

ORC Water Permits Plan Change

Submission Reference no: 55

Clachanburn Station (Mary Falconer)

Submitter Type: Not specified

Source: Email

Overall Notes:

Clause

Are you a trade competitor?

Notes

see submission

Clause

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

Notes

see submission

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.

Notes

see submission

Clause

What decision would you like the Environment Court to make?

Notes

see submission

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



SUBMISSION FORM – Proposed Plan Change 7(Water Permits) to the Regional Plan: Water for Otago

Form 5, Clause 6 of Schedule 1, Resource Management Act 1991

Office use only

Full name of submitter: Mary Falconer

Name of organisation (if applicable): Clachanburn Station

Email: [REDACTED]

Postal Address (or alternative method of contact): [REDACTED]

Telephone: [REDACTED]

I **wish / do not wish** (circle preference) to be heard in support of my further submission.

If others made a similar submission, I **will** consider presenting a joint case with them at a hearing. (Delete if you would not consider presenting a joint case)

Trade competitor's declaration (if applicable)

I could not gain an advantage in trade competition from this submission

I am not 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.

Signature of submitter: Date:

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

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

Please note that all submissions are made available for public inspection.

State what your submission relates to and if you support, oppose, or want it amended:

(e.g. support rule 'x', or amend policy 'y')

Amend policy 10A.2.1 b. No increase in area under irrigation if the abstracted area is to be used for irrigation

Amend policy 10A.2.1e There is a reduction in the volume of water allocated for abstraction

Amend Rule 10A3.1.1b.i The consent duration sought is no more than 6 years

Amend Rule 10A3.1.1b.iii The consent application demonstrates that the land area under irrigation does not exceed that area irrigated in 2017-18 irrigation season

Amend Rule 10A3.1.1b.iv The rate of take shall be no more than the average maximum rate of take limit recorded in the period 1 July 2012 – 30th June 2017

Amend Rule 10A3.1.1b.iv The volume of water taken shall be no more than the average maximum of the daily volume limit or monthly volume limit etc

Methodology for calculating volume limits, and rate of take.

State what decision you want the Otago Regional Council to make:

(e.g. amend policy 'y' to say....)

Irrigated area: Any restriction on irrigated area should be removed from Plan Change 7

Short term consents should be issued with the lowest possible cost, or at the cost of the ORC

Reduction in volume of water allocated for extraction should be linked to established or future established minimum flows and not done in the absence of minimum flows. Where minimum flows are established the consenting process should be exempt from plan change 7, these consents should continue under the existing plan.

Rules and methodology for calculated rate of take need removed from Plan Change 7

Give reasons for the decision you want made:

(e.g. I want policy 'y' changed because...)

I am an irrigator in the Upper Taieri Catchment, we are shareholders in the Maniototo Irrigation Scheme and permit holders and I am gravely concerned for the precedent set by the proposed rules and regulations

Irrigated area:

Limiting the size of irrigated area discourages irrigators from using water efficiently. This is because the same amount of water can be spread over a greater area of land with better infrastructure and/or storage. There are significant environmental, economic and social gains to be made from encouraging this.

On our farm Clachanburn station we are fully developed to modern spray systems, this has meant that in the past 20 years we have increased our irrigated area. We have been able to do this because our irrigation company and our permit allowed us to do so.

By using more efficient irrigation we have gained environmental benefits by preventing run off to our wetland areas and waterways. Run off is known to be high in *E. coli*. It also reduces Nitrogen loss which is beneficial to us and the environment.

Investing in modern spray and storage has taken a huge financial burden upon our farm, requiring a 7 figure sum fund it. If we couldn't increase the area we irrigated then the sum invested would have been unjustifiable simply on increased efficiencies. While we now have a fully developed farm, no farmer that has not done this is going to spend the huge amount of capital required simply to see the water they save from more efficient use forfeited under this plan change. It is detrimental to the encouragement of more efficient systems.

Minimum Flows

The Upper Taieri catchment is protected by minimum flows, resource consents for takes upstream of a minimum flow point include conditions that users cannot take water once levels drop below the downstream minimum flow. These flows were set through a rigorous community consultation process to allow for aquatic ecosystems and natural character values and allow for the sustainable taking of water (Otago Regional Council, 2015). Sub catchments within the Upper Taieri also work to maintain residual flows (established through a similar process) on smaller rivers such as the Kyeburn.

Establishing residual flows and minimum flows has meant that land owners are working together to maintain residual and minimum flows. This approach means that each water user can safely leave water in the river for others to use, knowing that the courtesy will be reciprocated, reducing competition between users and 'Tragedy of the commons'.

For this reason, I believe consents should be rolled over with minimal cost to landowners in catchments where residual flows are not set. Responsibility for lack of minimum flows in catchments such as the Manuherikia lies solely with the Otago Regional Council so irrigators should not be penalised. Following this the ORC should be encouraging group allocation and flow sharing to allow win wins for environmental, economic and social values.

Rules and Methodology for rate and volume of take

Plan Change 7 reduces the allocation of water available for extraction with no evidence of efficiency gains.

Water is most valuable to an irrigator when it is scarce. The methodology for calculating water indicates it will be reduced annually (10A.4.1 (6)) Some irrigation seasons are wetter than others so an allocation of water may not be used. If the abstraction in a wet year is lower than usual, that average will mean that the allocation of water is reduced over time. This is like linking your maximum driving speed to your average speed. If you want to reach 100km on the open, straight road it will pay not to slow down on corners! With this methodology the incentive for the irrigator, is to take all his allocation every single season, so it is not diminished. This is a use or lose mentality, where even in a wet year when soils are saturated the full allocation will likely be applied. This has the potential to create negative environmental outcomes.

Investment in both land and infrastructure requires reliable water supply. Many of those decisions relate to ways to improve the environment and the water quality, as well as how to improve farm performance. For a viable business certainty is required the rules and methodology for the rate and volume of take do the opposite of this. The best way to create win wins for environmental, economic and social values is collaboration between stakeholders and science to create minimum flows, then it will be transparent how much water is available, irrigators can then plan for storage requirements to cover shortfalls. Following this irrigators can work together to share water available leaving enough behind to meet residual flow and minimum flow requirements.

Conclusions

The pathway implied by policies, rules and methodology in Plan Change 7 sends Otago down an adversarial pathway at high cost to all stakeholder groups. It will be more costly for the Otago Regional Council as they will somehow have to enforce all these rules. Costs of compliance will be passed on to irrigators along with costs created by diminishing water allocation without scientific data or economic impact reports. I am gravely concerned for the health and well being of rural communities and the viability of farming in our area if Plan Change 7 is implemented.

Please attach any additional information.

SUBMISSIONS MUST BE RECEIVED BY 5.00 PM ON Monday 4 May 2020

Post to	Otago Regional Council Private Bag 1954 Dunedin 9054
Email to	policy@orc.govt.nz
Deliver to	Otago Regional Council offices at: <ul style="list-style-type: none">▪ 70 Stafford Street, Dunedin▪ William Fraser Building, Dunorling Street, Alexandra▪ Terrace Junction, 1092 Frankton Road, Queenstown
Online at	www.orc.govt.nz

Please note:

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.