

Our Ref: DOC-6371110

Date: 20 July 2020

Otago Regional Council

70 Stafford St

Private Bag 1954

DUNEDIN

Attn: Consents Manager/ Ethan Glover

**QUEENSBURY RIDGES Ltd, QUEENSBERRY**

**PROPOSED WATER TAKE CONSENT: RM 19.312.02: SCHOOLHOUSE CREEK**

**SECTION 100 RMA WITHDRAWAL OF RIGHT TO BE HEARD**

Regarding the applicant’s request dated 20 July 2020 for the Director-General (D-G) to consider his rights to be heard on the above resource consent application, which the D-G has submitted on.

The Department of Conservation has consulted with the applicant’s agent, Mr Will Nicolson of Landpro Limited. I advise we have come to an agreement (as outlined in an email to ORC and DOC on proposed conditions also dated 20th July) that satisfies the concerns raised in the Director-General’s submission if the consent conditions and terms proposed by the applicant enclosed in Appendix 1 are imposed.

I can advise my position is now neutral on the application and D-G no longer wishes to be heard at the upcoming hearing. I would appreciate if you could please pass on this position onto the hearing panel. Please be advised that the original of this letter has been sent to Will Nicolson for the applicant’s records. If you have any questions regarding this letter, please contact Herb Familton at (027) 290 6025 or [hfamilton@doc.govt.nz](mailto:hfamilton@doc.govt.nz).

Yours sincerely,



Mike Tubbs

Operations Manager, Central Otago / *Kā Moana Haehae*

Pursuant to a delegation for the Director-General of Conservation[[1]](#footnote-1)

Enc: Appendix 1.

cc

Landpro Ltd

13 Pinot Noir Drive

CROMWELL 9342

**OTAGO**

Attn:Will Nicolson

**APPENDIX 1**

**Proposed Conditions**

* *Prior to decommissioning of the existing Schoolhouse water race, the Consent Holder shall employ a suitably qualified individual to translocate indigenous fish species present in the race to a safe distance upstream of the race in Schoolhouse Creek. To minimise harm to fish, best practice methods shall be used for the translocations, and the work shall only be undertaken on a cool and/or overcast day.*
* *At the time of decommissioning of the water race, Schoolhouse Creek shall be re-routed back to it’s original (natural) course to ensure continuity of flow.*
* *Prior to exercise of this consent, the Consent Holder shall install a fish screen in accordance with the plan(s) provided in Appendix* ***XX****.* 
  + *Before installation of the fish screen, the Consent Holder must submit a report to the Otago Regional Council containing the design plans and specifications for the screen and its installation and the operation and maintenance plan for the screen, together with a letter from a person experienced in freshwater ecology and fish screening techniques certifying that the screen is fit for purpose.*
  + *Within 12 months of fish screen installation, confirmation must be provided to the Otago Regional Council, by a person with experience in freshwater ecology and fish screening techniques, stating that the fish screen has been installed in accordance with the details provided to Otago Regional Council as shown in Appendix* ***XX.***
  + *The intake structure and fish screen shall be operated in accordance with operation and maintenance procedures as established through condition* ***XX*** *above. A record must be kept of all the maintenance and monitoring carried out (and provided to Otago Regional Council upon request).*
  + *The Consent Holder shall ensure that 2 mm mesh screens are installed from September 1st through to December 31st. 4 mm mesh screens may be used for the remainder of the abstraction period. Screens shall be clearly labelled to indicate 2 mm or 4 mm mesh size. Date stamped photo evidence of 2 mm screens installation at the start of the irrigation season shall be obtained, with screen aperture labels clearly visible, and this photo evidence shall be retained by the Consent Holder and provided to Otago Regional Council upon request during the consent term.*

1. Note: A copy of the Instrument of Delegation may be inspected at the Director-General’s Office at Conservation House, *Whare Kaupapa Atawhai*, 18/32 Manners Street, Wellington 6011. [↑](#footnote-ref-1)