

From: [Reese Hart](#)
To: [Mailroom Mailbox](#)
Subject: Fw: Plan Change 7 submission - PC7 from James Reese Hart
Date: Wednesday, 11 September 2019 1:28:31 PM

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SUBMISSION ON PROPOSED PLAN CHANGE 7 TO THE CANTERBURY LAND AND WATER REGIONAL PLAN

Clause 5 First Schedule, Resource Management Act 1991

TO: Proposed Plan Change 7 to the Canterbury Land and Water Regional Plan

Environment Canterbury
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By email: mailroom@ecan.govt.nz

Name of submitter:

- 1 Name: James Reese Hart
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Trade competition statement:

- 2 I, James Reese Hart, could not gain an advantage in trade competition through this submission.

Proposal this submission relates to is:

- 3 This submission is on proposed Plan Change 7 (PC7) to the Canterbury Land and Water Regional Plan (PC7).

Wish to be Heard:

- 4 I wish to be heard in support of this submission.
5 I would be prepared to consider presenting a joint case with others making similar submissions at the hearing.

James Reese Hart

Date: 13 September 2019

Submission

I am writing to present my submission on Plan Change 7 to the Land & Water Regional Plan. My submission primarily concerns the 2030 Step two increased minimum flows in the Opihi Mainstream, and the financial implications that will arise as a result. Also, I wish to comment on the phasing out of OEFrag.

I have lived for 50 years on the property "Palm Hills" at Upper Waitohi, which bounds the Opihi River, approx. four kms. Downstream from the Hanging Rock Bridge.

I have firsthand knowledge of how the river was in unmodified form, long before the Opuha Dam was built, and before any water was taken for irrigation above the Hanging Rock Bridge.

The river in those times, struggled to maintain a flow over the summer months, drying up completely in about four years out of ten. Front page photographs in the Timaru Herald, of dying fish having to be rescued were a regular feature. For the remaining six years out of ten, some good summer flows were maintained, but the majority were very low flow years - far below the current minimum flow rates that we have become used to since the dam was built.

As an irrigator on the Levels Plain Scheme, I have real concerns for the future viability of the Opuha Dam and the four irrigation schemes that it supplies. The step two proposal, Table 14(w) from 2030, to take an additional 5.2 million cubic metres additional water to meet increased minimum flows, is a step too far.

The increased 2030 minimum flow will boost summer minimum flows to unnaturally high and unsustainable levels, that have never been part of the rivers history. When minimum flows were introduced at the Saleyards Bridge Pleasant Point; it was widely assumed that 3 cumecs was the desirable level. To everyones surprise, 6 cumecs was the level introduced - double the recommended level. Current minimum flows are way above what the river has had in unmodified form, and are high enough. They are more than adequate to keep the river, its habitat, insect, bird and fish life alive over a dry summer.

As a shareholder in OWL who has invested a lot of time, money and worry into the Opuha Dam structure, it is clear that the proposed 2030 minimum flow increase (grab), will directly affect my ability to irrigate over the dry summers - a time of my greatest need. We as shareholders, have paid to put the Dam in for a purpose - irrigation and to maintain environmental flows, but others are wanting to take the water from us at no cost to themselves, for no quantifiable benefit to the river or its habitat.

Finally, if any increase in minimum flows puts the viability of the Dam and my on farm business at risk, I think that ECan may face the possibility of class action from irrigator/shareholders to seek financial remedy for loss of value of the Dam and on farm.

Perhaps if ECan want all the water from the Dam for other purposes, they should buy us (OWL) out, and let the ratepayers fund the cost and ongoing running expenses !

Various economic modeling suggests the Step two 2030 increase in minimum flows will have a dramatic impact on farming in the Opihi catchment. A significant reduction in economic activity has been quoted, with some estimates being considerably higher. While some farmers with low debt will get through by cutting expenses, others will face bankruptcy.

This is serious enough by itself, but on closer examination it is the downstream effect on processing industries that will hit Provincial communities hard.

Simple logic suggests that each truck leaving the farm will carry less produce (milk, lamb, beef, venison, grain, vegetables and fruit) meaning gross overcapacity in the processing industries. Too much stainless steel means rationalization, with a corresponding loss of jobs I would suggest.

Will the anonymous people who advocate a higher minimum flow than the Opihi Mainstream can stand, be prepared to break the news to all who are going to lose their jobs and possibly their homes ?

Finally, I and many others are mystified as to why the promoters of the Step two increase in minimum flows want to phase out OEFrag.

OEFrag is a local community group of stakeholders who have worked together to micro manage the Dam and river flows in times where intervention is

required eg. To make sure the river does not run dry in times of shortage & to organize flushing of the river when required.

The make up of OEFRAG is diverse, with groups who often hold opposing views to one another, working together for the common good, to maintain the health of the river. To take the decision making out of the hands of OEFRAG, and hand over to the “dead hand” of bureaucracy seems nonsensical.

A prescriptive, non flexible regime such as ECan will be to the detriment of OWL and the Opihi Catchment.

Can you imagine trying to communicate with ECan ?

“All our operators are busy right now, or you have called us after hours. Please do not ring us on weekends, public holidays or before 8.30am and after 4.30pm. Your call is important to us, please call again later, or alternatively stay on the line. You are number thirteen in the queue ” !!!

The choice is clear - Central Control or Local Stakeholder Input.

I have no faith in Central Control, lets retain OEFRAG.

Decision sought from ECan

- Delete table 14(w).
- Amend PC7 to continue the roll of OEFRAG in Opihi Mainstem Flow management.
- I seek the decision sought by Opuha Water Ltd in its submissions on PC7.