

BEFORE THE

Canterbury Regional
Council

IN THE MATTER OF

the Resource
Management Act
1991 and the
Environment
Canterbury
(Temporary
Commissioners and
Improved Water
Management) Act
2010

AND

IN THE MATTER OF

the hearing of
submissions on the
Proposed
Canterbury Land and
Water Regional Plan

**STATEMENT OF EVIDENCE BY
CJ AND AM ALLEN**

Dated 16 June 2013

1. My name is Christopher John Allen. In partnership with my wife, I own and manage a 360 ha mixed sheep, beef, arable and broad-acre horticulture property adjacent to the Ashburton River in Mid Canterbury. The property has on-farm water storage and is fully spray-irrigated, using both ground and surface water.
2. I assisted in setting up and am an active member of the Ashburton River Water User Group, whose function is to equitably manage the available water and to ensure that the river remains above its minimum flow for as long as possible. I also represent land holders on the Ashburton River Liaison Group, which deals with Environment Canterbury on flood control works in the Ashburton River and tributaries.
3. I am President of the Mid Canterbury Province of Federated Farmers of New Zealand. I have had involvement, at a governance level in a range of regional planning issues, particularly to do with water management. I have chaired the Canterbury Primary Sector Policy Group since its inception.

4. New Nutrient Management Policy

CJ and AM Allen requested a new policy that allows appropriate relaxation of nutrient management rules at times of a bio-security crisis directed by a government agency e.g. a TB outbreak and the associated movement controls.

There appeared to no response to our request in the s42A report. However I consider this to be an important issue and request the addition of a new policy as outlined in our submission.

5. Rule 5.37

We sought amendment of Rule 5.37 to clarify that the constraints for this permitted activity do not apply to tube-line wilted silage. The section s42A report recommends that the rule is amended with a note, as follows: *Rules 5.37 to 5.38 do not apply to the storage of baled and wrapped silage, whether stored in individual bales or a continuous tube* (page 50).

We appreciate and support the recommendation of the s42A report

6. Definition of Land use change

We requested amendment of the definition of Land-use Change in our submission. We support the revised land use change definition recommended by Dr Ants Roberts on behalf of the Fertiliser Association of New Zealand.

Sub-Regional Section

Ashburton (Section 13)

7. Farm owned by C.J. and A.M. Allen

Farm outline and key features

Land area: 360 ha

Location: farm located in Mid Canterbury, adjacent to Taylors and Bowyers Streams.

Livestock: sheep, beef, lamb and store lamb live stock.

Crops: barley, wheat, summer brassica feed crops plus 10ha leased for seed potatoes (most years).

Irrigation: fully irrigated with 3 irrigation system types – Roto-rainer, K- line and lateral.

Soils: 11 soil types (as per ECan GIS) - large variation in soil types.

Water supply – features include:

- Surface water - 3 intake locations on Taylors stream – currently restricted by minimum flows set in 1983 and re-consented in 1995.
- 3 Shallow ground-water wells, with no minimum flow restrictions currently. These wells were added to give adequate reliability, in combination with the surface water takes, under current plan.

- The flow regime in the proposed plan Table 12) would remove the shallow wells as an effective source of reliable water.
 - All consents are linked by 31 day limits.
 - 6.5ha Irrigation storage pond - impounded volume = 150 000 m3.
 - We have effectively 21 days on-farm storage under the current plan, but less than 10 days under the proposed Ashburton flow regime (Table 12).
 - \$ 2.2 million invested in on farm irrigation infrastructure.
8. Under the proposed Ashburton plan, our 3 shallow wells will be assessed as having moderate Stream depletion effect and be connected to Ashburton River. One to Taylors Stream, Two wells connected to the North Branch of Ashburton River. For one well it would have a second minimum flow site on O'Sheas Creek.
 9. The different minimum flow sites for 3 shallow wells on different tributaries would in fact make it not viable to be a member of a water user group on Taylors Stream rule 13.5.1(2). (All members of an A allocation block Water Users' Group have water abstraction points located within the same river or stream as set out in Table 12;)
 10. There has been, to date, no consultation/engagement by the zone committee with any affected consent holders on any proposed changes to the minimum flows in Taylor's stream.
 11. Two Irrigation wells on our property, are deemed to be hydraulically connected with the North Branch of the Ashburton River. It is highly unlikely that this river will be unable to meet the proposed min flow regime because it is regularly dry at Digby's Bridge (the proposed minimum flow site), including over months of winter when no irrigation is taking place.

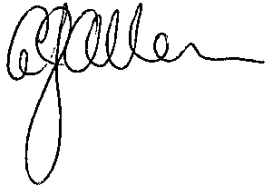
12. We are very concerned that the Ashburton River minimum flows are to be increased and that the modelling done shows that the reliability of supply will dramatically decrease. The proposed plan includes is no specific detail of stockwater take reductions in any individual tributaries.
13. We are particularly concerned about the lack of detail around any stock water reductions specified in Taylors Stream, to compensate for the increase in minimum flow, at times of low flow and during times of high demand for irrigation.
14. We began investing 13 years ago in new on-farm infrastructure, to lower the economic impact of poor water reliability and to improve on-farm water use efficiency. Firstly we added 3 wells that were extensively modelled to prove low stream depletion effect. The plan provisions for Taylor's the additional rules for hydraulically connected shallow wells, will negate our sound strategy to develop a reliable water supply.
15. We consider that we operate a very efficient on-farm irrigation scheme and have invested heavily in it. The river regime and flow model should not be implemented until such time as it is robustly tested and its accuracy assessed and proven when the river is under the most pressure i.e. January and February in any year.
16. The Taylors stream minimum flow is not being increased for ecological reasons (as noted in the s42A report) but only for increasing the SH1 min flow, with no regard for our economic well being.
17. We don't believe that the balance between social, economic, cultural and environmental values have been appropriately balanced in this case.
18. In order to balance the values associated with water in the Ashburton catchment we ask that the approach outlined in Appendix 1 be adopted. Alternatively the notified flow regime should be returned to the zone committee for further genuine consultation in a collaborative way with affected consent holders to seek an agreed solution for the Ashburton River and its tributaries.
19. We are always seeking ways to being part of a solution and feel that ECan has not discharged its duties equitably in this case.

20. The minimum flows in Taylors Stream that were set to the current level by the Planning Tribunal in 1983 have worked well to protect the environment for over 30 years, as outlined in the evidence statement of Bas Veendrick for Dairy Holdings Limited.
21. We believe that if the flow regime is sufficiently robust for RDR to change its flow monitoring sites from SH1 and immediately below the RDR take on the South Branch of the Ashburton River, to just the site below its take, then the same should apply to takes from Taylors Stream and other tributaries. Such takes should be linked with only one monitoring site, either at the tributary or at SH1.
22. Policy 13.4.5 states that, to address over-allocation of surface water, applicants will be enabled to take deep groundwater in exchange for surface water or hydraulically connected ground water. It needs to be acknowledged that there are difficulties finding deep groundwater at some locations in the upper parts of the catchment. Within 500 metres of our property a well was drilled to within 20 metres of sea level (approx 260 metres depth) without finding water. All other successful deep wells drilled in the area are over 130 metres deep and water is at the bottom of the hole. This makes it a costly exercise to get to the water to the surface.
23. We support the use of a water group in managing the Ashburton River. The Ashburton River Water User Group was set up with the support of ECan and has been managing the river (when it gets close to minimum flows) adequately for 10 years. Ecan recognises the good work done in the management of the river when it approaches minimum flow values.
24. An appropriately set up water user group on the Ashburton River or Tributary, should be treated the same as an irrigation scheme as per rule 5.107 5(a) when it comes to transferring water.
25. We strongly believe that the reliability to existing irrigators must be maintained.
26. The proposed plan drastically changes the way takes from all existing wells close to the river are affected by surface flows.

27. We request that, wells having a stream depletion effect of less than 15 L/s do not have a restriction linked with any minimum flow monitoring site in the Ashburton Catchment is included in this sub regional Plan

28. We believe this sub regional plan should make reference to schedule 9 pg 16-15 methods to clarify stream depletion effects.

We refer to and adopt the **STATEMENT OF EVIDENCE OF BAS VEENDRICK**

A handwritten signature in black ink, appearing to read 'C. Allen', with a long horizontal flourish extending to the right.

Chris Allen

Appendix 1

Alternative approach to managing the Ashburton River and its tributary Taylor's Stream

Ashburton River

The Ashburton River could be managed as follows:

1. All consented existing shallow wells that are currently not connected to a minimum flow remain that way.
2. All existing minimum flow values will stay unchanged for the Ashburton River and its tributaries, as follows.

Month:	JAN	FEB	MAR	APR-JUL	AUG	SEP	OCT	NOV	DEC
Flow m ³ /sec:	4.5	3.5	3.5	5.0	6.5	8.0	8.0	6.5	5.0

3. There is a single minimum flow on Taylors Stream of 300 L/s
4. RDR minimum flows remain unchanged.
5. Any genuine reductions in stock water take by the Ashburton District Council will be added to the SH1 min flow up to a max of 1500 L/s with immediate effect from time of reduction in stock water take for the months of Dec to April

Example:

If the reduction in stockwater take is 1500 L/s in February, the new minimum flow at SH1 would be $3500 + 1500 = 5000$ L/s in that month

The minimum flow would not be greater than 6 m³/s for December, April and December. Other months would remain unchanged.

Taylor's Stream

Taylor's Stream could be managed as follows (based on evidence statement of Bas Veendrick paragraph 53):

1. The new minimum flow for Taylor's Stream would depend on genuine stock water take reductions in Taylors Stream. If the reduction was 200 L/s, then this would be added to the existing 300 L/s at intake C (confluence Taylor's and Bowyer's Streams, set in 1982). This would leave 500 L/s in Taylor's Stream as a minimum flow to make its way to SH1. 500 L/s would be the maximum value of a minimum flow for this river.

2. If the stock water reduction was 400 L/s, this figure plus the minimum flow of 300L/s would exceed 500 L/s. Therefore 500 Lps would be the minimum flow.
3. If in, a dry spell, the stock water reduction was not sufficient to take the flow of the river above 300 L/s, then 300 L/s would be the min flow for Taylor's stream.

This approach has several advantages, as follows:

- That the river directly benefits from any stock water reductions to a capped level.
- Existing abstractions for irrigation at critical times of the year are preserved at current reliability but receive no new advantage.
- Existing shallow wells have no decrease in reliability, consistent with desired outcomes in the Ashburton ZIP.
- Preserving irrigation reliability at existing levels will promote investment in on-farm efficiency and remove doubt over investment in upgrading irrigation infrastructure.

Trial of the alternative approach

- A trial approach to managing the Taylor's Stream resource, could be set up using the existing upstream river gauging sites on Taylor's and Bowyer's Streams (Graeme Horrell's statement of evidence, p 12, 3.6b).
- The flow past these sites would be added together and the total flow calculated that would flow past the intake C minimum flow site. Water available for consented takes would be calculated as follows:
Available water = total flow (from recorder sites upstream) minus 300 L/s (min flow) minus stock water take reduction.