



**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: CP and DE Mulholland

Name of organisation (*if applicable*): CP and DE Mulholland

Email: [REDACTED]

Postal Address: [REDACTED]

Telephone: [REDACTED]

I **wish** / 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.

Trade competitor's declaration (if applicable)

I could / could not (*circle one*) gain an advantage in trade competition from this submission

I am / am not (*circle one*) 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 submitter: CP DEMulholland. Date: 01.05.20

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:

Changes we oppose:

- 10A 2.2
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.
- 10A 3.1.1 controlled activity: resource consent required

iii) The application demonstrates that the total land area under irrigation does not exceed that irrigated in the 2017-18 irrigation season if the abstracted water is used for irrigation;

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

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

- 10A .4 Schedule: Methodology for calculating assessed actual usage for surface-water takes for irrigation purposes

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

See attached files.

Minimum of 15 years for permits

Rate of take to be taken over a longer/more varied time period

Methodology for rate of take and volume to be taken over a longer period time and when water is available

Approval of the Pigburn water right that was submitted in February earlier this year prior to PC7.

I want my recorded water right data to be retained and not penalised for false recordings from outside water that I have not used entering my race.

Please see attached files for further explanation

Give reasons for the decision you want made:

See attached files.

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

Proposed Plan Change 7 (water permits) to the regional plan: water for Otago.

Submission

Thank you for the opportunity to provide feedback on proposed Plan Change 7 to the regional plan: Water for Otago.

Introduction:

I live and operate a sheep and beef farm located between Ranfurly and Patearoa utilising water from the Pigburn catchment, with my wife Dale Mulholland, whom I am also submitting this on behalf.

Our farm, known as Brechen, has a permit to take water from a tributary of the Pigburn, with this expiring in 2021 next year. The Maniototo East side irrigation scheme irrigates the majority of our farm, and the remainder of the farm is reliant on the Pigburn creek which also supplies stock water to this area of the farm. It is the Pigburn water right that is directly affected by Plan change 7.

Over the past few years, we have been actively working towards ideas and movements on how we can improve our farming practices and make our contribution to a more environmentally sustainable future. To meet our obligations and achieve our environmental recommendations, we are working on implementing spray irrigation, replacing flood irrigation. This will enable us to use our water take from the Pigburn catchment more efficiently. For this to happen, we have to build a dam. There is no doubt that this plan has substantial financial implications for us but see it as our best way forward to manage our farm and meet the environmental requirements. The process and planning for this have been a long duration expanding over the last four years, and we have poured a lot of time and money into it.

About four years ago an informal "Pigburn users group" consisting of the abstractors of the catchment was formed. Much time was spent together discussing, collecting data and communicating with water planning consultants which also came with financial costs. A joint community application was developed and submitted to the ORC for replacement permits in February 2020 this year, well before the proposed Plan Change 7.

While we are trying to endorse environmentally friendly use of water through the use of dams and pivot irrigation, we had based planning and finances for the development on the basis of the above application. The introduction of potentially PC7 disrupts this and appears not to be supportive. Subsequently, if our community application is not adopted, then PC7 will have substantial negative impacts on our ability to farm.

Following this, we oppose most of the proposals and provisions in Plan 7. It creates uncertainty in our farming practice as it appears to diminish our water rights and ability to develop our farm, and use water in an environmentally efficient way which has been advocated by the government.

We have found it difficult to understand some of the terminologies in the proposed change and feel that it would be beneficial if the proposed council/ government policies would be more supportive in assisting us to move forward when we are trying to meet current best use of environmental resources at considerable cost and stress that it imposes on us.

We appreciate your consideration of our submission but reiterate the difficulty, uncertainty, and ongoing financial implications these changes would result in for us. We welcome the opportunity to further any of the points above, should you wish for more information. For any inquiries relating to this feedback, please contact Chris Mulholland on 0272172166.

Yours faithfully,

Chris Mulholland
Dale Mulholland

01/05/21

(1.0) Status of our lodged application.

As mentioned above a joint community application was developed and submitted to the ORC for replacement permits in February 2020 this year, well before the proposed Plan Change 7. I would ask that the PC7 does not affect our lodging of this application as it would seem unfair for our plans to be abruptly interrupted especially after the considerable amount of time and money we had spent on it to have it cut midstream. It would have a significantly negative impact on all parties involved.

10A 2.2 Only grant new resource consents for the take and use of water for a duration of no more than six years.

A six-year renewal, as proposed in PC7 under 10.A.2.2, will create huge implications for me directly, having a potentially crippling effect on my business and families future. As mentioned previously, we have been working incredibly hard over the last four years to work towards the goal of implicating methods to use our water more sustainably and decrease our environmental footprint in regards to water use. This development involves a considerable investment ranging in the vicinity of a million dollars being spent in the process. This development has been and continues to be a tremendous financial strain. The restriction of a six-year renewal under the PC7 removes a significant amount of financial security. This short consent makes it very difficult to obtain loans from the bank, which we need to continue the go ahead with this development. Also, it is very discouraging to be working so hard to save and spend this amount of money on a project, that under the proposed PC7 leaves me with no certainty on whether after the six years, the development will still be able to be utilised to the extent that we have planned. It is important that we need to have some certainty over the continued availability of water for stock and irrigation purposes.

As an alternative to PC7s proposal of only granting new resource consents for the take and use of water for a duration of no more than six years, I would request a more appropriate timeframe of at least 15 years. This would be a more reliable timeframe and would aid with more certainty from the banks perspective.

10A 3.1.1 (iii)

Controlled activity: total land area under irrigation does not exceed that irrigated in the 2017-18 irrigation season

I oppose provision 10.A.3.1.1 (iii) in PC7 regarding the amount of land under irrigation not being able to exceed the amount in the 2017-18 irrigation season. We would like to be able to irrigate more land than we did during this period if we can. It would make sense to do so following our increased expenditure on irrigation while trying to meet environmental expectations. With the newly planned method of irrigation, we are expecting a result in better pastures, supplementing crops and stock, which we need to utilise to support the financial costs involved in the investment. Our farm is evolving towards irrigating in a much more sustainable matter, therefore, it would make sense that our projected (water) impacts would be far less than our 2017-18 season. This means that we should be able to increase our total land area under irrigation without actually increasing negative environmental consequences.

10A 3.1.1 (iv) (vi)

Controlled activity: Rate of take and volume of water

I oppose the provision 10.A.3.1.1 (iv) & (vi) stating that the rate of take and volume of water shall be no more than the average maximum rate of take limit recorded during the period 1 July 2012 - 30 June 2017. This method seems like an ineffective way to determine appropriate numbers for rate take and volume as it doesn't take into account seasonal variation along with when the water has or has not been used. This being unaccounted for in your methodology (10A.4) proves to be problematic as some years there is drought where there is little water to use and in wet periods the full allocation is not always used. Every year is different, so using data over this small/one-off period may produce an inequitable gauge.

Moving forward, we should be able to use or store our consented amount of water when it is present or in excess since it is only available at certain times.

10A .4

Schedule: Methodology for calculating assessed actual usage for surface-water takes for irrigation purposes

If PC7 goes ahead as it then I strongly oppose the material of 10A.4, the method of calculating rates of take and volume limit.

Concerning the proposed methodology in 10A.4 and provision 10.A.3.1.1 (iv) & (vi) I have an issue with the recordings and calculations. Outside water occasionally enters my race and passes through my meter, as a result distorting my recorded flows. The council is aware of this.

I wish for my recorded water right data to be retained as I have only ever taken my allocated heads of water from the creek, and have not taken any excess which it may be misconceived due to the outside water entering my race. I need not to be penalised on this inaccurate data that may incorrectly indicate I've gone over my consent. This has already been acknowledged and accepted by the council.