

BEFORE THE CANTERBURY REGIONAL COUNCIL

CRC 60938

IN THE MATTER of the Resource Management
Act 1991

AND

IN THE MATTER of application CRC 60938

BY **SJB MUNRO**
Applicant

EVIDENCE OF STRUAN JAMES BENNET MUNRO

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1. My name is Struan Munro. I live at Rugged Ridges near Otematata. Rugged Ridges is the name of the homestead, which was previously part of the Rugged Ridges Station, a high country fine wool property on the range above the southern shore of Lake Aviemore.
2. Prior to 1967 I managed the Rugged Ridges Station for 10 years on behalf of my father, brother and self who were in partnership together. I owned it from 1967, and farmed on a partnership basis for the family trust.
3. Whilst managing Rugged Ridges I also managed another family farm called Talomba, which carried 1500 half breed ewes. In 1964, that farm, including all of the buildings and infrastructure was also flooded as part of the Benmore development. That block now lies under the Ahuriri Arm of Lake Benmore.
4. You can imagine my disappointment and frustration when in 1968 all buildings including homestead, woolshed, yards, swim dip, implement sheds, barns and cook shop of Rugged Ridges were also inundated by the filling of Lake Aviemore for the hydro development project.
5. The filling of Lake Aviemore made two properties, Rugged Ridges and Garguston uneconomic, necessitating in amalgamation of the two. This brought these two properties together again after they were divided earlier this century, minus in excess of 1500 acres of good flat country the bulk of which was flooded during the filling of the lake. This 1500 acres was the prime production land of the two properties.
6. In the mid 1990's Rugged Ridges was divided into 35 blocks around the homestead and carried approximately 7,500 sheep and 100 cattle. One of those blocks was a remnant 31.1-hectare title, the only freehold title of Rugged Ridges with frontage to Lake Aviemore, excluding the Homestead block where I still live. This is the land that is the subject of this present water right application. It was previously utilised by Rugged Ridges Station as a ram paddock. In productive terms, it was almost useless for traditional pastoral farming.
7. In the early to mid 1990's the Government was encouraging and promoting other forms of land development away from the traditional

pastoralism. It was our intention at that time to diversify the station into horticulture and the potential of the block for viticulture was identified then. However we lacked the capital to develop the whole property as a single viticulture venture.

8. At the same time, pressure for making land available as lifestyle or holiday properties next to the lake was increasing. We had many people ask us to make land available next to the lake. This 31.1-hectare title was the only freehold land that was under our control and surplus to requirements. In 1996 we lodged an application for subdivision and land use consent with the Waitaki District Council. We proposed a 10-hectare lifestyle subdivision, with lot sizes ranging from 1 hectare to 5.5 hectares. The application was heard by a commissioner appointed by the Waitaki District Council and declined. I appealed that decision to the Environment Court. The Environment Court appeal was heard in June 1987. Environment Canterbury was not a party to that appeal.
9. The Environment Court held:
 - (a) That the property was not part of an outstanding natural landscape.
 - (b) That the property had some potential for development.
 - (c) However that the 10 lots proposed was too much.
10. Waitaki District Council and my advisors spent many months attempting to redesign the project around advice received from landscape architect, Mr Mike Moore, who was at that time advising the Waitaki District Council on landscape matters. Eventually, my technical advisors were able to reach agreement with the Council on a 5-lot proposal, which was ultimately the subject of a resource consent issued by the Environment Court.
11. Regrettably, further examination demonstrated that the 5-lot subdivision was not economic.
12. I was required to put Rugged Ridges Station on the market, and was able to sell the farm whilst retaining the homestead and the 31.1-hectare block next to the lake for which we now seek water. At about this time, the Waitaki District Council notified a proposed plan under the Resource

Management Act. The proposed zoning for the site was Rural Scenic, which I was convinced did not recognise the development potential of the site. I made a submission proposing a special purpose zoning for the site that would permit an economic form of development. The Waitaki District Council accepted my submission and rezoned the site accordingly. Environment Canterbury lodged a reference to the Environment Court against that zoning.

13. Through mediation, I was able to reach agreement with Environment Canterbury on a quite different concept for development of the site that was endorsed by the Environment Court on my resource consent appeals. The zoning agreed with Environment Canterbury required all of the housing to be clustered towards the east end of the site in a location with limited visibility from the State Highway, but that had the side effect of leaving a substantial area of freehold land open and undeveloped for which some productive use would need to be found. I **attach** as Appendix 1 to my evidence a copy of the concept plan that was approved by Environment Canterbury to settle their appeal.
14. When I commenced my resource consent project in the mid 1990's and engaged with the District Plan preparation process, access to water from Lake Aviemore was not considered to be a major hurdle. I had the necessary easements in place from Meridian Energy for access to the foreshore and for pumping equipment to be installed on the lakebed. But through this time, the Waitaki Water Allocation Plan process commenced as did the litigation concerning the extent of Meridian's water rights upstream of the Waitaki Dam. I cannot begin to explain how frustrating it is that having spent the best part of 15 years working with the Waitaki District Council and Environment Canterbury on land use planning matters, that I now face a major hurdle in relation to supplying water to the project that all of the stakeholders have approved.
15. I have now brought 6 water shares in Mackenzie Irrigation Company. That entitles me to an allocation of 36,000 cubic metres of water, subject to obtaining this resource consent. You can understand that, having had the family's station ruined by flooding the best 1,500 hectares of production country, having to pay again for the very water that flooded the property does not sit well with me. Nevertheless, I am advised that I have no choice.

16. I have also been told that Ecan's Landscape Architect has recommended a 60-metre setback from the high water mark for irrigation. The reason for that is to protect landscape values. I believe such a recommendation is unfair and ignores the process that I have been through. At no time during the District Plan process did Ecan ever suggest to me that there would need to be some buffer zone between the lake and whatever horticulture I may wish to establish on the balance property. I cannot now understand, having resolved all of the land use issues, what business it is of Ecan to reopen landscape management issues on this water right application. Such a recommendation is bordering on disingenuous and is certainly a departure from the agreement I reached with Ecan to settle their appeal against the zoning for the site.
17. This water right is the last piece in the jigsaw puzzle for the project to make it a marketable proposition. Water rights are already in place for the domestic supply for the residential lots as are the consents for the water take infrastructure on the lakebed. I propose that the same intake structure be used as the take point for the vineyard proposal.
18. I have seen many changes in my time on this property. It is my personal belief that the land is suitable for Pinot Noir production but who knows what the future may hold. Whilst the application was made for the purposes of irrigating a six-hectare vineyard, if in time some other crop (such as cherries or apricots) appears to be more viable then I see no reason why this water take permit could not equally suffice for that purpose. I believe that tying the permit to a specific crop is short sighted and misunderstands the dynamic nature of farming.

S J B Munro

11 November 2009