BEFORE THE CANTERBURY REGIONAL COUNCIL

In the matter of The Resource Management Act 1991

Between

CANTERBURY REGIONAL COUNCIL

Consent Authority

And

ORARI WATER SOCIETY INCORPORATED

Submitter

BRIEF OF EVIDENCE OF MARK MULLIGAN

FOR HEARING THREE

ORARI-OPIHI-PAREORA SUB CHAPTER (Section 14)

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1. My name is Mark Mulligan and, with my wife and children, own a farm in the Orari River catchment. Our farm is a 200 ha irrigated dairy farm and we have an interest in how the water resource is managed and allocated within the Orari catchment.

2. I was aware that a huge effort had gone into the development of an integrated management plan for the Orari River by the community over recent years and as part of the plan, the community was meeting to discuss a flow regime to help manage the river.

3. It became apparent to a group of farmers that a cohesive water user group was needed to better understand the issues and to help the community aspirations for the river to be met. The complexity of the hydrology and surrounding issues were beyond many of us to understand.

4. With encouragement from Irrigation NZ and ECan we formed Orari Water Inc. and now most water users are part of Orari Water Inc. We have sought out expertise to help us understand the issues and implications to contribute a constructive role in the process from the outset.

5. As advocates primarily for farmer irrigators we saw a role in seeking an outcome that gave irrigators the reliability of supply which enables the financial sustainability of our farms and the most efficient water use possible. Once again there was a need for technical advice to assess the effects of different flow regimes on farm business's at an individual level. During discussions with ECan staff it was made clear to me that individual case study scenarios would be the responsibility of farmers.

6. In November 2011 we became a member of the Orari Environmental Flow and Allocation Steering Group which was made up of groups with an interest in the Orari catchment resource.

7. Over the course of the following seven months the group sought advice and information on ecological, hydrological, cultural and economic values. A series of meetings involving ECan technical staff and technical expertise from within the community enabled a significant degree of agreement to be reached. This provided some assurance to the lay people amongst us that every effort was being made to find a balanced science-based resolution to issues, insofar as was possible, in an area with much still to be learnt.

8. Orari Water throughout this process have accepted that:

a) Under current modelling the river is over allocated and protection of current abstractors was a high priority as opposed to seeking to expand allocation to new users.

b) The maintenance of the high naturalness designation of the upper catchment and the limitations on in stream storage options was accepted. This, for many farmers, would appear to be removing some real options going forward.

c) The conjunctive use concept that seeks to treat all water shallower than 30 metres as surface water was also accepted despite real misgivings around the concept being applied to an ephemeral system such as the Orari. The river is extremely 'leaky' and underground flows are poorly understood. There would also appear to be some debate as to whether or not the NES recommendations for flows should be applied to a river such as this.

d) Technical evidence given to these hearings alludes to this uncertainty.

9. Treating all wells and surface takes over the catchment was accepted as a way of establishing some fairness amongst users and for providing a structure to manage the river more cohesively going forward.

10. It should be noted however that this is very much a "suck and see" approach that all sides will watch with interest. As farmers, we are placed in the unique position of putting our business's at the mercy of this approach, hardly a sound business practice! However the review policy being proposed to ensure the modelling is reflected in reality provides some reprieve to the farmers involved.

11. The Water User Group concept is the most suitable way of self-managing the water resource and has been flagged as the way forward.

12. The economic values of irrigation were considered as part of this process and showed considerable benefits to the wider community and individual farming operations, although at the time of writing this evidence the final economic report to be provided by ECan was still not available.

13. On a personal level, the value water adds to our farm of 200 hectares with an 80 l/sec consent can be measured by the fact that it enables a land use type that employs four permanent staff and casual workers over and above ourselves.

14. The same property without water would struggle to provide a living for one family.

15. Images from the North Island remind us of the vulnerabilities of farming exposed to nature's extremes. Irrigation plays an essential role in managing the volatility that is increasingly becoming part of our business and in providing the supply stability our global markets demand.

16. I am confident that the plan as notified has gone some way in meeting the aims and aspirations of the Catchment Management Strategy, and is a sensible approach to managing the water resource while we gather more information on how the catchment works to better refine the rules on minimum flows and allocation limits.

17. Going forward, water quality issues will be and must be forward most in our minds. Already in the catchment we have good examples of best practice in some areas and less than best practice as well. With the advent of better tools for identifying and mitigating the problems and increasing emphasis on finding solutions at a local and national level, we have every chance of success.

Mark Mulligan
14th May 2013