

BEFORE THE SPECIAL TRIBUNAL

**IN THE MATTER** of the Resource Management Act 1991  
(RMA)

**AND**

**IN THE MATTER** Of an application to vary the Water Conservation (Buller River)  
Order 2001

**Michael Anthony Talley, Graeme Peter Malone,  
James Rory Ryder and Guy Alexander  
Mannering as Trustees of THE MAJAC TRUST**

*Applicants*

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STATEMENT OF EVIDENCE OF **DONALD FREDERICK ALLARDICE** ON  
BEHALF OF THE ROYAL FORST AND BIRD PROTECTION SOCIETY OF NEW  
ZEALAND INCORPORATED

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## **1. Introduction**

**1.1** My name is Donald Frederick Allardice, age 42, currently living in the Murchison area.

**1.2** I hold a New Zealand Rafting Association Senior Grade 4/5 Rafting Guide qualification and have been an assessor for raft guides.

**1.3** I started rafting in 1984 and began working primarily on the Upper Buller and Gowan rivers. Between 1990 and 2002 I owned and operated a rafting company primarily running rafting trips on the Gowan River, and the Granity, Ariki Falls and Earthquake sections of the Buller River. I have also worked as a contract rafting tutor running raft guide training courses for Nelson Marlborough Institute of Technology (NMIT) and Whenua Iti Trust OPC. We have used a variety of rivers for these courses, including the Gowan. In our winters I have spent some time guiding overseas in Australia, Nepal, Austria and Venezuela. Currently I am working as a raft guide for my former company Ultimate Descents NZ and as a rafting tutor for NMIT.

**1.4** I gave evidence on the rafting values of the Buller catchment including the Gowan at the Environment Court in relation to the recommendation to gazette a Water Conservation Order for the Buller River.

**1.5** The last time I rafted the Gowan River was on October 10<sup>th</sup> 2005.

**1.6** I have been asked by the Royal Forest and Bird Protection Society to consider Majac's application to vary the Buller Water Conservation Order (WCO) in relation to the Gowan River and advise whether this proposal would affect the rafting values protected by the WCO. I am qualified to give this advice.

**1.7** I have been provided with a copy of the code of conduct for expert witnesses in the Environment Court Practice Note (31 March 2005). I have read and agree to comply

with that code. I have complied with the code in preparation of this evidence. Except where I state that I am relying on the specified evidence of another person, my evidence in this statement is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions which I express.

## **2. Summary of Evidence**

In summary I conclude that:

1. The Gowan is an outstanding rafting amenity due to its uniqueness, setting and free flowing nature.
2. The amenity value remains unchanged since the original Buller WCO hearing, as the physical and aesthetic factors are still essentially the same.
3. The recent decline in rafting usage due to changes within the industry is not necessarily permanent, as history has proven the river to be popular and given a favourable climate, usage could equal or exceed past levels.
4. Majac's proposal would seriously affect the rafting amenity on the Gowan due to impacts on the environment and aesthetics; it also raises issues of safety, and the uncertainty of the telemetry system.

## **3. Values of the Gowan for Rafting**

**3.1** Rafting the Gowan is a unique experience. Starting from the spectacular alpine setting of Lake Rotoroa in the Nelson Lakes National Park, the Gowan starts off easily at the lake, with the lake outlet allowing time for client briefing and practice, before picking up the pace to become an action packed ride down to its confluence with the Buller. The Gowan is one of Australasia's most continuous fastest flowing rafting rivers, and its consistent gradient and many tight, twisting channels offer an exhilarating technical rafting challenge. The Gowan is the only New Zealand rafting river navigable in its entirety offering a half-day trip that starts from a lake source. In combination, the Gowan and the "Granity" section of the Upper Buller, offer the only reliable possibility in the Buller system for 2 consecutive grade 3 white water sections to form a full day trip. It is also the only rafting river in the region with toilet

facilities at both the put in and take out. It is also possible to run a 5 day expedition starting at Lake Rotoroa and finishing at Westport.

**3.2** Its short length, lake source and lack of major tributaries give the Gowan excellent water clarity, as well as a slower rate of rise in level after rain. The Gowan will run clear and be navigable when the river levels of the Buller and other tributaries are too high for rafting and running dirty with sediment.

**3.3** The Gowan has been used by overseas and national tourists, outdoor pursuits centres, polytechnics and private rafters.

**3.4** The tight and technical natures of the Gowan make it an excellent raft guide training river for improving technical skills.

**3.5** In my opinion, the outstanding rafting characteristics that I gave evidence on in relation to the Gowan at the original Buller WCO hearing remain, and the Gowan is worthy of the protection that the Buller WCO affords.

**3.6** Maritime Safety Rule 80 requires that rafting operators list and manage river hazards according to the operator's Safe Operational Plan. Growth, floods and changing riverbed all contribute to the willow hazards on the Gowan, and since the commencement of commercial rafting on the Gowan operators have managed the willow hazards by scouting the river prior to the start of the season or after floods to assess any changes and any remedial work necessary. Since commercial rafting started on the Gowan, willow hazards have come and gone, while some passages may become more difficult, others may become easier. In my opinion, in general at this time the willows are no more hazardous on the Gowan, and with some work on clearing out low lying branches I would be happy to run trips.

**3.7** At present I have no knowledge of how often the Gowan is used for rafting.

However, since the first commercial trips in the early 1980s there have been at least nine different companies rafting the Gowan and combined with the “Granity” section of the Upper Buller as a full day it was the main trip for many operators. Recent years have seen a decline in commercial usage of the Gowan as companies have changed hands, ceased trading or relocated. Tourism is an ever changing industry, but with the trend towards growth the opportunity exists for current operators and new ventures to increase usage on the Gowan to previous levels or higher given a favourable climate.

#### **4. Assessment of Majac’s Proposal**

**4.1** People participate in white water rafting trips primarily to experience the exhilaration and appreciate the environment. Encountering significant man made structures in the riverbed (intake) or skyline (pylons) would in my view inevitably adversely affect the amenity values of the rafting experience.

**4.2** The intake structure would create safety issues for rafters if it caused a change in river dynamics forming uniform hydraulics that could hold a raft or swimmer, if it was possible for a raft or swimmer to be swept into the intake, or if there were materials such as reinforcing steel or aggregate that could cause injury or entrapment to a swimmer or puncture a raft. There could be safety issues with the outflow if significant volumes of water were discharged back into the riverbed at angles to the main river current that could flip a raft.

**4.3** I have never used or been aware of a telemetry system being used elsewhere to restore flows. For commercial rafting it is important to have the full flow of the river when required. In my experience with rafting on a hydro scheme river (the Tully River North Queensland), the power generation company sometimes provided less water than agreed, making the rafting impractical due to insufficient flow. I am sceptical that this system would work, and in fact could be hazardous to private users.

**4.4** In terms of practicality and aesthetics, in my view Majac's proposal does not protect the rafting values of the Gowan.

## **5. Conclusion**

**5.1** In my view the Gowan River still retains the amenity value for rafting as accepted in the original Buller WCO hearing. The physical and aesthetic factors that make the Gowan an outstanding rafting river essentially remain unchanged.

**5.2** Majac's proposal would seriously affect rafting on the Gowan due to the environmental and visual impact of the proposed constructions. The uncertainty of the telemetry system and safety issues surrounding the intake and outflow also raise serious concerns.

25 October 2005