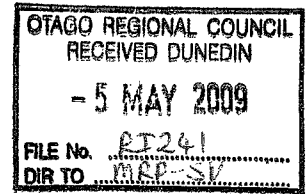




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**FURTHER SUBMISSIONS IN SUPPORT OR OPPOSITION TO SUBMISSIONS
ON THE OTAGO REGIONAL COUNCIL PROPOSED PLAN CHANGE 1C
UNDER CLAUSE 8 OF THE FIRST SCHEDULE OF THE RESOURCE
MANAGEMENT ACT 1991**

To:
Otago Regional Council
Private Bag 1954
DUNEDIN

Attn: Policy Team

From:
Otago Fish & Game
P.O. Box 76
DUNEDIN

Contact Person:
John Hollows
Environmental Officer

Telephone (03) 479 6552
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Further submissions on Plan Change 1C are attached to this document.

Signature

A handwritten signature in black ink that reads 'John Hollows'.

Date: 4 April 2009

Statutory managers of freshwater sports fish, game birds and their habitats

Otago Region

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Fish & Game are concerned that the hydro-electric generation submissions suggest that their needs are above other water users, both economic and recreational, and that they should not have to adhere to any environmental flow conditions council may put in place. We will be raising this issue during the hearing process but wish for the council to make decisions that ensure allocation limits and flows are put in place to protect the instream environment and that all should adhere to these.

We wish the council to reconsider the matters raised in our submission process that were deemed to be 'matters outside the scope of the plan change. In our submission we raised five general points that we consider are directly related to water allocation. The points we have submitted on have links to the water quality issue which will be addressed at a later plan change. We consider that there needs to be references to issues such as water quality in this section of the plan as all water is linked and decisions based on allocation will impact in some way on water quality.

1. Wetlands: That New Zealand has lost over 90% of its wetlands highlights the value of these ecosystems. Wetlands are important for species habitat and water harvest and their destruction and/or draining may impact on water yield and therefore water allocation. The hills around the Shag River contain small wetland areas, however since the planting of a forestry plantation large areas have dried up and this has been implicated as a reason for the decreasing flows in the Shag River. While the Council has Schedules protecting some wetlands there are many that have not been identified and the large scale land intensification occurring means wetlands are being drained at an alarming rate. The approach put forward by Fish & Game provided a way to protect wetlands not identified in the Plan and should be considered in the Plan change. We acknowledge that the 1000m² suggestion put forward may not be a workable solution but we consider that protection is needed to protect what is a diminishing resource which has links to water availability and therefore allocation.

2. Flows: We requested that the term "reinstate" be included as well as retain in Objective 6.3.1. Fish & Game has always had an expectation that the cessation of mining rights would halt streams running dry or at unnaturally low levels for long periods over summer. The proposed amendment allows water users to be aware that there will be a requirement to 'claw back' water after over one hundred years of mining right use where the environment has suffered. This reinstatement of flows will have implication for future water allocation and therefore should be considered.

3. Mining rights: Under Section 143(3) of the RMA deemed permits (issued under the Mining Act 1926) expire 1st October 2021. If mining rights have not been used for a number of years they should be cancelled. To allow the existence of something that cannot be used may hinder the minimum flow process the Council is undertaking and leads to expectations of some value attached to mining rights which does not exist. An example of this can be found in the Luggate Creek catchment when a farmer wishes to reinstate a mining right that has not been used for many years derailing the minimum process. This has large implication for existing users and therefore allocation.

4. Flat-lining streams: The science clearly demonstrates that flat-lining streams for long periods is not a natural occurrence and has impacts on aquatic quality. Any future flow setting will need to take into consideration this aspect and it may result in different flow regimes than currently existing thereby possibly impacting on water users and the volume of water able to be extracted.

5. Water quality and quantity linkage: Fish & Game have suggested wording in the Plan that links water quality and quantity. The land/water interface has always been a difficult area to deal with but the link between taking water for activities such as intensive agriculture and poor water quality are known. Until a solution is found we have suggested that no further allocation occurs in catchments where there are water quality issues. While this may seem an extreme measure the Council needs to make the hard decisions regarding water quality and limiting further allocation may be a step forward.

| SUBMITTER NAME | SUB/ REF | POSITION | SUBMITTER DECISION REQUESTED | SUPPORT/ OPPOSE | SUBMITTERS JUSTIFICATION |
|------------------------|----------|----------|--|-----------------|--|
| TrustPower Limited | 51/10 | amend | <p>Insert the following text within the Explanation:</p> <p><u>"Decisions made through the implementation of this Policy cannot adversely impact the rights held by existing consents unless the consent holder agrees."</u></p> <p><u>"Membership to the water user groups envisaged under this Policy is voluntary, and the decisions made by the group can only impact on the consents held or obtained by group members."</u></p> <p>Any similar amendments to like effect.</p> <p>Any consequential amendments that stem from the amendment of the Explanation to Policy 6.4.0B as proposed in this submission.</p> | Oppose | Trustpower's submission may impact on the council's current direction on water management and the way forward for cessation of deemed permits. Fish & Game submit that this proposal would hinder the development of water management options. |
| Contact Energy Limited | 52/10 | amend | <p>Add after the paragraph addressing Infrastructure in the Explanation a new paragraph as follows or to like effect:</p> <p><u>"In the implementation of this Policy adverse effect on the availability of water for hydro-electric generation should be considered and avoided (such as in moving the point of take within an area)."</u></p> | Oppose | Power companies' values should not be placed above other considerations when council is making decisions. |

| SUBMITTER NAME | SUB/REF | POSITION | SUBMITTER DESCRIPTION REQUESTED | SUPPORT/OPOSE | SUBMITTERS JUSTIFICATION |
|--------------------|---------|----------|---|---------------|--|
| TrustPower Limited | 51/25 | amend | <p>Seeks relief as per comments above for Policy 6.4.12 and 6.4.0B as follows:</p> <p><u>"Decisions made through the implementation of this Policy cannot adversely impact the rights held by existing consents unless the consent holder agrees."</u></p> <p><u>"Membership to the water user groups envisaged under this Policy is voluntary, and the decisions made by the group can only impact on the consents held or obtained by group members."</u></p> <p>Any similar amendments to like effect.</p> <p>Any consequential amendments that stem from the amendment of Policy 6.4.12A.</p> | Oppose | Trustpower's submission may impact on the council's current direction on water management and the way forward for cessation of deemed permits. Fish & Game submit that this proposal would hinder the development of water management options. |

| SUBMITTER NAME | SUB/ REF | POSITION | SUBMITTER DECISION REQUESTED | SUPPORT/ OPPOSE | SUBMITTERS JUSTIFICATION |
|--|----------|----------|---|-----------------|---|
| TrustPower Limited | 51/105 | amend | <p>Seeks relief as per comments above for Policy 6.4.12, 6.4.0B and 6.4.12A as follows:</p> <p><u>"Decisions made through the implementation of this Policy cannot adversely impact the rights held by existing consents unless the consent holder agrees."</u></p> <p><u>"Membership to the water user groups envisaged under this Policy is voluntary, and the decisions made by the group can only impact on the consents held or obtained by group members."</u></p> <p>Any similar amendments to like effect.</p> <p>Any consequential amendments that stem from the amendment of Method 15.2.2.</p> | Oppose | The submission may impact on the council's current direction on water management and the way forward for cessation of deemed permits. Fish & Game submit that this proposal would hinder the development of water management options. |
| Federated Farmers of New Zealand (Inc) | 42/3 | amend | [Delete (h) of Explanation.] | Oppose | Consent applications should be for the volume of water required for the stated activity. The deletion of (h) could allow water to be sold and brought or traded which presently is not permitted. |

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|--------------------------------------|---------|----------|--|----------------|--|
| The Director-General of Conservation | 48/3 | amend | <p>That the following amendment be made to the Explanation:</p> <p>"A range of domestic, agricultural, <u>natural, recreational, industrial and commercial uses</u> rely on sufficient quantities of water in Otago. ... (i) <u>Inappropriate land use in some catchments, such as exotic forestry, tussock grassland clearance and wetland development, all of which can decrease water yield; and</u> (h) [(j) intended] <u>Poor water quality due to inappropriate land use and/or discharge of contaminants.</u></p> <p>... Potential users might also find less allocation is available as a result of water being secured by existing consents. <u>Comprehensively managing the available water resources within catchments is therefore crucial</u></p> | Support | The range of water uses needs to be more inclusive, 'inappropriate practices' should include examples of inappropriate land use, and the need for comprehensive management should be acknowledged. |
| The Director-General of Conservation | 48/3 | amend | <p>The following amendment be made to Issue 6.2.3 [add a new (b) between (a) and existing (b)]: "Inappropriate land use activities; and"</p> | Support | The potential and actual impact of inappropriate land use activities needs to be recognised. |

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|-----------------------------|----------|----------|---|-----------------|---|
| TrustPower Limited | 51/3 | amend | <p>Insert in the Explanation: "A range of domestic, agricultural, industrial, <u>hydro-electricity</u> and commercial uses... {and add after sub-paragraph (h)} <u>However in the case of hydro-electric power generation existing lawfully established takes ought to be able to be relied upon by operators of HEPS and the water remain available for use in the scheme"</u>.</p> <p>Any similar amendments to like effect.</p> <p>Any consequential or other amendments that stem from the amendment of the Introduction and Explanation to Issue 6.2.3 as outlined in this submission.</p> | Oppose | Domestic use, community supply, stock water and flows to protect the environment should have a priority over commercial operations. Power companies should not be exempt from compliance with flows set by council. The current wording of commercial covers HEPS and therefore change is not required. |
| Otago Fish and Game Council | 21/ 6.39 | Support | Support this objective to maintain long term groundwater levels and water storage in Otago's aquifers. | Support | Continued support for this objective as it will ensure available water for the future as surface water and groundwater linked. Need to ensure Canterbury example of depleted and polluted groundwater does not occur in Otago |

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|--------------------------------------|---------|----------|--|---------------|---|
| The Director-General of Conservation | 48/8.42 | amend | <p>That the following amendment be made to Policy 6.4.0:</p> <p><u>"To recognise the hydrological characteristics of Otago's water resources, including behaviour and trends in:</u></p> <p><u>...(d) The impact of different land use on water yield;</u></p> <p><u>(e) The contributions intact indigenous vegetation makes to water quantity and quality,</u></p> <p><u>when managing the taking of water."</u></p> | Support | This is an important point as changes in landuse can have significant effects on water yield. |
| The Director-General of Conservation | 48/8.42 | amend | <p>That the following amendment be made to the Explanation [Add after first paragraph]:</p> <p><u>... "Land use within catchments, particularly in headwaters, has the potential to alter water yields. For example, the establishment of exotic forestry has been shown to reduce water yield by up to 35%, whilst removal of tussock grassland has the potential to reduce water yield also."</u></p> <p>...</p> | Support | This is an important point as changes in landuse can have significant effects on water yield. |

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|------------------------|----------|----------|--|-----------------|---|
| TrustPower Limited | 51/12 | amend | <p>That the following text be inserted into the Explanation:</p> <p><u>"In setting allocation quantities the Council will take account of and provide for takes associated with hydro-electricity generation to prevent any derogation of existing rights."</u></p> <p>Any similar amendments to like effect.</p> <p>Any consequential amendments that stem from the amendment of Policy 6.4.1 as proposed in this submission.</p> | Oppose | Economic values are already provided for in the plan and therefore wording is unnecessary and adds nothing to the plan. Power companies should not be exempt from compliance with flows set by council. |
| Contact Energy Limited | 51/12 | amend | <p>Add an acknowledgement as a last sentence to the Explanation as follows:</p> <p><u>"Contact Energy Limited is an affected party for all applications for takes upstream from Roxburgh Dam."</u></p> | Oppose | Council should determine who is an affected party not large commercial operations. |
| Contact Energy Limited | 51/12 | amend | <p>Amend the Principal reasons for adopting as follows:</p> <p><u>"This policy is adopted to enable consumptive users' access to surface water while sustaining aquatic ecological values and the availability of water for hydro electric generation"</u></p> | Oppose | Power companies do not have greater rights for surface water than other commercial activities. |

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|--|-----------|----------|---|-----------------|---|
| Federated Farmers of New Zealand (Inc) | 42/ 13.48 | amend | <p>Delete all reference to 100 metres throughout policy. [Delete condition (b) entirely, and amend condition (c) to read:] "Groundwater and part surface water if the take is connected [to a] perennial surface water body". Amend [first paragraph of] Explanation "<u>Some</u> aquifers .. <u>Three</u> ways of managing...".</p> <p>Amend Schedule 2C as necessary to reflect degree of connectivity between surface and groundwater. [Delete (b) of Explanation, and "100 metres" from (c)].</p> | Support | The connection or otherwise of surface and groundwater needs to be determined accurately and not determined by an arbitrary value. It will create anomalies on consents where one is 90 metres and one is 110 metres distant. As more information becomes available for each surface water body and associated groundwater, then these can be added to Schedule 2C. |
| Hamish Winter | 19/72 | Oppose | That Council not place a minimum flow on Welcome Creek | Oppose | Minimum flows are required to protect in stream ecological values. By not placing a minimum flow on Welcome Creek council could set a precedent for no requirement on waterways. Fish & Game support appropriate minimum flows for all waterways. |
| Waitensea Ltd | 20/72 | Oppose | That no minimum flow is put on Welcome Creek. | Oppose | Minimum flows are required to protect in stream ecological values. By not placing a minimum flow on Welcome Creek council could set a precedent for no requirement on waterways. Fish & Game support appropriate minimum flows for all waterways. |

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| Henry Robert Barry Zwies | 23/72 | Oppose | That no minimum flow is put on Welcome Creek. | Oppose | Minimum flows are required to protect in stream ecological values. By not placing a minimum flow on Welcome Creek council could set a precedent for no requirement on waterways. Fish & Game support appropriate minimum flows for all waterways. |
| William John Pile | 34/72 | Oppose | Oppose sec 12.1.4.7 [intent implies Rule 12.1.4.3 meant]. There should be no minimum flow put on Welcome Creek. [Monitoring] should be done at Ferry Road. | Oppose | Minimum flows are required to protect in stream ecological values. By not placing a minimum flow on Welcome Creek council could set a precedent for no requirement on waterways. Fish & Game support appropriate minimum flows for all waterways. |
| Mount Cardrona Station Limited | 28/78 | amend | Delete the requirement [in list item (iv)] to have regard to whether the previous rate and volume of take has been used in the assessment of replacement consents and replace this with a requirement to assess whether the replacement rate and volume of take should be reduced if it cannot be demonstrated that the volume will be used efficiently in future. | Oppose | Consent applications should be for the volume of water required for the stated activity. Permits for water not being used could allow water to be sold and brought or traded which presently is not permitted. This also may restrict other water users or water able to be returned to the stream. |

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|--|---------|----------|--|---------------|--|
| Federated Farmers of New Zealand (Inc) | 42/78 | amend | <p>Amend [to] "(xvi) any actual effects on any water body".</p> <p>Add additional matters for consideration including the following or wording to that effect: <u>"the economic efficiency of the system</u> <u>the extent to which existing investment relies on the reliability and volume of the current allocation</u> <u>the potential to respond to a change in land use</u> <u>the potential for the use of water for storage."</u></p> <p>Supports the notification and written approval clause.</p> | Oppose | Cumulative effects are an important consideration and therefore potential effects need to be retained in (xvi). |
| Kawarau Station Ltd | 47/78 | amend | <p>Under clause (iv) a change words should be:</p> <p>"the rate and volume of water historically accessed <u>if able to be ascertained</u>".</p> | Oppose | Do not accept that farmers are unable to determine amount of water being used given the value of water to their business. If proposed wording was included it would create a loop-hole that may lead to greater water extraction than historically used. |

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| The Director-General of Conservation | 48/78 | amend | <p>That the following amendments are made to Rule 12.1.4.8:</p> <p>"(i) The amount of water to be taken and used <u>and the stated use</u>; and ... (xxv) <u>Any need to locate the intake so to avoid adverse effect on fish spawning sites</u>; (xxvi) <u>The natural character of any affected water body.</u>"</p> | Support | The amount of water taken is linked to its stated use, and consideration is given to avoiding, remedying or mitigating adverse effects on fish spawning sites and on the natural character of water bodies. |
| Pioneer Generation Ltd | 38/11 | amend | <p>Delete the last sentence from the first paragraph of the Explanation [to read] as follows: "...require adequate water supply."</p> <p>Add a fourth paragraph to the Explanation as follows or to like effect (additional text shown underlined): "<u>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.</u>"</p> | Oppose | Economic values are already covered in the plan – the proposed wording if adopted places too great an emphasis on hydro generation as it states "the council will consider". |
| The Director-General of Conservation | 48/11 | amend | <p>That the Principal reasons for adopting be amended as follows:</p> <p>"...This will ensure Otago's communities can provide for their social, <u>recreational</u>, cultural and economic wellbeing, now and for the future."</p> | Support | The inclusion of recreational is supported as it balances the economic wording. |

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|--------------------|---------|----------|--|---------------|--|
| TrustPower Limited | 51/11 | amend | <p>Insert the following text: "<u>(e) the impact on existing hydroelectric power schemes within the catchment where water is to be exported from.</u>"</p> <p>Any similar amendments to like effect.</p> <p>Any consequential or other amendments that stem from the amendment of Policy 6.4.0C as proposed in this submission including to amend the rules (such as Rule 12.1.4.8) to give effect to this submission.</p> | Oppose | Economic values are already covered in 'D' – the proposed wording if adopted places too great an emphasis on hydro generation. |
| TrustPower Limited | 51/110 | amend | <p>Delete 16.3.1.4A; or</p> <p>If retained, [hydroelectric power schemes] HEPS are to be exempt from 16.3.1.4A due to the importance placed on renewable electricity generation under the RMA, and also given that such an assessment would be superfluous; and</p> <p>If retained that a trigger mechanism be established to determine the circumstances where 16.3.1.4A should be invoked.</p> <p>Any similar amendments to like effect. Any consequential amendments that stem from the deletion or amendment of 16.3.1.4A.</p> | Oppose | The RMA also notes lakes and rivers, and the inappropriate use of them, as matters of national importance. The RMA does not give matters of national importance a weighting against each other so HEPS cannot be exempt. |

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|--|----------|----------|--|-----------------|--|
| Hamish Winter | 19/15 | oppose | That Council abandon this foolish idea [where if you don't use all your consent, some can be taken off the consent holder] and leave consent holders with their current consents as they are, or be held accountable for the decrease in land value suffered by us the consent holders caused by decreases in allocated takes. | Oppose | This approach may preclude future opportunities such as water being returned to the river with the cessation of deemed permits. |
| Otago Water Resource Users Group ("OWRUG") | 41/15 | amend | That the third paragraph of the Explanation be deleted. | Oppose | This removal of this paragraph opens the way for arguments supporting low instream flows that do not fully protect instream values. |
| Federated Farmers of New Zealand (Inc) | 42/15 | amend | <p>Delete entire policy, or add wording to the effect that provides for the following matters:</p> <p>"(a) <u>the economic efficiency of the system</u></p> <p>(b) <u>the extent to which existing investment relies on the reliability and volume of the current allocation</u></p> <p>(c) <u>the potential to respond to a change in land use</u></p> <p>(d) <u>the potential for the use of water for storage.</u>"</p> <p>Delete reference to "historically accessed" throughout policy and subsequent amendments to plan change.</p> <p>Delete reference to allocating existing primary takes as supplementary takes.</p> | Oppose | There has been an expectation that the environment would benefit from a water 'claw back' with the cessation of mining rights. This proposed approach may preclude future opportunities such as water being returned to the river with the cessation of deemed permits. Furthermore, the proposed rewording or total deletion opens the way for arguments supporting low instream flows that do not fully protect instream values. |

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| Luggate Creek Community and Guardians (representing the Luggate Community) | 45/15 | Did not specify | The ORC allowing or reinstating additional water takes from Luggate Creek, which we were informed were to be deleted, and would not therefore come into this calculated figure. | (not sure of submitters intent) | We oppose the reinstatement of historical deemed permits that have not been used for many years. |
| Kawarau Station Ltd | 47/15 | amend | The Policy should be amended to include words that the take to be at the greatest volume that consent holders are deemed to have historically accessed. | Oppose | This approach precludes the setting of flows to protect the instream environment. Water can be calculated by looking at aspects such as current use, land area and local climate. |

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| TrustPower Limited | 51/15 | amend | <p>Insert a clause (and appropriate explanatory text) within Policy 6.4.2A as follows:</p> <p><u>"In addition, when considering applications for the renewal of takes for hydro-electric power generation it shall be recognised that it is not appropriate to treat HEPS in the same way as other users and regard should also be had to the inherent efficiency of takes for HEPS, the value of investment associated with its physical resources and the desirability of such uses being able to continue to rely on water availability."</u></p> <p>Any similar amendments to like effect.</p> <p>Any consequential or other amendments that stem from the amendment of Policy 6.4.2A as proposed in this submission, including to amend the rules (such as Rule 12.1.4.8) to give effect to this submission.</p> | Oppose | <p>All economic users have investments in infrastructure so one user should not be given extra recognition due to size. There has been an expectation that the environment would benefit from a water 'claw back' with the cessation of mining rights and HEPS should not be exempt.</p> |

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| TrustPower Limited | 51/15 | amend | <p>Insert an 'exception' to Policy 6.4.2A as follows:</p> <p><u>"Any water body where water flow is not recorded is unknown or flow recording devices do not provide an appropriate level of accuracy."</u></p> <p>Any similar amendments to like effect.</p> <p>Any consequential or other amendments that stem from the amendment of Policy 6.4.2A as proposed in this submission, including to amend the rules (such as Rule 12.1.4.8) to give effect to this submission.</p> | Oppose | There is uncertainty in many catchments but there are methodologies which can be used to determine flows. The addition of this wording may hinder the council's ability to implement minimum flows and therefore impact on instream values. |
| The Director-General of Conservation | 48/16 | support | Retain the proposed amendments. | Support | Support this as it enables the more effective management of over-allocated catchments. |
| TrustPower Limited | 51/16 | support | <p>Policy 6.4.2B is retained as provided in the Plan Change.</p> <p>Any similar amendments to like effect.</p> <p>Any consequential amendments that stem from the retention of Policy 6.4.2B.</p> | Support | Support this as it protects from derogation of existing lawfully established water users and supports the first-in-first-served approach under the RMA to water allocation. |
| William John Pile | 34/113 | oppose | There should be no minimum flow put on Welcome Creek. [Monitoring] should be done at Ferry Road. | Oppose | Minimum flows are required to protect instream ecological values. By not placing a minimum flow on Welcome Creek council could set a precedent for no requirement on waterways. Fish & Game support appropriate minimum flows for all waterways. |

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|-----------------------------|-----------------|-----------------|--|-----------------------|--|
| Henry Robert Barry Zwies | 23/ 113 | oppose | That no minimum flow is put on Welcome Creek. | Oppose | Minimum flows are required to protect instream ecological values. By not placing a minimum flow on Welcome Creek council could set a precedent for no requirement on waterways. Fish & Game support appropriate minimum flows for all waterways. |
| Waitensea Ltd | 20/ 113 | oppose | That no minimum flow is put on Welcome Creek. | Oppose | Minimum flows are required to protect instream ecological values. By not placing a minimum flow on Welcome Creek council could set a precedent for no requirement on waterways. Fish & Game support appropriate minimum flows for all waterways. |
| Hamish Winter | 19/ 113 | oppose | That Council not place a minimum flow on Welcome Creek. | Oppose | Minimum flows are required to protect instream ecological values. By not placing a minimum flow on Welcome Creek council could set a precedent for no requirement on waterways. Fish & Game support appropriate minimum flows for all waterways. |
| William John Pile | 34/ 113 | oppose | There should be no minimum flow put on Welcome Creek. [Monitoring] should be done at Ferry Road. | Oppose | Minimum flows are required to protect instream ecological values. By not placing a minimum flow on Welcome Creek council could set a precedent for no requirement on waterways. Fish & Game support appropriate minimum flows for all waterways. |

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|--|---------|----------|---|---------------|--|
| Henry Robert Barry Zwies | 23/113 | oppose | That no minimum flow is put on Welcome Creek. | Oppose | Minimum flows are required to protect instream ecological values. By not placing a minimum flow on Welcome Creek council could set a precedent for no requirement on waterways. Fish & Game support appropriate minimum flows for all waterways. |
| Waitensea Ltd | 20/113 | oppose | That no minimum flow is put on Welcome Creek. | Oppose | Minimum flows are required to protect instream ecological values. By not placing a minimum flow on Welcome Creek council could set a precedent for no requirement on waterways. Fish & Game support appropriate minimum flows for all waterways. |
| Hamish Winter | 19/113 | oppose | That Council not place a minimum flow on Welcome Creek. | Oppose | Minimum flows are required to protect instream ecological values. By not placing a minimum flow on Welcome Creek council could set a precedent for no requirement on waterways. Fish & Game support appropriate minimum flows for all waterways. |
| Federated Farmers of New Zealand (Inc) | 42/82 | support | Retain. | support | Minimum flows are required to protect instream ecological values. By not placing a minimum flow on Welcome Creek council could set a precedent for no requirement on waterways. Fish & Game support appropriate minimum flows for all waterways. |

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|--------------------------|-----------------|-----------------|---|-----------------------|---|
| Horticulture New Zealand | 44/82 | support | Retain (with consequential amendments sought by Horticulture NZ) Rules 12.1.4.9 through to 12.2.2A.1. | support | Minimum flows are required to protect instream ecological values. By not placing a minimum flow on Welcome Creek council could set a precedent for no requirement on waterways. Fish & Game support appropriate minimum flows for all waterways. |
| William John Pile | 34/ 112.1 | oppose | There should be no minimum flow put on Welcome Creek. [Monitoring] should be done at Ferry Road. | Oppose | Minimum flows are required to protect instream ecological values. By not placing a minimum flow on Welcome Creek council could set a precedent for no requirement on waterways. Fish & Game support appropriate minimum flows for all waterways. |
| Henry Robert Barry Zwies | 34/ 112.1 | oppose | That no minimum flow is put on Welcome Creek. | Oppose | Minimum flows are required to protect in stream ecological values. By not placing a minimum flow on Welcome Creek council could set a precedent for no requirement on waterways. Fish & Game support appropriate minimum flows for all waterways. |
| Waitensea Ltd | 34/ 112.1 | oppose | That no minimum flow is put on Welcome Creek. | Oppose | Minimum flows are required to protect in stream ecological values. By not placing a minimum flow on Welcome Creek council could set a precedent for no requirement on waterways. Fish & Game support appropriate minimum flows for all waterways. |

| SUBMITTER NAME | SUB/ REF | POSITION | SUBMITTER DISCUSSION REQUESTED | SUPPORT/ OPPOSE | SUBMITTERS JUSTIFICATION |
|--|-----------------|-----------------|---|------------------------|---|
| Hamish Winter | 34/112.1 | oppose | That Council not place a minimum flow on Welcome Creek. | Oppose | Minimum flows are required to protect in stream ecological values. By not placing a minimum flow on Welcome Creek council could set a precedent for no requirement on waterways. Fish & Game support appropriate minimum flows for all waterways. |
| Pioneer Generation Ltd | 38/30 | oppose | Reinstate Policy 6.4.19. | Oppose | 35 years is to long for a term of consent given climate change, landuse changes and a plethora of other variables which can affect flows and the ability to take water. (NB: Minimum flows may address this issues) |
| Otago Water Resource Users Group ("OWRUG") | 41/30 | oppose | That this policy be reinstated. | Oppose | 35 years is to long for a term of consent given climate change, landuse changes and a plethora of other variables which can affect flows and the ability to take water. (NB: Minimum flows may address this issues) |
| Federated Farmers of New Zealand (Inc) | 42/30 | oppose | Reinstate policy as stated in plan. Retain specific policy providing for maximum term consents. | Oppose | 35 years is to long for a term of consent given climate change, landuse changes and a plethora of other variables which can affect flows and the ability to take water. (NB: Minimum flows may address this issues) |
| Horticulture New Zealand | 44/30 | oppose | Retain Policy 6.4.19. | Oppose | 35 years is to long for a term of consent given climate change, landuse changes and a plethora of other variables which can affect flows and the ability to take water. (NB: Minimum flows may address this issues) |

| SUBMITTER NAME | SUB/REF | POSITION | SUBMITTER DECISION REQUESTED | SUPPORT/OPOSE | SUBMITTERS JUSTIFICATION |
|--------------------------------------|---------|-----------------|---|---------------|---|
| Pisa Irrigation Company | 46/30 | did not specify | State the term the consent would be issued for, we suggest 35 years. | Oppose | 35 years is to long for a term of consent given climate change, landuse changes and a plethora of other variables which can affect flows and the ability to take water. (NB: Minimum flows may address this issues) |
| TrustPower Limited | 51/30 | oppose | Retain Policy 6.4.19. Any similar amendments to like effect. Any consequential amendments that stem from the retention of Policy 6.4.19 | Oppose | 35 years is to long for a term of consent given climate change, landuse changes and a plethora of other variables which can affect flows and the ability to take water. (NB: Minimum flows may address this issues) |
| The Director-General of Conservation | 48/18 | amend | The following amendment be made to Policy 6.4.10A: "...(ii) <u>35%</u> of the calculated mean annual recharge for those aquifers not specified in Schedule 4A..." | Support | Concerns are held about the ability to accurately determine groundwater linkages and recharges. The proposed NES is provides a more precautionary approach and may better protect groundwater resources. |
| The Director-General of Conservation | 48/18 | amend | The following amendment be made to the Explanation: "...(i) The individual take would not cause the cumulative take from the aquifer to exceed <u>35%</u> of the mean annual recharge of the aquifer, or the maximum allocation volume listed in Schedule 4A; and" | Support | Concerns are held about the ability to accurately determine groundwater linkages and recharges. The proposed NES is provides a more precautionary approach and may better protect groundwater resources. |

| SUBMITTER NAME | SUB/REF | POSITION | SUBMITTER DESCRIPTION REQUESTED | SUPPORT/OPOSE | SUBMITTERS JUSTIFICATION |
|--|---------|----------|---|---------------|---|
| The Director-General of Conservation | 48/100 | amend | <p>That the following amendments are made to Rule 12.2.3.4:</p> <p>"(i) The amount of water to be taken and used <u>and the stated use</u>; and ... (xxii) <u>Any impact on ecological and/or recreational and/or cultural values.</u>"</p> | Support | The amount of water to be taken and used is linked to its stated use, and consideration is given to avoiding, remedying or mitigating adverse effects on the values listed. |
| Federated Farmers of New Zealand (Inc) | 42/100 | amend | <p>[Amend] "(xi) any actual effects on any water body".</p> <p>Add additional matters for consideration including the following or wording to that effect: <u>"the economic efficiency of the system</u> <u>the extent to which existing investment relies on the reliability and volume of the current allocation</u> <u>the potential to respond to a change in land use</u> <u>the potential for the use of water for storage."</u></p> <p>Supports the notification and written approval clause</p> | Oppose | Cumulative effects are an important consideration and therefore potential effects need to be retained in (xi). |

| SUBMITTER NAME | SUB/ REF | POSITION | SUBMITTER DECISION REQUESTED | SUPPORT/ OPPOSE | SUBMITTERS JUSTIFICATION |
|--|----------|----------|---|-----------------|--|
| The Director-General of Conservation | 48/104 | amend | <p>The following amendment be made to the fourth paragraph of Principal reasons for adopting [12.2]:</p> <p>"The taking and use of groundwater under Rules 12.2.2.1 to 12.2.2.6 will have no more than minor adverse effects on the aquifer from which the water is taken, any wetland, lake or river, <u>and the ecological, recreational and cultural values contained within these</u>, or on any other person taking water...".</p> | Support | This amendment gives greater definition as to what values are to be considered when assessing groundwater takes. |
| Federated Farmers of New Zealand (Inc) | 42/1 | Support | Support encouraging the most effective and efficient use of water. | Support | We support this approach but need to be aware of the cumulative effects of land intensification. |
| Federated Farmers of New Zealand (Inc) | 42/1 | amend | Introduction should include wider considerations where deemed permits transition to resource consents and the importance of investment on security of supply. | Oppose | There has been an expectation that the environment would benefit from water 'claw back' with the cessation of mining rights. This proposed amendment may preclude future opportunities such as water being returned to the river with the cessation of deemed permits. |

| SUBMITTER NAME | SUB/REF | POSITION | SUBMITTER DISCUSSION REQUESTED | SUPPORT/OPOSE | SUBMITTERS JUSTIFICATION |
|--|---------|----------|---|---------------|--|
| Federated Farmers of New Zealand (Inc) | 42/1 | amend | Include social and economic considerations of existing and future investment in water infrastructure (delivery and applications). | Oppose | There has been an expectation that the environment would benefit from water 'claw back' with the cessation of mining rights. This proposed amendment may preclude future opportunities such as water being returned to the river with the cessation of deemed permits. |
| Kawarau Station Ltd | 47/1 | amend | That the proposed change to Introduction 6.1 by addition of words "will recognise current access to water, but will also consider the intended purpose of use of the water" needs to be amended to " <u>acknowledge and recognise the current access</u> " and "will also consider the <u>current</u> purpose for the use of the water" not "intended". | Oppose | There has been an expectation that the environment would benefit from water 'claw back' with the cessation of mining rights and this would involve revisiting the effects of the takes. |

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