

**BEFORE THE A COMMISSIONER APPOINTED  
BY THE SOUTHLAND REGIONAL COUNCIL**

**IN THE MATTER**      the Resource Management Act 1991

**AND**

**IN THE MATTER**      of resource consents to occupy the Coastal Marine Area  
with a tide gate and weir and to dam and divert water

**AND**

**IN THE MATTER**      of an application by **SOUTHLAND REGIONAL  
COUNCIL**

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**BRIEF OF EVIDENCE OF LES FRISBY  
16 August 2024**

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1. My full name is Leslie Clifford Frisby.
2. I am a farmer and agricultural contractor from Southland. I live and farm in the Titiroa Stream area.
3. I am a member of the Mataura Catchment Liaison Committee. I became a member not long after I came to the area and am one of the longest standing members of the committee and they call me the 'river sheriff' because when there is an issue people tend to contact me.
4. Environment Southland has applied for resource consents for the tide gates/locks and weir on the Titiroa Stream, upstream of the Tokanui-Gorge Road Bridge. I made a submission in support of this application and have been asked by Council to give evidence as a farmer who relies on the locks.
5. I live at 253 Flemming Rd and lease 444 ha of land in the Titiroa Catchment from the Southland Regional Council. I have been here for 42 years. My home block is called the Andrews Block, which is about 147 ha.
6. I first came to the area in 1982, which is when I leased the Andrews Block. The current gates were not there, and the old gates were had it. The old gates had been damaged around 10 years before and could not be repaired. This meant the land was very wet and full of gorse and rushes. Because it was so wet it was uneconomical to farm.
7. I realised pretty quickly that it wasn't worth developing the land until the locks were in, which was done in the mid-80s.
8. Once the gates were up and running again, I got to work developing the Andrews Block. At that time the Council paid for the drains, and I installed them.
9. In 1985, after the new gates were in, I got a second block from Council called the Scobie Block. It was run-down and wet. I ploughed, re-fenced and installed drains on the property.

10. Since then, I have been given the lease to the O'Connell Block and the Golden Block. I've been told by Council that because I am developing the land and farming it well that is why I have offered me more leases. That being said, I have enough now and do not want any more land.
11. Back when I came to the area, if a big flood came through the impact on the farm was significant. We would lose a lot of ground and would need to put stock out. We just couldn't graze efficiently, as even ewes would pug up the ground. Heavy animals were practically out of the question. The development work I have done on the blocks has meant the land is much better able to handle a flood as the water table is much lower.
12. Even without a flood, if there was a big tide, I estimate around 50 ha of my farm today would be underwater. From a farming perspective this meant that whole area would be unsuitable for heavy animals, and probably even ewes, which even at low stocking rates would pug up the land.
13. Today, if there is big tide the locks can be completely underwater – one of the photos attached to my submission shows this. The difference is the water drains quicker after the tide because the locks keep the water table lower and we do not get the same flooding. Based on my observations, the gates control the water table as far as the railway embankment.
14. On all the blocks I have leased I have installed Novaflo (drainage coil), tile and mole drains, and ditches. I estimate I would have put down about 80km of Novaflo and 40km of open drains across the property. Attached are some plans that show all the drains on the Scobie and Andrews Blocks. I have hand drawn drains not shown on the Environment Southland maps.
15. I have also fenced all the waterways on my three blocks.
16. I estimate I have spent \$1 million on developing the land.
17. It has got to a point where I farm 2500 ewes, 600 hoggets, 40 rams and fatten 300 cattle and 250 calves. I also run a few cows and deer. I can now get a vehicle pretty much anywhere on the farm.

18. Between the drains I have put in and the locks the land is now farmable. A lot of my neighbours who are still farming have done the same thing and are in the same position as me. Back when the gates were not working in the 1980s, I remember people just being happy to get off the land if Council took the leases from them.
19. There have also been short times when the new locks have not been working. Without the locks, when the water moves up the catchment on a high tide, the drains will stop working for about half the day and you see much more ponding. I believe it would not take long for the land to revert back to the wet, unproductive rush-filled land that was here when I arrived. The drains on their own are not enough to allow farming. At best, you could run a few sheep, but I doubt it would be economic and you would probably go broke.
20. I am very worried that if the locks are removed the land would no longer be farmable. It is obvious to me what an important part of the system the tide gates are, and the community relies on them. I employ five staff fulltime all year around. Most of our work is local and without the locks I am sure my agricultural contracting business would also be in trouble.
21. I am also aware that a few of the opposing submitters are worried about the impact of the gates on fish. In my 40 years, there are regularly good runs of whitebait on the Titiroa Stream and plenty of eels, trout and other fish.
22. I have done a lot of the fencing of ditches and creeks on land the Council has retired from farming. The way the farming community and the Council have worked together to protect land at the same time as we make our living has been pretty successful, and I think it should be allowed to continue by keeping the locks in place.

Les Frisby

16 August 2024

# Appendix 1

## Andrews & Scobie Blocks Tile Drains & Culverts

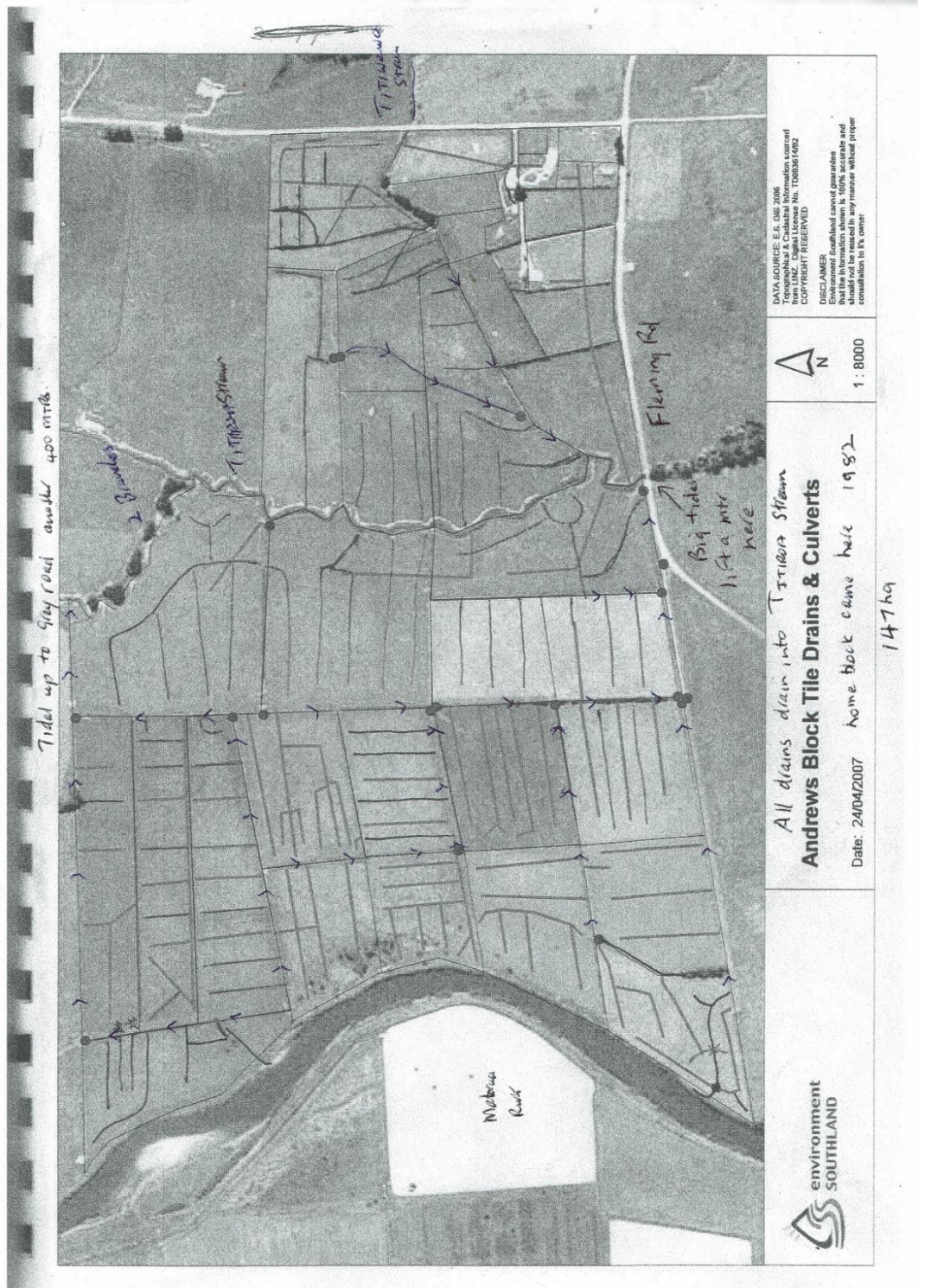


Figure 1: Andrews Block Tile Drains & Culverts

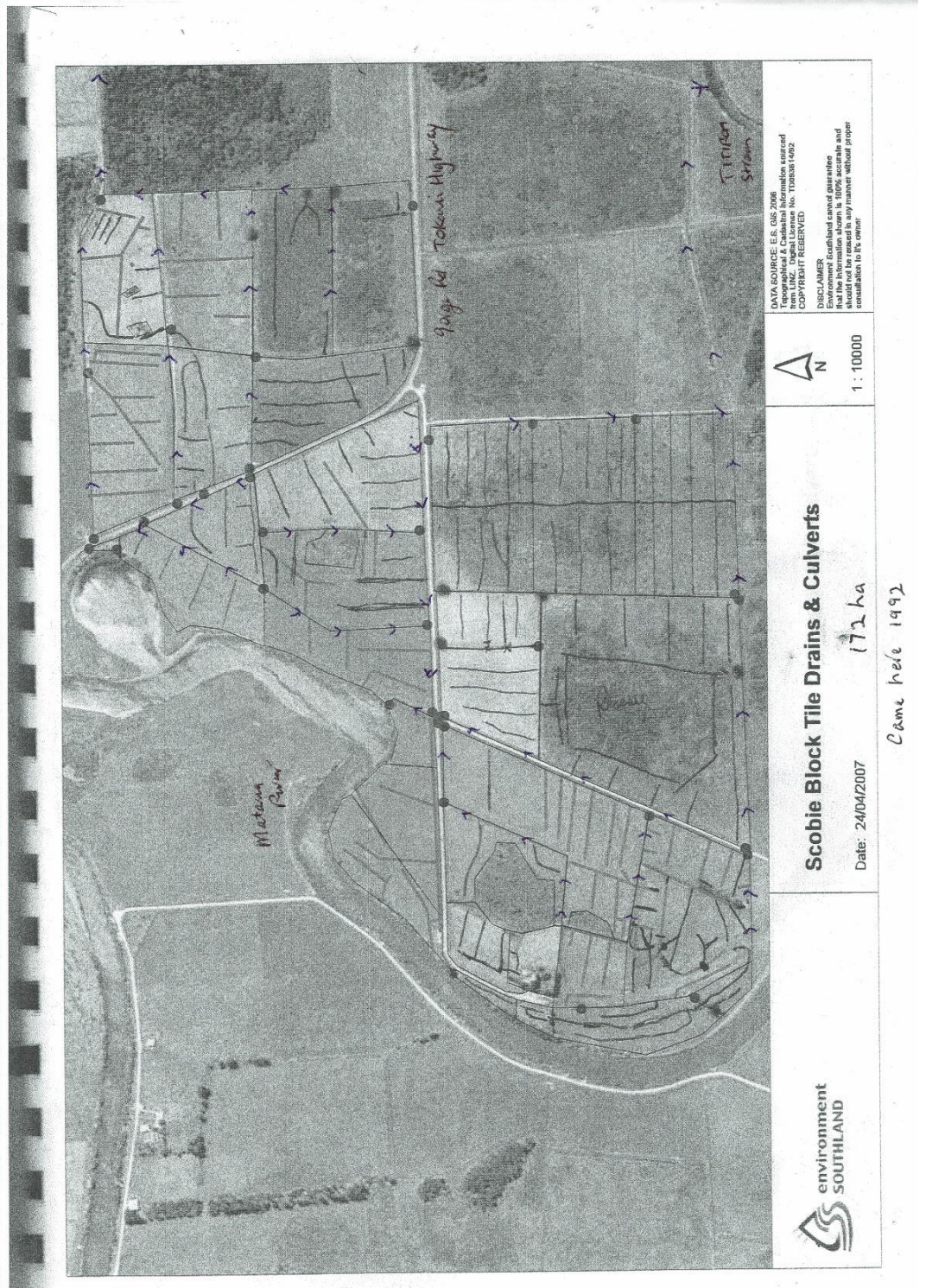


Figure 2: Scobie Block Tile Drains & Culverts