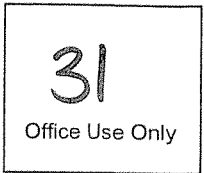




SUBMISSION FORM *IC: Water Allocation + Use*
Proposed Plan Change 4B: ~~Minimum Flows~~
to the Regional Plan: Water for Otago
December 2008



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

Full name of submitter: Otago Conservation Board

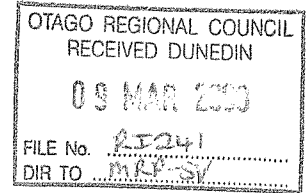
Postal Address: P O Box 5244
Dunedin 9058

Telephone: (03) 474 6936

Fax: (03) 477 8626

Email: mclark@doc.govt.nz

Contact person: Mark Clark



We wish to be heard in support of our submission (*delete the one that does not apply*).

Date: 6th March 2009

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

Schedule 2A reference 5 and & 6 and generally parts of the plan change documents.

Our submission is:

The Otago Conservation Board is appointed by the Minister of Conservation to represent the wider Otago community in advocating for the protection of biodiversity and the conservation of resources throughout Otago.

The Board generally supports water management of Otago rivers and streams that allows for community wellbeing while providing economic benefit to all in the community. This must be considered against a historical background of previous generations enjoying clean, healthy streams and limited (if any) abstraction activity for individual financial benefit, to the current situation of degraded rivers and the over-allocation of our waterways.

The Waianakarua River and Trotters Creek are two of the last remaining coastal rivers in Otago north of the Otago Peninsula, that to date have not been excessively modified or subjected to water quality degradation by excessive abstraction or non-point source contamination. Both have upper catchments that are generally rugged and unmodified and likely to be unsuited for intensive farming operations. There is considerable native bush habitat in both catchments and potentially increased areas of exotic forestry plantation.

In particular, the Waianakarua River is North Otago's last coastal river of significant water quantity and quality that provides for considerable community recreational benefit, as well as a stable aquatic and ecological environment for all living organisms.

The Board does not support the view that all rivers of a region should be allocated to commercial abstractive users. The Board supports a position where a particular river in a geographical region should be left in its natural state, both for the benefit of public use and as a control system for further long term river study in that particular region. In the case of the Waianakarua this would be reasonably easy to achieve, because there is a very small number of abstractive users. The Otago Regional Council could phase these out over time if the majority of submitters supported this approach.

The Board notes that data for the Waianakarua flow regimes is taken from the Kakanui River data and is therefore not specific to the Waianakarua. In the light of this, any allocation should be exceedingly precautionary and subject to more detailed observations over time.

The Board notes that it has recently given support to the Department of Conservation's proposal to translocate 1000 lowland longjaw galaxiids (New Zealand's rarest freshwater fish) from the Kauru River to the Waianakarua River owing to didymo infestation in the Kakanui catchment.

In Trotters Creek, we are concerned about the habitat loss to native fish species when the flow is below 7.5L/s.

The Board supports the proposal to include Luggate Creek in the Regional Water Plan, but has reservations about the proposed summer/autumn (Nov – April) minimum flow of 180 litre/sec.

Our reservations are based on the findings of the Luggate Creek Catchment Info Sheet draft, March 2008, which states:

“The Otago Regional Council completed a study of the management flows for aquatic ecosystems in Luggate Creek in 2006. The purpose of the report was to investigate the flows required to maintain acceptable habitat for the fish species found in Luggate Creek and its tributaries. It focussed on the river's natural values, identified in Schedule 1A of the Water Plan. In its conclusion, the report suggested seasonal management flows of 0.3 m³/s (November to April) and 0.5 m³/s (May to October) for aquatic ecosystems.”

Also:

“Habitat declined sharply as flows fell below 0.3 m³/s for koaro and 0.5 m³/s for adult brown trout”

It is difficult to reconcile these findings with the proposed minimum flow of 0.18 m³ (180 litre/sec).

The Board submits specifically on the Waianakarua River, Trotters Creek and Luggate Creek, and reserves the right to lodge an additional submission on these after the summary of submissions is received. The same also applies to the Plan Change 1C Water Allocation and Use.

In regard to plan change 1C, the Board has considerable reservation regarding community controlled and monitored allocation schemes. While in principle this may be advantageous, however practically strong social and political interests can prevent democratic decision making in small communities.

We see very little historical knowledge or concern by these groups in protecting aquatic and ecological values.

The Board believes this approach is an abrogation of responsibility of the consent authority to represent and monitor for public interest in environmentally sound water management.

The proof of impact of any abstraction should always be by the abstractor and not the public at large rather than the other way around, commonly know as socialising the costs and privatising the gains.

We seek the following decision from the local authority:

- 1) No allocation to abstractive users from the Waianakarua River, and an investigation by the Otago Regional Council, in consultation with the local community, of ways to reduce the existing allocation over time.

- 2) Where the above (1) is considered unachievable for whatever reason, a minimum flow of 400L/s for the entire year should be applied. Water harvesting should be permitted in times of high flood flows throughout the year, provided that such takes did not impact on natural flushing flows.
- 3) Rivers should be managed by way of a maximum allocation for abstraction, as well as a minimum flow, because of the potential to 'flat line' rivers when using a minimum flow only.
- 4) A maximum primary allocation of 150L/s for the whole of the Waianakarua during October to April, and 200L/s secondary allocation on a 1:1 share basis from May to September.
- 5) Where a minimum flow is applied to a river, all costs for monitoring and administration of that flow should be borne directly by the abstractive beneficiaries.
- 6) There should be a mechanism as a condition of an abstraction consent, that where the ecological condition of the river is compromised by lack of flow due to abstraction, then the terms and conditions of that consent shall be modified accordingly.
- 7) Minimum flows should be applied over the whole of the river, and in the instance of branches (as in the Waianakarua), flows that prevent drying of a branch and maintain the interconnectedness of the river should be implemented.
- 8) A minimum flow in Trotters of 20L/s October to April, a minimum flow of 35L/s May to September, and a maximum allocation of 30L/s for the whole river.
- 9) A summer/autumn season minimum flow for Luggate Creek set at 300 litre/sec, to protect aquatic life and freshwater ecosystems.

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
December 2008**

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

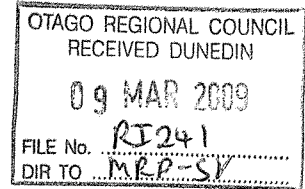
32

Office Use Only

Full name of submitter: Brown, Andrew John

Name of organisation (*if applicable*):

Postal Address: Number/Street: 763 Waianakarua Road
 Suburb: 13 O RD
 Town/City: Oamaru
 Postcode: 9495



Telephone: 03 4395689

Fax: 03 4395680

Email: aorerefarm@bordnet.co.nz
Brown

Contact person: Andrew

I do 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 11:23:58

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)

Parts of the proposed plan change that my submission relates to are: 1C Section 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 assessed under the previous consent. I oppose this section 1C Section 6.4.0A I oppose.

My submission is:

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

I operate under consent no 2002.672 pumping water out of a storage dam located on Bowally Creek. The water is used to irrigate pasture and crop for food production. The consent has been exercised since 1983. A flow meter has only been fitted since 2007 so there is very little data available of historical use. As the dam relies mainly on surface water runoff from the surrounding catchment area, inflows to the dam vary greatly from year to year. Therefore so does the amount of water that is available for irrigation. If for example there has been a succession of dry years leading up to a consent renewal, this section, (6.4.2A) would disadvantage me greatly, being only able to renew my consent on the basis of the amount of water used last consent period when there may be more water available. In wet years there is an incentive to waste water to ensure you that use your consented take.

I seek the following decision from the local authority:

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

Remove Section 6.4.0A That consent conditions are not altered unless agreed to by the consent holder

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

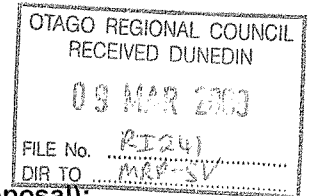
Form 5

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: Michael and Christine Holland
MC Holland Farming Limited



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

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

The provisions on which we wish to submit have been grouped into two 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. Waianakarua River Supplementary Minimum Flow

The specific provisions that our submission relates to are:

- Schedule 2B
- Method 15.8.1A.1

In Schedule 2B a supplementary minimum flow of 311 litres per second is proposed for the Waianakarua River at Browns Pump, with a supplementary allocation block of 100 litres per second. Method 15.8.1A.1 sets out the method by which supplementary allocation blocks will be determined.

We note that Schedule 2B and Method 15.8.1A.1 are given effect to through Rule 12.1.4.3, which classifies *'the taking and use of surface water as supplementary allocation specified in Schedule 2B'* as a restricted discretionary activity. Clause (iii) of Rule 12.1.4.3 states that the conditions of all existing consents will be reviewed and minimum flows set once the Plan becomes operative.

Our submission is: We oppose the inclusion of a supplementary minimum flow and supplementary allocation block for the Waianakarua River in Schedule 2B and the method by which it has been calculated in Method 15.8.1A.1, for the following reasons:

- we currently hold a water permit (Consent No.99442) to take and use water from the Waianakarua River for irrigation. When we were making enquiries prior to purchasing our property we were advised by the Otago Regional Council that the permit was a primary allocation permit. We were therefore dismayed to be advised subsequent to our purchase of the property that the Council had made a mistake and the permit was a supplementary allocation permit. The supplementary minimum flow that the Otago Regional Council is now proposing for the Waianakarua River will have significant effects on our ability to access water under Consent No. 99442.
- we understand that Consent 99442 has been counted as primary allocation on previous occasions when the primary allocation from the Waianakarua Rive has been being calculated.
- we are aware of a number of other supplementary allocation water permits in the catchment, all of which have different minimum flows set for them.
- there is no assessment contained in either Plan Change 1C or the Section 32 report of the effects of the imposition of supplementary minimum flows on existing permits. Under the Local Government Act 2002 it is the purpose of local government to promote the social, economic, environmental and cultural wellbeing of communities. There is no assessment in

relation to any of these matters in the setting of the supplementary minimum flow or the supplementary allocation block for the Waianakarua River.

- we have commissioned an economic impact report on how the differing flow regimes in the Waianakarua River would affect our viability and will call an expert witness to present this information.
- on the basis of this we consider that a supplementary minimum flow should not be set at this stage, until there is a good understanding of the allocation of water in the catchment and the existing permit holders have been involved in a collaborative effort to determine appropriate minimum flows.

We seek the following decisions from the local authority:

- that the supplementary minimum flow and supplementary allocation block for the Waianakarua River be removed from Schedule 2B of the Regional Plan: Water for Otago
- that a quadruple bottom line (social, economic, cultural and environmental) assessment of any proposed minimum flow and the method of establishing supplementary allocation blocks be undertaken before they are included in Schedule 2B of the Regional Plan: Water for Otago, and that this then be referenced in the discussion of Method 15.8.1A.1.

2. Historical use of existing water permits

The specific provision that our submission relates to is Policy 6.4.2A.

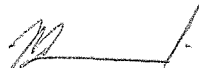
Policy 6.4.2A, as proposed, would require the Otago Regional Council to grant consent only for a rate and volume of water that has been '*historically accessed*' under the previous consent. The Explanation to the policy notes that rights to access water are not always fully exercised because '*the consent holder does not need that amount of water, given their intended purpose of use of that water*'.

Our submission is that: We oppose the inclusion of Policy 6.4.2A in the Regional Plan: Water for Otago. At the time that water permits are assessed, the Otago Regional Council considers in some detail the use of the water and the volume of water that is sought, to ensure that it is only what is needed. Typically, water permits for irrigation are not issued for 35 year terms. In many cases, where water is sought for future development of a property, infrastructure needs to be constructed and financing for this obtained. This can often be a lengthy process. This could mean that water that has been assessed as being needed is not accessed over the term of a consent. If this is the case, the consent holder should not be penalised for not having been able to fully complete a development and therefore fully use a resource consent.

We seek the following decision from the local authority: that Policy 6.4.2A is amended to more closely match its explanation, that is that it is only water that could not physically be provided by the source water body or for which there was not a demonstrated need for which consent will not be granted in future.

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.



Michael Holland
On behalf of
MC Holland Farming Ltd

9-3-09.

Date

Addresses for service of submitter:

(Please direct correspondence to both parties)

Michael and Christine Holland
MC Holland Farming Ltd
437 Waianakarua Road
13 O R D
Oamaru 9495

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

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

Full name of submitter: WILLIAM JOHN PILE
 Name of organisation (if applicable):
 Postal address: MCPHERSONS ROAD RD 6 H CAMARU
 Postcode:
 Telephone: 034313766 Fax: 034313766
 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: [Signature] Date: 7-3-09
 (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)

Sec 6.4.2a oppose
Sec 12.1.4.4a oppose
Sec 12.1.4.7 oppose

My submission is:

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

I oppose sec 12.1.4.7 because the first collection of water was taken only in Nov 08 from the Steward Road monitor. This should be done at Ferry Road because of the great fluctuations of water that is bywash. During the off seasons the water flow is greatly reduced.
I oppose 12.1.4.4a because not nearly enough information has been gathered regarding Welcome Creek. First collection was Nov 08. The water flow fluctuates greatly because of bywash. If there was no irrigating done Welcome Creeks flow would be lowered to an unpredictable level.

I seek the following decision from the local authority:

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

...There should be no minimum flow put on Welcome Creek because the creek is being well looked after by current users and is clean and healthy.

It would be a sad state of affairs to have farmers forced to use water (when not needed) so that they don't lose their consent water.

It would have been courteous for the Otago Regional Council to have informed the affected users of water from Welcome Creek of this proposal by registered mail. On request, I was sent documents that are excessively complicated. This expense could all have been avoided.

Fold

...We are being treated like peasants.

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

Please fold and secure with a small piece of tape.

Fold

FreePost Authority ORC 1722



Otago Regional Council
Private Bag 1954
Dunedin 9054

Attention Policy Team

I oppose section 6.4.2a where if you don't use all of your consent water, some of the consent can be taken off the hook because of climate change, some years you will need more water than others I can recall starting irrigating in August and ending in April because the food demand for dairy cows is greater than store stock. Store stock can be sold due to lack of food. This is not the practice with dairy cows because of their value.

There should be no alterations made to Welcome Creek until there has been an onsite discussion with Otago Regional Council and users. First collection of water from Welcome Creek was only taken Nov. 0. Welcome creek fluctuates greatly during the irrigation season, and because of the rotten debris, cracked willow etc has been cleared, the flow has improved. This, in turn, enhances the ecology of the river.

The monitoring of Welcome creek should be taken at Ferry Rd. not Steward because of the supplementation from Steward Settlement distribution Race 2.

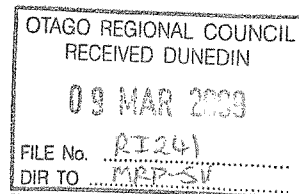
There must be more consultation between Otago Regional Council and users because of local knowledge. The water taken from Welcome Creek is secondary water that has been used by other irrigators. The economic income from 5 farms is approximately

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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: Dunedin City Council (Water and Waste Services)

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 Dunedin City Council) have a responsibility under section 10 of the Local Government Act 2002 to promote social, economic, environmental, and cultural wellbeing of communities, in the present and for the future. 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, Health Act 1956, the New Zealand Drinking Water Standards and the Health (Drinking Water) Amendment Act 2007.

The water supply service covers the management of drinking water provision from source to tap. We protect raw water sources, collect and store raw water, treat it to standards that make it safe to drink and supply adequate quantities of drinking water, water for other uses, and water to fire hydrants for fire fighting.

The Dunedin City Council water service consists of seven service areas: metropolitan Dunedin, Mosgiel, Port Chalmers, West Taieri Rural Scheme, Rocklands Rural Water Scheme, Northern Schemes (supplying a number of communities north of Dunedin) and the Outram Scheme.

The key objective of the water supply service is to protect public health and safety by delivering adequate quantities of safe water to every customer connected to the network, with minimal effects on the environment and at an acceptable financial cost. This is consistent with the sustainable management purpose of the Resource Management Act 1991 (contained in section 5 of the Act), which recognises the need for people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety.

In addition to ensuring effective delivery of the existing water supply services, we also need to be planning to meet future service requirements and securing our ability to deliver appropriate services to future generations.

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 Dunedin City Council water supply schemes (for example the metropolitan Dunedin takes from Deep Creek and Deep Stream, the Rocklands Rural Water Scheme and the Northern Schemes) 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 importance 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 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.

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.
- we note that the existing Schedule 3B does not include the Dunedin City Council water takes from nine Mosgiel bores.

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'
- that the following community water supply takes be added to Schedule 3B:

Dunedin City Council Mosgiel water supply bores at NZMS260 144:048-789
NZMS260 144:042-779
NZMS260 144:036-776
NZMS260 144:048-789
NZMS260 144:036-788
NZMS260 144:051-787
NZMS260 144:032-782
NZMS260 144:051-789
NZMS260 144:042-784

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. For example, we note that the Deep Creek and Deep Stream pipelines were primarily installed to supply Dunedin city, not other properties along the route. The Rocklands Rural Water Scheme, the privately owned Hindon scheme and a few other properties are the only exceptions to this. Any other prospective customers along the route of these pipelines would be declined connection as they lie outside the water supply areas as defined by the Dunedin City Council Water Bylaw. This needs to be recognised in Section 16.3.1.4B.

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.'

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.



Tracey Willmott
Asset Strategy Team Leader
Dunedin City Council

9/3/2009

Date

Addresses for service of submitter:

(Please direct correspondence to both parties)

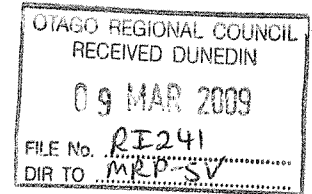
Tracey Willmott
Asset Strategy Team Leader
Dunedin City Council
P O Box 5045
Moray Place
Dunedin 9058

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

Full name of submitter: Isabella Anderson

Name of organisation (*if applicable*):

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



Telephone: 03 443 1361

Fax:

Email: glenissi@xnet.co.nz

Contact person: isabel

I do 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 16:51:43

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 1C: 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 plan change in principle particularly encouraging water users to work together, locally, to manage their own water catchments. I also support the integrating of management of surface and ground water within a catchment, this seems to be common sense. However I would not like to see the O.R.C. become too "one size fits all" and will support the continued good work encouraging flexibility and individual solutions to local issues with local information and co-operation with the O.R.C. Interpretation of policies can be tricky.

I seek the following decision from the local authority:

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

I would like to see the proposed plan change implemented but with the stated goal of individual solutions for individual catchments and flexibility in deciding how or what is the best use of water within each catchment. Economic effects need to be included in consent considerations as well as environmental and social effects, and historical infrastructure investment should have some weighting also

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
December 2008

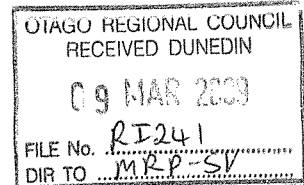
37
Office Use Only

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

Full name of submitter: Dugald MacTavish

Name of organisation (*if applicable*):

Postal Address: Number/Street: Moeraki
 Suburb: RD2, Palmerston
 Town/City: Otago
 Postcode: 9482



Telephone: 34394824

Fax:

Email: dugald@es.co.nz

Contact person:

I do 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 16:53:49

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)

General

My submission is:

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

I am concerned that the general thrust of these changes could result in an erosion of the public's capacity, through the Otago Regional Council and RMA processes, to manage the resource in the interests of instream values and sustainability generally. I'm also concerned that reviewing only parts of the plan rather than the entire plan may introduce undesirable inconsistencies that may only become apparent in time.

seek the following decision from the local authority:

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

I will give details of these concerns and provide possible alternatives at the hearing.

SUBMISSIONS MUST BE RECEIVED BY 5.00PM, MONDAY 9 MARCH 2009**Please send submissions to:**

Email: policy@orc.govt.nz

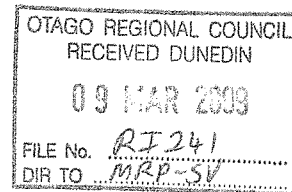
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**Proposed Plan Change 1C : Water Allocation
and Use to the Regional Plan: Water for Otago
December 2008**

38

To: Otago Regional Council
William Fraser Building
Dunorling St
Alexandra

Submission on: Proposed Plan Change 1C: Water
Allocation and Use

From: PIONEER GENERATION LTD
PO Box 275
Alexandra 9340
Attn: D Crawford

Ph: 03 488 6081

Fax: 03 448 9439

Contact person: Deborah Crawford

Email: dxc@pioneer-gen.co.nz

Signature:

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke, positioned above a dotted line.

Date: 9 March 2009

1. Introduction and Overview

- 1.1 Pioneer Generation Ltd (Pioneer) own, operate and maintain twelve hydro electric generation power stations throughout Central Otago and Southland. These schemes range in size from 400kW to 7.6MW and are embedded within the local distribution networks.
- 1.2 Pioneer is owned by the Central Lakes Trust which was formerly known as Central Electric Ltd until the Electricity Reforms of 1998 enforced the sale of parts of the business. The generation division was retained and renamed Pioneer Generation Ltd. The company's head office is located in Alexandra with staff also working from an office in Ranfurly and from stations at Teviot and Monowai.
- 1.3 Pioneer's history is well established, with its predecessors leading the way in hydroelectric power generation from the 1900s. Pioneer has recently had its Oxburn hydroelectric power generation scheme re-consented, its Wye Creek hydroelectric power generation scheme is currently nearing the end of the re-consenting process and a further new scheme (Kowhai) in Central Otago is due to start construction in the near future. The company is continuously looking for new development opportunities as well as enhancements to its existing hydroelectric power generation schemes.
- 1.4 Pioneer's local renewable hydro electric generation schemes provide a range of benefits not only to their customers but also nationally. These benefits include, but are not limited to, additional security of renewable supply and lower transmission losses which in turn lead to a reduced need for costly transmission capacity upgrades, or new transmission lines to transport electricity between regions.
- 1.5 The benefits of renewable electricity generation were recognised by the former Government who set a target of 90% of electricity to be generated from renewable sources by 2025. The new Government have adopted this target. In order for this target to be achieved however it is crucial to recognise that new renewable generation plants will be required as well as the continuation of existing renewable generation. This requires a regulatory environment that recognises and provides for such renewable generation to both continue and to be developed.

2. Structure of Submission

- 2.1 Pioneer is concerned that Proposed Plan Change 1C focuses solely on consumptive users of water and ignores the significance of non-consumptive users, particularly hydro-electric generators, both regionally and nationally.

3. Summary of Pioneer's Submissions

- 3.1 Pioneer is concerned that the Plan Change 1C does not acknowledge or provide for the significance of hydro-generation for both the Region and New Zealand as a whole. Plan Change 1C does not provide a framework for protecting the existing hydro-power generation in the Central Otago region

nor support the option of any future hydro generation development in the area.

- 3.2 There is a single reference to hydro-electric generation in the first sentence of the Introduction which notes the importance of water for hydro-electric power generation, but no further reference to hydro-electric power generation or its importance in the Issues, Objectives and Policies.
- 3.3 Plan Change 1C needs to recognise the regional and national significance of hydro-electric power generation and support such renewable generation by the addition of relevant Issues, Objectives and Policies. Pioneer seeks the addition of such Issues, Objectives and Policies (including any necessary supporting explanatory text) to achieve this.

4. Submissions

4.1 6.1 Introduction

Submission

- a. Pioneer supports the reference to hydro-electric power generation in the first sentence of the Introduction.
- b. Given the importance of water due to its use for hydro-electric power generation, Pioneer seeks to have this importance recognised in the transition to resource consents referred to in paragraph 3 of the Introduction. Pioneer seeks to have an amendment made to require consideration of the protection of water for existing hydro-electric generation in addition to the protection of aquatic ecosystems and natural character of the affected water bodies as follows.

Relief Sought

- c. **Retain** the reference to hydro-electric power generation in the first sentence of the Introduction.
- d. **Add** to the second to last sentence of the third paragraph of the Introduction as follows or to like effect (deletions shown as strikethrough; new text underlined):

...will recognise current access to water, but will also consider the intended purpose of use for the water and protection of aquatic ecosystems, ~~and~~ natural character of the affected water bodies and protection of water for existing hydro-electric generation and potential development of further hydro-electric generation in the region.

- e. **Amend** the first sentence of the sixth paragraph as follows or to like effect (deletions shown as strikethrough; new text underlined):

"The water allocation provisions of this chapter are intended to provide for the maintenance of water availability for existing hydro-electric generation and maintenance of aquatic ecosystem and natural character values of water bodies. The provisions for the regulation of takes, in terms of minimum flow and allocation limits, are considered to be generally conservative of aquatic life and natural character..."

4.2 6.2 Issues

Submission

- a. There is no Issue in the Water Plan that recognises the impact that the taking and use of water for consumptive use may have on non-consumptive uses such as the ability to use that water for renewable generation. In order to be consistent with the recognised goal of the Regional Policy Statement ("RPS") of ensuring that energy resources have a central role in Otago's future, such an Issue is necessary.
- b. The RPS acknowledges the importance of existing and potential hydro-generation from the Region. For example, the opening sentence of chapter 12.1 of the RPS states:
- "Otago is a hydro-electric power producing region and a major 'exporter' of electricity in New Zealand today."*
- c. At paragraph 12.2.2 the RPS notes:
- "The Otago Regional Council has a responsibility to promote the sustainable and efficient management of the region's resources, including energy resources."*
- d. It goes on to note that (among other things) that means promoting energy efficient practices to ensure that energy resources have a central role in Otago's future.
- e. This translates into an Issue that identifies Otago's dependence on non-renewable energy resources as unsustainable in the long term (12.3.2) and an Objective to encourage use of renewable resources to produce energy (12.4.3). This in turn develops into Policy 12.5.2 to encourage energy production facilities drawing on the region's renewable energy resources (a) and Method 12.6.3: *"to develop policies and strategies that encourage and promote the use and development of renewable energy resources"*.
- f. Pioneer supports such an approach. Under the RMA ORC is required to "give effect to" its RPS (s67(3)(c)), which is a significant obligation.

This means that Change 1C should recognise and provide for both existing and potential hydro-electric generation. Unless hydro-electric generation is provided for in the Regional Plan it will not be encouraged or promoted as required by the RPS, or perhaps even maintained. The risk is that under the proposed framework in Change 1C alternative uses of water are preferred at the expense of water for hydro generation.

- g. Pioneer also notes that the relevant district plans – Clutha District Plan, Central Otago District Plan and Queenstown Lakes District Plan – all recognise and provide for existing and potential hydro-electric generation in their districts. Pioneer considers that this approach is appropriate and furthermore Pioneer supports consistency in the planning approach across the Region.

Relief Sought

- h. Pioneer suggests the addition of the following Issues (new text underlined):
- "The inefficient allocation and use of water within the Region can significantly reduce the benefits to be derived from the use of the resource, including its use for the generation of renewable energy.
 - "The cumulative effects of the taking of water may:
 - i) result in reductions of water quality and aquatic habitat
 - ii) limit the availability of water for other actual and potential uses
 - iii) compromise the generation of renewable energy"

4.3 6.3 Objectives

Submission

- a. Pioneer submits that an Objective identifying the importance of ensuring that water is available for renewable energy generation is appropriate. Pioneer considers it is necessary that there be an Objective in the Otago Water Plan that seeks to manage water takes to avoid adverse cumulative effects on renewable generation.
- b. Section 7(j) of the RMA provides for the generation of renewable energy as a matter of national importance.
- c. Sections 7(i) and 7(j) of the RMA require that all persons all persons exercising functions and powers under the RMA are now required to have particular regard to:
- "(i) the effects of climate change;

- (j) *the benefits to be derived from the use and development of renewable energy."*
- d. The obligation to have particular regard to these matters extends to the preparation of Plan Change 1C.
- e. Accordingly, it is important that the lack of reference to hydro-generation in Plan 1C is remedied.

Relief Sought

- f. Pioneer seeks the inclusion of two new Objectives as follows (new text underlined):
- "The continued availability of water currently (at the date of notification of this change) used for renewable energy generation."
 - "Enable people and communities to provide for their social, economic and cultural wellbeing by providing water for hydro-electricity generation."
- g. Pioneer seeks that the Explanation for these Objectives be provided as follows:

"Section 7(j) of the RMA provides for the generation of renewable energy as a matter of national importance. This legislative requirement is acknowledged in Objectives [relevant numbers]."

4.4 6.4 Policies

Submission

- a. In order to carry through the Water Plan recognition of the importance of hydro generation and internal Plan consistency, there needs to be a Policy in the Water Plan that identifies the benefits to be derived from hydro electric generation.

Relief Sought

- b. Pioneer seeks the addition of a Policy as follows or to like effect (new text underlined):

"The benefits to be derived from the use of water for the generation of renewable energy."

when establishing allocation.

6.4.0A Policy

Submission

- c. Pioneer wishes to see acknowledgement that ensuring the quantity of water granted in any take is not more than what is required for the intended purpose of use will not only enable more people to benefit from water available for consumptive use but also retain water for non-consumptive use such as hydro-generation.

Relief Sought

- d. **Add** a further clause to the last sentence of the Principal Reasons for Adopting as follows (new text underlined):

"...This will enable more people to benefit from water available for consumptive use, and water retained for hydro-electric power generation."

6.4.0C PolicySubmission

- e. Pioneer supports the concept of co-operation to create opportunities to effectively and efficiently manage and share water takes within a catchment where possible (for example Pioneer's Fraser and Falls Dam hydro-generation schemes). However, Pioneer is concerned that the effect of declining consent for water from a particular source "if Council considers taking from another source of water to be more efficient allocation" may lead to upstream consumptive takes which severely impact upon the availability of water downstream for the non-consumptive use of water for hydro electric generation. A consumptive take downstream of a hydro-generation scheme becomes a more efficient use of water and the same water can be used for both consumptive and non-consumptive uses, rather than just an upstream consumptive use.
- f. Accordingly, Pioneer wishes to see amendments including the final sentence of the first paragraph of the Explanation of 6.4.0C deleted and an addition to the Explanation to acknowledge that it is important that hydro-generation is not unduly affected.

Relief Sought

- g. **Delete** the last sentence from the first paragraph of the Explanation as follows (deleted text struckthrough):

~~"...require adequate water supply. If local demand is satisfied then water may be exported to users elsewhere."~~

- h. **Add** a fourth paragraph to the Explanation as follows or to like effect (additional text shown underlined):

"In considering an application to take water and competing lawful local demands the Council will consider the need to avoid adverse impact on the availability of water for hydro-electric generation."

6.4.19 PolicySubmission

- i. Pioneer objects to the deletion of Policy 6.4.19. A set term of up to 35 years provides long-term security of supply. Security of supply of water is important to hydro-electricity generators when considering whether to invest in upgrading hydro-generation schemes and the viability of such projects.
- j. There is no reason given in the section 32 Report as to why this Policy should be deleted.

Relief Sought

- k. **Reinstate Policy 6.4.19.**

6.4.20 and 6.4.21 PoliciesSubmission

- l. Pioneer objects to the deletion of Policies 6.4.20 and 6.4.21. These were introduced to assist with the transition on expiry of deemed permits in 2021. These policies provide a tool to achieve resolution but are not mandatory. Pioneer has at least 2 deemed permits and welcomes a policy which seeks to assist with the transition from deemed permits to water take consents.
- m. There is no reason given in the section 32 report as to why these policies should be deleted.

Relief Sought

- n. **Reinstate Policies 6.4.20 and 6.4.21.**

6.6 PolicySubmission

- o. Pioneer supports Policy 6.6 which encourages the development of shared water infrastructure.

Relief Sought

- p. **Add** an acknowledgement as a last sentence to the Explanation as follows:

"Pioneer Generation Limited is an affected party for all applications for takes from Fraser River, the Roaring Meg Creek, Teviot River, Wye Creek, Oxburn

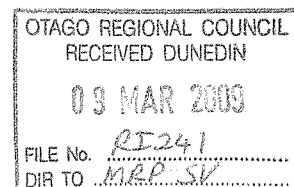
Stream and Manuherikia Rivers and the Kawarau and Shotover Rivers.

Submission and Further Relief

1. Pioneer seeks whatever consequential changes as are necessary to give effect to the relief sought above.

SUBMISSION ON PROPOSED PLAN CHANGE 1C (Water Allocation and Use)

39



To: Otago Regional Council
Name: Public Health South
Address: Public Health South PO Box 5144 Moray Pl. Dunedin
Submission Reference: ORC – ISBN 1-877265-756, PHS - PHISNET 1435

1. Public Health South is generally in support of the proposed plan changes outlined in the draft plan change document dated 20th December 2008.

The particular parts of the Draft Plan Change Public Health South wish to submit on are:

General

- (a) In all instances where the resolution of conflict arises in the plan concerning minimum flows, and or where there is an explanation of options when water rationing is concerned - Public Health South feels that human drinking water supply sources (including rural agricultural drinking water where used for drinking), should have precedence over other sources.

Explanation – Where community drinking water supplies are concerned (and the same for individual household and rural agricultural supplies when there is no acceptable secondary source available), maintaining minimum volumes of raw water at source is crucial to the protection of public health. Minimum volumes are based on 300 litres/person/per day or based on 4,000 litres per day for an isolated farmhouse with five people.¹

In addition to this:

- (b) At times minimum water flows will not be achieved and users will have to be prioritised. In our view human health should always take priority over any ecological values in the surface water source /groundwater except where inefficiencies are identified (wastage evidence) and or there are suitable alternative water sources.
- (c) While we note that there are current national policies on the abstraction of drinking water and discharge consents upstream or upgradient of these supply intakes (NES Drinking Water), we feel that there should be further controls over land use in the area of drinking water supply catchments (community drinking water supplies). The management of land based activities and land

¹ Household Water Supplies – Ministry of Health 2004 (Reprinted March 2004 Code 4602)

use should be included in the issues section concerning quality and quantity of surface and groundwater as it has significant bearing on both. Whilst we appreciate that the responsibility for the control of Land Use lies more appropriately with the Territorial Local Authority we feel that it at least deserves a mention in the issues section in the plan change 1c. The inclusion of land use in catchments likely to effect water quality will ensure that the consent process includes consideration of activities that may impact on community drinking water supply source water quality.

Comment on specific sections

(d) Page 3 6.2.3 Opportunities for the wider use of available water resources

I refer to the additional section 6.2.3 (e) and (f) –

Public Health South is supportive of the inclusion of these matters in this section as they give a good explanation of existing situations where individual supplies have proliferated at the expense of developing community based systems. Public Health South favours community based treatment systems as they then fall under the legislative provisions of the Health Drinking Water Amendment Act (HDWAA) where there are 25 people or more serviced by the scheme for more than 60 days per year. Community drinking water supplies are required to be registered and have a staged programme for the provision of Public Health Risk Management Plans that will identify public health risks and treatment options.

(e) Page 4, 6.3 Objectives

6.3.2A To maintain long term groundwater levels and water storage in Otago's aquifers

We are in agreement with the addition in the explanation in that we agree groundwater has a dynamic hydrological connection with surface water and possibly vice versa.

(f) Page 3, Water Quantity Introduction section 6.2.1A

Issues

Once again we are in agreement that the taking of groundwater can lead to the loss of groundwater levels and water storage volumes with the potential to affect human drinking water sources and would suggest that as a reduction in minimum water quantity could result in major public health issues that this deserves specific inclusion.

Suggested wording:

'The taking of groundwater from Otago's aquifers can lead to:

(f) Insufficient water quantity and in some cases water quality to support its use for human consumption.'

(g) Page 7, 6.4.0B To promote shared use and management of water

We are in agreement that applicants should refer to the actual use or quantity of the water they intend to take and that this must be reflected in the consent granted.

We also agree that applicants should consider the shared use of the resources with a view to ensuring that there is every opportunity of combining individual schemes/takes to make a more community based scheme with centralised water treatment.

(h) Page 10 6.4.1A

'A groundwater take is allocated as:

(b) Surface water if taken within 100m of any connected perennial surface water body.

(d) Groundwater and part surface water if the take is more than 100m from the surface water body and depletes the water body most affected by at least 5 litres per second.'

We are in agreement that groundwater in close proximity to surface water could be regarded as being influenced by and or directly connected to a surface water body.

(i) P 23, Section 6.6 Policies for the promotion and management of water resources by users

We note the objective of this section is to promote and support the development of shared infrastructure. Public Health supports this initiative in general but would make the comment that the sharing of existing community drinking water schemes with irrigation or stock watering schemes would not be in the best interest of drinking water management in that it is likely to add additional risk to the supply owners and may result in a lower quality of water delivered. Whereas centralised community drinking water treatment facilities would be viewed as a positive move for water quality, the combination of drinking water with other water uses in rural areas may result in the use of point of use treatment filters (rural agricultural drinking water supplies) a national standard for which is yet to be created.

(j) P 35, 9.4.14 To require appropriate siting, construction and operation of new groundwater bores

Bores may be sited in such a manner that allows contaminants to enter groundwater. For new bores the opportunity exists to avoid such adverse effects by requiring:

- Their siting in an area where runoff cannot enter them
- Bunding so that accidental spills cannot enter them
- Bore casings which prevent movement of poor quality water between aquifers

We are in agreement with the requirements listed.

Public Health South does not wish to appear in support of this submission at this stage.

Thank you for the opportunity to make comment on draft Plan Change 1c Water Allocation and Use. Please do not hesitate to contact the writer should you require any further information.

Andrew Shand
On behalf of Public Health South

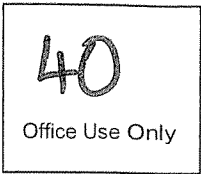
Dated: 9/3/2009

Contact details:

andrew.shand@phsouth.co.nz
Public Health South
Main Block
Level 2
Wakari Hospital
Taieri Rd
PO Box 5144
Dunedin
ph 03 4769800
fax 03 4769858



SUBMISSION FORM *1C: Water Allocation + Use*
Proposed Plan Change ~~1B - Minimum Flows~~
to the Regional Plan: Water for Otago
December 2008

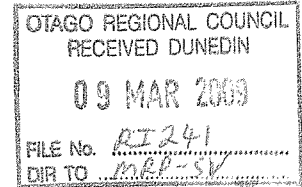


Form 5, Clause 6 of the First Schedule, Resource Management Act 1991

Full name of submitter: Jeremy Bell

Name of organisation (if applicable): Criffel Irrigation Scheme

Postal Address: Number/Street: 87 Mt Barker Rd
Suburb:
Town/City: Wanaka
Postcode:



Telephone: 03 4434250

Fax: 034439239

Email: jerryb@criffel.co.nz

Contact person: Jeremy Bell

I 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: 9th February 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)

Plan Change 1B (Minimum Flows)

Proposed Plan Change 1C Water Allocation and Use Luggate Creek

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

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