

**Submission on Proposed Water Permits Plan Change (Plan Change 7)  
to the Regional Plan: Water for Otago**  
*(Form 5, Clause 6 of the First Schedule, Resource Management Act 1991)*

**Form 5**

**Submission on publicly notified proposal for policy statement or plan**  
*Clause 6 of First Schedule, Resource Management Act 1991*

To: Otago Regional Council  
policy@orc.govt.nz

Name of submitter: Aotearoa New Zealand Fine Wine Estates Limited Partnership

Contact person: Nick Paulin

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*This is a submission on the following proposed plan change:*

Proposed Water Permits Plan Change (Plan Change 7) to the Regional Plan: Water for Otago.

We could not gain an advantage in trade competition through this submission.

We are directly affected by an effect of the plan change that

- (a) Adversely affects the environment; and
- (b) Does not relate to trade competition or the effects of trade competition.

The specific provisions of the proposal that our submission relates to and the decisions we seek from Council are as detailed on the following pages.

We wish to be heard in support of our submission.

If others made a similar submission, we will consider presenting a joint case with them at a hearing.

Signature of submitter: .....Nick Paulin..... Date: 4 May 2020.....

*(Or person authorised to sign on behalf of person making submission.)*

*Signature not required if you make your submission by electronic means)*

### **Submission in Opposition and Decision Sought:**

1. Our submission relates to PC7 in its entirety.
2. We oppose PC7 in its entirety.
3. Relief Sought:
  - a. We seek that PC7 is declined in its entirety.

### **Reasons for this Submission**

4. Aotearoa New Zealand Fine Wine Estates Limited Partnership(AONZ) own a 40-hectare property in the Lowburn Valley near Cromwell. The property was purchased 2 years ago with 2.8 ha of existing vineyard and a livestock grazing operation. AONZ are currently developing a further 8 hectares of grapevines with a large investment in water storage and irrigation distribution network.
5. The property includes a water permit (Deemed permit) to take water from the Lowburn River which expires in October 2021. AONZ began work on preparing an application to replace this permit 2 years ago. The work includes gathering information on fresh water ecology and hydrology of the Lowburn catchment along with consultation with affected parties. This information is required for an application under the existing water plan.
6. Under PC7 an application to renew our water permit is a controlled activity, and does not require any of this information. Hence the funds spent on these studies is a waste of money under PC7.
7. PC7 is a shift of the “goal posts” for the Deemed permit replacement applications. For several years now, the ORC has asked individual water permit holders to form catchment groups and work together to gather the data on their respective catchments– hydrology, water use type and fish studies. This work is now irrelevant to the process of PC7 and is viewed as a waste of time, energy and money by those involved
8. PC7 does not recognise specific catchment characters. The national policy statement on freshwater states that water allocation should be approached on a catchment by catchment basis. Each catchment in Otago is unique and a blanket policy fails to take into consideration these unique characters.
9. PC7 does not recognise recent water use. By only looking at the flow records from 2012 to 2017 irrigation seasons the plan change fails to recognise the most recent irrigation seasons. With digital recording of the most recent data there should be no hindrance to including this data in the application to granting new water permits. Further many water permit holders only had their water meters installed in the period 2014 to 2017 and therefore only have 1 or 2 years of flow records to assess within the period 2012-2017. The delay in having water meters installed was not due to complacency of irrigators but was due to a limited supply of water meters and a lack of trained technicians to install them at the time. In our case, the water meter was installed in September 2015 and we only have 2 years of flow data to be assessed within the period set by PC7.
10. PC7 fails to recognise recent land development. Under PC7 the irrigation area is limited to no more than what was irrigated in 2017/18 season. Those who have undertaken development in the previous two seasons (2018/19 and 2019/20) will not have this

investment recognised. Much of this investment is into newer technologies that have much greater water use efficiency.

11. PC7 benefits those who may have mismanaged water. By solely looking at water volume through a metering device, it fails to recognise what that water was used for. Those that were judicious and only took what was required at the time may now be disadvantaged compared to those who operated under the full amount of their water permit whether or not the water was required at the time.
12. PC7 ignores crop type and end water use. The water use allocated to a property should be based on what the needs are for the crop grown balanced with the environmental requirements of the catchment. PC7 does not include any policy around this.
13. PC creates greater uncertainty for businesses with only allowing short term permits. The short-term nature of consents and the disregard for recent developments will create anxiety and stress amongst many water users who are unable to plan for long term investments. Specifically, many viticulture investments look well beyond 6 years. Vines do not crop for the first 3 seasons and generally are considered to reach a peak in quality production around 15-20yrs of age. Not having security of water over a longer term will disadvantage many vineyard operations.