

# CENTRAL OTAGO ENVIRONMENTAL SOCIETY INC.

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**This is a Submission on publicly notified resource consent applications pursuant to the Resource Management Act 1991**

**Applicant Details:** Lindis Catchment Group Incorporated

**Application Numbers:** RM17.301.1 – RM17.301.19

**Type and Description of Applications:** See Application - Consents to take and use water from the Lindis catchment for irrigation and associated activities

**Location:** See Application

**Legal Description:** See Application

**Map reference:** See Application

**Submitter Details:** Central Otago Environmental Society Inc.

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This submission is made on behalf of the **Central Otago Environmental Society Inc.** (COES) which maintains an on-going focus on the protection and enhancement of Otago's water ways.

COES now considers that the proposed integrated water management plan for the Lindis River, including the setting of minimum flows and conditions on consents to take irrigation water, fails to provide for the quality, quantity, natural character, amenity and ecological values needed if the Lindis is to become a healthy river. Today, these needs reflect a widely held public understanding that healthy rivers and streams are vital if we are to maintain viable communities and a sustainable economy – in this context, 'healthy' being shorthand for good condition. However the reality is that human activity everywhere has dramatically changed and often degraded our rivers thereby putting the health and well-being of our communities at risk. The Resource Management Act (RMA) reflects the interdependence of our society and our environment by requiring that we not only provide for the well-being, health and safety of communities but also that we safe-guard the life-supporting capacity of our air, water, soil, and ecosystems.

COES has previously submitted with regard to the proposed Tarras Water Scheme, Plan Change 6A (Water Quality), Plan Change 5A – Lindis Minimum Flow (by joining the appeal over that plan change) and is presently involved in the process of establishing a minimum flow for the Manuherikia River.

COES is not a trade competitor.

COES wishes to be heard in support of this submission.

COES would consider presenting this submission jointly with others making similar submissions.

COES is opposed to the granting of these applications.

### **Submission**

This submission relates to the entire Lindis Catchment Group application as notified, with particular regard to its impacts on the river's natural character, ecosystem functioning, amenity values, fish and wildlife values and connectivity. COES is concerned about the quality and accuracy of the supporting information provided by the LCG in relation to the following matters:

- a. Hydrology and connectivity, particularly in the lower reaches and at the confluence with the Clutha;
- b. The 'reliability' of water supply for irrigation and the measures of efficiency used in determining irrigation requirements;
- c. The proposal to continue to supply Lindis irrigation water to areas outside the catchment;
- d. Assumptions about residual flows on existing main stem takes;
- e. Lack of information on the history of water used by Lindis catchment irrigators; and
- f. Lack of information on tributary flows.

### **Reasons for Concern**

The Lindis River has been historically over-allocated with consequently serious impacts on river values over the summer period when the river may disconnect and dry out completely in some areas.

In this respect the Tarras farming community has, for many years, enjoyed a permissive water take regime; today it is very evident that regime is no longer sustainable as intensified land use has increased the consumption of irrigation water to a point during dry periods when demand exceeds that which the river can supply.

This historic environmental failure is being addressed through Plan Change 5A which has already undergone an Otago Regional Council hearing process before independent commissioners who determined that a summer minimum flow of 900 litres per second should provide for the river. COES had sought a higher minimum flow (1500 litres per second - equivalent to 80% of the mean annual low flow of approximately 1850 litres per second) but supported their decision as a pragmatic compromise.

The decision was appealed to the Environment Court by the Lindis Catchment Group and went to mediation which resulted in the ORC reversing the Commissioners decision, consequent on reaching an agreement with the LGC to establish a much lower minimum flow of 550 litres per second. This agreement appears to be based on a flawed comparison between setting a minimum flow of 550 litres

per second on the river and residual flows on a spread of gallery intakes from the main stem, versus the originally proposed 900 litres per second minimum flow without any residual flow conditions on the established water race takes. COES considers this an unrealistic comparison.

The LCG consent applications follow from agreement between the ORC and the LCG during the mediation process. /LGC agreement coming out of mediation. COES contends that the new regime outlined by the consent application will not adequately provide for the natural character, amenity, connectivity and life supporting capacity of the Lindis River, especially in the river reach downstream of the Ardgour recorder.

Considering the amount of catchment water available, the proposed consents would establish a poor balance between a public river and private irrigation.

### **Relief Sought**

While COES opposes the application by LCG, should the Court grant consent, the Society requests that consideration be given to establishing the following conditions:

- a. Residual flows consistent with maintaining a minimum flow of 900 litres per sec in the main stem are established on all water takes throughout the catchment, thereby providing for a connected, healthy river system throughout the catchment. These flows should take a precautionary approach bearing in mind environmental, amenity and recreational needs in tributaries where there is limited hydrological information;
- b. Require the installation of fish screens on all takes;
- c. Limit water allocations to the presently irrigated areas within the Lindis catchment;
- d. Establish annual, monthly and instantaneous limits on the volume of water able to be taken;
- e. Include conditions requiring flow variability to counter 'flat-lining' of the river as a result of water allocated for irrigation;
- f. Establish water allocations on the basis of historic use by individual irrigators and efficient water use criteria; and
- g. Any additional, consequential, or other relief which will address the concerns as set out in this submission.

DG Shattky

On behalf of Central Otago Environmental Society

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