



# 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: Danny Walker .....

Name of organisation : Cold Gold Clutha Limited .....

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I **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 (circle one) gain an advantage in trade competition from this submission

Signature of submitter: .....Danny Walker..... Date: .....14 April 2020.....

(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.**

Cold Gold Limited operates the Clutha River gold dredge and are currently in the process of renewing our existing consents, including a non-consumptive water permit.

We consider The Plan Change and s32 analysis does not acknowledge or understand the implications of the proposed plan change on non-consumptive water takes. The proposed policies and rules do not provide any policy support to these non-consumptive takes and force them via a non-complying consenting pathway and a maximum duration of six years. Given the costs associated with renewing consents this presents an unnecessary burden and is not commensurate with the adverse effects on the receiving environment,

Many non-consumptive takes are in conjunction other consents, and a 6-year maximum term will require the cost and frustration of having to seek further consents from your Council outside the natural consenting cycle.

Cold Gold seeks the following relief (additions are underlined and in bold)

1.

That Policy 10A.2.1 read as follows:

Policy 10A.2.1 include an additional limb to read as:

**(f) the water permit is for a non-consumptive take.**

2.

That Policy 10A.2.2 read as follows:

Policy 10A.2.2 read as:

Irrespective of any other policies in this Plan concerning consent duration, only grant new resource consents for the take and use of water for a duration of no more than six years, **except for non-consumptive water takes.**

3.

That Rule 10A.3.1.1 read as follows:

10A.3.1.1 Despite any other rule or rules in this Plan;

- a) any activity that is currently authorised under a Deemed Permit;
- b) or b) the take and use of surface water (including groundwater considered as surface water under policy 6.4.1A (a), (b) and (c) of this Plan) that is currently authorised by an existing water permit where that water permit expires prior to 31 December 2025;

is a controlled activity provided the following conditions are met:

- (i) The consent duration sought is no more than six years; and
- (ii) The deemed permit or water permit that is being replaced is a valid permit; and
- (iii) The application demonstrates that the total land area under irrigation does not exceed that irrigated in the 2017-2018 irrigation season, if the abstracted water is used for irrigation; and
- (iv) The rate of take shall be no more than the average maximum rate of take limit recorded during the period 1 July 2012 – 30 June 2017 and calculated in accordance with the method in Schedule 10A.4; and
- (v) Any existing residual flow, minimum flow, or take cessation condition (whichever is applicable) is included in the application for resource consent; and
- (vi) The volume of water taken shall be no more than the average maximum of the daily volume limit, or monthly volume limit, or annual volume limit (whichever one or more are applicable) recorded during the period 1 July 2012 – 30 June 2017, and calculated in accordance with the method in Schedule 10A.4.

**Or**

- (vii) **The take and use of water is non-consumptive.**

## **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](mailto:policy@orc.govt.nz)

Deliver to Otago Regional Council offices at:

- 70 Stafford Street, Dunedin
- William Fraser Building, Dunorling Street, Alexandra
- Terrace Junction, 1092 Frankton Road, Queenstown

Online at [www.orc.govt.nz](http://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.