

**BEFORE THE COMMISSIONERS ON BEHALF OF  
THE OTAGO REGIONAL COUNCIL**

Consent No. RM18.345

**BETWEEN**

**LUGGATE IRRIGATION  
COMPANY LIMITED AND LAKE  
MCKAY STATION LIMITED**

**Applicant**

**AND**

**OTAGO REGIONAL COUNCIL**

**Consent Authority**

---

**REBUTTAL EVIDENCE OF MURRAY NEIL FROST**

---

---

**GALLAWAY COOK ALLAN  
LAWYERS  
DUNEDIN**

Solicitor on record: Phil Page

Solicitor to contact: Phil Page

P O Box 143, Dunedin 9054

Ph: (03) 477 7312

Fax: (03) 477 5564

Email: phil.page@gallowaycookallan.co.nz

Email: phil.page@gallowaycookallan.co.nz

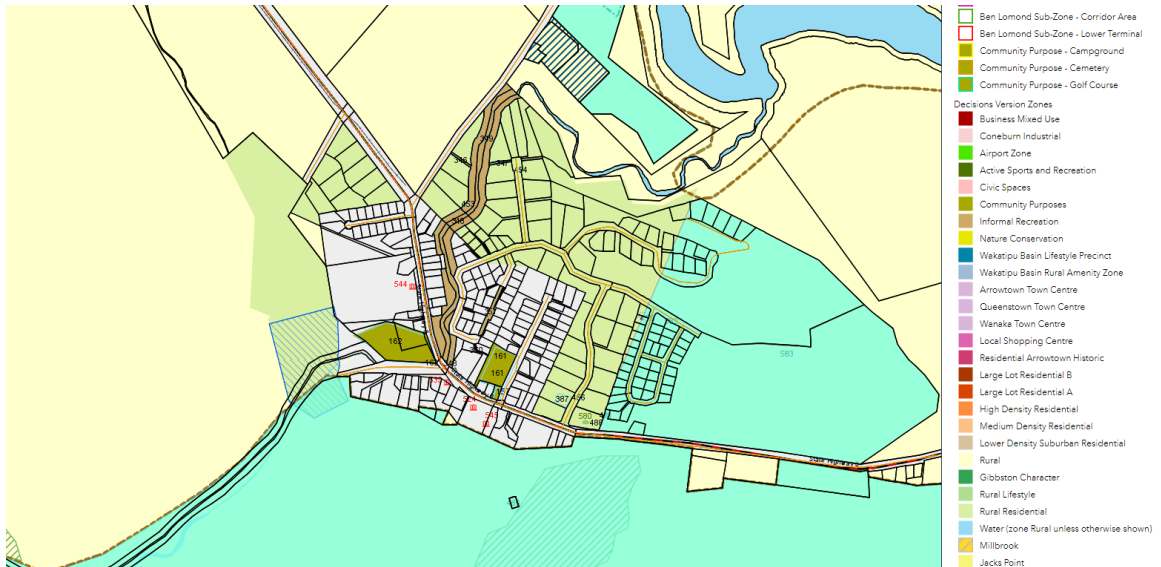
**REBUTTAL EVIDENCE OF MURRAY NEIL FROST**

1. My name is Murray Neil Frost. I am a director of Luggate Irrigation Company Ltd (“LIC”) and the entity I represent holds a 10% shareholding.
2. I set out my background and qualifications in my previous evidence.
3. The evidence of Paul Whyte refers to alternative domestic water sources<sup>1</sup>, but does not produce evidence of what or where those sources are. Mr Whyte does not explain his hydrology credentials. To my knowledge he has not visited the property.
4. Bores have been investigated by previous owners but abandoned because of geological constraints. There is a spring on the property currently supplying 3 dwellings. It is unknown how many it could supply all year round but based on 3,000L/day and some very basic short term testing, the number is likely to be 20-30, a lot less than 250.
5. Mr Whyte refers to a town supply as an alternative water source at his paragraph 44. It is correct that QLDC have been trying to source a new water source for the Luggate township but to date they have refused to publicly release the results of recent testing, which I do not regard as a positive sign.
6. In any event, I was advised by Council engineers that QLDC have a contractual commitment to provide 1M litres /day (approx 11.6L/sec) to the Wanaka airport which will take the majority flow of any successful bore before anything might be available for domestic development.
7. Luggate has had a domestic water supply issue for years. It is optimistic to assume they will solve that issue in the short term given their extreme reluctance to pump from the Clutha because of costly didymo issues. I have no confidence that the Council will have a solution in the next two decades that will be made available to me.
8. Mr Whyte is misleading in his paragraph 44 where he says that none of the land “is zoned Residential”. 12 ha is rural residential zone in the

---

<sup>1</sup> His paragraph 44.

stage 1 Proposed Plan change. That zoning has not been appealed. I attach an image from the stage 1 and 2 decisions planning map of Luggate below.



9. The balance of land not zoned rural residential will need to be the subject of land use resource consent applications. I expect to applications for approximately 100 sites before the end of this year, with the balance likely in 2020.
10. The need for water for domestic supply for the existing and undeveloped 12 Ha of rural residential zoning is certain and near-term. The extent of that need will depend on the success of applications for resource consent yet to be made.

Date: 24 October 2019

Murray Frost