



16 MAY 2019

19-M-00702

Stephen Woodhead  
Chairman, Otago Regional Council  
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Dear Stephen

## Flows in the Manuherekia, Arrow and Cardrona Catchments

Thank you for the discussion with you and your Councillors on 22 March 2019.

I recognise that the need for a planning framework to address deemed permit replacements is not of your Council's immediate making. I also acknowledge the points made that it is complex and that, in the interest of efficiency of process, a single regional plan change process would be desirable. However, this issue remains unresolved after 30 years and I want to do what I can to help.

As we discussed, my expectations are that appropriate regional plan provisions are notified, and have progressed through all the relevant hearing and appeal processes, in time to consider the consent applications. If a single regional plan to implement the National Policy Statement for Freshwater Management (NPS-FM) direction on water quality and quantity cannot be completed in time, a narrower plan change will be necessary to respond to these matters.

With this in mind, in accordance with powers under section 24A of the Resource Management Act 1991, I am appointing Peter Skelton to investigate whether the Otago Regional Council (ORC) is on track to adequately perform its functions under section 30(1) of the Act, in relation to freshwater management and allocation of resources.

The investigation will focus on whether ORC has, or will have, an appropriate planning framework in place that appropriately gives effect to the NPS-FM, in time to consider all applications for new water permits before deemed permits expire. It will also look at what support the Council might need to achieve this.

A Ministry for the Environment official will be in contact with you to provide information on the investigation process, including when it will be undertaken and what is required from ORC. I ask for your co-operation with this investigation, which I hope will be valuable to your future regional plan change process.

For the avoidance of doubt (and because the media is likely to ask), it is not my intention to replace the ORC councillors with commissioners. I will be considering what action, if any, to take after I receive advice following completion of the investigation.

Should you have any questions about this investigation, please contact Robert McClean (0220676655 or Robert.McClean@mfe.govt.nz).

Yours sincerely

A handwritten signature in blue ink, appearing to read "David Parker".

Hon David Parker  
**Minister for the Environment**

CC Sarah Gardner, Chief Executive Office – Otago Regional Council