

**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: Galloway Irrigation Society Incorporated

Contact person: Mike Kelly, Secretary, Galloway Irrigation Society Inc

Address for service: Galloway Irrigation Society Inc.  
PO Box 322  
Alexandra 9393

Email address: gallowayirrigation@gmail.com

*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: .....Mike Kelly..... 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.
  - b. We seek the continuation of the limit setting plan change for the Manuherikia catchment, including both a minimum flow and allocation limit, based on robust hydrology, ecology information, analysis of reliability of supply, and completed cultural, economic and social impact assessments.
4. We support and adopt the submission of the Manuherikia Catchment Group submission on Proposed Plan Change 7, including the reasons for that submission and the relief sought in that submission.
5. We support and adopt the submission of the Otago Water Resource Users Group submission on Proposed Plan Change 7, including the reasons for that submission and the relief sought in that submission.

### **Reasons for this Submission**

6. The Galloway Irrigation Scheme (GIS) is a relatively small scheme that provides irrigation supply to 520 hectares of land in the Lower Manuherkia Valley. The Scheme has 70 shareholders with land holdings of a range from 2ha lifestyle blocks to the large farm operations of Galloway and Orlig Stations. The land uses include fruit and nut orchards and livestock farming.
7. The Lower Manuherikia Valley (Alexandra basin) has one of the driest climates in NZ with an annual average rainfall of 330mm and is therefore totally reliant on irrigation for any productive land use.
8. The GIS holds three water permits (Deemed permits) to take water from the Manuherikia River and two tributaries of the Manuherikia, Dip Creek and the Manor Burn. The Scheme also holds Deemed permits for dams on the Manor Burn and Dip Creek, and a land use consent for works in the bed of the Manuherikia River for the maintenance of an intake to a water race.
9. GIS has been working on preparing applications for these Deemed permits for the last 5 years. The work includes Hydrology studies, Freshwater ecology study, Dam Safety studies Irrigation efficiency studies, and supply and distribution options.
10. Th GIS was a member of the Manuherikia Catchment Water Strategy Group and is a current member of the Manuherikia Catchment Group. The MCG has run an information gathering programme for the Hydrology and Ecology of the Manuherikia River over the last two irrigation seasons. The programme is funded by the members of the MCG and was planned to be used as supporting information for our collective application for water permits under the existing Water Plan to be submitted later this year.
11. Under PC7 an application to renew our water permits, as a controlled activity, does not require any of this information. Hence the thousands of dollars spent on these studies is a waste of money under PC7.
12. PC7 is a large move of the goal posts for the Deemed permit replacement applications. For several years now, the ORC have been actively promoting (and requiring through the 'consent application acceptance" process) that water users provide the following information with an application to renew existing water permits;

- hydrology information to prove there is adequate water available in the catchment for their proposed use, and allowance for minimum flows in the catchment and residual flows at the point of take.
- freshwater ecology information that describes fish type and abundance and the effects on the freshwater ecology from the proposed water take.
- Reports on efficiency for distribution and application of irrigation water.
- Studies on alternative water supplies and or distribution schemes.
- Analysis of effects on the environment and effects on other water users and consultation with affected parties.

In the period of 3 months (from the very restricted discussions on PC7 in January 2020 to the notification of PC7 in March) the ORC has completely “pulled the rug out” from under the previously prescribed process of information gathering for permit applications under the existing Water Plan. The GIS is ¾ of the way through the information gathering process and has spent \$5,000 on Fresh water ecology study, \$6000 on a Hydrology study, \$15,000 on shared (MCG ) Environmental studies for the wider Manuherika catchment, \$3,000 on alternative distribution study, \$20,000 on Planning Reports and around \$50,000 on Dam Safety Studies. Under PC7 these studies will not be required.

13. Deemed Permits for Dams are included in PC7 by the definition of being a deemed permit. However, the Policy and rules in PC7 are silent on how permits to dam water will be assessed. Under PC7 the new permits can only have a 6-year term which is not appropriate for a permanent structure in a water way. As noted above the GIS has spent over \$50,000 on Dam Safety Studies and Forward maintenance programmes and it does not make sense to only be granted a 6-year term for these types of irrigation assets.
14. PC7 does not cover land use consents for works in a water way that are associated with an irrigation scheme. The GIS has a land use consent to carry out works in the bed of a river for the operation of an irrigation intake. This consent will have to be applied for under the existing Water Plan and will require a full assessment of effects and consultation with affected parties. So even if the GIS wanted to take the cost effective, “easy to process” option under PC7, as promoted by ORC, this would not be the case with the associated land use consent and Dam permits.
15. The PC7 policy on short term permits is a dis- incentive for Irrigation Schemes to commit to upgrade works. The uncertainty involved in only obtaining a 6-year permit and the ongoing costs and planning for the next application in 6 years times is a major draw on funds and members time and energy. The GIS have already deferred most capital upgrade work over the last 5 – 7 years for the reason that “we need to get our water permits renewed and the minimum flow in the Manuherikia sorted out first” before committing to large expenditure on more efficient water distribution infrastructure. The 6-year term permits are too short a term to commit to investment in new infrastructure and hence the renewal of our permits under PC7 will prolong the deferral for a further 6 years.
16. The PC7 Rules for assessing existing water use are poorly conceived rules. The restriction of flow records to be analysed to the period 2012-2017 is not sensible. Very few water permit holders in Central Otago will have five years of records over this period as it was not possible to obtain waters meters or get trained staff to install them until mid-way through this period. (We fully endorse the commentary on this issue in the OWRUG submission). The GIS have three separate water takes. Water meters were installed in the late spring in 2013 on two of these water takes which gives 3 full years of flow records to analyse. The other

intake was more complicated and the meter wasn't installed until November 2014 which gives only 2 full years of flow records for analysis. With climate variation in the flow data (ie. a wetter or drier than usual season) and the 'Averaging methodology' used in PC7 it is most likely that the water assessment will not be the appropriate water volume required. In cases where there is a large volume Deemed permit for an open water race take the assessed water will be over-allocated.

17. The PC7 Averaging methodology penalises an efficient irrigator and rewards an inefficient irrigator. This is very evident in the two-different water takes that are operated by the GIS. The water take from the Manuherikia River is pumped and we manage a water booking system within a roster so that the pumps only run on demand. This leads to a large variation in water use between a "wetter than usual" and a "drier than usual" season. When the seasons of flow data are "averaged" in the PC7 methodology then the outcome is a monthly and annual allocation that is not sufficient for a drier than usual season. On the contrary the GIS has another intake that is a "run of the river" water race that runs for most of the season and bywashes surplus water back to the river. The existing permit for this intake is a relatively large volume for the area irrigated and under PC7 assessment methodology, where there is no consideration for area irrigated or efficient use, then the replacement permit will retain its surplus water allocation.
18. In reference to the above example it becomes clear that PC7 is not based on policy or sound methodology that will result in environmental gains either for the freshwater environment or for promoting more efficient use of water.