



**SUBMISSION FORM** (Print clearly on both sides)  
**Proposed Plan Change 5A (Lindis: Integrated water management)**  
**to the Regional Plan: Water for Otago**  
 (Form 5, Clause 6 of the First Schedule, Resource Management Act 1991)

61

OTAGO REGIONAL COUNCIL  
 RECEIVED DUNEDIN Office use only  
 - 4 SEP 2015  
 FILE No. 1410310

I wish do not wish (circle preference) to be heard  
 in support of my submission.

If others make a similar submission, I will will not  
 consider presenting jointly with them at a hearing  
 (circle preference).

L. L. Lucas 3rd Sept  
 Signature: Date: 2015

(of submitter, or person authorised to  
 sign on their behalf).

Trade competitor's declaration (if applicable)

*I could gain through trade competition from a submission  
 but my submission is limited to addressing environmental  
 effects directly affecting my business*

Signature: \_\_\_\_\_



Send to:  
 Freepost ORC 497  
 Otago Regional Council  
 Private Bag 1954  
 Dunedin 9054

Name of submitter

LESLIE LUCAS

Organisation

(if applicable) NINE MILE

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(include postcode) P. B. 16  
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Note that all submissions are made available for public inspection

**SUBMISSIONS MUST BE RECEIVED BY 5.00 PM**  
**FRIDAY 4 SEPTEMBER 2015**

Please turn over

| 1<br>State what your submission relates to and if you support, oppose or want it amended<br><br>e.g. Amend provision 4 | 2<br>State what decision you want the Otago Regional Council to make<br><br>e.g. Provision 4 should stay | 3<br>Give reasons for the decision you want made<br><br>e.g. Health provision 4 changed because                       |
|--|--|---|
| Oppose the 750 l/sec minimum flow  | I support 450 l/sec  | This allows 250/sec above the present 200/sec min. flow   |
| Oppose the operative flow a 2021   | The time frame needs to be longer  | Lots of changes are required which will take time. Small blocks need water, & houses need new seeps for water access. |
| Oppose the primary allocation  | A more reasonable allocation would be 1500   | At 1500 it would allow more primary water access.   |

Please add pages as required

or 1000

| 1<br>State what your submission relates to and if you support, oppose or want it amended | 2<br>State what decision you want the Otago Regional Council to make   | 3<br>Give reasons for the decision you want made |
|--|--|--|
| <p>e.g. Amendment 1</p> <p>Oppose the map B4 v B7</p>                                    | <p>e.g. Amendment 1</p> <p>(The division is unfair) (on the those excluded) (from the Huntley Catchment)</p> <p>* It would be fairer to split with the same area as a whole.</p> | <p>e.g. Amendment 1</p> <p>→</p>                 |

Please add pages as required

Implementing the 750 l/sec minimum flow will provide hardship for many users of the Hindis river.

1) It is peace of mind for farmers in this low rainfall area to have irrigation water to strike and grow winter feed ie crops are guaranteed.

2) In our earlier years at Nine Mile we were part of the Otago Catchment Board farm plan which involved reining large blocks of sunny country for up to 5 years to allow regeneration of vegetation along with over sowing and top dressing this improved the ground cover, improved the ground stability and vastly improved water retention.

3) Guaranteed water for irrigation eliminates the risks of over grazing and gives economic peace of mind. Good management of the land makes for a stronger economic unit, allowing control of pests (rabbits, possums) and weeds (bricks huracii broom, nodding thistles) and provides employment to strengthen the Tanae community.

4) Access to a reliable small amount of water is a vital part of our overall extensive farming practice in the Hindis high country.

5) A monitored 450 l/sec minimum flow is adequate to provide recreational use, good fish habitat, and maintain a healthy Hindis river that all can enjoy.

N.B. On the 2015 local phone for Jarra's residents 60 households out of 116 are connected with farming activities or rely on Hindis river water for domestic or gardens.



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OTAGO REGIONAL COUNCIL  
 RECEIVED DUNEDIN  
 - 4 SEP 2015  
 FILE No. LA.10.3.10  
 DIR TO L. J. P.

62

Office use only

Name of submitter

Wanaka Agricultural Contracting Ltd  
 Organisation  
 (if applicable)

Postal address  
 (include postcode)

State Highway 6  
 RD 2 Wanaka

Telephone:

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Email:

r.l.woodhead@xtra.co.nz

I wish  (do not wish) (circle preference) to be heard  
 in support of my submission.

If others make a similar submission, I will  (will not)  
 consider presenting jointly with them at a hearing  
 (circle preference).

*R.L. Woodhead*

4/9/15  
 Date:

Signature:

(of submitter, or person authorised to  
 sign on their behalf).

Trade competitor's declaration (if applicable)

*I could gain through trade competition from a submission  
 but my submission is limited to addressing environmental  
 effects directly affecting my business*

Note that all submissions are made available for public inspection

Signature:

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Send to:  
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 Dunedin 9054



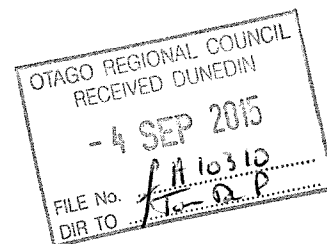
Please turn over

We support the Lindis Catchment Group's recommendation on minimum flows. As rural contractors we are directly affected by both weather and irrigation controls during the summer season. Both job security of employees and long term expansion within the industry will be directly impacted by the outcome of the Otago Regional Council plan change.

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Tom De Pelsemaeker

**From:** Jodi Payne <nzpfga@gmail.com>  
**Sent:** Friday, 4 September 2015 1:12 p.m.  
**To:** Policy Reply  
**Subject:** Re: FW: Lindis River minimum flow submission



Dear Sir / Madam

**Re: Submission on Proposed Plan Change 5A (Lindis: Integrated Water Management)**

This is a submission from the New Zealand Professional Fishing Guides Association on the proposed Lindis River Minimum Flow.

The New Zealand Professional Fishing Guides Association represents the interest of our 142 members.

Our members use the river when flows are maintained to the Clutha River but when flows are low, the river becomes unusable and an unsustainable habitat for the fish in the Lindis River.

The Lindis River has been mismanaged flow-wise for many years. Our members have considered the Lindis River to have good potential as a fishery if the flow regime is sustainable.

Guided fishing is worth approximately \$1200 /day to the region. This river has the potential to keep more guided days within the Otago Region.

I oppose the proposed minimum flow of 750 lps.

Instead, the NZPFGA supports an improved summer minimum flow of at least 1000 litres per second.

I wish to be heard at any hearing to discuss this flow proposal.

Yours sincerely,

Craig Smith, NZPFGA Executive Member on behalf of the New Zealand Professional Fishing Guides Association

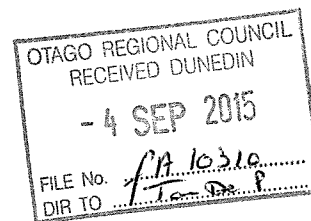
Submission Form - Proposed Plan Change 5A

64

**Submission Date** 04-09-2015 13:47:23

**Name of submitter:** Donald Wallace

**Postal address:** Street Address: 23 McBride Street  
Street Address Line 2: Frankton  
City: Queenstown  
Postcode: 9300



**Telephone:** (3) 4423536

**E-mail:** donwal@xtra.co.nz

**I wish / do not wish to be heard in support of my submission:** I do not wish to be heard

**Signature of submitter, or person authorised to sign on their behalf::**

**1. State what your submission relates to and if you support, oppose or want it amended:**

I oppose the minimum flow of 750 litres per second(option 3)

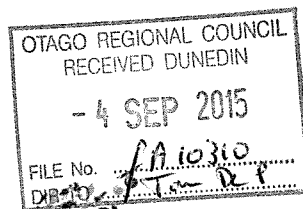
**2. State what decision you want the Otago Regional Council to make:**

I support the amended option of 1000 litres per second(option 4)

**3. Give reasons for the decision you want made:**

I have observed the Lindis river over 5 or more decades and been appalled at the lack of water in the lower river over the summer months which can only be attributable to excessive draw off for irrigation.  
Farmers are well aware and have been so for 30 years, that 2021 is the deadline for having to put in place alternatives for their irrigation needs.  
The Lindis river needs to be returned as far as possible to a sustainable summer flow of good quality water, which will bring about cooler temperatures restore the natural character of the river to support the trout and native fish/eel population.  
While I have indicated that I don't want to be heard, it is for reasons that my submission is very clear in what I have said.  
If the council would like clarification on what I have said, I am happy to appear.  
Don Wallace





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**Forest & Bird**  
GIVING NATURE A VOICE

**Southern Office**

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Dunedin

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Ph (03) 477-9677

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Otago Regional Council

Private Bag 1954

Dunedin

03/09/2015

Dear Sir / Madam

**Re: Submission on Proposed Plan Change 5A (Lindis: Integrated Water Management)**

1. This is a submission from the Royal Forest and Bird Protection Society Incorporated ("Forest and Bird") on proposed plan change 5A (Lindis: Integrated Water Management), notified on 8 August 2015;
2. Forest and Bird is New Zealand's largest non-governmental conservation organisation, with approximately 70,000 members and supporters nationwide.
3. Our kaupapa is to "Give Nature a Voice" We do this through advocacy, education as well as many hundreds of our members being involved in restoration projects including pest and predator eradication. Protection of our freshwater and the native species that rely on water is a priority for our organisation.
4. Forest and Bird is not a person who could gain an advantage in trade competition through this submission, pursuant to clause 6 of Schedule 1 of the Resource Management Act 1991 ("the Act").

## Summary

5. Forest and Bird supports the following aspects of proposed plan change 5A:
  - a. The winter minimum flow of 1600 litres per second (1 June to 30 September);
  - b. The primary allocation limit of 1000 litres per second;
  - c. The supplementary flow regime;
  - d. The treatment of connected groundwater as surface water;
  - e. Setting maximum allocation limits for specified aquifers within the Bendigo-Tarras Basin (the Ardgour Valley, Bendigo, and Lower Tarras aquifers);
  - f. Mapping the boundaries of the catchment for the purposes of the minimum flow;
  
6. Forest and Bird supports that the primary allocation limit of 1000 litres per second ("l/s"), which is slightly higher than the default limit set by policy 6.4.2 of the Regional Plan: Water.
  
7. The proposed supplementary flows are more permissive than the default regime, and Forest and Bird are conditionally supportive of this to enable water harvesting to occur to encourage irrigators to lessen their reliance on primary allocation from the Lindis.
  
8. Forest and Bird opposes the proposed summer minimum flow (1 October to 31 May) of 750 litres per second. Forest and Bird considers that the proposed minimum flow does not adequately provide for / have regard to the purpose and principles of the Act, including but not limited to:
  - a. The purpose:
    - i. Safeguarding the life supporting capacity of... water, soil, and ecosystems (section 5(2)(b))
  
  - b. Matters of national importance:
    - i. the preservation of the natural character of .... wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development (section 6(a));
  
    - ii. the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna (section 6(c));
  
  - c. Other matters such as:

- i. Ensuring that resource use (including the taking of water and use of the assimilative capacity of water) is necessary, reasonable and efficient (section 7(b)).
  - ii. The maintenance and enhancement of recreational values, amenity values, and the intrinsic values of ecosystems (section 7(c) and (d)).
  - iii. Maintenance and enhancement of the quality of freshwater environments, including wetland environments, as habitats for indigenous species (section 7(f)) .
- d. Forest and Bird consider that the proposed minimum flow does not give effect to the National Policy Statement for Freshwater Management including, but not limited to:
  - i. Objectives A1, A2, B1, B2, B3 of the National Policy Statement on Freshwater Management;
  - ii. Policies A1, A2, B1, B2, B3, B5, B6 of the National Policy Statement on Freshwater Management
- e. Forest and Bird consider that the proposed minimum flow does not give effect to the Otago Regional Policy Statement including, but not limited to:
  - i. Objectives 6.4.3, 6.4.4, 6.4.8, 6.5.2, 6.5.4 of the Regional Policy Statement for Otago (RPS);
  - ii. Objectives 5.3.1, 5.3.4, 5.3.6, 6.3.1, 6.3.2, 6.3.3, 6.3.5, 6.3.6, 7.A.1 of the Regional Plan for Water (RPW);
  - iii. Policies 5.4.1, 5.4.2, 5.4.3, 5.4.8, 6.4.0, 6.4.0A, 6.4.0B, 6.4.0C, 7.B.1 of the Regional Plan for Water (RPW);
- f. Forest and Bird consider that the proposed minimum flow is inconsistent with the proposed Otago Regional Policy Statement including, but not limited to:
  - i. Objective 2.1, Policies 2.1.1, 2.1.2, 2.1.6;
  - ii. Objective 2.2, Policy 2.2.12, 2.2.13;
  - iii. Objective 2.3;

g. Forest and Bird also considers that the proposed summer minimum flow is inconsistent with:

i. The Otago Conservation Management Strategy;

h. Forest and Bird considers that the section 32 analysis does not adequately examine the appropriateness of the minimum flow for achieving the objectives, or alternatives for achieving the objectives, nor does it appropriately recognise the importance of environmental protection and an adequate minimum flow as a core element of sustainable management.

9. Forest and Bird propose a summer minimum flow of greater than 1000 litres per second.

10. Forest and Bird oppose the proposed summer minimum flow season of 1 October to 31 May, and seek that this season is amended to 1 October to 30 April, with the winter minimum flow season similarly amended.

*Relief sought*

11. Forest and Bird seek the following relief:

| Reference /<br>page number | Item  | Support /<br>Oppose | Relief sought                   | Reasons  |
|----------------------------|---|---------------------|---------------------------------|--|
| Schedule 2A                | Summer minimum flow, 750 litres per second (1 October to 31 May). | Oppose              | Amend to 1000 litres per second | Forest and Bird opposes the proposed summer minimum flow (1 October to 31 May) of 750 litres per second. Forest and Bird considers that the proposed minimum flow does not adequately provide for / have regard to the purpose and principles of the Act, including but not limited to:<br><br>a. The purpose: |

|  |  |  |  |  |
|--|--|--|--|--|
|  |  |  |  | <p>i. Safeguarding the life supporting capacity of... water, soil, and ecosystems (section 5(2)(b))</p> <p>b. Matters of national importance:</p> <p>i. the preservation of the natural character of ... wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development (section 6(a));</p> <p>ii. the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna (section 6(c));</p> <p>c. Other matters such as:</p> <p>Ensuring that resource use (including the taking of water and use of</p> |
|--|--|--|--|--|

|  |  |  |  |   |
|--|--|--|--|---|
|  |  |  |  | <p>the assimilative capacity of water) is necessary, reasonable and efficient (section 7(b)).</p> <p>ii. The maintenance and enhancement of recreational values, amenity values, and the intrinsic values of ecosystems (section 7(c) and (d)).</p> <p>Maintenance and enhancement of the quality of freshwater environments, including wetland environments, as habitats for indigenous species (section 7(f)) .</p> <p>d. Forest and Bird consider that the proposed minimum flow does not give effect to the National Policy Statement for Freshwater Management including, but not limited to:</p> <p>i. Objectives A1, A2, B1,</p> |
|--|--|--|--|---|

|  |  |  |  |   |
|--|--|--|--|---|
|  |  |  |  | <p>B2, B3 of the National Policy Statement on Freshwater Management;</p> <p>ii. Policies A1, A2, B1, B2, B3, B5, B6 of the National Policy Statement on Freshwater Management</p> <p>e. Forest and Bird consider that the proposed minimum flow does not give effect to the Otago Regional Policy Statement including, but not limited to:</p> <p>i. Objectives 6.4.3, 6.4.4, 6.4.8, 6.5.2, 6.5.4 of the Regional Policy Statement for Otago (RPS);</p> <p>ii. Objectives 5.3.1, 5.3.4, 5.3.6, 6.3.1, 6.3.2, 6.3.3, 6.3.5, 6.3.6, 7.A.1 of the Regional Plan for Water (RPW);</p> <p>iii. Policies 5.4.1, 5.4.2, 5.4.3, 5.4.8, 6.4.0,</p> |
|--|--|--|--|---|

|  |  |  |  |   |
|--|--|--|--|---|
|  |  |  |  | <p>6.4.0A, 6.4.0B, 6.4.0C, 7.B.1 of the Regional Plan for Water (RPW);</p> <p>f. Forest and Bird consider that the proposed minimum flow is inconsistent with the proposed Otago Regional Policy Statement including, but not limited to:</p> <p>Objective 2.1, Policies 2.1.1, 2.1.2, 2.1.6;<br/>Objective 2.2, Policy 2.2.12, 2.2.13;<br/>Objective 2.3;</p> <p>g. Forest and Bird also considers that the proposed summer minimum flow is inconsistent with:</p> <p>i. The Otago Conservation Management Strategy;</p> <p>h. Forest and Bird considers that the section 32 analysis does not</p> |
|--|--|--|--|---|



|             |  |                     |   |   |
|-------------|--|---------------------|---|---|
|             |  |                     |   | adequately examine the appropriateness of the minimum flow for achieving the objectives, or alternatives for achieving the objectives, nor does it appropriately recognise the importance of environmental protection and an adequate minimum flow as a core element of sustainable management. |
|             | Summer minimum flow season (1 October to 31 May) | Oppose              | Amend to 1 October to 30 April, and make subsequent amendments to the proposed winter minimum flow season | As above.   |
| Schedule 2A | Winter minimum flow                              | Conditional support |   | Support for the winter minimum flow, the primary allocation limit, and  |

|             |                                       |                     |  |   |
|-------------|---------------------------------------|---------------------|--|---|
|             |                                       |                     |  | <p>supplementary regime is conditional upon the summer minimum flow being raised to 1000 litres per second and the flow season amended to 1 October to 30 April.</p>  |
| Schedule 2A | Primary allocation limit              | Conditional support |  | <p>Support for the winter minimum flow, the primary allocation limit, and supplementary regime is conditional upon the summer minimum flow being raised to 1000 litres per second and the flow season amended to 1 October to 30 April.</p> |
| Schedule 2B | First supplementary allocation block  | Conditional support |  | <p>Support for the winter minimum flow, the primary allocation limit, and supplementary regime is conditional upon the summer minimum flow being raised to 1000 litres per second and the flow season amended to 1 October to 30 April.</p> |
| Schedule 2B | Second supplementary allocation block | Conditional support |  | <p>Support for the winter minimum flow, the primary allocation limit, and supplementary regime is conditional upon the summer minimum flow being raised to 1000 litres per second and the flow season amended to 1 October to 30 April.</p> |

12. Forest and Bird seek any minor or consequential relief that arises from the relief sought above.

13. Forest and Bird wish to be heard at any hearing convened to discuss this plan change.

14. Thank you for the opportunity to submit.

Yours sincerely,

pp.

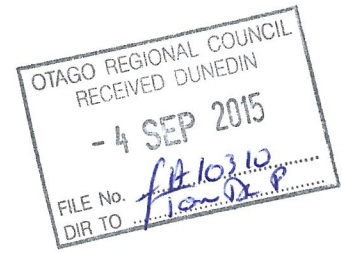
Sue Maturin

Otago Southland Regional Manager

Submission Form - Proposed Plan Change 5A

66

**Submission Date** 04-09-2015 13:51:34  
**Name of submitter:** J.Murray Neilson  
**Postal address:** Street Address: 22 Berwick Road  
Street Address Line 2: Woodside  
City: RD 1 Outram  
Postcode: 9073  
**Telephone:** (03) 4861378  
**E-mail:** kmsanda@xtra.co.nz



**I wish / do not wish to be heard in support of my submission:** I wish to be heard

**If others make a similar submission, I will / will not consider presenting jointly with them at a hearing:** I will consider presenting jointly

**Signature of submitter, or person authorised to sign on their behalf::**

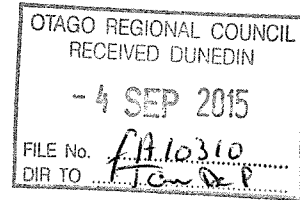
**1. State what your submission relates to and if you support, oppose or want amended:** I oppose the proposed minimum flow at the Ardgour Recorder of 750/s applying from October 31 May.

**2. State what decision you want the Otago Regional Council to make:** The proposed minimum flow at the Ardgour Recorder should be 1000 /s from October to 30 April.

**3. Give reasons for the decision you want made:** See my submission attached.

**Attach a document if needed:** SUBMISSION ON PROPOSED PLAN CHANGE 5A.docx

**SUBMISSION ON PROPOSED PLAN CHANGE 5A (LINDIS: INTEGRATED WATER MANAGEMENT)  
TO THE REGIONAL PLAN: WATER FOR OTAGO**



Otago Regional Council  
Private Bag 1954  
Dunedin.

Name: John Murray Neilson

Address: 22 Berwick Road  
Woodside  
RD 1 Outram  
9073

Telephone: 03 486 1378

E-mail: [kmsanda@xtra.co.nz](mailto:kmsanda@xtra.co.nz)

**a) Submission**

I support Plan change 5A, except for the proposed summer minimum flow of 750 litres/second.  
I oppose the proposed summer minimum flow of 750 litres/second.

**b) Decision sought**

I wish to see:

- A) The proposed summer minimum flow of 750 litres/second applying from 1 October to 31 May, amended to 1000 litres/second or higher applying from 1 October to 30 April.
- B) The other provisions of the plan change confirmed as drafted.

**c) Background**

I retired, as Technical Support Officer: Freshwater Ecosystems for the Department of Conservation's Otago Conservancy, in 2012, after 25 years of service with the department in that and similar roles, since the department was established, in April 1987. Prior to that I had spent 12 years employed by the N.Z. Wildlife Service, based in Dunedin, working throughout Otago, Southland and South Canterbury. During the whole of my career in Otago I was involved with freshwater issues and the environmental planning processes associated with freshwater resources.

While employed by the department I was involved with the Lindis River, and was the “architect” of the department’s decision to support Tarras Water Limited’s resource consent application to take water from the Clutha River, despite some internal opposition to that stance. That was the first time that the department had supported an application to take water, in Otago. Had Tarras Water Ltd’s proposal gone ahead it would have resulted in considerable environmental flow benefits for the Lindis River.

I was the Minister of Conservation’s representative on the Clutha Fisheries Trust, while with the Department of Conservation, a role as trustee, which I have continued to fill since my retirement. Also, since my retirement, I have been coopted onto the Otago Fish and Game Council, as a councillor. In both those roles I have continued my involvement with the Lindis River.

While employed by the department I was part of a small group of officers advising the two departmental representatives on the working group, convened by the Ministry for the Environment (MFE), to advise the Ministry on the development of the “*Proposed National Environmental Standard on Ecological Flows and Water levels – A discussion document (MFE 2008).*” The small group that I was on peer reviewed the expert scientist’s contribution to that document.

#### **d) Reasons for submission**

I have read and agree with the submissions of the Otago Fish and Game Council and the Clutha Fisheries Trust, to this proposed plan change, and hereby adopt them in their entirety. However, this is my personal submission and there are a number of points which I wish to emphasise.

##### **1. National Policy Statement for Freshwater Management 2014**

The preamble to the National Policy Statement for Freshwater Management 2014 (NPSFM) states, in part that “*This national Policy Statement sets out objectives and policies that direct local government to manage water in an integrated and sustainable way, while providing for economic growth within set water quantity and quality limits...*” (emphasis added).

In the “*Interpretation*” section of the NPSFM “**Environmental lows and/or levels**” are described as: “*a type of limit which describes the amount of water in a freshwater management unit(except ponds and naturally ephemeral water bodies) which is required to meet freshwater objectives...*” “**Freshwater objective**” describes an intended environmental outcome in a freshwater management unit.” (emphasis added).

“**Objective B1**” (Water Quantity NPSFM) states: “*To safeguard the life-supporting capacity, ecosystem processes and indigenous species including their associated ecosystems of fresh*

water, in sustainably managing the taking, using damming, or diverting of freshwater".  
(emphasis added).

**"Objective B2"** states: "To avoid any further over-allocation of fresh water and phase out existing over allocation".

**"Objective B3"** states: "To improve and maximize the efficient allocation and efficient use of water".

**"Objective B4"** states: "To protect significant values of wetlands and of outstanding freshwater bodies". (Not relevant in the case of the Lindis River).

**"Policy B1"** requires each regional council to make or change plans to the extent needed to ensure that the plans establish freshwater objective in accordance with **"Policies CA1 – CA4"** and to set "environmental flows and or levels" for all fresh water management units (with the exception of ponds and naturally ephemeral water bodies) in its region *"to give effect to the objectives in this national policy statement having regard to at least the following:*

- a) *The reasonably foreseeable impacts of climate change;*
- b) *The connection between water bodies; and*
- c) *The connections between freshwater bodies and coastal water."*

**"Policy CA1"** requires each regional council to identify freshwater management units that include all freshwater bodies within its region.

**"Policy CA2"** requires each regional council to consider "all national values and how they apply to local and regional circumstance", including *"any implications for resource users, people and communities..."* Each regional council, when identifying these values, "must include the compulsory values; and may include any other national values or other values that the regional council considers appropriate...".

**"Policy CA3"** requires each regional council to ensure *" that freshwater objectives for the compulsory values are set at or above the national bottom lines for all freshwater management units, unless the existing freshwater quality of the freshwater management unit is already below the national bottom line and the regional council considers it appropriate to set the freshwater objectives below the national bottom line because " either "the existing freshwater quality is caused by naturally occurring processes; or" "any of the existing infrastructure listed in Appendix 3 contributes to the existing freshwater quality" (Appendix 3 is empty, at present).*

The “**COMPULSORY NATIONAL VALUES**” (Appendix 1) as they apply to the Lindis River are: “**the health and mauri of water**” and “**the health and mauri of the people**”. In terms of “**Ecosystem health**” this requires that *‘the freshwater management unit supports a healthy ecosystem appropriate to that freshwater body type (river, lake, wetland or aquifer).*

*“In a healthy freshwater ecosystem ecological processes are maintained, there is a range and diversity of indigenous flora and fauna and there is resilience to change.*

*Matters to take into account for a healthy freshwater ecosystem include the management of adverse effects on flora and fauna of contaminants, changes in freshwater chemistry, excessive nutrients, algal blooms, high sediment levels, high temperatures, low oxygen, invasive species, and changes in flow regime. Other matters to take into account include the essential habitat needs of flora and fauna and the connections between water bodies. The health of flora and fauna may be indicated by measures of macroinvertebrates”. (emphasis added).*

In terms of “**the health and mauri of the people**” “**human health for recreation**” requires that there will be “no more than a moderate risk of infection to people when they are wading or boating..” or undertaking similar activities and that “other contaminants or toxins, such as toxic algae, would not be present in such quantities that they would harm people’s health”. If people are swimming the risk of infection should be “no more than moderate”.

In my opinion this means that the Otago Regional Council (ORC) must set an environmental flow for the Lindis River under its Regional Plan: Water which meets the objectives of the NPSFM. In particular, “**Objective B1** To safeguard the life-supporting capacity, ecosystem processes and indigenous species including their associated ecosystems of fresh water”; “**Objective B2** To avoid any further over-allocation of fresh water and phase out existing over allocation”; and “**Objective B3** To improve and maximize the efficient allocation and efficient use of water”.

In doing so, the ORC must provide for the compulsory values and may provide for other national values or other values, while considering the impacts on local communities and people (emphasis added). Other national values and other values (e.g. those values identified by the community at the Lindis minimum flow consultation meetings convened by ORC) may be provided for but they cannot be substituted for the compulsory values, which must be provided for.



What this means is that the safeguarding of the life-supporting capacity, ecosystem processes and indigenous species including their associated ecosystems of freshwater, avoidance of further over-allocation, phasing out of existing over-allocation and efficient allocation and use of water come first, everything else is secondary but can be provided for, while meeting these objectives (emphasis added).

## 2. Regional Plan: Water

The Regional Plan: Water (RPW) must, as established above, meet the objectives of the NPSFM. ORC maintains that the RPW does, in fact do this.

Otago Fish and Game Council's submission deals in detail with the objectives, policies, rules and methods of the Regional Plan: Water (RPW) as they relate to this proposed Plan Change, so I won't repeat them all here. However there are three provisions of the RPW which I wish to draw particular attention to:

- i) *"Objective 5.3.1: To maintain or enhance the natural and human use values identified in Schedules 1A, 1B and 1C that are supported by Otago's lakes and rivers."*
- ii) *"Objective 5.3.3 To protect the natural character of Otago's lakes and rivers and their margins from inappropriate subdivision use or development"*
- iii) *"Objective 6.3.1: To retain flows in rivers sufficient to maintain their life-supporting capacity for aquatic ecosystems, and their natural character."*

The natural fishery values as listed in the RPW Schedules and as mentioned in the OFGC Submission and which require to be maintained or enhanced are trout, juvenile trout and eels. However, as recent work by OFGC attests, upland bullies also need to be added to this list as significant numbers of these fish are now known to be present in the Lindis River. Other native fauna which, in particular, need to be added, as mentioned in the CFT submission, are black-fronted terns, black-billed gulls and pied stilts. The gulls have a *"nationally critical"* conservation status, the terns are *"nationally endangered"* and the stilts are *"declining"*.

Under *"Objective 5.3.3"* the natural character of Otago's lakes and rivers is defined in the following way: *"The natural character of Otago's lakes and rivers and their margins is made up of*

*a range of physical, ecological and cultural qualities. These relate to the lake's or river's topography, including the setting and bed form, natural flow and level characteristics, ecology and the extent of development within the catchment. The degree of natural character and what is considered to be inappropriate subdivision, use and development, will vary from place to place."*

The morphology of the lower Lindis is that of a braided river, currently with greatly reduced flow due to water abstraction for irrigation. A flow which would restore its braided natural character is required.

In order to maintain the life-supporting capacity of the aquatic ecosystem of the lower Lindis (Objective 6.3.1), as well as its natural character, a continuous flow is required for trout, eels, and bullies and also for the pied stilts which breed on the river bed and require the protection from predators provided by river braids. Such a continuous braided flow would also provide potential breeding habitat for the black-billed gulls and black-fronted terns which frequent the area, while also providing more secure feeding and loafing habitat for these threatened endemic birds.

### **3. Opus Report – Lindis catchment**

The concluding remarks (**5 Conclusions**, page 35) are illuminating: *"While the implementation of a minimum flow would impact on water security, the potential effects of a minimum flow of 900 L/s are generally not very different to those when the minimum flow is 450L/s.....The demand for large volumes of irrigation water quickly exceeds the capacity of the low flow regime irrespective of the level of the minimum flow."*

### **4. Section 32 Report**

ORC's Section 32 Report acknowledges that the Lindis River is over-allocated and has been for years, because of water being taken under Mining Privileges/Deemed Permits. This report also acknowledges that under natural conditions the Lindis would flow to the Clutha River year-round and that the MALF is now estimated to be 1864 l/s, rather than the earlier estimation of 1610 l/s.

Under Section 6 in the report there is acknowledgement that water is naturally restricted in the catchment and that fluctuation in environmental conditions cause a greater impact on water availability than the proposed minimum flow (emphasis added). What the report doesn't acknowledge, however is that this would be true of any minimum flow, from 450 L/s to 900L/s, not just the proposed 750 L/s.

#### **5. Proposed National Environmental Standard on Ecological Flows and Water Levels – Discussion Document (MFE 2008)**

As I mentioned in my introduction, I was part of a peer review group for the Department of Conservation, of the scientist's report, which contributed to the methods proposed in this document.

Ecological flows and water levels in the context of this document were defined as *"the flows and water levels required in a water body to provide for the ecological function of the flora and fauna present within that water body and its margins..."*

Further *'The proposed national environmental standard establishes interim limits on alterations to flows and water levels derived from expert scientist and regional council staff experience with many existing environmental flows and water levels. The interim flows and water levels are also intended to accommodate other values, such as recreational, natural character and cultural flows...' (emphasis added).*

While this document was never finally adopted , and it dealt with interim levels, it did represent the combined expert opinion of what was required to "hold the line" in terms of minimum flows and levels in water bodies. Therefore its recommendations should not be dismissed.

The recommended minimum flow derived from this process was, for river with a mean flow Of 5 cumecs or more (such as the Lindis) was *"A minimum flow of 80% of MALF as calculated by the regional council....."*.

## **6. Otago Fish and Game Council's proposed minimum flow of 1000 L/s at the Ardour Recorder**

In the context of the minimum flow proposed under the *"Proposed National Environmental Standard on Flows and Water levels"* 1000 L/s is barely adequate. However this flow recognizes

The use of

water for irrigation which those farmers who have no other alternative must make.

It also connects with the Clutha River, thus providing more natural character and provided

Some side braids for nesting birds, as OFGC's photos show.

## **7. Closing Remarks**

The Otago Regional Council has already shown itself willing to go further than the recommendations of the Section 32 Report, in the case of the Waiwera, where the council increased the proposed minimum flow from 280 L/s to 300 L/s. Such a decision in the case of the Lindis, from the proposed minimum flow of 750 L/s to a minimum flow of 1000 L/s would be welcomed and would better meet the objectives of the NPSM, and thus the Regional Plan: Water, for the Lindis River.

**I wish to be heard by the council.**

Thank you

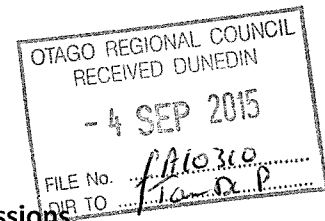
Murray Neilson



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## Submission re Proposed Plan Change 5A (Lindis: Integrated Water Management)

Submitted by: Brian Turner



I do wish to be heard in support of this submission

I will consider presenting jointly with others making similar submissions.

**A Personal Submission opposing the recommended minimum flow as being too low.**

I am overseas at present but am told that submissions re the Lindis close in a few days.

I'm familiar with the Lindis/Upper Clutha region, have been frequenting it since the mid-1950s. Over time I have witnessed - with dismay - the continuing deterioration of instream and other values throughout the waterways. You, councillors and staff of the ORC, must surely be aware of all this, just as you have the means and a duty to set measures to reverse the situation.

In respect to the Lindis River the way to do that is to ensure that throughout the system - headwaters to the confluence with the Clutha - you insist that throughout the year there is a more than adequate flow to guarantee good water quality, enhance the natural character and values, provide for recreational users, and for healthy populations of fish, and so on and on.

I noted before leaving that many consider that your proposed minimum flow is much too low and that irrigators continue to be pandered to. They've had years and years to make provision for water from alternative sources, sources which are available and accessible - as you know.

Throughout Central Otago one notices that less and less water is flowing in tributary creeks and streams. In all sorts of ways this is damaging and wrong. There's something perplexing and shameful about much of this, and it ought not be allowed to continue. Instead of continuing to treat water principally as a utility/resource dominated by commercial interests, it ought to be seen as an essential part of the living community of nature.

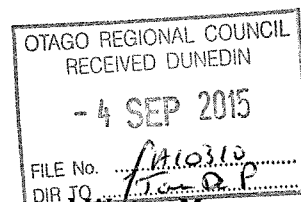
Brian Turner  
3363 Ida Valley-Omakau Road  
Oturehua, Central Otago 9387  
[blturner@xtra.co.nz](mailto:blturner@xtra.co.nz)

2 September 2015

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## CENTRAL OTAGO ENVIRONMENTAL SOCIETY INC.

PO Box 10  
Omakau 9377  
Tel: 03 447 3744 e-mail: exemplar@scorch.co.nz



### Submission re Proposed Plan Change 5A (Lindis: Integrated Water Management)

Submitted by: DG Shattky

On behalf of: the Central Otago Environmental Society

We do wish to be heard in support of this submission

We will consider presenting jointly with others making similar submissions.

*Grays Shattky*

Signed:

September 2015

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### Preface

The on-going protection and enhancement of Otago's water resources continues to be a major point of focus for members and supporters of the Central Otago Environmental Society (COES). The Society has previously made submissions to the ORC with regard to the proposed Tarras Water scheme and supported the passage and implementation of Plan Change 6A (Water Quality), making clear its strongly held belief that the Region's natural water resources must be managed sustainably by ensuring that their quality and values are not only protected, but also restored as close as is feasible, to their natural state.

Unfortunately, the Lindis River is only one example of our collective failure to observe that basic principle, which leaves us now in the situation of remedying years of neglect during which the lakes, rivers, streams, wetlands and groundwater reservoirs which comprise our water resource have been depleted and polluted, their associated values diminished or destroyed by the over-riding interest of economic development.

Against that background, COES welcomes the establishment of minimum flows and maximum allocations on the Lindis River as a potential exemplar which might be used to reinstate year-round flows in other Otago streams and tributaries which, in drought years, are diverted to maintain farm irrigation supplies.

In brief, the Society advocates a whole-of-stream restoration of the Lindis River and consequently:

- supports the recommended primary allocation limit, the winter minimum flow, and the supplementary allocation regime.
- Opposes the recommended Minimum Flow of 750 l/s (October to May).

- Recommends adoption of a minimum flow of 1500 l/s (October to May) being 80% of MALF as proposed by the draft National Standard on Flow Setting (Ministry for the Environment, 2008)

### **Arguments against the Proposed Minimum Flow (750 l/s)**

The Society opposes the proposed minimum flow of 750 l/s for the following reasons clearly identified by the Section 32 analysis:

- a. Uncertainty as to whether water quality will be improved;
- b. Puts at risk in-stream values below the SH 8 bridge;
- c. Fails to provide fish habitat downstream from the SH 8 bridge;
- d. Reflects an unnecessary concession to present land use practices.

COES acknowledges the necessity to provide water for food production, supports the concept of water storage against dry years and advocates the development and implementation of sustainable, ecosystem-based farming practices which address environmental threats and improve the overall quality of the environment. The Sec 32 analysis notes that the economic impact of a higher minimum flow is likely to be minimal (5% +/-) and will further encourage land use change and the implementation of sustainable agricultural practices, all developments which COES considers to be legitimate and desirable outcomes of the proposed Plan Change.

Consequently, there is neither a need nor any advantage to be gained by compromising on the issue of a minimum flow. The availability of alternative water sources for irrigation and the fact that the end of a permissive regime has been well-signalled for a number of years, also supports COES view that nothing be allowed to impede or delay the process of restoring the Lindis River.

The proposed minimum flow (approximately 40% of MALF) is significantly lower than the default minimum setting of 50% required by the Otago Regional Water Plan and the recommended minimum setting of 80% proposed by the draft National Environmental Standard on Environmental Flow Setting. With the objective of restoring the Lindis R. clearly in mind, COES considers that ideally, the minimum flow should be established at 1500 l/s being approximately 80% of MALF.

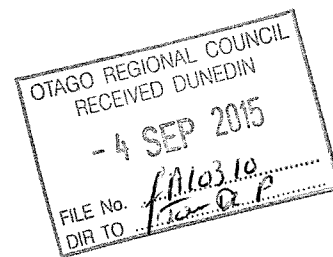
### **Conclusion**

The ORC's declared objective is to maintain and enhance the quality of the Region's water resources. It follows that where potential risk is identified or doubt as to the outcome is identified, prudence should prevail. With regard to the Lindis R. the minimum flow must be established at a level which ensures positive environmental outcomes result.



**Tom De Pelsemaeker**

**From:** Trevathan <trevathan@xtra.co.nz>  
**Sent:** Friday, 4 September 2015 1:58 p.m.  
**To:** Policy Reply  
**Subject:** FW: orc  
**Attachments:** Lindis PC5A submn template.docx



I wish to be heard.

Beau Trevathan.

**From:** Trevathan [mailto:trevathan@xtra.co.nz]  
**Sent:** Friday, 4 September 2015 1:53 p.m.  
**To:** 'Trevathan' <trevathan@xtra.co.nz>; beautrevathan@gmail.com  
**Subject:** orc

Otago Regional Council – Plan Change 5A (Lindis Integrated Water Management)

Template for submission – please write in your own words as much as possible, including by deleting all grey highlighted text and replacing with your own words.

|   | State what your submission relates to and if you support, oppose or want it amended                | State what decision you want the Otago Regional Council to make | Give reasons for the decision you want made   |
|---|--|---|---|
| 1 | Plan Change 5A provisions referred to in this submission<br><br>See below for specific provisions. | See below in relation to each provision                         | <p>1. Inconsistent with RMA, ORC Plans and National Policy Statements</p> <p>Based on the reasons outlined below in relation to specific provisions of the Proposed Plan Change 5A, that are opposed or requested to be amended throughout this submission, I/we submit that these provisions:</p> <ul style="list-style-type: none"> <li>a) will <b>not</b> achieve the purpose of the RMA as it will not enable people and communities to provide for their social and economic well-being.</li> <li>b) will <b>not</b> achieve the objectives and policies of the Otago Regional Council’s Regional Policy Statement, Proposed Regional Policy Statement and the Water Plan for Otago.</li> <li>c) are based on an evaluation that was <b>not</b> carried out in accordance with section 32 of the Resource Management Act</li> <li>d) are inconsistent with the National Policy Statement for Freshwater Management (NPSFM) which: <ul style="list-style-type: none"> <li>i. supports reasonable adjustment timeframes that take into account the economic effects likely to result from a change in approach to managing a freshwater resource; and</li> <li>ii. requires freshwater management</li> </ul> </li> </ul> |

|   | State what your submission relates to and if you support, oppose or want it amended   | State what decision you want the Otago Regional Council to make                    | Give reasons for the decision you want made   |
|---|---|--|---|
|   |   |  | to be informed by the best available information and scientific and socio-economic knowledge.   |
| 2 | <p>Policy 6.4.5</p> <p>Oppose and want Policy 6.5.4 amended.</p>  | <p>Include a longer transition period in this policy – to 2026 instead of 2021</p> | <p>1. Lack of a reasonable transition period<br/>Including the Lindis catchment in the existing paragraph (c) of this policy means the existing timeframes outlined in the explanation to the policy would apply to the Lindis catchment.</p> <p>This will result in a lack of a feasible transition period for irrigators to adjust to the minimum flow regime and primary allocation limit, change to more efficient irrigation systems and potentially transfer water rights to an alternative source.</p> <p>There is no exact science that can be used to know how the river will react to relocation of water takes. The effects of proposals from Lindis Catchment Group need time to realize their effects.</p>   |
| 3 | <p>Rule 12.1.4</p> <p>Support in so far as it is linked to the maps in B4 and B7</p> <p>Don't want <b>Maps B4 and B7</b> amended.</p>   | <p>Support maps as they offer support to the original priority.</p>                | <p>1. Taking and Use in combination with Maps B4 and B7<br/>This rule is linked to the B-series maps which identify the Lindis Catchment. Part of the true geographic area of the Lindis Catchment is excluded from these maps (the Tarras sub-catchment).</p> <p>This creates uncertainty for farmers who irrigate within this area, as this land has been arbitrarily excluded from the Lindis catchment area.</p> <p>Taking of water to establish and sustain lively hood on small subdivisions in the Ardgour Valley in 1914 was given a priority ahead of any water taken to be delivered to the larger titles in the Tarras Sub catchment several years later.</p>  |
| 5 | <p>Schedule 2A (3) – specific minimum flows for primary allocation takes</p> <p>Minimum flow of 750 l/s (1 October to 31 May)</p> <p><b>Oppose</b> and want <b>amended</b>.</p> | <p>Amend to a lower minimum flow during 1 October to 31 May</p>                    | <p>1. Effects of Proposed Minimum flow of 750 l/s<br/>Irrigators who will be subject to the proposed minimum flow would be significantly adversely affected socially and economically, including for the following reasons:</p> <p>2. The amendment sought - a lower minimum flow<br/>The amendment sought (setting a lower minimum flow in Schedule 2A for 1 Oct to 31 May) <b>would</b> enable people and communities to provide for their social and economic well-being <b>while also</b> meeting all legislative requirements focusing on protecting natural and iwi values.</p> <p>A min flow at 750 L per sec will create uncertainty in economic use of small properties and over capitalizing and operating costs exceeding the value of returns which will lead to land use changes away from a form that supports the regions economy.</p> |
| 6 | <p>Schedule 2A (3) – specific minimum flows for primary allocation takes</p>  | <p>Amended to a higher primary allocation limit.</p>                               | <p>1. The proposed primary allocation limit<br/>The proposed primary allocation limit will result in reduced water availability and does not accurately represent the history of use within the catchment, and what could be irrigated efficiently with this water.</p>   |

|    | State what your submission relates to and if you support, oppose or want it amended  | State what decision you want the Otago Regional Council to make  | Give reasons for the decision you want made  |
|----|--|--|--|
|    | <p>Primary allocation limit of 1,000 l/s Lindis catchment from confluence with Clutha/Mata-au to headwaters.</p> <p><b>Oppose and want amended</b></p> |  | <p>The proposed primary allocation limit will result in the following adverse social and economic effects:</p> <p><i>Include list of reasons as why primary allocation limit will cause economic and social adverse effects (e.g reduced water availability, reduced surety of supply, loss of income, loss of jobs, effects on wider community, etc and include any estimates you may have)</i></p> <p>2. The amendment sought – a higher primary allocation limit<br/>The amendment sought ( a higher primary allocation limit) <b>would</b> enable people and communities to provide for their social and economic well-being <b>while also</b> meeting all legislative requirements focused on protecting natural and iwi values.</p>  |
| 11 | <p>Water Plan Maps: Minimum flow catchments and monitoring sites - Map B4 and B7</p> <p><b>Oppose catchment boundary and want amended</b></p>          | <p>Redefine the catchment area to include the full extent of the true geographic boundary of the Lindis catchment (and exclude the Tarras Creek area from the minimum flow through a policy/rule linked to a mapped sub-area).</p> | <p>1. Implications of mapping<br/>The catchment boundary does not recognise the true geographical catchment boundary of the Lindis River. This will result in unnecessary complexity and uncertainty.</p> <p>The proposed boundary will result in significant adverse economic and social effects including:<br/><i>Include list of reasons as why mapping will cause economic and social adverse effects (e.g for those irrigating in Tarras sub-catchment area it could result in uncertainty about implications of boundary, regulatory challenges re shifting takes, costs of shifting takes, reduced surety of supply, loss of income, loss of jobs, effects on wider community, etc)</i></p> <p>2. Amendment sought – Map true boundary of Lindis catchment<br/>Creating an arbitrary boundary for the catchment to exclude the Tarras Creek catchment (see p 11 of section 32 report) from a minimum flow is a very blunt instrument to achieve this.</p> <p>The amendment sought is the inclusion of a policy and rule which would exclude this area from the proposed minimum flow. This policy and rule could be linked to the Tarras Creek sub-catchment, as a mapped area within the wider Lindis Catchment.</p> |

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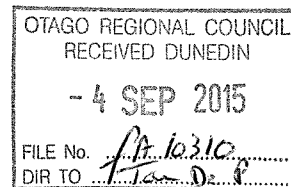


Department of  
Conservation  
*Te Papa Atawhai*

DOCCM-2559986

4 September 2015

Otago Regional Council  
Private Bag 1954  
Dunedin 9054



Attention: Tom de Pelsemaeker

Dear Sir,

**Proposed Plan Change 5A (Lindis: Integrated water management)**

Please find enclosed the submission by the Director-General of Conservation in respect of Plan Change 5A. The submission generally supports the Plan Change.

Please contact Geoff Deavoll in the first instance if you wish to discuss any of the matters raised in this submission (03 371 3712 gdeavoll@doc.govt.nz).

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Phil Tisch'.

Phil Tisch  
Conservation Partnerships Manager  
Central Otago District

**Department of Conservation *Te Papa Atawhai***

Christchurch Shared Services

Private Bag 4715, Christchurch Mail Centre, Christchurch 8140, New Zealand

www.doc.govt.nz

**RESOURCE MANAGEMENT ACT 1991**

**SUBMISSION ON PLAN CHANGE 5A TO THE REGIONAL WATER PLAN**

**TO:** Otago Regional Council

**SUBMISSION ON:** Regional Plan: Water for Otago  
Plan Change 5A (Lindis: Integrated water management)

**NAME:** Lou Sanson  
Director-General of Conservation

**ADDRESS:** RMA Shared Services  
Department of Conservation  
Private Bag 4715  
Christchurch Mail Centre 8140  
Attn: Geoff Deavoll

**STATEMENT OF SUBMISSION BY THE DIRECTOR-GENERAL OF THE  
DEPARTMENT OF CONSERVATION**

Pursuant to clause 6 of the First Schedule of the Resource Management Act 1991 (RMA), I, , Conservation Partnerships Manager, Phil Tisch, acting upon delegation from the Director-General of the Department of Conservation, make the following submission in respect of the Proposed Plan Change 5A (Lindis: Integrated water management) to the Otago Regional Council.

1. This is a submission on the Plan Change 5A to the Otago Regional Water Plan.
2. The specific provisions of the proposed Plan Change that my submission relates to are set out in Attachments 1 to this submission. The decisions sought in this submission are required to ensure that Plan Change 5A:
  - a. Gives effect to the National Policy Statement for Freshwater Management.
  - b. Recognises and provides for the matters of national importance listed in section 6 of the Act and to have particular regard to the other matters in section 7 of the Act.
  - c. Promotes the sustainable management of natural and physical resources.
  - d. The changes sought are necessary, appropriate and sound resource management practice.
3. The Department of Conservation has an interest in Plan Change 5A due to functions of the Department under section 6 of the Conservation Act that relate to freshwater fisheries and freshwater habitats.
4. The Department also has an interest in the Plan Change as the manager of public conservation land within the Lindis catchment including recreational facilities associated with this land.
5. A major concern for the Department in the Lindis River catchment is the survival of the indigenous fish species Clutha flathead galaxias. This species is classified as

having the threat status 'Nationally Critical', which is the highest threat classification prior to extinction. In the Lindis catchment his species is currently restricted to isolated populations in tributary streams, often where there is a natural barrier to limit trout predation and competition.

6. Longfin eel, and common and upland bully are also present in the Lindis River catchment including the main stem.
7. The Department supports initiatives to improve flows in the Lindis River catchment especially during the drier months of the year. Achieving more consistent flow and connection to the Clutha River is considered to be important for fish passage and the ecosystem health of the lower catchment generally.
8. I **seek** the following decision from the Council:
  - 8.1 That the particular provisions of Proposed Plan Change 5A that I support, as identified in Attachment 1, are retained.
  - 8.2 That the amendments, additions and deletions to Proposed Plan Change 5A sought in Attachments 1 are made.
  - 8.3 Further or alternative relief to like effect to that sought in 8.1 – 8.2 above.
9. I wish to be heard in support of my submission and if others make a similar submission, I will consider presenting a joint case with them at the hearing.



Phil Tisch  
Conservation Partnerships Manager  
Central Otago District

Pursuant to delegated authority  
On behalf of  
Lou Sanson  
Director-General of Conservation

Date: 4 September 2015

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011.

**ATTACHMENT 1:**

**PROPOSED PLAN CHANGE 5A (LINDIS: INTEGRATED WATER MANAGEMENT)  
SUBMISSION BY THE DIRECTOR-GENERAL OF CONSERVATION**

The specific provisions that my submission relates to are set out in Attachment 1. My submissions are set out immediately following these headings, together with the reason and the decision I seek from the Council.

The decision that has been requested may suggest new or revised wording for identified sections of the proposed plan. This wording is intended to be helpful but alternative wording of like effect may be equally acceptable. Text quoted from Proposed Plan Change 5A is shown in *Italics*. The wording of decisions sought shows new text as underlined and original text to be deleted as ~~###~~.

Unless specified in each submission point my reasons for supporting are that the policies are consistent with the purposes and principles of the Resource Management Act 1991 (RMA).

| PLAN CHANGE REF | PLAN PROVISION   | POSITION AND REASON   | RELIEF SOUGHT       |
|-----------------|--|---|---------------------|
| Chapter 6 – 6.4 | Policies applying to the management of the taking of water |   |                     |
| Page 2          | Policy 6.4.5(c)  | The addition of the words 'Lindis catchment area' to subsection (c) of Policy 6.4.5 is supported.<br><br>It is considered appropriate to include into Policy 6.4.5 as it gives effect to Part II RMA, NPS Freshwater and Otago RPS.<br><br>Inclusion of the Lindis catchment area gives effect to Policy 7(a) and 7(d) of the Conservation General Policy (2005). | Retain as notified. |

| PLAN CHANGE REF                                   | PLAN PROVISION                                  | POSITION AND REASON  | RELIEF SOUGHT       |
|---|---|--|---------------------|
|   |   | <p>Inclusion of the Lindis catchment area in this Policy gives effect to the Otago Conservation Management Strategy.</p> <p>The Policy enables a RMA provision link to give effect to and implement Section 12 rules on Water Take, Use and Management under section 67 (1) RMA.</p>   |                     |
| Chapter 12 – Rules Water Take, Use and Management |   |  |                     |
| Page 6  | Rule 12.1.4 Restricted Discretionary Activities | <p>The addition of the words ‘Lindis catchment’ to Rule 12.1.4.4 is supported.</p> <p>This is considered appropriate to include into Rule 12.1.4.4 as it gives effect to section 67 (1) Resource Management Act, Part II Resource Management Act, National Policy Statement Freshwater Management and the Otago Regional Policy Statement, and is required to implement proposed Policy 6.4.5(c) of the Regional Water Plan.</p> | Retain as notified. |
| Chapter 20 Schedules                              |   |  |                     |
| Page 10   | Schedule 2A and Schedule 2B                     | <p>The proposed minimum flow at the Ardgour Road monitoring site of 750 litres per second (1 October to 31 May) and 1,600 litres per second (1 June to 30 September), and primary allocation limit of 1,000 litres per second for the Lindis River catchment is supported.</p> <p>The proposed first and second allocation blocks and associated minimum flows for the Lindis River</p>  | Retain as notified. |



| PLAN CHANGE REF | PLAN PROVISION | POSITION AND REASON   | RELIEF SOUGHT |
|-----------------|----------------|---|---------------|
|                 |                | <p>catchment as detailed in Schedule 2B are supported.</p> <p>It is considered that the minimum flows and allocation as specified in schedules 2A and 2B give effect to Part II or the Resource Management Act, National Policy Statement for Freshwater Management and Otago Regional Policy Statement.</p> <p>Minimum flows and allocations as specified in schedules 2A and 2B give effect to Policy 7(a) and 7(d) of the Conservation General policy (2005).</p> <p>These minimum flows and allocations will safeguard the life supporting capacity of the Lindis River aquatic habitat resources and sustain the Lindis River's freshwater fishery values.</p> <p>These minimum flows and allocations rules give effect to the Otago Conservation Management Strategy.</p> |               |