Movement means storage and discharge of water originating from the associated water bodies namely the dam and the two major rivers at each end. Importantly access has to be limited to access by personnel who are directly engaged in the physical control and maintenance of water storage and movement for irrigation purposes. Also access has to be by land only except in case of emergency or where land access is not possible. Access "by land" means by vehicle or on foot and further it means by using the headrace land only so that access over adjoining farms is only ever by virtue of prior consent of the farmer. In the absence of such controls intensive livestock and agricultural operations will be substantially and unnecessarily affected. In the case of the headrace between Homebush and Rowallan Roads there is no hardship in having the use of the designated land constrained to the extent stated in this paragraph.

Double-Sided Impoundment Structure

11. The applicant states that it wants to have the option, where the headrace crosses through hills, to build a structure with a single side only. In my experience, such a structure would be of a standard which is too low to meet the quality required by the adjoining farms and there needs to be a condition that the structure must always have two sides. My reasoning is that the water in the headrace must in all circumstances be separated from storm water and ground water flows where it crosses through farms. In fact the application states that only water from the dam and 2 major rivers will enter the headrace, so it is not consistent to build a single side only. In my experience storm water flows contain large amounts of tree debris including large logs and tree roots which must not be constrained from moving with storm water to a point where such debris cannot do any further damage to farm improvements. It is not good farm management to accumulate large quantities of debris carried by storm water into any pond or small water body which would be the result if a single sided structure was permitted.

12. Consistent with the reasoning which I have expressed earlier, there must be adequate culvert structures to take all storm water from all tributaries in a manner so that further damage is not caused to adjoining farm properties. This will necessarily include Swales or equivalent so that all storm water on the up hill side of the headrace can be led to a culvert.

Bridging

13. On farms the application makes reference to construction of 20 single lane bridges for farm access tracks. In my experience farm access tracks are an essential part of pastoral and agricultural operations and the numbers of bridges on each farm need to be sufficient to enable continuation of existing farm operations without damaging the economy of the adjoining farm operations. There needs to be a condition imposed that such a reasonable number of bridges will be built by the applicant.

14. The specification of each bridge needs to be sufficient to enable loaded units, at maximum regular weights now permitted on roads to travel across the bridges. Likewise bridges need to be wide enough to accommodate 10 tonne headers and agricultural equipment and a condition is needed to that effect.

Fencing

15. The fencing of boundaries in a proper manner is an essential part of the farming operations but the application does not refer to this. A condition should be recorded to the effect that standard quality deer fencing is to be erected on the boundary by the applicant where requested by the adjoining farmer and otherwise a suitable cattle and sheep proof fence including an electric outrigger is to be erected as the alternative.

Summary

16. Overall, I summarise with the comment that the matters listed in this evidence together with the submissions previously made are matters which need to be formal requirement to which the applicants are committed, so that farm properties which adjoin the headrace are enabled to further develop and progress their businesses for the benefit of each property and the community. It is fair that the applicants bear the cost of these commitments.