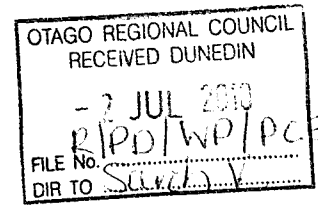


From: Brian Miller [b.a.miller@actrix.co.nz]
Sent: Friday, 2 July 2010 9:27 p.m.
To: Policy Reply
Subject: Proposed Plan Change 3A



Brian Miller
77 Riccarton Road West
2RD Mosgiel
9092
ph: 4897779

Submission on the Proposed Plan Change 3A

Any consideration of Minimum flows should be flexible enough to respond to maintaining the health of the river. The Taieri river has many communities along its banks as it travels from its source to the sea. The needs of these communities are many and varied. From domestic use, stock use, irrigation and leisure, such as swimming, fishing and boating.

The health of the river must be a major consideration in setting any minimum flows.

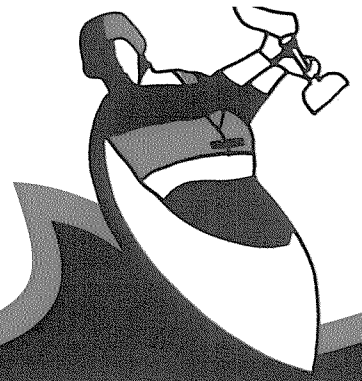
Conditions that I would like to see incorporated into minimum flows are as follows.

1. That a water standard for the level of nutrients, such as fertilizer, runoff and pollutants be established. That is of a safe standard for all uses.
2. That weekly water tests are taken to monitor the water standards.
3. If water tests show that the water is unsafe, and will have a negative effect on the health of the river, as well as those that use the water from the river, a reduction in water taken from the river by those who draw water from the river should be put in place. This would increase the water flow, diluting pollutants in the river, bringing the water back to safe levels quicker. When the water tests show that the water is safe then the normal extractions should be able to continue.
4. Any costs in monitoring the safe levels of the water for the health of the river and its users should be met through consent fees, user charges and levies from fishing license's.

Brian Miller

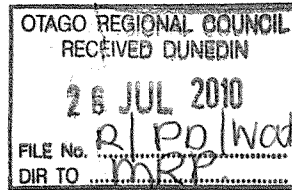
KAYAK

OTAGO CANOE AND KAYAK CLUB



2

Mrs M E Oakley
72 Signal Hill Road.
Opoho
Dunedin 9010



23 July 2010

Submission Form - Minimum Flow Taieri River 2010

Dear Fraser Mc Rae

Thank you for sending me all the documents related to the Proposed Plan Change 3 A.

We – members of OCKC understand the focus of the “minimal flows” is to meet the minimum needs of: Sports fish reproduction, Native fish reproduction and fishery recreation interests. Nowhere in the documents is there a stated interest that would meet needs of recreational kayakers.

Kayaking recreational flow requirements begin at: (as measured at) Tiroiti 8 cumecs, Sutton 12 cumecs and Outram 15 cumecs. Therefore OCKC considers that the ORC has deliberately decided not to cater for kayaking recreation in the setting of new environmental flows.

The Taieri River is viewed by recreational kayakers as having the properties of the Grand Canyon, lacking only flowing water. Flat- lining minimal flows does nothing to enhance the river. Instead it embeds an industrial irrigation agro business infrastructure, which takes the river further beyond recovery from its natural state.

With flowing water, The Taieri River, contains rapids of grade 11, 111, and 1V difficulty. Flowing through beautiful schist rock walls, just an hour’s drive from Dunedin, with flowing water it could be another natural tourist attraction for Otago.

Members of OCKC would be happy to meet and assist staff of the ORC with a better understanding of kayakers needs on how to return the river to a worthy kayak trip.

A handwritten signature in cursive script that reads "Maggie Oakley". The signature is written in black ink and is positioned above the typed name.

Yours sincerely,
Maggie Oakley



SUBMISSION FORM
Proposed Plan Change 3A
(Minimum Flow for Taieri River at Tiroiti)
to the Regional Plan: Water for Otago

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

2

Office use only

Full name of submitter: MRS Maggie Oakley
 Name of organisation (if applicable): Otago Canoe and Kayak Club
 Postal address: c/o 72, Signal Hill Rd. Opohe
Dunedin 9010 Postcode: 9010
 Telephone: 03 4737752 Fax: -
 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: Maggie Oakley Date: 23 July 2010
 (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)

The Proposed Minimum Flows at Tiroiti are set to meet the needs of: Sports fish reproduction, Native fish reproduction and fishery recreation interests.

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

That the proposal does not meet the needs of recreational kayakers. Flat-lining minimal flows does nothing to enhance the river. Instead it embeds an industrial irrigation agro business infrastructure, which takes the river further beyond recovery from its natural state.

Please turn over

I seek the following decision from the local authority:

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

Kayaking, recreational flow requirements
begin at: (as measured at) Tiroiti 8 cumecs,
Sutton 12 cumecs, and Owham 15 cumecs.

Fold

SUBMISSIONS MUST BE RECEIVED BY 5.00 PM, MONDAY 26 JULY 2010.

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

3

**DAVID MCATAMNEY I WISH TO BE HEARD WITH THIS
SUBMISSION**

SENT 26 JULY 2010

OTAGO REGIONAL COUNCIL RECEIVED DUNEDIN	
26 JUL 2010	
FILE No.	R1001/interp/PC3A
DIR TO	OR SUBMISSO

MRP.

**SUBMISSION TO ORC RE PROPOSED MINIMUM FLOW OF
1.15cu at TIROITI on TAIERI RIVER.**

I have over 40 years experience owning and managing one of the main water rights on the main Stem of the Kyeburn River. During that time I have observed its many moods, from summer and winter floods through to the frequent low and NO flow summer periods. In the 46 year that I have lived with the Kyeburn it has NEVER FAILED to flow SOME water to the Taieri, but very OFTEN IN THE SUMMER AND EARLY AUTUMN it would have LONG Reaches of TOTALLY DRY RIVERBED THIS MAKES IT A VERY UNIQUE AND UNREALABLE TRIBUTARY TO THE TAIERI BECAUSE OF THE DRY RIVERBEDS WHERE THE WATER GOES UNDRGROUND THUS NOT REACHING ANY DESTINATIONS LOWER DOWN.

Summer and Autumn this year 2010 was one of those dry seasons, ie there was a good flow of water through the rocks at Dansey Pass Hotel (there are No water takes above this point) yet, there was a dry reach of riverbed before the confluence of the little Kyeburn, still NO water takes apart from perhaps 1 or 2 very small domestic takes.

I very strongly believe that the Minimum flow of 1.15 cm PROPOSED TO BE SET at Tiroit is TOO HIGH

• **REASONS**

- When the min flow at the GREEN BRIDGE of 1 cm at Waihiata is breached, the Kyeburn is most often at an extreme LOW flow and cannot provide any more water than it is flowing at its confluence with the TAIERI.
- The water take CONSENTS on the Kyeburn and Swinburn are severely reduced at the same time AS the Green Bridge reaches 1cumec. Most of the small takes are NOT possible, OR have just enough for limited stock water.
- I concede that in DRY seasons when min flows may breach, they (water consents) are still live but are at seriously reduced take.

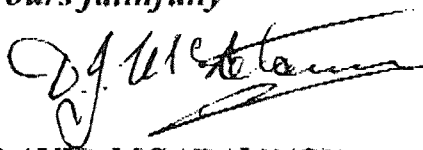
- The big question to ORC is how do you transport that water from where it is being taken, to the Kyeburn confluence with the TAIERI, considering that when all reduced takes are returned to the riverbed they become very slow moving underground water unable to contribute to Tiroiti Levels.
- IT is GUT wrenching for water uses to release their takes to support a measurment anywhere downstream and see it disappear to ground water within a few hundred metres and it becomes **NO USE** to anyone **MAN, BEAST, FISH**, or Support a min flow. Every one looses as it is an **impossible equation**. Also you cannot take away domestic, and stock water, or peoples **RIGHT TO FARM THROUGH DROUGHTS**. After all ORC policy is **NO AREA SHALL BE STRANDED DRY**.
- The ORC has set the recommended min flow of 1.15 cu at **TIROITI** from information from a graph prepared by their Hydrologist, Matt Hicky who has researched ORC records. A graph of coloured dots representing Rainfall, prepared by 1 person that pays **NO** attention to the flow and very unique topography of the Kyeburn and Swinburn is **NOT** enough Information as it does not allow for the records over the last century to have any bearing on these tributaries. I also consider the evaporation and the severe heat and light on a burning hot shingle riverbed has not been addressed either.

In conclusion I urge the ORC hearings Panel to consider these points very carefully this is local Knowledge which is invaluable and cannot be correctly put on any Draft as all aspects have not been considered as living and breathing these rivers gives extensive correct information and **MUST** be considered
We need to reduce the minium flow at TIROITI to no more 1.075 cu OR SUGGEST A BANKABLE, RELIABLE, LOCAL KNOWLEDGE PLAN TO SUPPORT THE MINIMUM FLOW THEY ARE SUGGESTING.

THIS IS COSTING THE WATER USES AN LARGE SUM OF MONEY AND WE MUST GET IT RIGHT. TAKING ALL THE INFO AVAILBLE, IF PROPERLY USED. should obtain the correct answer

I WISH TO BE HEARD WITH THIS SUBMISSION

*Thanking you
Yours faithfully*

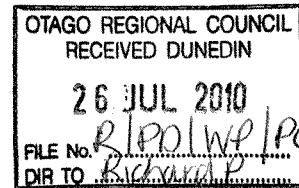


DAVID MCATAMNEY

Submission on Proposed Plan Change 3A to the Otago Regional Plan: Water

Clause 6 of First Schedule, Resource Management Act 1991

To: Otago Regional Council
Private Bag 1954
Dunedin 9054



Name of Submitter: Oceana Gold New Zealand Limited ("Oceana Gold")

1. This is a submission on proposed Plan Change 3A– Minimum Flow for Taieri River at Tiroiti - to the Otago Regional Plan: Water ("the **proposal**").
2. This submission relates to the proposal in its entirety.
3. Oceana Gold's submission is:
 - a. In support of the proposal.
 - b. Oceana Gold supports the proposal because it will improve the management of water allocation in the Taieri catchment.
4. Oceana Gold seeks the following decision from the Otago Regional Council:
 - a. That the Otago Regional Council approve the proposal to establish a new minimum flow and new monitoring site for the Taieri River.
5. Oceana Gold wishes to be heard in support of its submission.

6. If others make a similar submission, Oceana Gold will consider presenting a joint case with them at the hearing.



Oceana Gold New Zealand Limited

By its duly authorised agents

ANDERSON LLOYD LAWYERS

Per: M A Baker

26 July 2010

Address for service of submitter:

Oceana Gold New Zealand Limited

C/- Anderson Lloyd

Private Bag 1959

Dunedin

Telephone: 03 4773973

Fax: 03 4773184

Contact Person: M A Baker

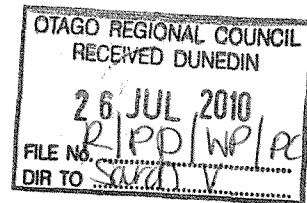
Maree.Baker@andersonlloyd.co.nz

5

**SUBMISSION ON OTAGO REGIONAL COUNCIL
PROPOSED PLAN CHANGE 3A**

To: Otago Regional Council
Private Bag 1954
Dunedin 9054

Policy@orc.govt.nz



Name of Submitter: Kyeburn Water Users Group (Submitter)

Address for service: c/- Goodman Tavendale Reid
Solicitors
PO Box 442
Christchurch 8140

Attention: Alanya Limmer / P J Newland

Phone: (03) 374-9999
Fax: (03) 374-6888

1 This is a submission on:

The Otago Regional Council Proposed Plan Change 3A (**Plan Change 3A**)

2 This submission relates to the following provisions of the Proposed Plan:

2.1 Changes to Map B3 establishing:

- (a) a new catchment area: 'Taieri Catchment Waipiata to Tiroiti' (**Tiroiti Catchment**)
- (b) a new monitoring site MS5b at Tiroiti

2.2 Consequential amendments to Rule 12.1.4.4

2.3 Proposed amendment to Schedule 2A implementing a minimum flow at monitoring site MS5b

3 This submission supports Plan Change 3A in so far as:

3.1 The Tiroiti Catchment and monitoring site MS5b are established.

4 The reasons for supporting the above provisions of the Proposed Plan include, but are not limited to, the following:

4.1 The Submitter is of the view that it is desirable to have a catchment and monitoring site which recognises the distinct hydrological characteristics of the Kyeburn area and Tiroiti Catchment.

5 This submission opposes Plan Change 3A in so far as:

5.1 Proposed changes to Schedule 2A impose a minimum flow of 1150l/s on the Tiroiti Catchment.

6 The reasons for opposing the above provisions of the Proposed Plan include, but are not limited to, the following:

- 6.1 The submission relates to land contained within the proposed Tiroiti Catchment. The members of the Submitter group own and farm land within the Tiroiti Catchment and the Proposed Minimum Flow (defined below) will directly impact on their use and enjoyment of their land.
- 6.2 Plan Change 3A proposes to alter Schedule 2A, to introduce a minimum flow at monitoring point MS5b of 1150l/s (**Proposed Minimum Flow**).
- 6.3 Policy 6.4.0 requires the Otago Regional Council (**ORC**) to "recognise the hydrological characteristics of Otago's water bodies" when managing the taking of water. The implementation of minimum flows pursuant to Schedule 2A comprises one vehicle by which the taking of water is managed.
- 6.4 The ORC has recognised the distinct hydrological characteristics of the Tiroiti Catchment in establishing monitoring point MS5b. However, the Submitter is of the view that the process by which the ORC has calculated the Proposed Minimum Flow fails to recognise the hydrological characteristics of the Tiroiti Catchment. Accordingly, the Proposed Minimum Flow conflicts with Policy 6.4.0.
- 6.5 The Submitter is concerned that process by which the appropriate minimum flow for the Tiroiti Catchment was assessed and calculated contains a number of unverified assumptions and methods, including but not limited to:
- (a) The minimum flow is set on the basis that the Tiroiti Catchment forms part of a normal 'downstream flow' catchment, rather than a distinct catchment area with localised rainfall events and significant surface water flows¹;
 - (b) An assumption following 6.5(a) above that the Proposed Minimum Flow *must* be complementary to the Waipiata minimum flow and Sutton minimum flow²;
 - (c) An assumption that all water taken in the Kyeburn is taken during low flow periods for the Tiroiti Catchment³;
 - (d) The Proposed Minimum Flow is established by way of correlation with Waipiata flows, the calculation of which show that there are specific distinct inputs within the Tiroiti Catchment, which call this method of setting the Proposed Minimum Flow⁴ into question.
 - (e) An assumption that minimum flow lower than 1000l/s for the Tiroiti Catchment will guarantee less water for those users downstream of Tiroiti, without establishing the effect of other hydrological inputs for the Sutton monitoring point⁵.
- 6.6 In view of the lack of investigation referred to in paragraph 6.5 above, the s32 Report has failed to adequately take into account the benefits and costs of the Proposed Minimum Flow and any alternatives. The s32 Report has also failed to identify the risk to the Submitter and broader Kyeburn community of proceeding to implement the Proposed Minimum Flow, with insufficient information as to the distinct hydrological characteristics of the Tiroiti Catchment⁶.
- 6.7 The Submitter is of the view that the introduction of the Proposed Minimum Flow without appropriate evaluation and investigation is contrary to the objective of enabling the sustainable use and development of Otago's water bodies⁷. By failing to adequately investigate the appropriate minimum flow for the Tiroiti Catchment the Submitter is of the view the ORC will in

¹ Management Flow for the Taieri River at Tiroiti, Part 5.1, page 8

² *Ibid*, Part 1.1, page 1

³ *Ibid*, Part 5, page 6

⁴ *Ibid*, Part 5.1, page 8

⁵ s32 Report, Option 2, 'costs'

⁶ Resource Management Act 1991, s32(4)

⁷ Regional Plan: Water for Otago, Chapter 5, Objective 5.3.6

fact be imposing a minimum flow that is overly conservative, disproportionate, contrary to Policy 5.4.3 and Part 2 of the Resource Management Act 1991.


7 The submitter seeks the following relief:

- 7.1 That the Tiroiti Catchment and monitoring site MS5b introduced by changes to Map B3 and Rule 12.1.4.4 be retained;
- 7.2 That the Proposed Minimum Flow Schedule 2A be amended to 0 until significant further detailed investigation is undertaken as to the ecological and community requirements for water within the Tiroiti Catchment.

8 The submitter wishes to be heard in support of its submission.

- 9 **If others make a similar submission the submitter would be prepared to consider presenting a joint case with them at any hearing.**

DATED at Christchurch this 26th day of July 2010.



A C Limmer / P Newland
Counsel for the Submitter

RECEIVED
5/7/10

Policy Team

26 JUL 2010
RIPD/NP/PC3A/sub 26.7.10
FILE NO. 26
DIR TO SARAH V

6

Submission to Proposed Plan Change 3A.

Minimum Flow For Taieri River at Tiroiti.

Proposed primary allocation minimum flow of 1150 L/s as proposed.

I urge the Otago Regional Council to listen carefully to submissions lodged to this matter by the Taieri River Irrigation Representative regarding the minimum flow figure.

I do not have the knowledge to oppose that figure (1150 L/s) but believe that flow to be at the extreme upper range of potential minimum flow figures.

Calendar year 2009 followed on from a very dry and slow spring, when generally irrigation flows available to farmers were below the normal expected flows.

Which carried on this pattern during the summer months when it was obvious that water available for irrigation was well below that required to maintain optimum pasture production, which in turn provides suitable pasture feed quality to fatten livestock and provide the necessary winter feed, both growing as winter feed crops, and harvested as hay or silage.

Setting the arbitrary minimum flow figure at a level which can only be supported by demanding farmers reduce their water take, knowing that that demand would significantly reduce seasonal farm production, would be an unreasonable demand on farm production & consequent reduction in farm and region profitability.

I question whether the minimum flow figure should be as great as 1150 L/s.

Thankyou

Gerald Dowling