

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

Full name of submitter: *Stephen Robert Fenwick*  
Name of organisation (if applicable):  
Postal Address: Number/Street: *341 Livingstone Road*  
Suburb:  
Town/City: *10 K.R.P. Dawson -*  
Postcode: *9494*

OTAGO REGIONAL COUNCIL  
RECEIVED DUNEDIN  
09 MAR 2009  
FILE No. *RI221*  
DIR TO *M.P.-SV*

Telephone: *034312774*

Fax: *034312776*

Email:

Contact person: *Steve Fenwick*

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: *7.3.09*

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 1B minimum flows Waianaki River*

**My submission is:**

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

I support the regional council in their plan change 1.8. Being an tributary on a similar small river being the Macraesburn I believe we need a good balance between the ecological value of the river and the economic value of the river and am in support of the council for a recommended minimum flow of 200 litres per second at their monitoring site.

**I seek the following decision from the local authority:**

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

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

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

**Please send submissions to:**

Email: [policy@orc.govt.nz](mailto: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, 1<sup>st</sup> Floor, Cnr Shotover and Camp Streets, Queenstown

Full name of submitter: *Scott Andrew Johnston*

Name of organisation (if applicable):

Postal Address: Number/Street: *109 Tokaraki - Tapui Road*  
Suburb: *Tapui*  
Town/City: *13 CRD. Camarū*  
Postcode: *9491*

OTAGO REGIONAL COUNCIL  
RECEIVED DUNEDIN  
09 MAR 2009  
FILE No. *R1221*  
DIR TO *MPP-SV*

Telephone: *03 4324255*

Fax:

Email:

Contact person: *Scott Johnston*

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: *7-3-2009*

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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 1B minimum flows Waianakare River*

**My submission is:**

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

I support the regional council in their plan change 1B

I have lived & farmed in North Otago all my life and I understand the importance of irrigation. I also understand the importance of maintaining a healthy river & providing recreation opportunities for the public & consider the regional council Plan 1B will do this

**I seek the following decision from the local authority:**

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

Signature: S. Johnston

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**SUBMISSION FORM**  
**Proposed Plan Change 1B: Minimum Flows**  
**to the Regional Plan: Water for Otago**  
**December 2008**

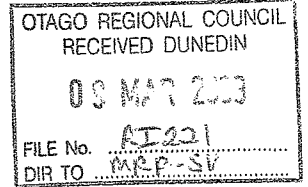
**53**  
Office Use Only

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

Full name of submitter: *Neil & Rosemary Johnston*

Name of organisation (if applicable):

Postal Address: Number/Street: *97 Dunder Rd*  
 Suburb: *IBC RD*  
 Town/City: *Dunedin*  
 Postcode:



Telephone: *0343 24184*

Fax: *0343 24180*

Email:

Contact person: *Neil or Rosemary*

~~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: *7-3-2009*

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**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 1 B min flows Waianakarua river.*

**My submission is:**

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

I support the regional Council in their plan change 1. B Living & Farming in North Otago all our lives we understand the importance of Irrigation We also understand the importance maintaining a healthy river & providing recreational opportunities for the Public & consider the Regional Council Plan 1 B well do this

**I seek the following decision from the local authority:**

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

Signature: R J Johnston  
N J Johnston

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**SUBMISSION FORM**  
**Proposed Plan Change 1B: Minimum Flows**  
 to the Regional Plan: Water for Otago  
 December 2008

**54**  
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Form 5, Clause 6 of the First Schedule, Resource Management Act 1991

Full name of submitter: William John Pile

Name of organisation (if applicable):

Postal Address: Number/Street: 967 Steward Rd.  
 Suburb:  
 Town/City:  
 Postcode:

OTAGO REGIONAL COUNCIL  
 RECEIVED DUNEDIN  
 09 MAR 2009  
 FILE No. RP221  
 DIR TO ...MRP-SV

Telephone: 4313768

Fax:

Email:

Contact person: Bill

~~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: 7-3-09

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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 1B  
 Minimum flows  
 Waianakarua Rwe

**My submission is:**

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

I do support the councils Decision  
for a 200 L/S min summer Flow &  
a 400 L/S min winter Flow at Brown pu

**I seek the following decision from the local authority:**

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

200 L/S Summer  
+  
400 L/S Winter

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

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**SUBMISSION FORM**  
**Proposed Plan Change 1B: Minimum Flows**  
**to the Regional Plan: Water for Otago**  
**December 2008**

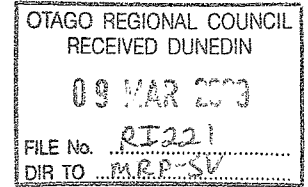
**55**  
Office Use Only

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

Full name of submitter: Jimmy Shand & Julie Stevenson

Name of organisation (*if applicable*): Local Residents

Postal Address: Number/Street: Horse Range Road, RD 2  
Suburb:  
Town/City: Palmerston, East Otago  
Postcode: 9482



Telephone: 03 4394 861

Fax:

Email:

Contact person: Jimmy

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: 9/03/2009 16:20:07

**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)*

Changes to the Trotter's Creek minimum Flow.

**My submission is:**

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

We wish for the Trotter's Creek water usage to remain as status quo.

**I seek the following decision from the local authority:**

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

To leave the Trotter's Creek water usage & minimum flow etc as it is .

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**SUBMISSION FORM**  
**Proposed Plan Change 1B: Minimum Flows**  
to the Regional Plan: Water for Otago  
December 2008

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

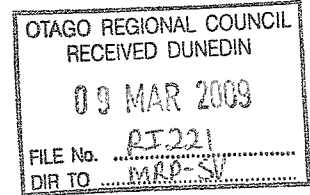
56

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Full name of submitter: Isabella Anderson

Name of organisation (if applicable): Cardrona Landcare Group

Postal Address: Number/Street: 1624A cardrona R.D.1  
Suburb:  
Town/City: Wanaka  
Postcode: 9381



Telephone: 03 443 1361

Fax:

Email:

Contact person:

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

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

Date: 9/03/2009 17:08:50

**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)

plan change 1B: minimum flows

**My submission is:**

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

I support the setting of minimum flows in principle as stated in the proposed plan change but reserve the right to comment on any changes made via the submission process. support the continued consultation with land owners and water users regarding setting of minimum flows and residual flows.

**I seek the following decision from the local authority:**

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

adoption of proposed plan change, continued consultation with affected users for any variations to plan.

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Deliver: 70 Stafford Street, Dunedin; or

William Fraser Building, Dunorling Street, Alexandra; or

The Station, 1<sup>st</sup> Floor, Cnr Shotover and Camp Streets, Queenstown



**My submission is:**

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

We oppose these plan changes in their entirety. The process is flawed due to the information provided by the ORC is inaccurate and inadequate. It leaves us with no confidence in the administration of this water body for all the stakeholders in the Luggate Creek that the data provided is accurate and reliable to set balance minimum flow levels.

It is also this submission that the Luggate creek has had a successful balance between all groups as demonstrated at the community meetings and workshops and meets relevant environmental standards important to this area.

**I seek the following decision from the local authority:**

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

That the current Water rights that have constantly been used over the last 20 years and longer along with their structures and races are fully respected with no restriction being placed on those rights.

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

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**SUBMISSION FORM**  
**Proposed Plan Change 1B: Minimum Flows**  
**Regional Plan: Water for Otago**  
December 2008

58

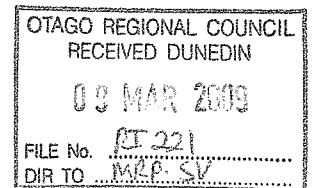
*Form 5, Clause 6 of the First Schedule, Resource Management Act 1991*

To: Otago Regional Council

Full name of submitter: Otago Water Resource Users Group ("OWRUG")

Postal Address: c/o Checketts McKay Law Limited  
PO Box 41  
Alexandra  
9340

Contact person: John Williamson  
Telephone: 03 448 9670  
Fax: 03 448 8960  
Email: john@cmlaw.co.nz



We wish / ~~do not wish~~ to be heard in support of our 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: 9 March 2009

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

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

The parts of the proposed plan change that our submission relates to (referring to the Table of Proposed Changes Reference Number and Proposed Plan Provision), our submission and decision sought from the local authority are:

**1. Reference Number 7: Schedule 2D**

**1.1 Clause 2D.1 –**

We request that paragraph (f) be amended to read:

*"Environmental, social, cultural, recreational and economic costs and benefits of taking and using water before imposing the minimum flow and the impact on these as a consequence of imposing the minimum flow;"*

**1.2 Clause 2D.2 –**

We request that paragraph (g) be amended to read:

*"Social and economic benefits of taking and using water".*



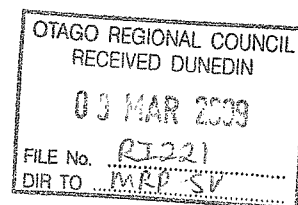
**SUBMISSION TO THE  
OTAGO REGIONAL COUNCIL**

**ON THE**

59

**Proposed Plan Change 1B Regional Plan: Water for Otago**

**Federated Farmers of New Zealand (Inc)**



**9 March 2009**

**Contact for service :**

Matt Harcombe  
Federated Farmers of NZ  
Team Leader South Island Local Policy

Address

P O Box 5242  
Dunedin 9058  
Phone (03) 477 7356  
Fax (03) 479 0470  
E [mharcombe@fedfarm.org.nz](mailto:mharcombe@fedfarm.org.nz)

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.

**SPECIFIC SUBMISSIONS**

<b>Proposed plan provision</b>	<b>Reference #</b>	<b>Support/Oppose</b>	<b>Decisions sought</b>	<b>Reasons</b>
Schedule 2A Luggate catchment	4	Oppose in part	Amend minimum flow to provide for no derogation of existing consents reliability  Delay introduction of minimum flow until calculated minimum flow on robust information	FF supports the introduction of a specific minimum flow based on robust methodology and the collection of real data  Proposed Minimum flow will have social and economic impact on irrigators within the catchment  Insufficient information gathered on the flow to calculate appropriate minimum flows
Schedule 2A Trotters catchment	5	Oppose in part	Amend minimum flow to provide for no derogation of existing consents reliability  Delay introduction of minimum flow until calculated minimum flow on robust information	FF supports the introduction of a specific minimum flow based on robust methodology and the collection of real data  Proposed Minimum flow will have social and economic impact on irrigators within the catchment  Insufficient information gathered on the flow to calculate appropriate

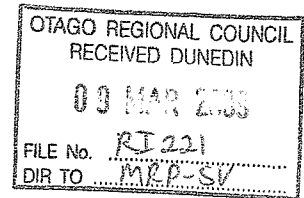
Schedule 2A Waianakarua catchment	6	Oppose in part	<p>Amend minimum flow to provide for no derogation of existing consents reliability</p> <p>Delay introduction of minimum flow until calculated minimum flow on robust information</p>	<p>minimum flows</p> <p>FF supports the introduction of a specific minimum flow based on robust methodology and the collection of real data</p> <p>Proposed Minimum flow will have social and economic impact on irrigators within the catchment</p> <p>Insufficient information gathered on the flow to calculate appropriate minimum flows</p>
Schedule 2D	7	Support in part	<p>Retain</p> <p>Include as an assessment matter the effect of imposing minimum flows and allocation limits on the economic viability of existing users and on their reliability of supply</p>	<p>The impact of imposing minimum flows and allocation limits on existing users can in some cases compromise the existing investment and economic viability of their business – any allocation limits and minimum flows must consider these impacts as part of assessing the existing environment</p>
12.1.4.6		Support	<p>Retain restricted discretionary activity</p>	



60

**Submission on Proposed Plan Change 1B: Minimum Flows to the Regional Plan:  
Water for Otago**

Name: Scott Clayton Dunavan  
Address: PO Box 6, Hampden 9442  
Telephone: 027-290-3643  
Email: dunavans@gmail.com  
Date: 3 March 2009



**Submission on Proposed Change 1B (Minimum Flows) to the Regional Plan: Water  
for Otago**

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

Minimum flows for Trotters Creek - Schedule 2A: Specific minimum flows for primary allocation takes in accordance with Policy 6.4.3, and primary allocation limits in accordance with Policy 6.4.2(a)(i).

**Introduction**

My name is Scott Dunavan. My professional background is in software development, particularly Geographic Information Systems (GIS). I have a Diploma for Graduates in Ecology from the University of Otago. My wife Dinah and I own, manage and reside at Kurinui, a 750-hectare conservation and forest restoration project mainly in the Big Kuri Creek catchment, immediately north of the Trotters Creek catchment. A small part of our property, near our house, is in the very top of the Trotters Creek catchment.

I frequently walk, botanise and mountain bike in the Trotters Creek catchment, and I hunt feral goats on neighbouring properties in the upper catchment. I co-led a well-attended Forest & Bird field trip in Trotters Gorge Scenic Reserve in 2008. I have also worked on controlling Chilean Flame Creeper, which poses a significant (and under-recognised) threat to the native bush, in the Reserve.

**I submit that:**

1. Trotters Creek is a waterway of high natural values. The Otago Regional Council's technical report (ORC 2006) identifies thirteen fish species that inhabit the creek, including twelve native species.
2. According to the report, "[The] recommended management objective for Trotters Creek is to sustain the diverse native fish community in the lower reaches in accordance with Schedule 1A of the Water Plan." To achieve that objective, the report clearly identifies and recommends a rate of 0.02 m<sup>3</sup>/s as the summer minimum flow (pp. 13-14), and recommends "that flows should not be allowed to drop below those outlined above due to consumptive use."

The report further notes that "...0.02 m<sup>3</sup>/s is well below the point of inflection indicated by the IFIM survey for all fish species in Trotters Creek, with the exception of redfin bullies and Canterbury galaxiids". In other words, the modelling done by NIWA indicates that at a rate *even higher* than 0.02 m<sup>3</sup>/s, the amount of habitat available to most fish species declines sharply with decreasing flow.

3. Decreased flow during low-flow periods has additional environmental effects such as more frequent and/or prolonged river mouth closure (and consequent loss of fish passage), higher water temperature and lower dissolved oxygen levels, algae blooms, etc.

4. The estimated value of 0.023 m<sup>3</sup>/s for the mean annual 7-day low flow (MALF) of Trotters Creek was derived by using the water yield of the South Branch of the Waianakarua River (ORC 2006, p.5). This value is given with no indication of its inherent uncertainty or likely range of error (i.e. difference from the *actual* value). The catchment of the Waianakarua South Branch is of different geology from that of Trotters Creek, and there may well be important differences in topographic factors (e.g. aspect and shading), soil, climate and weather, or other factors.

For example, on many otherwise sunny afternoons when there is an easterly wind, mist forms in the upper catchment (the view from our kitchen window includes much of the Big Kuri Creek - Trotters Creek watershed). The mist means that the highest-rainfall part of the catchment stays wetter than one might expect purely from interpretation of rainfall data, and the MALF may well be higher than estimated. I do not know whether or how frequently this phenomenon also occurs in the Waianakarua South Branch.

4. It is also important to consider that the current vegetation and land use and land management regimes of the catchment mean that its hydrology today is quite different from that in its natural state. We do not have a baseline that tells us the flow regime(s) under which the surviving aquatic communities evolved. It is therefore all the more important to choose conservative management limits, especially as any decline in ecosystem health may occur (or be occurring) slowly, and may not be detected until irreversible changes have occurred.

5. The vegetation of a significant fraction of the catchment area has been changed from indigenous forest, shrubland and tussock grassland to exotic coniferous forest (note that Map 3 in the Trotters Creek Catchment Information Sheet does not show an estimated 60+ hectares of additional exotic forestry in the upper Pigeon Creek catchment). Recently-planted forest will take some years (or decades) to mature, and the water yield from those areas of the catchment will continue to decline for much of that time. Climate change is also expected to generally reduce precipitation on the east coast. These changes will amplify the effects of abstraction, and the minimum flow rates should take account of expected changes in water yield in order to reduce the environmental impact of abstraction.

6. The impact of abstraction on the ecology of the stream is a product of not only the reduction in flow due to abstraction, but the duration over which the flow is reduced

below its natural rate. The lower the minimum flow is set, the longer the periods during which the stream will be depleted below its natural rate of flow.

7. At two public consultation meetings held by the Otago Regional Council, a majority of those community members present strongly supported retention of the natural values of the creek. The Regional Council has not provided any evidence that the proposed October-April minimum flow limit will do so; the single-day flow measurements referred to in Meredith (2008) hardly comprise a valid basis. The weak justification for the change in the proposed October-April flow rate from 20 to 8 l/s, along with the fact that this value coincides with the design bypass flow rate of the existing abstraction structure, give the impression (correct or not) that the proposed limits have been arrived at by purely short-term economic, rather than any ecological consideration.

8. The proposed summer minimum flow will benefit a minimal number of parties. A higher minimum flow would easily accommodate the same irrigation demands (and in fact, provide a more secure supply) with the provision of a larger storage dam. There is no need to further compromise the ecological integrity of the creek.

For the foregoing reasons, the proposed October-April minimum flow of 0.008 m<sup>3</sup>/s is not justified.

**I seek the following decisions from the Otago Regional Council:**

To amend Schedule 2A of the proposed plan change to set the minimum flow rate for Trotters Creek at 35 litres per second year-round.

**I wish to be heard in support of my submission.**

**References**

ORC 2006. *Management Flows for Aquatic Ecosystems in Trotters Creek*. Otago Regional Council, Dunedin.

Meredith 2008. Report No. 2008/475: Consultation Draft of Proposed Plan Change 1B (Minimum Flows – Waianakarua River, Luggate Creek, Trotters Creek) to the Regional Plan: Water for Otago. Otago Regional Council, Dunedin.

