

FORM 5

SUBMISSION ON NOTIFIED PROPOSAL FOR POLICY STATEMENT OR PLAN, CHANGE OR VARIATION

Otago Regional Council Proposed Plan Change 7 (Water Permits)

To: Otago Regional Council (ORC)
Private Bag 1954
Dunedin 9054

Submission of: Mt Barker Trust
PO Box 170
Dunedin 9054

Contact: [REDACTED]

1. This is a submission on the ORC Proposed Plan Change 7: Water Permits
2. Mt Barker Trust could not gain an advantage in trade competition through this submission.
3. The specific provision of the proposal that Mt Barker Trust's submission relates to are the entire Plan Change.
4. Submission:

Background

Mt Barker Trust is the holder of a 1/3 share in deemed permit 99478 to take 648,000,000 litres per month at a rate of up to 900,000 litres from the Cardrona River Catchment for the purposes of irrigation and stockwater supply.

Submissions

Mt Barker Trust is concerned about the inefficiency and adverse and consequential effects the proposed plan change will have on Mt Barker Trust and the on-going water management practices on its property.

Mt Barker Trust considers the Plan Change should provide a longer-term solution and more efficient solution for permit holders with consents due to expire prior to 2025.

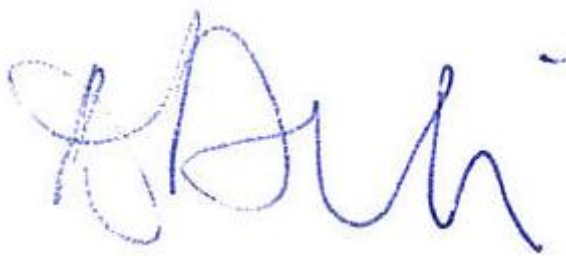
Provision	Support/Oppose	Relief Sought
Objective 10A.1.1	Mt Barker Trust opposes the objective to make the granting of consents and interim solution. Mt Barker Trust considers this to be an inefficient use of resources in terms of cost and time to consent holders and the ORC. Mt Barker Trust also considers the granting of interim consents does not provide consent holders with the ability	Mt Barker Trust seeks that replacement water permits are not an interim measure and that longer duration permits are provided for.

	to confidently plan for future water management.	
Policy 10A.2.1 – 3 Rules 10A.3.1	<p>Oppose</p> <p>Mt Barker Trust opposes the policy and rules to limit water permits to a duration of no more than 6 years. This limited duration does not provide a secure enough basis for establishing water management practices and will result in additional time and cost in future consenting beyond the 6 year duration.</p> <p>Mt Barker Trust also opposes the condition on controlled activity status that the total land area does not exceed that irrigated in 2017-2018. This does not provide for properties where the landholding has been extended since 2018 or where land was under development or not subject to irrigation in that period.</p>	<p>Mt Barker Trust seeks that the 6 year limit is removed.</p> <p>Mt Barker Trust seeks that the condition relating to total land area irrigated is deleted.</p>
10A.3.2	<p>Oppose</p> <p>Mt Barker Trust opposes the non-complying status of applications that do not meet the conditions of rule 10A.3.1.</p> <p>The objective and policies of Plan Change 7 are worded such that any non-complying application under this chapter would fail at the 'gateway test' of Section 104D of the Resource Management Act which requires that the activity will not be contrary to the objectives and policies of operative and proposed plans.</p> <p>The application will then require to pass the test of whether the adverse effects of the activity will be minor before a determination can be made by the authority.</p> <p>Mt Barker Trust considers this approach is too harsh and creates too much uncertainty for the applicant.</p>	<p>Mt Barker Trust seeks that applications that do not comply with the conditions of 10A.3.1 are a Restricted Discretionary Activity with discretion restricted to the condition/conditions that are not complied with.</p>
10A.4	<p>Oppose</p> <p>The methodology for calculating assessed actual usage for surface-water takes for irrigation purposes is complex and flawed</p>	<p>Mt Barker Trust seeks that the methodology in 10A.4 is deleted and a more flexible approach is</p>

	and does not provide for circumstances that may have affected maximum flows in a year. There should be flexibility in the methodology to determine the rate of take and daily, monthly and annual volumes built into the methodology. This should include consideration of past technical issues and past and proposed changes to irrigation practices.	taken to determining rate of take for permits.
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5. Mt Barker Trust wishes to be heard in support of this submission. If others are making a similar submission Mt Barker Trust will consider presenting a joint case with them at a hearing.

Submitted on behalf of Mt Barker Trust

A handwritten signature in blue ink, appearing to read 'H. A. H.', is written in a cursive style.

1st May 2020