

# **SUMMARY OF DECISIONS REQUESTED**

*Incorporating Further Submissions*

**on  
Proposed Plan Change 6AA**

**to the  
Regional Plan: Water for Otago**



**4 December 2019**



## Preface

Proposed Plan Change 6AA to the Regional Plan: Water for Otago was publicly notified on 5 October 2019 in accordance with Clause 5 of the First Schedule of the Resource Management Act 1991 (RMA).

This document summarises the 20 submissions received. Nineteen of these submissions were lodged within the statutory time frame specified, by 5pm on 4 November 2019. The 20<sup>th</sup> submission was received late. Under delegated authority Otago Regional Council has waived the time limit for this submission.

Any associated further submission in support or opposition is included following its submission point. These are shown in italics. A total of three further submissions were received by the closing date of Friday 22 November 2019.

The eligibility of the further submission received from Fraser McRae will be discussed at the Plan Change hearing, with a focus on:

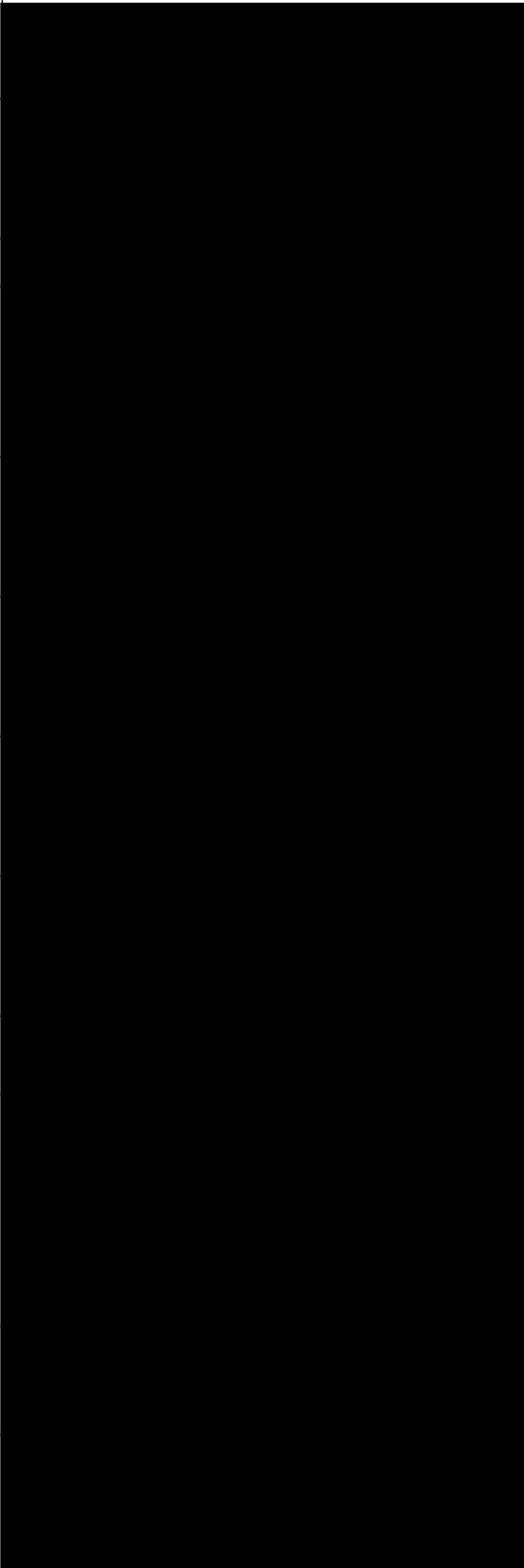
- Whether Fraser McRae represents a relevant aspect of the public interest and
- Whether the decision requested is allowable or whether it extends the scope of the original submission it relates to.

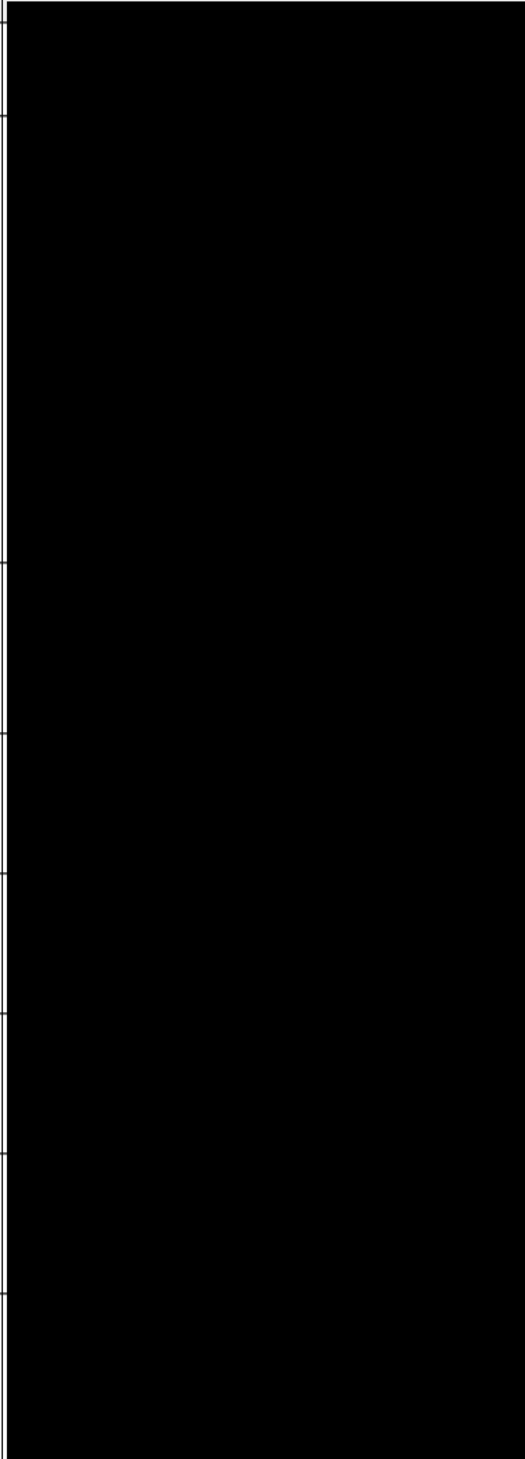
This report summarises all three further submissions.

The full original submissions and further submissions are available at Otago Regional Council offices and on [www.orc.govt.nz](http://www.orc.govt.nz)



## Index to Submitters – By Name

| Surname, First Name <u>or</u> Organisation            | Address for Service   | Submitter Number |
|---|---|------------------|
| Aspinall, Randall                                     |  | 18               |
| Ballance Agri-Nutrients                               |   | 11               |
| Cleaver, Carl   |   | 5                |
| Dairy Holdings Limited                                |   | 16               |
| Dairy NZ  |   | 20               |
| Dunedin City Council                                  |   | 12               |
| Federated Farmers                                     |   | 6                |
| George, Peter Andrew                                  |   | 4                |
| Green, Joy  |   | 1                |
| Guardians of Lake Wanaka &<br>Guardians of Lake Hawea |   | 8                |
| Hollis, Mel   |   | 3                |
| Horticulture New Zealand                              |   | 10               |

| Surname, First Name <u>or</u> Organisation                               | Address for Service   | Submitter Number |
|--|---|------------------|
| Mann, Sydney   |  | 7                |
| Otago Fish and Game Council & Central South Island Fish and Game Council |   | 17               |
| Ravensdown Limited   |   | 9                |
| Royal Forest and Bird Protection Society NZ                              |   | 15               |
| Schallenberg, Marc   |   | 13               |
| Waitaki Irrigators Collective Limited                                    |   | 14               |
| Werner, Craig  |   | 2                |
| Wise Response Society  |   | 19               |

## Index to Submitters – By Number

| Submitter Number | Surname, First Name <u>or</u> Organisation         | Address for Service |
|------------------|--|---------------------|
| 1                | Green, Joy   |                     |
| 2                | Werner, Craig                                      |                     |
| 3                | Hollis, Mel  |                     |
| 4                | George, Peter Andrew                               |                     |
| 5                | Cleaver, Carl                                      |                     |
| 6                | Federated Farmers                                  |                     |
| 7                | Mann, Sydney                                       |                     |
| 8                | Guardians of Lake Wanaka & Guardians of Lake Hawea |                     |
| 9                | Ravensdown Limited                                 |                     |
| 10               | Horticulture New Zealand                           |                     |
| 11               | Ballance Agri-Nutrients                            |                     |
| 12               | Dunedin City Council                               |                     |

| Submitter Number | Surname, First Name <u>or</u> Organisation                               | Address for Service |
|------------------|--|---------------------|
| 13               | Schallenberg, Marc   |                     |
| 14               | Waitaki Irrigators Collective Limited                                    |                     |
| 15               | Royal Forest and Bird Protection Society NZ                              |                     |
| 16               | Dairy Holdings Limited   |                     |
| 17               | Otago Fish and Game Council & Central South Island Fish and Game Council |                     |
| 18               | Aspinall, Randall  |                     |
| 19               | Wise Response Society  |                     |
| 20               | Dairy NZ   |                     |



# Index to Further Submitters

| Submitter Number | Surname, First Name or Organisation                   | Address for Service |
|------------------|---|---------------------|
| 1001             | Guardians of Lake Wanaka &<br>Guardians of Lake Hawea | [Redacted Address]  |
| 1002             | Wise Response Society                                 | [Redacted Address]  |
| 1003             | Fraser McRae  | [Redacted Address]  |

**Grouped by Submitter**  
**(matters within the scope of the plan change)**

| Sub/Further Sub Number | Submitter Name/<br>Further Submitter Name                     | Submission Point | Issue                              | Provision         | Position       | Decision Requested   |
|------------------------|---|------------------|------------------------------------|-------------------|----------------|--|
| 1                      | Joy Green   | 1.1              | Overall                            | Whole Plan Change | Oppose         | Leave the date at 1 April 2020 or alternatively amend it to 1 April 2023 |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  |                                    |                   | <i>Support</i> |  |
| 2                      | Craig Werner  | 2.1              | Overall                            | Whole Plan Change | Support        | Approve Plan Change 6AA as notified.                                     |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  |                                    |                   | <i>Oppose</i>  |  |
| 3                      | Mel Hollis  | 3.1              | Overall                            | Whole Plan Change | Oppose         | Withdraw Plan Change 6AA or alternatively amend it to 1 April 2021.      |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  |                                    |                   | <i>Support</i> |  |
| 4                      | Peter Andrew George   | 4.1              | Overall                            | Whole Plan Change | Oppose         | Withdraw Plan Change 6AA.  |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  |                                    |                   | <i>Support</i> |  |
| 5                      | Carl Cleaver  | 5.1              | Time extension - Nitrogen Leaching | Overseer          | Oppose         | Withdraw proposed change to Rule 12.C.1.3.                               |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  |                                    |                   | <i>Support</i> |  |
| 6                      | Federated Farmers   | 6.1              | Overall                            | Whole Plan Change | Support        | Approve Plan Change 6AA as notified.                                     |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake</i>       |                  |                                    |                   | <i>Oppose</i>  |  |

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| Sub/Further Sub Number | Submitter Name/<br>Further Submitter Name                     | Submission Point | Issue   | Provision         | Position       | Decision Requested  |
|------------------------|---|------------------|---------|-------------------|----------------|---|
|                        | <i>Hawea</i>  |                  |         |                   |                |   |
| 7                      | Sydney Mann   | 7.1              | Overall | Whole Plan Change | Oppose         | Withdraw proposed Plan Change 6AA.  |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  |         |                   | <i>Support</i> |   |
| 8                      | Guardians of Lake Wanaka & Guardians of Lake Hawea            | 8.1              | Overall | Whole Plan Change | Amend          | Bring the proposed date forward to 1 April 2022 or earlier, in particular for contaminant discharges in the Upper Lakes Rohe of the Clutha/Mata-Au Freshwater Management Unit.  |
| 9                      | Ravensdown Limited  | 9.1              | Overall | Whole Plan Change | Support        | Approve Plan Change 6AA as notified.  |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  |         |                   | <i>Oppose</i>  |   |
| 10                     | Horticulture New Zealand                                      | 10.1             | Overall | Whole Plan Change | Support        | Approve Plan Change 6AA as notified.  |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  |         |                   | <i>Oppose</i>  |   |
| 11                     | Ballance Agri-Nutrients                                       | 11.1             | Overall | Whole Plan Change | Support        | <ul style="list-style-type: none"> <li>• Approve Plan Change 6AA as notified.</li> <li>• Establish non-regulatory mechanisms to drive and support the development and completion of nutrient budgets and farm plans without delay.</li> </ul> |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  |         |                   | <i>Oppose</i>  |   |
| 12                     | Dunedin City Council  | 12.1             | Overall | Whole Plan Change | Support        | Approve Plan Change 6AA as notified.  |
| 1001                   | <i>Guardians of Lake Wanaka &amp;</i>                         |                  |         |                   | <i>Oppose</i>  |   |

Summary of Decisions Requested on Proposed Plan Change 6AA  
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| Sub/Further Sub Number | Submitter Name/<br>Further Submitter Name                     | Submission Point | Issue   | Provision         | Position       | Decision Requested  |
|------------------------|---|------------------|---------|-------------------|----------------|---|
|                        | <i>Guardians of Lake Hawea</i>                                |                  |         |                   |                |   |
| 13                     | Marc Schallenberg   | 13.1             | Overall | Whole Plan Change | Oppose         | Withdraw plan change 6AA and instead strengthen the Plan's policy framework as described in Option 1 of the S32 report.   |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  |         |                   | <i>Support</i> |   |
| 1002                   | <i>Wise Response Society</i>                                  |                  |         |                   | <i>Support</i> |   |
| 14                     | Waitaki Irrigators Collective Limited                         | 14.1             | Overall | Whole Plan Change | Support        | Approve Plan Change 6AA as notified.  |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  |         |                   | <i>Oppose</i>  |   |
| 15                     | Royal Forest and Bird Protection Society NZ                   | 15.1             | Overall | Whole Plan Change | Oppose         | Retain existing 1 April 2020 compliance date.   |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  |         |                   | <i>Support</i> |   |
| 1002                   | <i>Wise Response Society</i>                                  |                  |         |                   | <i>Support</i> |   |
| 1003                   | <i>Fraser McRae</i>   |                  |         |                   | <i>Support</i> | <ul style="list-style-type: none"> <li>▪ <i>Withdraw Plan Change 6AA</i></li> <li>▪ <i>Initiate a plan change to update the OVERSEER version in Rule 12.C.1.3</i></li> <li>▪ <i>Seek Environment Court consent to change catchment/river to freshwater management units in Plan Change 6A's tables and schedules</i></li> </ul> |
| 16                     | Dairy Holdings Limited  | 16.1             | Overall | Whole Plan Change | Support        | Approve Plan Change 6AA as notified.  |

Summary of Decisions Requested on Proposed Plan Change 6AA to the Regional Plan: Water for Otago (9 November 2019)

| Sub/Further Sub Number | Submitter Name/<br>Further Submitter Name                                | Submission Point | Issue   | Provision         | Position   | Decision Requested  |
|------------------------|--|------------------|---------|-------------------|--|---|
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i>            |                  |         |                   | <i>Oppose</i>  |   |
| 17                     | Otago Fish and Game Council & Central South Island Fish and Game Council | 17.1             | Overall | Whole Plan Change | Neutral  | No amendment sought.  |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i>            |                  |         |                   | <i>Oppose neutrality<br/>Support concerns expressed by the submitter</i> |   |
| 18                     | Randall Aspinall   | 18.1             | Overall | Whole Plan Change | Support  | Approve Plan Change 6AA as notified.  |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i>            |                  |         |                   | <i>Oppose</i>  |   |
| 19                     | Wise Response Society  | 19.1             | Overall | Whole Plan Change | Oppose   | <b><i>[Note: Decision requested beyond the scope of Plan Change 6AA]</i></b>  |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i>            |                  |         |                   | <i>Support</i>   |   |
| 1003                   | <i>Fraser McRae</i>  |                  |         |                   | <i>Support</i>   | <ul style="list-style-type: none"> <li>▪ <i>Withdraw Plan Change 6AA</i></li> <li>▪ <i>Initiate a plan change to update the OVERSEER version in Rule 12.C.1.3</i></li> <li>▪ <i>Seek Environment Court consent to change catchment/river to freshwater management units in Plan Change 6A's tables and schedules</i></li> </ul> |

Summary of Decisions Requested on Proposed Plan Change 6AA to the Regional Plan: Water for Otago (9 November 2019)

| <b>Sub/Further Sub Number</b> | <b>Submitter Name/<br/>Further Submitter Name</b>             | <b>Submission Point</b> | <b>Issue</b> | <b>Provision</b>  | <b>Position</b> | <b>Decision Requested</b>            |
|-------------------------------|---|-------------------------|--------------|-------------------|-----------------|--------------------------------------|
| 20                            | Dairy NZ  | 20.1                    | Overall      | Whole Plan Change | Support         | Approve Plan Change 6AA as notified. |
| 1001                          | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                         |              |                   | <i>Oppose</i>   |                                      |

Summary of Decisions Requested on Proposed Plan Change 6AA  
to the Regional Plan: Water for Otago (9 November 2019)

**Grouped by Topic**  
**(matters within the scope of the plan change)**



## 1 Whole Plan Change

| Sub/Further Sub Number | Submitter Name/<br>Further Submitter Name                     | Submission Point | Position       | Decision Requested  |
|------------------------|---|------------------|----------------|---|
| 1                      | Joy Green   | 1.1              | Oppose         | Leave the date at 1 April 2020 or alternatively amend it to 1 April 2023  |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  | <i>Support</i> |   |
| 2                      | Craig Werner  | 2.1              | Support        | Approve Plan Change 6AA as notified.  |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  | <i>Oppose</i>  |   |
| 3                      | Mel Hollis  | 3.1              | Oppose         | Withdraw Plan Change 6AA or alternatively amend it to 1 April 2021.   |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  | <i>Support</i> |   |
| 4                      | Peter Andrew George   | 4.1              | Oppose         | Withdraw Plan Change 6AA.   |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  | <i>Support</i> |   |
| 6                      | Federated Farmers   | 6.1              | Support        | Approve Plan Change 6AA as notified.  |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  | <i>Oppose</i>  |   |
| 7                      | Sydney Mann   | 7.1              | Oppose         | Withdraw proposed Plan Change 6AA.  |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  | <i>Support</i> |   |
| 8                      | Guardians of Lake Wanaka & Guardians of Lake Hawea            | 8.1              | Amend          | Bring the proposed date forward to 1 April 2022 or earlier, in particular for contaminant discharges in the Upper Lakes Rohe of the Clutha/Mata-Au Freshwater Management Unit.  |
| 9                      | Ravensdown Limited  | 9.1              | Support        | Approve Plan Change 6AA as notified.  |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  | <i>Oppose</i>  |   |
| 10                     | Horticulture New Zealand                                      | 10.1             | Support        | Approve Plan Change 6AA as notified.  |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  | <i>Oppose</i>  |   |
| 11                     | Ballance Agri-Nutrients                                       | 11.1             | Support        | <ul style="list-style-type: none"> <li>• Approve Plan Change 6AA as notified.</li> <li>• Establish non-regulatory mechanisms to drive and support the development and completion of nutrient budgets and farm plans without delay.</li> </ul> |

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| Sub/Further Sub Number | Submitter Name/<br>Further Submitter Name                     | Submission Point | Position       | Decision Requested  |
|------------------------|---|------------------|----------------|---|
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  | <i>Oppose</i>  |   |
| 12                     | Dunedin City Council  | 12.1             | Support        | Approve Plan Change 6AA as notified.  |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  | <i>Oppose</i>  |   |
| 13                     | Marc Schallenberg   | 13.1             | Oppose         | Withdraw plan change 6AA and instead strengthen the Plan's policy framework as described in Option 1 of the S32 report.   |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  | <i>Support</i> |   |
| 1002                   | <i>Wise Response Society</i>                                  |                  | <i>Support</i> |   |
| 14                     | Waitaki Irrigators Collective Limited                         | 14.1             | Support        | Approve Plan Change 6AA as notified.  |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  | <i>Oppose</i>  |   |
| 15                     | Royal Forest and Bird Protection Society NZ                   | 15.1             | Oppose         | Retain existing 1 April 2020 compliance date.   |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  | <i>Support</i> |   |
| 1002                   | <i>Wise Response Society</i>                                  |                  | <i>Support</i> |   |
| 1003                   | <i>Fraser McRae</i>   |                  | <i>Support</i> | <ul style="list-style-type: none"> <li>▪ <i>Withdraw Plan Change 6AA</i></li> <li>▪ <i>Initiate a plan change to update the OVERSEER version in Rule 12.C.1.3</i></li> <li>▪ <i>Seek Environment Court consent to change catchment/river to freshwater management units in Plan Change 6A's tables and schedules</i></li> </ul> |
| 16                     | Dairy Holdings Limited  | 16.1             | Support        | Approve Plan Change 6AA as notified.  |
| 1001                   | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  | <i>Oppose</i>  |   |

Summary of Decisions Requested on Proposed Plan Change 6AA  
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| Sub/Further Sub Number | Submitter Name/<br>Further Submitter Name                                      | Submission Point | Position   | Decision Requested  |
|------------------------|--|------------------|--|---|
| 17                     | Otago Fish and Game Council<br>& Central South Island Fish<br>and Game Council | 17.1             | Neutral  | No amendment sought.  |
| 1001                   | <i>Guardians of Lake Wanaka &amp;<br/>Guardians of Lake Hawea</i>              |                  | <i>Oppose neutrality<br/>Support concerns<br/>expressed by the<br/>submitter</i> |   |
| 18                     | Randall Aspinall   | 18.1             | Support  | Approve Plan Change 6AA as notified.  |
| 1001                   | <i>Guardians of Lake Wanaka &amp;<br/>Guardians of Lake Hawea</i>              |                  | <i>Oppose</i>  |   |
| 19                     | Wise Response Society  | 19.1             | Oppose   | <b>[Note: Decision requested beyond the scope of Plan Change 6AA]</b>   |
| 1001                   | <i>Guardians of Lake Wanaka &amp;<br/>Guardians of Lake Hawea</i>              |                  | <i>Support</i>   |   |
| 1003                   | <i>Fraser McRae</i>  |                  | <i>Support</i>   | <ul style="list-style-type: none"> <li>▪ <i>Withdraw Plan Change 6AA</i></li> <li>▪ <i>Initiate a plan change to update the OVERSEER version in Rule 12.C.1.3</i></li> <li>▪ <i>Seek Environment Court consent to change catchment/river to freshwater management units in Plan Change 6A's tables and schedules</i></li> </ul> |
| 20                     | Dairy NZ   | 20.1             | Support  | Approve Plan Change 6AA as notified.  |
| 1001                   | <i>Guardians of Lake Wanaka &amp;<br/>Guardians of Lake Hawea</i>              |                  | <i>Oppose</i>  |   |

## 2 Schedule 16 – Implementation Date

There have been no submission for Schedule 16's implementation date only.

## 3 Overseer – Implementation Date

| Sub/Further Sub Number | Submitter Name/<br>Further Submitter Name | Submission Point | Position | Decision Requested                         |
|------------------------|---|------------------|----------|--|
| 5                      | Carl Cleaver                              | 5.1              | Oppose   | Withdraw proposed change to Rule 12.C.1.3. |

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| <b>Sub/Further Sub Number</b> | <b>Submitter Name/<br/>Further Submitter Name</b>                 | <b>Submission Point</b> | <b>Position</b> | <b>Decision Requested</b> |
|-------------------------------|---|-------------------------|-----------------|---------------------------|
| 1001                          | <i>Guardians of Lake Wanaka &amp;<br/>Guardians of Lake Hawea</i> |                         | <i>Support</i>  |                           |

**Grouped by Submitter**  
**(matters beyond the scope of the plan change)**

## 4 Matters beyond the scope

| Submission Number | Submitter Name  | Submission Point | Position       | Decision Requested   |
|-------------------|---|------------------|----------------|--|
| 5                 | Carl Cleaver  | 5.2              | Oppose         | Change the status of activities managed under Rule 12.C.1.1 from permitted to prohibited.  |
| 19                | Wise Response Society   | 19.1             | Oppose         | <p>Adopt an alternative option that:</p> <ul style="list-style-type: none"> <li>• Cancels the current requirement of a resource consent by April 2020.</li> <li>• Changes Rule 12.C.1.3 (Overseer) to require the use of the latest Overseer version, or other approved model, to be used by a Certified Nutrient Management Advisor employed by the Regional Authority.</li> <li>• Shifts the focus from discharge contaminant concentration to nutrient input budget and modelled discharge values; and require compliance by 2025.</li> <li>• Prohibits discharges which from 2025 do not comply with nutrient input budgets and modelled discharge values requirements.</li> </ul> <p>[Note: Decision requested beyond the scope of Plan Change 6AA]</p> |
| 1001              | <i>Guardians of Lake Wanaka &amp; Guardians of Lake Hawea</i> |                  | <i>Support</i> |  |
| 1003              | <i>Fraser McRae</i>   |                  | <i>Support</i> | <ul style="list-style-type: none"> <li>▪ <i>Withdraw Plan Change 6AA</i></li> <li>▪ <i>Initiate a plan change to update the OVERSEER version in Rule 12.C.1.3</i></li> <li>▪ <i>Seek Environment Court consent to change catchment/river to freshwater management units in Plan Change 6A's tables and schedules</i></li> </ul>  |