

**SUBMISSION BY PHILIP BLAKELY AND MARY WALLACE ON WATER PERMIT APPLICATION
RM19.151**

1. We have owned our property (approximately 21 ha) at the base of the Crown Range Terrace known as Pennyroyal since 1989. [REDACTED]

The Royal Burn flows through our property before joining the Arrow River. We have a share in Water Permit 97402. The property is farmed together with a larger dryland unit in the Maniototo. It forms a key part of the farming operation providing baleage, grazing for lamb finishing and growing out young ewes.

2. We value water from the Royal Burn for irrigation and stock water however we also value the natural character and amenity values of the Royal Burn including seeing a reasonable and continuous flow in the Creek as it passes through our property and seeing a good flow at the waterfall on the upper face of the Crown Terrace. The waterfall is visible from parts of our property and is a notable feature of the area which land owners/residents of the area value and appreciate.
3. In recent years we have observed a decrease in the water flow both through our property and over the waterfall. The flow through our property has at times been reduced to a miserable trickle. In the summer of 2017/18 the creek dried up completely for several weeks for the first time since we have owned the property in 32 years. The flow had decreased in earlier dry years but it had never stopped. There was also no visible water in the waterfall for the same period. At the time this was attributed to the applicant's water use in particular the golf course development. We now note that this observed reduced/nil flow coincided with the increased water use by the applicants.
4. Land owners working and living in view of the waterfall have noticed less flow during summer months in the years since the applicant increased its water take compared to how it used to be. The table included in Ms Lennox's evidence (Paragraph 81) shows that increase in water use by the applicant in the 2017/18 and 2018/2019 irrigation seasons.
5. Ms Lennox in her evidence (Paragraph 83) dismisses the perceived lower flows mentioned by submitters of Deemed Permit 97402 however as referred to above the lower flows observed coming over the Crown Terrace at the waterfall (as well as the no flow in the creek -paragraph 3) were significant and had nothing to do with infrastructure flaws as she suggests. The natural character and amenity values of the Royal Burn have been significantly compromised in recent years.
6. We have no objection to the applicants receiving a fair and equitable share of water for their use but note that they are seeking a large amount of water, a considerable amount of it being for non-productive use (private golf course,

and extensive amenity areas). It is questioned if this non-productive private use is a good use of a precious resource in this day and age and also question if it is consistent with the National Policy Statement for Freshwater Management 2020 (NPSFM).

7. The 15 year period for such a high allocation located at the head of the catchment is considered unwise. It is noted that a condition has been proposed that would enable the allocation to be reviewed however such a review process is likely to be difficult and protracted. In our view a 6 year period would be more appropriate considering the size of the take and its location i.e at the head of a catchment.
8. In addition, we note that there are applications for various water takes downstream of the applicants and there may well be more as developments occur. There needs to be adequate water left in the creek to service these and existing downstream users.
9. Irrespective of whether the lower flows in the Royal Burn lower reaches are due to the increased use by this applicant or not, it points to the need for caution in allocating such a large water take at this time.
10. We also consider it is premature and neither sensible or responsible to grant such a high water allocation and low residual flow prior to a minimum flow being set for the Arrow River/catchment.
11. The water take proposed by the applicants seems high and greater than the resource can sustain even with the reductions proposed since the application was first notified. The Section 42A Report states for the Royal Burn North Branch the Ministry for the Environment River Flow database estimates the Royal Burn North Branch to have a mean annual flow of 33.7L/s and a MALF of 10.7L/s upstream of the point of take (page 20). The primary allocation now sought and recommended by the Section 42A report is 15L/s. This is more than the mean annual flow and more than the MALF. We consider the rate of take should be less than the MALF. We support the Auhaka submission on this point.
12. The combined water take for the Royal Burn (Sites 1&2) and new Chums Creek (site 3) as sought by the applicants and recommended by the Reporting Officer, Miss King still, seems excessively high, especially in view of the non-productive aspect i.e golf course. While the residual flow regime recommended by Ms King goes some way to alleviating our concerns we still consider it is too low and the applicants are effectively sucking the Royal Burn dry leaving a token residual flow.
13. There are uncertain and contradictory views about what water contributes to the flows of the Royal Burn downstream and lack of understanding of surface flows and groundwater generally on the Crown Terrace. Ms Lennox states

that the Royal Burn picks up water lower down to sustain flows implying that this makes it okay to take more water from the North Branch and that the North Branch contribution to flow is somehow less important. It is however all part of one catchment. It is our view no tributaries of the Royal Burn should be over allocated. Taking almost all the water in a tributary and leaving down stream flow to rely on various non-specific, poorly understood contributions to compensate would constitute poor management of our precious water, creeks and their environs.

14. We do not consider the application in its current form is consistent with the NPS-FM and support the Aukaha submission that the current planning framework does not give effect to the NPS-FM. We seek a conservative approach to take and residual flow.

Comment on Recommended Conditions of the Section 42A Staff Recommending (MS Kings) Report

Consent Term

We consider that a 6 year term is appropriate in this case due to large allocation sought, location at head of catchment, lower flows observed in the lower reaches of the Royal Burn, no MALF flow for Arrow River.

Condition 3:

We consider the rate of abstraction to still too high to guarantee the sustainable management of the Royal Burn. The quantity of water that is being used for non-productive uses i.e that do not benefit the environment, economic or social needs of the community is also questioned.

Conditions 4-6:

At this point do not support. We maintain our opinion that rates of take and residual flows should be conservative for the sustainable management of the Royal Burn, and until the minimum flow has been set for the Arrow catchment and there is more surety with the planning framework.

We **do not** support the condition Ms Lennox proposes to replace conditions 4-6.

Condition 7, 8 No comment

Condition 9

We support no less than 10 L/s. Our preference is for a greater amount than 10 L/s for surety of water in the Royal Burn. The declining residual amounts of water flow in the Royal Burn through our property over the summer indicate caution with allocation is required.

We do not support the proposal by Ms Lennox for 5 L/s.

Condition 10 – 17 – Support.

Conditions 18: Support

Condition 19: Support

Thank you for the opportunity to contribute this submission.

Philip Blakely & Mary Wallace

June 8, 2021