

Submission on Proposed Water Permits Plan Change (Plan Change 7)
to the Regional Plan: Water for Otago

To: Otago Regional Council
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From: Richard Tamblyn

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Trade Competition:

I could **not** gain an advantage in trade competition through this submission.

I am directly affected by an effect of the plan change that adversely affects the environment; and does not relate to trade competition or the effects of trade competition.

Speaking Rights:

I would like a representative to be heard in support of my submission at the hearing.

Endorsement:

I am part of the Coal Creek Water Users Group and "Otago Water Resource Users Group" (OWRUG). I would like to endorse their submissions on this Plan Change 7.

Richard Tamblyn

Submission on Policy 10A.2.1

Policy 10A.2.1 Irrespective of any other policies in this Plan, avoid granting resource consents that replace deemed permits, or water permits to take and use surface water (including groundwater considered as surface water under policy 6.4.1A (a), (b) and (c) of this Plan) where those water permits expire prior to 31 December 2025, except where:

- (a) The deemed permit or water permit that is being replaced is a valid permit; and*
- (b) There is no increase in the area under irrigation, if the abstracted water is used for irrigation; and*
- (c) There is no increase in the instantaneous rate of abstraction; and*
- (d) Any existing residual flow, minimum flow or take cessation condition is applied to the new permit; and*
- (e) There is a reduction in the volume of water allocated for abstraction.*

I oppose this policy.

Reasons to reject plan change 7

In my view the ORC do not have a mandate from elected councillors to do this. Pushing this through when 2 councillors have been declared as having a conflict of interest leaves landowners severely disadvantaged and unrepresented. In my opinion, other Councillors have conflicts of interest with environmental groups. The ORC should represent all parties but they seem to be only interested in representing the environmental movement.

If ORC have concerns about consents that are issued under the current plan that it may result in unsustainable outcomes . Water users are more conscious of the environment than we seem to give credit for. Landowners are working in their Farm Environment Plan and things such as water application and fertiliser use will be a part of what is included . Mechanisms such as this and the provisions that are on renewed permits now should provide ample checks and balances.

There is a substantial cost to water users in making an application for a water renewal . It is not fair or a good use of resources to only grant a permit for up to 6 six years .

Remedies

My first preference :

Plan change 7 should **not** be introduced and all remaining deemed permit renewals should be processed under the current plan. If this does not occur there will be an injustice in that those who have already had their permits processed will have received much more favourable terms than those who are still to be processed.

All current water use should be treated as a complying activity without restriction if plan change 7 is used as this is meant to be an interim renewal .

10A.3.1 Controlled activity: Resource consent required

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

a) any activity that is currently authorised under a Deemed Permit; 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.

(iii) This provision using the 2017-18 year only should be removed as it is a retrospective condition. There are many reasons why taking one year to establish usage is not appropriate.

(iv) This should be changed to the average take over the period of time that records are available for. Very few meters were installed in 2012 in my view the most current water usage is the more appropriate data to use.

(vi) As in (iv) above it should measured over the years that records are available .