

ORC Water Permits Plan Change

Submission Reference no: 26

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Submitter Type: Not specified

Source: Web Form

Overall Notes:

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 specific parts of the plan change (please detail below).

Notes

As per the attached submission

Clause

The specific part(s) of the matter that my submission relates to are:

Notes

As per the attached 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.

Position

Support

Notes

Clause

The reasons for my views are:

Notes

As per the attached submission

Clause

What decision would you like the Environment Court to make?

Position

Approve the plan change with amendments

Notes

Clause

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

Notes

As per the attached 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

17 August 2020

Environmental Protection Authority
Private Bag 63002
Wellington 6140

Otago Regional Council
Private Bag 1954
Dunedin 9054

SUBMISSION ON THE OTAGO REGIONAL COUNCIL PROPOSED PLAN CHANGE 7 (WATER PERMITS)

1. The Dunedin City Council (DCC) thanks the Environmental Protection Authority (EPA) for the opportunity to comment on proposed Plan Change 7 (Water Permits) to the Regional Plan: Water for Otago (PC7).
2. The DCC acknowledges the issues the Otago Regional Council (ORC) seeks to address and supports the long-term goal of sustainable management of water resources in the Otago region.
3. The DCC's water supply system collects, treats and delivers drinking water to around 42,000 properties, or approximately 126,000 people. The system includes 21,000 hectares of water catchment, 1,386km of pipeline, 28 pumping stations, 63 reservoirs (for raw and treated water) and 6 water treatment plants.
4. The DCC holds 30 water take permits from the ORC to take surface and groundwater for the purpose of providing public water supplies to its communities.
5. As provider of Dunedin City's water supplies, the DCC has a strong interest in the changes proposed in PC7 and would have welcomed engagement with the ORC prior to this plan change being notified.
6. The DCC acknowledges the intent of PC7 but is concerned about the removal of special status for community water supplies, the limited duration of consent term, and the application of PC7 provisions in catchments where there is no over-allocation.
7. The DCC looks forward to working with the ORC to align the Regional Policy Statement and Regional Plans with national-level water reforms to promote sustainable management of resources and good outcomes for communities.

Plan Change 7

8. The purpose of PC7 is to provide an interim regulatory framework for the assessment of applications to renew:
 - (a) deemed permits expiring in 2021; and
 - (b) any other permit to take and use surface water (including groundwater managed as surface water) expiring prior to 31 December 2025, when the new Land and Water Regional Plan (LWRP) is expected to be operative; and

- (c) provide direction on the consent duration for all water permits to take and use water.
9. PC7 inserts new Chapter 10A into the Regional Plan: Water which overrides all other provisions.

Community water supplies

10. The Regional Plan: Water recognises the importance of community water supplies in Schedules 1B and 3B by specifically providing for existing surface water and groundwater takes for public water supply purposes. Replacement of an existing scheduled water take for community water supply up to any volume or rate currently consented is a controlled activity. The controlled activity status provides certainty that the consent application will be granted, subject to consideration of the volume of water required and a range of environmental effects.
11. PC7 removes recognition of scheduled community water supplies and the associated certainty a replacement consent would be granted. Under PC7, a replacement consent for a community water supply would likely be assessed as a non-complying activity.
12. Certainty that a resource consent will be granted is critical to provide identified communities a safe and secure long-term water supply to enable social, economic and cultural wellbeing. Certainty is also critical for water suppliers to enable the substantial forward planning and significant financial long-term investment required for water infrastructure.
13. The National Policy Statement for Freshwater Management 2020 (NPSFM), coming into force later this year, prioritises the health and wellbeing of water bodies, followed closely by the essential needs of other people, then all other uses. Retaining the status of community water supplies would be consistent with the NPSFM.
14. The DCC supports the continued recognition and provision for community water supplies through continued application of Rules 12.1.3.1 and 12.2.2A.1. Schedules 1B and 3B would benefit from being updated to include all current community water supplies.

Consent duration

15. Regional Plan: Water for Otago Policy 6.4.19 provides a list of factors to be determined when considering the duration of a consent to take and use water. This policy is proposed to remain but is overridden by proposed Policy 10A.2.2 which states irrespective of other policies a new consent will only be granted for no more than 6 years.
16. Water permits for community water supplies require a sufficient duration to give certainty and enable continuity of water supply to communities to enable social, economic and cultural wellbeing, particularly given the necessary forward planning and significant financial investment required. PC7 disadvantages new water permit applications for community water supplies because the consent will be granted for no more than 6 years.
17. In addition, any delays in the development of the LWRP could result in consent holders again needing to apply for short term consents.
18. The DCC supports community water supplies being granted terms of consent substantially longer than six years, through continued application of Policy 6.4.19.

Allocation

19. The provisions of PC7 affect catchments where there are no identified allocation issues in the same way as catchments where over-allocation issues have been identified. It may be appropriate to consider limiting PC7 to catchments only where over-allocation has occurred.

Specific requests

20. The DCC has three specific requests:

- (1) **Recognise and provide for community water supplies for drinking water** by amending PC7 so it does not apply to any existing take for community water supply for drinking water.
- (2) **Update Schedules 1B and 3B** to include all existing community water supplies for drinking water.
- (3) **Consider** whether PC7 should only apply to catchments where over-allocation is an issue.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Aaron Hawkins', written in a cursive style.

Aaron Hawkins
Mayor of Dunedin

