

This is a further submission to the Environmental Protection Authority where the matter relates to request for change to plan where Minister has made a direction under section 142(2) of the Resource Management Act 1991.

The plan change is the Water Permits Plan Change – Plan Change 7 to the Water for Otago: Regional Plan.

Part A: Further submitter details

Name of organisation: <i>(if relevant)</i>	Landpro Limited		
Title:	<input type="checkbox"/> Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Dr <input type="checkbox"/> Other: (Please tick the appropriate title)		
First name of further submitter:		Surname of further submitter:	
First name of contact person: <i>(if different to above)</i>	Claire	Surname of contact person: <i>(if different to above)</i>	Perkins
Home Ph:		Work Ph:	
Mobile:	027 445 6897		
Email address for service:	claire@landpro.co.nz		
Postal Address: <i>(or alternative address for service)</i>	PO Box 302, Cromwell		Postcode: 9342

Part B: Interest

Only persons that come under the following categories may make further submissions.

<p>I am a person representing a relevant aspect of the public interest.</p> <p>The grounds for saying why I come within this category are explained below. <input type="checkbox"/></p>	<p>I am a person who has an interest in the WPPC that is greater than the interest the general public has.</p> <p>The grounds for saying why I come within this category are explained below. <input checked="" type="checkbox"/></p>	<p>I am the local authority <input type="checkbox"/></p>
<p>Please specify the grounds for saying why you come within the category above:</p>		
<p>Landpro Limited represents the interests of many farming clients who hold deemed and water permits to take, dam and use water within Otago.</p>		

Part C: Do you wish to be heard in support of your further submission?

<p>I do not wish to be heard in support of my further submission <input type="checkbox"/></p>	<p>I wish to be heard in support of my further submission. <input checked="" type="checkbox"/></p> <p>If others make a similar submission, I will consider presenting a joint case with them at a hearing. <input checked="" type="checkbox"/></p>
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Part D: Further submission points

If you require additional space for any question(s) please attach further documents or paper to this further submission form and clearly state your name and the question(s) you are expanding on.

Name of original submitter	Particular parts of the submission you support/oppose <i>Please indicate whole submission or submitter point ID (e.g. 70005)</i>	Are you in support of or in opposition to the particular whole/part of the submission?	What are your reasons for your support or opposition?	Do you seek for the whole/part of the submission to be allowed or disallowed (select one)?
Ministry for the Environment	70034.01 – Amend Policy 10A.2.3 to remove the non-complying activity exemption to consent duration	Oppose	<p><i>This approach fails to recognise the years of work that permit holders have put into investigating environmental, especially hydrological and ecological, effects of their activity on the environment and to demonstrate the effects will be no more than minor and to support a longer duration than 6 years. With this information, many permit holders are also therefore able to demonstrate consistency with NPSFM objectives and policies.</i></p> <p><i>This approach also demonstrates the lack of understanding that the submitter has of deemed and water permits in Otago. Most of our clients are unable to comply with the conditions of Rule 10A.3.2.1 for matters other than</i></p>	Disallowed

			<i>term of consent sought and therefore this approach would result in the replacement of their permits being a prohibited activity and therefore unable to continue</i>	
<i>Ministry for the Environment</i>	<i>70034.02 – Delete Rule 10A.3.2.1</i>	<i>Oppose</i>	<i>This approach fails to recognise the years of work that permit holders have put into investigating environmental, especially hydrological and ecological, effects of their activity on the environment and to demonstrate the effects will be no more than minor and to support a longer duration than 6 years. With this information, many permit holders are also therefore able to demonstrate consistency with NPSFM objectives and policies. In respect of cumulative effects, in most catchments with several permits, the permit holders are working together at a catchment scale to identify and propose appropriate residual/minimum flows and therefore cumulative effects can be effectively managed. Reference to consents being recently granted for longer than 6 years under this rule fails to recognise that all those permits that have been granted for longer than 6 years were lodged prior to the WPPC being notified, and most were</i>	<i>Disallowed</i>

			<i>lodged prior to the Skelton report and the WPPC even being discussed.</i>	
<i>Ministry for the Environment</i>	<i>70034.03 – Add a prohibited activity rule for an activity that doesn't meet conditions of Rule 10A.3.2.1</i>	<i>Oppose</i>	<p><i>This approach demonstrates the lack of understanding that the submitter has of deemed and water permits in Otago. Most of our clients are unable to comply with the conditions of Rule 10A.3.2.1 and therefore this approach would result in the replacement of their permits being a prohibited activity and therefore unable to continue. This does not result in a balanced approach to water resource management and ignores the significant economic benefits of farming. Reasons for the inability to comply with this rule include, but are not limited to:</i></p> <ul style="list-style-type: none"> <i>- no meter, malfunctioning or inaccurate meters resulting in rates or volumes of water lawfully and efficiently used on the property being greater than that calculated using the method in Schedule 10A.4;</i> 	<i>Disallowed</i>

			<ul style="list-style-type: none"> - lawful and consented expansion of irrigation areas by utilising storage and upgraded spray irrigation systems after 2017/18 season; 	
Director General of Conservation	71180.04 – include banding and hydrological studies of effects of removing consent priorities	Oppose	<p>The intent of Policy 10A.2.1 and Rule 10A.3.1.1 is to provide for a simple, low-cost, short term consent replacement. Having to determine banding and effects of priority changes for this would require substantial hydrological investigation and add significant cost and time to a process which is likely to be completed as part of the LWP development.</p> <p>Joint water mgmt. so not required</p>	Disallowed
Director General of Conservation	71180.05 – addition of two new criteria in Policy 10A.2.1 to ensure replacement consents are only granted if the life supporting capacity and habitats of native fish and invertebrates are protected	Oppose	<p>This fails to recognise that compliance with the submitters proposed new criteria would require substantial ecological investigations that are not appropriate for a simple, low-cost, short term consent replacement, especially for those seeking 6 year terms.</p>	Disallowed

<p><i>Director General of Conservation</i></p>	<p><i>71180.06 – several additional criteria to Policy 10A.2.3, including that a minimum flow must be established in Schedule 2A of the RPW</i></p>	<p><i>Oppose</i></p>	<p><i>This approach would not allow any permit to be replaced for longer than 6 years in accordance with Rule 10A.3.2.1 if there is no minimum flow already set in Schedule 2A of the RPW. There are very few minimum flows set in Schedule 2A and establishment of new minimum flows will be completed through the LWP process. These minimum flows can then be added on to permits through a review.</i></p>	<p><i>Disallowed in part</i></p>
<p><i>Director General of Conservation</i></p>	<p><i>71180.09 – add additional matters of control to Rule 10A.3.1.1</i></p>	<p><i>Oppose</i></p>	<p><i>This fails to recognise that compliance with the submitters proposed new matters of control would require substantial ecological investigations that are not appropriate for a simple, low-cost, short term consent replacement.</i></p>	<p><i>Disallowed</i></p>
<p><i>Royal Forest and Bird</i></p>	<p><i>71149.01 – change Policy 10A.2.3 to 2030 not 2035</i></p>	<p><i>Oppose</i></p>	<p><i>Fails to recognise that in order to apply for more than 6 years applicants are having to provide substantial information at a significant cost and to demonstrate no more than minor effects and give effect to the NPSFM. A longer term in accordance with the RMA reflects this</i></p>	<p><i>Disallowed</i></p>

Royal Forest and Bird	71149.03 – add in a policy that gives effect to NPSFM	Oppose	Fails to recognise that the WPPC provides for an interim planning framework while the LWP is developed that will address the NPSFM mandatory requirements.	Disallowed
Royal Forest and Bird	71149.04 and 71149.12 – split the current Rule 10A.3.1.1 to include a restricted discretionary activity where the allocation reduction is less than 20%	Oppose	No scientific basis provided for this figure. Does not recognise where permits are being used for efficient irrigation as demonstrated using the Aqualinc methodology. Doesn't reflect simple, low-cost, short term consent approach for 6 year durations. Allowing for public notification can significantly increase the costs for such a short term consent.	Disallowed
Royal Forest and Bird	71149.09 – amend the condition for Rule 10A.3.1.1 to only allow for controlled activity consent where there is an existing residual or minimum flow; and 71149.15 – requiring a minimum flow on any consent granted; and 71149.17 – requiring a cessation of take to maintain an ecological flow	Oppose	Fails to recognise reason for WPPC to provide an interim consenting framework while ORC determine appropriate minimum and residual flows through the LWP. This would also require full hydrological and ecological studies which doesn't reflect simple, low-cost, short term consent approach for 6 year durations	Disallowed
Royal Forest and Bird	71149.10 – requiring a 20% reduction in volumes for controlled activity; and 71149.16 – amend Policy 10A.2.1 to include preference	Oppose	No scientific basis provided for this figure. Does not recognise where permits are being used for efficient irrigation as	Disallowed

	<i>for activities with greater than 20% allocation reduction</i>		<i>demonstrated using the Aqualinc methodology</i>	
<i>Royal Forest and Bird</i>	<i>71149.11 - New matters of control for Rule 10A.3.1.1 to require consideration of effects wetlands and indigenous biological diversity</i>	<i>Oppose</i>	<i>This would require full hydrological and ecological studies which doesn't reflect simple, low-cost, short term consent approach for 6 year durations.</i>	<i>Disallowed</i>
<i>Otago and Central South Island Fish and Game Councils</i>	<i>70045.05 and 70045.10 – make it a prohibited activity for activities seeking longer than 6 years, or which do not comply with the historic use methodology for rates and volumes under Rule 10A.3.1.1.</i>	<i>Oppose</i>	<i>This approach fails to recognise the years of work that permit holders have put into investigating environmental, especially hydrological and ecological, effects of their activity on the environment and to demonstrate the effects will be no more than minor and to support a longer duration than 6 years. With this information, many permit holders are also therefore able to demonstrate consistency with NPSFM objectives and policies. This approach also fails to understand that most existing permit holders in Otago cannot comply with the currently proposed Schedule 10A.4 methodology and the flaws in this methodology as identified in our original submission.</i>	<i>Disallowed</i>

Part E: Signature

Signature of person making further submission or person authorised to sign on behalf of person making further submission. Please note a signature is not required for electronic submissions.

Signature:  Date: 02/10/2020