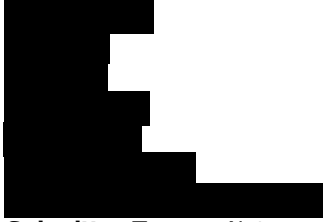


# ORC Water Permits Plan Change

**Submission Reference no:** 27

Loretta Bush, **Loretta and Andrew Bush**



**Submitter Type:** Not specified

**Source:** Web Form

**Clause**

Are you a trade competitor?

**Position**

I am a person who would not gain an advantage in trade competition through this submission

**Notes**

**Clause**

What are you submitting on? You can submit on specific parts of the plan change or the whole plan change.

**Position**

I am submitting on the whole plan change.

**Notes**

**Clause**

What is your view on the matter or the specific parts listed above? Please select one, if you have multiple views state clearly in the notes box below.

**Position**

Support

**Notes**

**Clause**

The reasons for my views are:

**Notes**

The development of an interim consenting framework to issue consents on a short time basis until a fit for purpose framework is in place, is the most practical way to implement national direction and it should be supported

**Clause**

What decision would you like the Environment Court to make?

**Position**

Approve the plan change

**Notes**

**Clause**

The reason(s) for my view and/or any amendment(s) I am seeking are:

**Notes**

The development of an interim consenting framework to issue consents on a short term basis, until a fit for purpose framework is in place, is the most practical way to implement national direction, so it should be supported. The findings of the report from Professor Skelton, outline fundamental flaws in the ability of the ORC to adequately process surface water abstraction consents. Consents issued under the operational Regional Plan: Water For Otago (RPW) will themselves be flawed and lead to outcomes which are out of step with national guidance. Many consents to replace deemed permits issued under the operative RPW have had extremely high allocations, at times 2-3 times higher than the water available at low flows, and allow a very little proportion of water to remain in the river. Consents such as these issued for the long term may undermine the implementation of national direction, such as the ability to phase out over-allocation or recognise Te Mana o te Wai, as review conditions may not enable adequate amounts of water to be returned to waterbodies without frustrating already issued consents. In these cases, the restoration of depleted ecosystems may be put off for up to 35 years. Professor Skelton identified that patterns of water use have continued to change during the transitional period in the years leading up to 2021. Continued changing patterns of water use, for example, an increased reliance of abstracted water, make it more difficult and costly to implement national direction in future. Provisions 10A.2.1(a) - (e) should be supported as transitional measures as they limit changes to water use patterns.

The exception being a small adjustment should be made to 10A.2.1(d) to make clear that short term consents are held to any relevant minimum flows listed in the RPW. A pathway to issue consents up to 15 years in duration is not consistent with the findings of Professor Skelton or the recommendations of the Minister and should be removed, as it derogates from the intended outcomes of the plan change. If it is not removed, at the very least, definition should be added as to what constitutes a no more more than minor adverse effect, including in the cumulative sense, in the context of surface water abstraction. This will help to describe genuine exceptions to the Minister's recommendations and avoid the risk of unnecessary hearings down the track. The Resource Management Act provided deemed permit holders with a 30 year grace period until their permits expired, in which they benefited financially by being able to abstract unreasonably large portions of available water at the expense of the environment and other water users. An interim consenting framework will enable deemed permit holders to continue largely as they have been operating for a further 6 years. If abstractors are subject to financial losses due to the extension, that is surely offset by the financial returns that will be enjoyed both during the life of a short term consent, and the preceding 30 years.

**Clause**

Do you wish to be heard in support of your submission? All submissions will be considered by the Environment Court. Please indicate if you wish to be heard in support of your submission.

**Position**

I wish to be heard in support of my submission

**Notes**

**Clause**

Authority to act:

**Position**

I confirm I have the authority to sign this submission on behalf of the submitter

**Notes**

**The submitter have elected to withhold their personal details from publication.**