

Form 5, Clause 6 of the First Schedule, Resource Management Act 1991

Full name of submitter: Otago Fish & Game Council

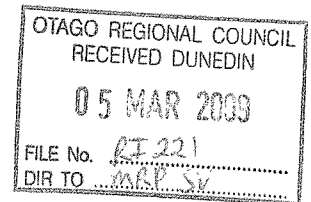
Postal Address: PO Box 76:
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Email: j.hollows@fish-game.org.nz

Contact person: John Hollows



We wish to be heard in support of my submission.

Date: 4 March 2009

Otago Fish & Game Council wish to make the following submission on proposed plan change 1C: Water Quantity.

(1) *6.1 Introduction (paragraph 5, page 2)*

We note the acknowledgment of the link between water quantity and quality, and the lack of ability to assimilate contaminants under reduced flows in the introduction. While water quality issues will be dealt with at a later date, "dilution is not the solution" and Fish & Game wish to see rules and objectives linking quantity and quality to protect and enhance waterways.

Water quality is a huge issue facing the Otago region and needs to be addressed on as many fronts as necessary. One way to address this may be to prohibit further water abstraction for activities on land where significant effects on water quality are likely, or in catchments where water quality is poor or degraded. This is a hard issue with no easy answer but council needs to take a strong lead on this issue.

(2) *(paragraph 6, page 2)*

We generally support the statements but contend that the flows set are generally not conservative of aquatic life. In particular, smaller streams are being left with residual flows that only maintain linkage between pools and over summer high water temperatures can mean fish species are unable to survive. This is not consistent with Part 2 of the Act which outlines in Section 5(g) the need to safeguard the life supporting capacity of water, and in Section 7(h) the requirement for the protection of the habitat of trout and salmon.

Fish & Game request for the following sentence, "*the provisions for the regulations of takes, in terms of minimum flows are considered to be generally conservative of aquatic life and natural character*" to be removed from the introduction.

(3) 6.3 Objectives (6.3.1, page 4)

Fish & Game support this objective but suggest '*reinstate*' be included in the objectives as some waterways do not have enough water to retain any form of aquatic life.

The amended 6.3.1 could read: *To retain and reinstate flows in rivers sufficient to maintain their life-supporting capacity for aquatic ecosystems, and their natural character.*

(4) (6.3.2A, page 4)

Fish & Game support this objective to maintain long term groundwater levels and water storage in Otago's aquifers.

(5) 6.4 Policies (6.4.0, page 6)

Fish & Game support the inclusion of the Integrated Catchment Management section as the community is becoming aware than in many areas there is no more water to be had and guidance on how best to manage this resource is needed.

(6) (6.4.10, page 68 current plan) *This policy is not proposed to be changed under the current proposal.*

This policy allows all flow above natural mean flow to be extracted. Flows above natural mean may be important for flushing and instream health in small streams. This policy could lead to flat-lining of stream flows to the extent that instream values are adversely impacted upon. Care needs to be taken when allowing all flows above mean flow to be extracted. Fish & Game are uncertain how best to approach this issue but wish the council to amend the plan so that flat-lining of small streams does not occur and some degree of flushing flows are maintained.

(7) Rule 12.1, the taking and use of surface water (12.1.2.4 & 12.1.2.5, page 40)

This rule related to situations where taking of surface water is permitted subject to conditions. Fish & Game consider all wetlands over 1000m² need protection and should be included into the conditions for these sections.

The amended 12.1.2.4 and 12.1.2.5 could have the identified wetland conditions amended to read: *The water is not taken from any wetland identified in Schedule 9, or any wetland higher than 800 metres above sea level, or any wetland greater than 1000m² in area.*

(8) (12.1.2.6, page 159) *this policy is not proposed to be changed under the current proposal.*

This rules related to permitted activities for land drainage subject to clauses. Fish & Game suggest that all wetlands over 1000m² need protection and should be included in the conditions for these sections.

The amended 12.1.2.6 could have the wetland conditions (a) amended to read: *The water is not taken from, nor is there any alteration of the water level of, any wetland identified in Schedule 9, or any wetland higher than 800 metres above sea level, or any wetland greater than 1000m² in area* and/or (b) to read: *The taking does not result in the lowering of the level of water in any lake, river or wetland and;*.

(9) 15.3 Information channels (15.3.1.1, page 64)

We support the approach the council has taken regarding the promotion of efficient use of water, however we consider an additional row (e) needs to be added in the information provided that outlines instream values. Our experience with the rural sector is that many are unaware waterway values and this information would be a useful addition to that being provided. Often an electric fishing machine demonstration showing what aquatic life exists can result in a greater appreciation of the need for waterway protection.

(10) Methods other than Rules 15.3, calculating allocation and applying minimum flows (15.8.1.1, page 65)

This method outlines in (e) that the council will consider eliminating mining privilege takes which are not currently being exercised.

Fish & Game believe the council should eliminate all mining rights that have not been exercised. The consideration of keeping a mining right water allocation that has not been used does nothing to help over-allocated catchments. The economic value of this water would not change by elimination and therefore the owner of the mining right would not have lost anything tangible.

(11) Conclusion

Fish & Game wish the points above to be included and/or addressed in the 1C plan changes, as we think these will strengthen the document in protecting waterways.

We are available to discuss and/or provide clarification of the matters raised in our submission once you have had time to assimilate these. The contacts are John Hollows at Otago Fish & Game and Bridget Z. Pringle at Central South Island Fish & Game.

Yours sincerely

John Hollows

Environmental Officer

SUBMISSIONS MUST BE RECEIVED BY 5.00PM, MONDAY 9 MARCH 2009

Please send submissions to:

Email: policy@orc.govt.nz

Post: Attn: Policy Team, Private Bag 1954, Dunedin 9054

Fax: (03) 479 0015 (Attn: Policy Team)

Deliver: 70 Stafford Street, Dunedin; or

William Fraser Building, Dunorling Street, Alexandra; or

The Station, 1st Floor, Cnr Shotover and Camp Streets, Queenstown



SUBMISSION FORM
Proposed Plan Change 1C Water Allocation and Use
to the Regional Plan: Water for Otago

Form 5, Clause 6 of the First Schedule, Resource Management Act 1991.

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Full name of submitter:

Norman David Mackeson

Name of organisation (if applicable):

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90 Lagoon Avenue Albert Town Wanaka

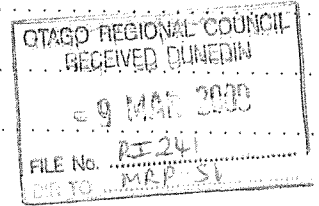
Postcode:

Telephone:

034439355

Fax:

Contact Person:



Email:

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

If others made a similar submission, I will consider presenting a joint case with them at a hearing.

(Cross out if you would not consider presenting a joint case).

Signature of submitter:

N. Mackeson

Date:

March 6, 2009

(or person authorised to sign on behalf of person making submission).

Please note that all submissions are made available for public inspection.

The parts of the proposed plan change that my submission relates to are:

(Give clear references if possible e.g. reference number, policy x, rule y)

The water flow.

My farm here for 30 years the health of the creek & the fish species in it are as good now as ever in the past 30 years.

My submission is:

(Include whether you support, oppose, or wish to have amended the parts identified above, and give reasons)

I am in favour of the Status Quo.

I seek the following decision from the local authority:

(Give precise details e.g. changes you would like made)

*I wish the existing consent holder
to retain their water right in
its present form*

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 Form 5, Clause 6 of the First Schedule, Resource Management Act 1991.

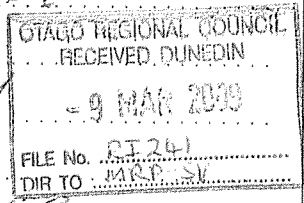
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Full name of submitter: Henry, Robert Barry, ZWIES

Name of organisation (if applicable):

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Postcode:

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Email: ZWIES@FRFB@Formside.co.nz

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

If others made a similar submission, I will consider presenting a joint case with them at a hearing.
 (Cross out if you would not consider presenting a joint case).

Signature of submitter: H R B Zwies Date: 5-3-2009
 (or person authorised to sign on behalf of person making submission).

Please note that all submissions are made available for public inspection.

The parts of the proposed plan change that my submission relates to are:

(Give clear references if possible e.g. reference number, policy x, rule y)

Section 6.4.2A - Oppose
Section 12.1.4.4.A - Oppose
Section 12.1.4.7 - Oppose

I Oppose section 6.4.2A when it you dont use all your consent some of the consent can be taken off the consent holder

My submission is:

(Include whether you support, oppose, or wish to have amended the parts identified above, and give reasons)

this is because you dont use all of the consented water prior to the consent renewal does not mean that in the future more water is not needed. Often the farm will be operating at its allowed maximum intake but will not use its allowed annual volume. The annual volume can vary hugely. In 1988 most ^{of us} started irrigating in August & stopped irrigating in May 1989. The irrigation needs to be reliable for every season. If this condition was in place this ^{would} result in ~~the~~ consent holders pumping water to waste - just ~~to~~ ^{to} ensure that they dont loose any of there consented water.

Please turn over

I seek the following decision from the local authority:

(give precise details e.g. changes you would like made)

B/ I oppose section 12.1.4.1A - setting minimum flow for Welcome Creek primary allocation at 7000L/s. This minimum flow has been set without 1/ Looking at the habitat model to see what level of flow is required for the ecosystem 2/ Considering the mean annual low flow data. 3/ Any community consultation. There are only 5-6 consent holders on Welcome Creek. A letter should have been sent to consent holders to hear their views. 4/ The first information from Welcome Creek started been collected November 2008 - this is not enough time to set min flow on the creek. The reality is if you stop Irrigation you will reduce the amount of water in the creek. C/ I oppose section 12.1.4.7 setting the min flow for Welcome creek secondary allocation at 1000L/s. 1/ Looking at habitat model to see what level of flow is required for the ecosystem. 2/ Considering the mean annual low flow data. 3/ There are only 5-6 consent holders a letter should have been sent to consent holders 4/ Any data from the creek. The first information from Welcome Creek Stewart Road started been collected in Nov 2008. This is not enough time to set min flow on the creek. The reality is that a lot of water in Welcome creek is bywash. If you stop Irrigation you will stop the amount of water in the creek.

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I seek the following decision from the local authority -

That no minimum flow is put on Welcome Creek as the Creek is healthy and has been well looked after by the current irrigators. By putting rules on Welcome Creek ORC could well break something that is operating very well at the moment. If the reliability of irrigation reduced then more irrigation water would be used as the farmers would have to have the soil "topped" up in case the Creek went onto restrictions.

HRB Zines



Otago Regional Council
Private Bag 1954
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Proposed Plan Change 1C Water Allocation and Use
to the Regional Plan: Water for Otago

Form 5, Clause 6 of the First Schedule, Resource Management Act 1991.

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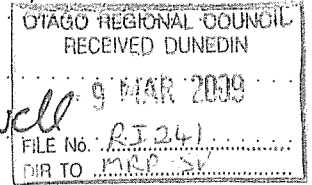
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Full name of submitter: ROBIN HENRY MAGUIRE DICEY

Name of organisation (if applicable):

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Postcode: 9354



Telephone: 027 445 1006

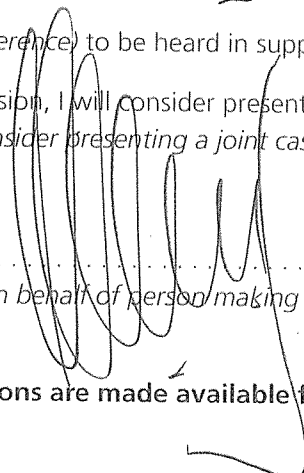
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Email: dicey@xtva.co.nz

Contact Person: Robin Dacey

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

If others made a similar submission, I will consider presenting a joint case with them at a hearing.
 (Cross out if you would not consider presenting a joint case).

Signature of submitter: 

Date: 6.3.09

Please note that all submissions are made available for public inspection.

The parts of the proposed plan change that my submission relates to are:

(Give clear references if possible e.g. reference number, policy x, rule y)

- 1/ Proposed plan change 1C - Policy 6.4.0A.
- " " " " - Policy 6.4.0B
- " " " " - Policy 6.4.0C

My submission is:

(Include whether you support, oppose, or wish to have amended the parts identified above, and give reasons)

1/ water take consents ~~must~~ must reflect ultimate use requirements. This has particular relevance to open races, some of which can be quite long. It also has relevance to water stored in dams where evaporation can be a factor.

I seek the following decision from the local authority:

(Give precise details e.g. changes you would like made)

2. No mention is made of an appeal process if an individual or group feels it has been granted too little water in a consent process. This needs to be addressed.

3. While it may be more feasible for a water user to - say - pump from Lake Dunstan than to receive a consent for water from a race, thereby making it possible for another potential water user to be granted a consent from the race, consideration has to be given to the fact that there will be costs involved - who pays for the pump installation, and will the original consent holder be compensated for his investment in the race?

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for his investment in the race?

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to the Regional Plan: Water for Otago
 Form 5, Clause 6 of the First Schedule, Resource Management Act 1991.

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Full name of submitter: RODNEY DAVID ELDER

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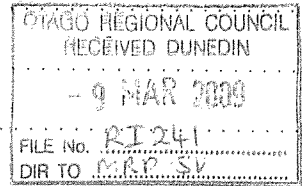
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Contact Person:



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

If others made a similar submission, I will consider presenting a joint case with them at a hearing.
 (Cross out if you would not consider presenting a joint case).

Signature of submitter: [Signature] Date: 4-3-09
 (or person authorised to sign on behalf of person making submission).

Please note that all submissions are made available for public inspection.

The parts of the proposed plan change that my submission relates to are:

(Give clear references if possible e.g. reference number, policy x, rule y)

PROPOSED PLAN CHANGE 1C
WATER ALLOCATION AND USE

My submission is:

(Include whether you support, oppose, or wish to have amended the parts identified above, and give reasons)

I support the Proposed Plan Change 1C
Water Allocation and Use.
I wish to congratulate the Otago
Regional Council on the way the workshop
meetings concerning the Wainatara river
were held.

I seek the following decision from the local authority:

(Give precise details e.g. changes you would like made)

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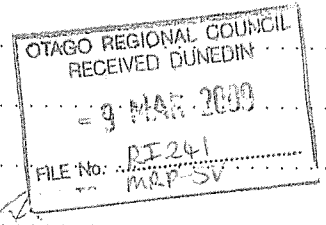


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Proposed Plan Change 1C Water Allocation and Use
to the Regional Plan: Water for Otago
 Form 5, Clause 6 of the First Schedule, Resource Management Act 1991.

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Full name of submitter: EDGAR PARCELL
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CROMWELL Postcode: 9384
 Telephone: (03 4450 235) Mch. 0274360903 Fax: 03 4450 273
 Email: edgar.parcell@otago.govt.nz Contact Person: EDGAR PARCELL



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

If others made a similar submission, I will consider presenting a joint case with them at a hearing.
 (Cross out if you would not consider presenting a joint case).

Signature of submitter: E. Parcell Date: 5/03/09
 (or person authorised to sign on behalf of person making submission).

Please note that all submissions are made available for public inspection.

The parts of the proposed plan change that my submission relates to are:
 (Give clear references if possible e.g. reference number, policy x, rule y)

6.4.0A [From 6.4.15 and 9.4.8.]

Change to 6.4.0A I would made is under
Principal Reason for stopping replace the word
"excited" with minimized.

My submission is:
 (Include whether you support, oppose, or wish to have amended the parts identified above, and give reasons)

My submission is that the wording in
6.4.0A in its present form is too restrictive
i.e. "take" is no more than that required from
the intended purpose of use.

I seek the following decision from the local authority:

(Give precise details e.g. changes you would like made)

On our irrigation scheme Carrick Irrigation Company race which is 26 kms of open race it is vitally important that the quantity at the "Take" will be sufficient to provide the necessary quantity at the point of use. However efficient the irrigation system is it is inevitable that there will be some water loss during the conveying and/or storage of the water and there must be some allowance made in the quantity approved to allow for this the losses may result from many varied causes these evaporation race seepage race height thus the quantity will vary depending on the particular situation.

If the "Take" quantity is no more than the use quantity then it is likely to be insufficient to irrigate the intended area which will be to the detriment of the economy of the region. It is very important that due

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consideration be given to the economic benefits that accrue from the irrigable area there is an absence of recognition to this within these documents.

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Dunedin 9054

Attention Policy Team

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Form 5

Submission on publicly notified proposal for policy statement or plan

Clause 6 of First Schedule, Resource Management Act 1991

To: Otago Regional Council
Name of submitter: Waitaki District Council (Water and Wastewater)

OTAGO REGIONAL COUNCIL RECEIVED DUNEDIN 09 MAR 2009 FILE No. R1241 DIR TO MAP-SV
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This is a submission on a proposed change to the following plan (the proposal):

Proposed Plan Change 1C (Water Allocation and Use) Regional Plan: Water for Otago

Introduction

We (the Waitaki District Council) have numerous responsibilities relating to the supply of water. One such responsibility is the duty under the Health Act 1956 to improve, promote, and protect public health within the district. One of the ways in which we give effect to this responsibility is through the provision of water supplies to communities within our jurisdiction.

We also have a range of responsibilities and statutory obligations in relation to the reliable supply of high quality water under the Local Government Act 2002, the New Zealand Drinking Water Standards and the Health (Drinking Water) Amendment Act 2007.

We provide water for commercial, industrial, agricultural and drinking purposes via 24 reticulated water supplies and one open water race. 15 of these supplies are located within the Otago region. The urban schemes in most areas provide water on an "on demand" basis, and have some provision for firefighting using mains water. The rural schemes provide water for stock and domestic supply on a continuous but restricted supply basis.

The overall goal of our water supply services is *'To support and underpin the Health, Wellbeing and Financial Prosperity of the community by providing a lawful, reliable, sustainable and cost effective supply of water to meet the needs of the consumer.'*

We are thus keenly interested in the changes being proposed by the Otago Regional Council to the Regional Plan: Water for Otago through Plan Change 1C (Water Allocation and Use), and it is within this context that the following submissions are made.

The specific provisions of the proposal that our submission relates to are:

The provisions on which we wish to submit have been grouped into broad themes for convenience. Under each of the themes the specific provisions of Plan Change 1C that we are submitting on are noted, as well as our submission and the decision that we seek with respect to each provision.

1. Importance of Community Water Supplies

The specific provisions that our submission relates to are:

- Policy 6.4.0C
- Policy 6.4.2A
- Rule 12.1.3.1
- Rule 12.2.2A.1
- Section 16.3.1
- Policy 6.6.0

Policy 6.4.0C

To prioritise the use of water within the area it is taken from, over its use elsewhere, taking into account matters including:

- (a) *Competing local demands for that water; and*

- (b) *Whether the take and use of that water is an efficient use of the water resource; and*
- (c) *Whether another possible source of water, including a water supply scheme, is available; and*
- (d) *The economic, social, environmental and cultural costs and benefits that result from the proposed take and use of water.*

Our submission is: We oppose Policy 6.4.0C, for the following reasons:

- the policy does not go far enough in terms of prioritising water use. Community water supplies should be accorded a greater priority because of their fundamental role in ensuring the health and safety of people and communities, the importance of which is recognised in section 5 of the Act. The Section 32 Report that accompanies Plan Change 1C does not provide sufficient justification as to why prioritisation of community supplies was discarded from specific inclusion in this policy. Prioritising community water supplies would also be consistent with Policy 1(i) of the Proposed National Policy Statement for Freshwater Management.
- the policy and its explanation do not adequately define what '*within the area it is taken from*' means. A number of the Waitaki District Council water supply schemes (for example Hampden-Moeraki and Herbert Waianakarua) extend over catchment boundaries and yet are fundamental for supplying communities located outside of these catchment areas. A literal interpretation of Policy 6.4.0C would see other, more local, uses prioritised over these supplies, which would not be consistent with the definition of sustainable management contained in Section 5 of the Act.
- part (c) of Policy 6.4.0C seems to be suggesting that, if a water supply scheme is available, it would be an appropriate alternative source of water. It is important to note that, while a water supply scheme may be available in the area, it will not necessarily have the capacity to accept new customers. This needs to be recognised in Policy 6.4.0C.
- we also seek the inclusion of a new objective acknowledging the important of community water supplies.

We seek the following decisions from the local authority:

- that Policy 6.4.0C be amended to give priority to community water supplies, to more clearly define what is meant by '*local uses*' of water (acknowledging that community water supplies can cross catchment boundaries), and to require consideration of whether local water supply schemes have any capacity to accept new connections.
- that the following new objective and explanation be included in the Regional Plan: Water for Otago:

Objective 6.3.2A

To manage water allocation and use in a way that ensures protection of existing community water supplies and the availability of water to meet the reasonably foreseeable requirements of community water supplies.

Explanation

The purpose of this objective is to protect the ability of communities to grow and still have certainty that they will be able to provide adequately for their reasonable and efficient community supply needs. This matter is a priority for the Otago Regional Council.'

Policy 6.4.2A

In considering any application for a replacement resource consent to take surface water within primary allocation specified in Policy 6.4.2(a)(ii) or (b)(ii), to grant consent only for a rate and volume of water no more than that which has been historically accessed under the previous consent.

The explanation to this policy notes that:

The right to access water given by a consent is not always fully exercised, for example, because:

- (i) *The consent holder does not need that amount of water, given their intended purpose of use of that water; or*

- (ii) *Water is unable to be physically accessed because the source does not sustain such taking.*

Our submission is: We oppose the application of Policy 6.4.2A to community water supplies. We acknowledge that where water cannot be physically accessed, continuing to allocate the water as primary allocation is not consistent with sustainable management. However, of concern to us is the following sentence in the Explanation to Policy 6.4.2A:

'Where an application is to take more water than has been physically taken from the source utilised by the previously existing consent, in a catchment to which Policy 6.4.2(a)(ii) or (b)(ii) applies, any new take will come from supplementary or further supplementary allocation, or from an alternative source.'

We acknowledge that in overallocated catchments (i.e. those referred to by Policy 6.4.2(a)(ii) or (b)(ii)) careful scrutiny of the need for and use of water is necessary. However, the effect of Policy 6.4.2A is that where community water supplies are located in overallocated catchments, any growth of the supply will be subject to high supplementary allocation minimum flows. Provided that appropriate demand management and water conservation measures have been put in place it is not appropriate for community water supplies to be subject to high supplementary minimum flows, nor is it consistent with the definition of sustainable management contained in Section 5 of the Act.

We seek the following decision from the local authority: that Policy 6.4.2A is amended to exempt community water supplies from the requirements of the policy, provided that agreed demand management and water conservation measures have been implemented.

Rule 12.1.3.1

*The taking and use of surface water for community water supply, up to any volume or rate authorised as at 28 February 1998, by any take identified in Schedule 1B is a **controlled** activity.*

Our submission is: We both support and oppose Rule 12.1.3.1, for the following reasons:

- we support the inclusion of reference to 'use' of water, as this will avoid the undesirable situation that has arisen in recent years, whereby the taking of water for scheduled community water supplies has been a controlled activity and its subsequent use has been a discretionary activity.
- we oppose the restriction of the volume and rate to those authorised as at 28 February 1998 as this does not recognise the likely growth of populations being supplied by community water supplies.
- we note that the existing Schedule 1B includes some incorrect references to Waitaki District Council water supplies.

We seek the following decisions from the local authority:

- that the words 'and use' be included in Rule 12.1.3.1 as proposed.
- that the phrase 'up to any volume or rate authorised as at 28 February 1998' be deleted from Rule 12.1.3.1.
- that the following corrections be made to Waitaki District Council takes identified in Schedule 1B:

Reference to *Palmerston Water Supply* is changed to *Palmerston (including Blue Mountain) Water Supply*

Reference to *Kauru Water Supply* is changed to *Kauru Hill Water Supply*

Rule 12.2.2A.1

*The taking of groundwater for community water supply, up to any volume or rate authorised as at 28 February 1998, by any take identified in Schedule 1B is a **controlled** activity.*

Our submission is: We both support and oppose Rule 12.2.2A.1, for the following reasons:

- we support the overall inclusion of Rule 12.2.2A.1 as it recognises the importance of community water supplies. We consider however that it is vital that the words 'and use' are

included in the rule so that it matches Rule 12.1.3.1 and so that use of water for community water supplies is a controlled activity rather than a discretionary activity. We note that reference in the rule to Schedule 1B should be Schedule 3B, as that is the Schedule that lists groundwater takes for the purpose of community water supply.

- we oppose the restriction of the volume and rate to those authorised as at 28 February 1998 as this does not recognise the likely growth of populations being supplied by community water supplies, nor the possibility of future community water supplies being developed. We are intending to develop some new supplies in the Waitaki District within the life of the Regional Plan: Water for Otago and it is vital that these supplies are appropriately provided for.

We seek the following decisions from the local authority:

- that the words 'and use' be included in Rule 12.2.2A.1
- that the phrase 'up to any volume or rate authorised as at 28 February 1998' be deleted from Rule 12.2.2A.1
- that reference to 'Schedule 1B' in Rule 12.2.2A.1 be amended to 'Schedule 3B'

Section 16.3.1.4B

A statement about how, or if, the applicant proposes to work with other water users to meet day-to-day water requirements; and whether there is a water supply scheme in the area.

Our submission is: we support in part Section 16.3.1.4B but consider that it is important to note that, while a water supply scheme may be available in the area, it will not necessarily have the capacity to accept new customers. This needs to be recognised in Policy 6.4.0C.

We seek the following decision from the local authority: that Section 16.3.1.4B is amended to read as follows:

A statement about how, or if, the applicant proposes to work with other water users to meet day-to-day requirements; and whether there is a water supply scheme with capacity to accept new customers in the area.

Policy 6.6.0

To promote and support development of shared water infrastructure.

The explanation to this policy notes (in part):

For its part, the Council will provide information about the water resources and help facilitate responses to local water needs. The Council will collaborate with the community and others in scoping strategic options for development of new infrastructure, where necessary.

Our submission is: that we support the inclusion of Policy 6.6.0 and would welcome the opportunity to work collaboratively with the Otago Regional Council with respect to the development of new infrastructure.

We seek the following decision from the local authority: that Policy 6.6.0 is included in the Regional Plan: Water for Otago as proposed.

2. Efficiency of Use

The specific provisions that our submission relates to are:

- Issue 6.2.3
- Policy 6.4.0A

Issue 6.2.3

Opportunities for the wider use of available water resources are constrained by:
(a) Inefficient or inappropriate practices; and

- (b) *Consent holders retaining authorisation for more water than is actually required for their activities.*

The phrase 'However, wider use of the water is constrained by water shortages' has been removed from the Explanation. The Explanation also states:

The effects of water shortages can be exacerbated by inefficient or inappropriate practices, for example:

- (a) *Water being lost through leakage or evaporation from distribution systems;*
...
(c) *Taking more water than is needed and not identifying how much water is taken;*
...
(h) *Securing water in consents which is more than that which is needed for existing activities.*

Our submission is: that we oppose in part Issue 6.2.3 for the following reasons:

- the sentence that has been deleted still holds true and should be retained in the Explanation to provide an accurate picture of overall water availability in the region.
- in relation to part (a) of Issue 6.2.3 and part (a) of the Explanation to the Issue we consider that no water reticulation or distribution system can be 100% leak proof and this should be acknowledged in the Explanation to Issue 6.2.3.
- in relation to part (b) of Issue 6.2.3 and parts (c) and (h) of the Explanation we note our opposition to similar wording in the Explanation to Policy 6.4.2A. Water permits for community water supplies need to recognise the potential for growth in communities over a 35 year consent term and appropriately provide for that growth.

We seek the following decision from the local authority: that Issue 6.2.3 and its Explanation is rewritten as follows:

'Issue 6.2.3

Opportunities for the wider use of available water resources are constrained by:

- (a) *Inefficient or inappropriate practices; and*
(b) *Consent holders retaining authorisation for more water than is actually required for their activities, with the exception of consents that provide for the needs of growing communities.*

Explanation

'A range of domestic, agricultural, industrial and commercial uses rely on sufficient quantities of water in Otago. However, wider use of the water is constrained by water shortages. The natural shortages of water in the region can also be exacerbated by inefficient practices, for example:

- (a) *Water being lost through greater than normal operational leakage or evaporation from distribution systems;*
(b) *Not utilising the most efficient means of taking or using the water;*
(c) *Taking more water than is needed and not identifying how much water is taken;*
(d) *Exporting water from water-short catchments;*
(e) *Taking water on an individual basis, when there is an opportunity for taking cooperatively with regard to the wider community and environment;*
(f) *Taking water from established sources, regardless of feasible alternatives;*
(g) *Poorly sited and constructed bores or excavations into aquifers; and*
(h) *Securing water in consents which is more than that which is needed for existing activities or the growth of communities.*

All water distribution systems have a certain amount of leakage or evaporation of water (nationally acceptable loss models or methodologies generally give a value for leakage in the range of 10 – 15%). There are however measures that can be implemented to minimise this and these should be employed as a matter of course to ensure that water is available to as many users as possible.

Transporting water from areas where water is scarce, and delivering it to locations where water is plentiful is poor management of the water resource. It could result in local users, who have no choice other than to utilise that source, having inadequate access to water.

Potential water users may find that less allocation is available as a result of water being secured by existing consents. Where the volume of water allocated is greater than is needed for existing activities or the growth of communities this is a matter that should be considered at the time of assessing applications for replacement consents.

Policy 6.4.0A

To ensure that the quantity of water granted to take is no more than that required for the intended purpose of use taking into account matters including the extent to which:

- (a) Local climate, soil, vegetation and water availability affect the quantity of water requested; and*
- (b) The proposed water transport system is efficient; and*
- (c) The application system is efficient.*

The Principal reasons for adopting are as follows:

This policy is adopted to ensure that wastage is avoided when water is granted to any use under a resource consent. This will enable more people to benefit from water available for consumptive use.

Our submission is: that we oppose in part Policy 6.4.0A for the following reasons:

- parts (b) and (c) of the policy should refer appropriately to the transport and use of water, as not all water that is taken throughout the region has an 'application system'
- the Principal reasons for adopting should acknowledge that no water transport system is 100% leak proof.

We seek the following decisions from the local authority: that the following amendments are made to Policy 6.4.0A and its Principal reasons for adopting:

- part (c) of the policy is amended to refer to 'the use of water' rather than 'the application system'
- the first sentence of the Principal reasons for adopting is amended to read 'This policy is adopted to ensure that wastage is avoided wherever practicable when water is granted to any use under a resource consent.'

3. Local Management of Water

The specific provisions that our submission relates to are:

- Policy 6.4.0B
- Policy 6.4.12A

Policies 6.4.0B and 6.4.12A

Policy 6.4.0B To promote shared use and management of water that:

- (a) Allows water users the flexibility to work together, with their own supply arrangements; and*
- (b) Utilises shared water infrastructure which is fit for its purpose*

Policy 6.4.12A To promote, appoint and support water management groups to assist the Council in the management of water by the exercise of at least one of the following functions:

- (a) Coordinating the take and use of water authorised by resource consent; or*
- (b) Rationing the take and use of water to comply with relevant regulatory requirements; or*
- (c) Recording and reporting information to the Council on the exercise of resource consents as required by consent conditions and other regulatory requirements; or*


(d) Reporting information to the Council for enforcement of regulatory requirements.

Our submission is: that we support the inclusion of Policies 6.4.0B and 6.4.12A and the concept of local management of water. We note however that Policy 6.4.0B would be made more effective if it were complemented by appropriate rules in Section 12 of the Regional Plan: Water.

We seek the following decision from the local authority: that Policies 6.4.0B and 6.4.12A be included in the Regional Plan: Water for Otago as proposed, and that rules relating to transfers of water permits be included in Section 12 of the Regional Plan: Water for Otago.

We wish to be heard in support of our submission.

If others make a similar submission we will consider presenting a joint case with them at a hearing.



Oscar Smit
Assets Engineer – Water and Wastewater
Waitaki District Council

6/3/2009

Date

Addresses for service of submitter:

(Please direct correspondence to both parties)

Oscar Smit
Assets Engineer – Water and Wastewater
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Oamaru 9444

Frances Lojkin
Senior Resource Planner
MWH NZ Ltd
P O Box 4
Dunedin 9054



SUBMISSION FORM
Proposed Plan Change 1C: Water Allocation and Use
to the Regional Plan: Water for Otago
December 2008

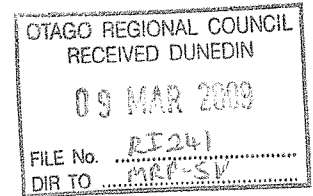
28
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Form 5, Clause 6 of the First Schedule, Resource Management Act 1991

Full name of submitter: Mount Cardrona Station Limited

Name of organisation (if applicable):

Postal Address: C/- MPC Planning
PO Box 8960 Symonds Street
Auckland
Postcode 1150



Telephone: 09) 623 3755

Fax: 09) 623 3794

Email: Nicola@mpc.net.nz

Contact person: Nicola Sedgley

I wish ~~/do not wish~~ to be heard in support of my submission (delete the one that does not apply).

If others make a similar submission, I will consider presenting a joint case with them at a hearing.
(Delete if you would not consider presenting a joint case).

Date: 6 March 2009

Please note that all submissions are made available for public inspection.

Signatures are not required for submissions made electronically.

Submissions must be received by 5pm, Monday 9 March 2009.

The parts of the proposed plan change that my submission relates to are:

(Give clear references if possible e.g. reference number, policy x, rule y)

All parts of the Proposed Plan Change but specifically parts;

- Policy 6.4.0 A, B and C
- Policy 6.4.11 and 12.1.4.9
- Policy 6.4.2A and Rule 12.1.4.8
- Policy 6.4.12A
- Rule 12.1.3.1 and Schedule 1B
- Rule 12.1.4.8

My submission is:

(Include whether you support, oppose, or wish to have amended the parts identified above, and give reasons)

Support Policy 6.4.0A in that when assessing consent applications the required volume and efficient transport of the intended purpose for which the water is taken is taken into account to ensure efficient use.

Support Policy 6.4.0B which encourages users to work together to achieve efficient use of the water resource by methods such as transferring consents to be used collectively or varying the consent to move the point of water take to a more usable location.

Support Policy 6.4.0C that prioritises the use of water to uses for domestic stock and community water supplies etc before allowing water to be transferred elsewhere and for other uses.

Support the change made to **Policy 6.4.11** but also request that this policy be further amended to include the following "To provide for the suspension of taking of water or the imposition of significant water use restrictions in the case of water takes for community or public water supply purposes at the minimum flows or aquifer restriction levels set under this Plan". The similar amendment should be made to Rule 12.1.4.9.

This is because the suspension of supply in the case of water provided for community or public water supplies would have significant effects on parties relying on these supplies including potential health effects. In these cases, the effects of the take at times of low flow on the ecological viability of the water body should be managed by restricting demand to that which is necessary.

Support Policy 6.4.12A relating to supporting water management groups.

Oppose Policy 6.4.2A and Rule 12.1.4.8 iv). These provisions make the granting of replacement consents subject to assessment of whether the previously granted rate and volume has been historically used. This creates a "use it or lose it" situation that encourages wasteful use. It is more appropriate that it be required to demonstrate that the future use of water will be used efficiently under the replacement consent and that suitable conditions of consent be imposed to re-assess this and reduce the take volume and rate if required.

Support change to 12.1.3.1 that recognises that consents for the taking and use of water for community water supplies identified in Schedule 1B shall be a controlled activity up to the rate authorised at 28 February 1998 as it is important that these communities have certainty of supply. However Schedule 1B should be amended to include the Mt Cardrona Station community water supply scheme which is consented to supply approximately 2700 persons. This water take was

permitted under RC 97216 and varied most recently under RC 2006375 to clarify that this take was for the supply of water to persons in the newly created Mt Cardrona Station Zone under the Queenstown Lakes District Plan.

Support 12.1.4.8 support the insertion of i) which enables the used water to be considered in consent applications as well as just the take volume.

I seek the following decision from the local authority:

(Give precise details e.g. changes you would like made)

Without limiting the generality of this submission, or limiting further changes to be requested in support of this submission, the following specific decisions are sought from the local authority.

Retain the clauses listed as supported.

Amend Policy 6.4.11 to read as follows. "To provide for the suspension of taking of water or in the case of watertakes for community or public water supply purposes, the imposition of water use restrictions at the minimum flows or aquifer restriction levels set under this Plan". A similar amendment should be made to Rule 12.1.4.9 so that takes are not suspended but significant restrictions are place on community water supply users when minimum flow levels are reached.

Amend 6.4.2A and Rule 12.1.4.8 iv) delete the requirement to have regard to whether the previous rate and volume of take has been used in the assessment of replacement consents and replace this with a requirement to assess whether the replacement rate and volume of take should be reduced if it cannot be demonstrated that the volume will be used efficiently in the future. This will enable conditions of consent to be imposed to require future efficient use.

Amend Schedule 1 B to include the Mt Cardrona Station Community water supply scheme permitted under consent 97216 and most recently varied under consent RC 2006375 to support the change Council has proposed to 12.1.3.1.

SUBMISSIONS MUST BE RECEIVED BY 5.00PM, MONDAY 9 MARCH 2009

Please send submissions to:

Email: policy@orc.govt.nz

Post: Attn: Policy Team, Private Bag 1954, Dunedin 9054

Fax: (03) 479 0015 (Attn: Policy Team)

Deliver: 70 Stafford Street, Dunedin; or

William Fraser Building, Dunorling Street, Alexandra; or

The Station, 1st Floor, Cnr Shotover and Camp Streets, Queenstown

From: locharburn [locharburn@farmside.co.nz]
Sent: Sunday, 8 March 2009 21:41
To: Policy Reply
Subject: Proposed Plan Change 1C Water Allocation & Use

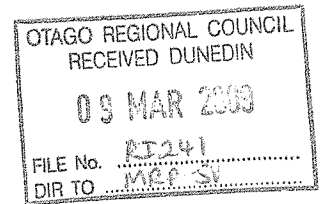


Proposed Plan Change 1C Water Allocation and Use

Submitter Information

Full Name Locharburn Grazing Company
Address Locharburn RD 3
Cromwell
9383

Telephone 03 4451204
Contact Person Joyce Brown



I am sure Federated Farmers will have the same concerns we have.

The parts of the proposed plan change that our submission relates to are:

- 6.2.3
- 6.3.1
- 6.4.1
- 6.4.16
- 6.6
- 15.2.2
- 16.3.1

Our Submission is

6.2.3 Amend

The consent needs to take into consideration that the quantity of water required can vary, with a year with more reliable rains seeing less water being needed than in a much drier year.

The Lochar Creek water is on a three weekly roster which demands an efficient use to be able to cover all the ground. Each year is different and where one year the requirement for water may be in September through till the end of April another year it may be less, being totally weather related.

6.3.1 Amend

For as long as anyone can remember water from the Lochar Creek has been taken and used for mining and irrigation. There are short periods throughout the year

when water from these creeks reaches the Clutha River but for the greater part of the year it runs underground leaving the creek bed dry. The taking of irrigation water utilizes what otherwise would be lost and is of importance to our farming operation.

6.4.1 Amend

Where water has been taken historically and has not affected aquatic life it should continue to be available for irrigation.

6.4.16 Amend

The explanation here makes sense however it is vastly different to the current policy the ORC are implementing. Water measuring can be very expensive and in some cases totally impractical, the consent may require the measurement to be taken at the head and on a daily basis, access may be by foot, when a measurement further down the race would supply relevant information and be a lot simpler.

15.2.2 Support

We would like to see encouragement given to water users in the same area to form water management groups, but for individuals to retain the management and maintenance of their infrastructure.

16.3.1 Amend

We appreciate that some record of quantity of water taken is required but we would like to see that the method of recording is sustainable. Currently the cost of metering is often greater than the return from the water taken, particularly where the quantity of water taken is very small.

If a user has a water allocation and is paying for it the way they use it should be up to them and not be dictated by the ORC.

I seek the following decision from the local authority:

The rulings be simple easily understood and sustainable.

That the cost structure for consents be reviewed and streamlined currently it is complex and costly.

When a water right has been with a property for a long period of time it will have a value to that property and favourable consideration should be given to its retention.



SUBMISSION FORM
Proposed Plan Change 1C: Water Allocation and Use
to the Regional Plan: Water for Otago
December 2008

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Form 5, Clause 6 of the First Schedule, Resource Management Act 1991

Full name of submitter: Kerylee, Jan Anaru

Name of organisation (*if applicable*): Kakanui Riverwatch Society Inc

Postal Address: Number/Street: c/o J Anaru
 Suburb: Postal Centre
 Town/City: Kakanui
 Postcode: 9438

OTAGO REGIONAL COUNCIL
RECEIVED DUNEDIN
09 MAR 2009
FILE No. RI241
DIR TO MRP-SV

Telephone: 03 4395797

Fax:

Email:

Contact person: Jan Anaru

I do not wish to be heard in support of my submission.

If others make a similar submission, I will not consider presenting a joint case with them at a hearing.

Date: 8/03/2009 15:54:27

Please note that all submissions are made available for public inspection.
Signatures are not required for submissions made electronically.
Submissions must be received by 5pm, Monday 9 March 2009.

The parts of the proposed plan change that my submission relates to are:
(Give clear references if possible e.g. reference number, policy x, rule y)

Proposed Plan Change 1C: Schedule 4A Annual Allocation Volumes for Groundwater Takes from Aquifers Table for above p51 6.4.D 6.4.9

My submission is:

(Include whether you support, oppose, or wish to have amended the parts identified above, and give reasons)

Schedule 4A Table As regards the North Otago Volcanics Aquifer, the annual allocation volume (million cubic metres per year) is not specified and yet in the Draft North Otago Volcanic Aquifer Study it is suggested that the allocation limit should be set at 7Mm³/year - double the present allocation limit. This information is of vital importance in water allocation and use yet has not been specified in the proposed Plan Change 1C. The ORC has flagged its intention, through the Draft North Otago Volcanic Aquifer Study and at public meetings, that they intend to implement this allocation alongside a reduction in monitoring and a lower aquifer maximum height. This information should have been included in the proposed Plan Change. The omission of vital information and intentions is disenfranchising for full disclosure and transparency. We consider it undemocratic and self-serving to have the whole water system monitored by committees comprised entirely of water extractors. 6.4.C Bearing in mind that water is going to become scarcer and more valuable, rather than freeing up the movement of consents we think they should become more restrictive. Since water is a publicly owned resource and is free to consent holders, consideration should be given to charging a fee for any water used to make money. 6.4.D The exporting of water to users elsewhere could lead to over exploitation of an already limited resource. It is also anathema to Maori cultural values. 6.4.9 Supplementary allocations should only be assessed under 6.4.9 (a) and not under 6.4.9 (b)(b) is unnecessary and allows for backroom deals to be done.

I seek the following decision from the local authority:

(Give precise details e.g. changes you would like made)

To implement the comments above

SUBMISSIONS MUST BE RECEIVED BY 5.00PM, MONDAY 9 MARCH 2009

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