



LANDPRO

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10 March 2020

Landpro Reference: 18344

Council Reference: RM20.020.01

Otago Regional Council
70 Stafford Street
Dunedin, 9054

Dear Kirstyn,

Re: Request for Further Information under Section 92(1) of the Resource Management Act 1991 – Application for replacement of Deemed Permit 95789 (Pisa Holdings Ltd et al.)

In reference to your request for further information dated 27 February 2020, please find outlined below our response to this request.

Question 1: *The application has been reviewed by the Councils Resource Science Unit (RSU). RSU notes that no residual flow is proposed. RSU has concerns that through not proposing a residual flow, there could be effects deemed to be more than minor on the natural character of Amisfield Burn. A residual flow could also consider downstream water users within the Amisfield Burn catchment. As such, RSU request that the applicant provide a residual flow to maintain natural character downstream of their takes, or provide further justification as to why no residual flow is proposed.*

The applicant's intake on the Amisfield Burn is an open channel diversion, meaning it never takes the full flow of the creek. Generally speaking, roughly 50% of the flow in the creek is allowed to pass the intake, even during low flows. Quantifying a residual flow past the intake would be very difficult, therefore a consent condition requiring the applicant to leave approximately 50% of the natural flow in the creek past the intake may be considered acceptable by RSU/ORC. This would safeguard the natural character of the Amisfield Burn downstream of the intake, along with ensuring that downstream water users (Smallburn, LLHLP) are able to exercise their own water permits. We are happy to discuss this further with ORC.

Question 2: *The application has also been assessed by the ORC Compliance officer who notes that the application confirms that R S Perriam has a race that discharges water into the Five Mile Catchment. The compliance team notes that Perriam does not have a retake permit granting the right to abstract water that is discharged into Five Mile Creek. Please provide an assessment of the water retake from Five Mile Creek and advise if this retake forms part of the application (note Perriam's legal descriptions: Lot 100 DP 433991; Lot 3 DP 453152; and others).*

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Perriam's (Wakefield Ltd) race does flow alongside Five Mile Creek for some of its length, however at no point is there any direct discharge of Amisfield Burn water from the race to Five Mile Creek. The below image should help to visualise this. From the main 95789 race, Perriam's Wakefield Race flows above and parallel to Five Mile Creek until it reaches the flats. From here, the race and the creek's paths diverge somewhat, with Five Mile Creek eventually flowing under SH6 and into Lake Dunstan. There is no defined end-point for the Wakefield Race, however there is a small possibility for some of the residual water at the end of the race to flow into the lower Five Mile Creek channel. There is no retake of water from Five Mile Creek.



I trust that the information set out above satisfies the request for further information. However, if you have any further queries, please do not hesitate to contact me.

Kind Regards,

A handwritten signature in blue ink, appearing to read 'Will Nicolson', with a long horizontal flourish extending to the right.

Will Nicolson
Scientist/Resource Management Planner
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