

8 November 2022

Charmaine Duffell
Mackenzie District Plan Hearings Administrator
email: districtplan@mackenzie.govt.nz

Dear Charmaine

Plan Change 20: Hearing of Submissions

1. Opuha Water Limited (**OWL**) made primary and further submissions on Plan Change 20 to the Operative Mackenzie District Plan (**PC20**). Since filing those submissions, OWL has had the opportunity to review the section 42A report for PC20 (circulated on 20 October 2022), and the questions from the Independent Hearing Panel (**Panel**) on the same (circulated on 3 November 2022).
2. For the most part, the section 42A report recommends accepting OWL's submissions on PC20. However, OWL's submission seeking that the term "irrigation" be inserted into the list of activities that derive economic value from natural resources in the Mackenzie District in Chapter: NE – Natural Environment (Introduction), was not recommended to be accepted.
3. With the exception of that submission point, OWL agrees with the recommendations of the section 42A report in relation to its submissions and also further submissions. OWL also understands, through correspondence from the Mackenzie District Plan Hearings Administrator, that the Panel have no questions for OWL. For that reason, OWL considers it is not necessary to attend and take up valuable time at the Hearing.
4. OWL respectfully requests:
 - (a) Subject to paragraph 6(b) below, the Panel accept the recommendations set out in the Section 42A report in relation to OWL's primary and further submissions on PC20 for the reasons set out in that report;
 - (b) That the Panel give consideration to including "irrigation" in Chapter: NE – Natural Environment (Introduction) as requested in OWL's primary submission on PC20, for the reasons set out in OWL's submission; and
 - (c) Should the Panel accept the primary submissions of Meridian Energy Ltd and Genesis Energy Limited on elements of PC20 seeking specific recognition of the Waitaki Power Scheme in the planning provisions, the Panel give consideration to extending such recognition to all renewable energy generation activities in the Mackenzie District, including the Opuha Scheme's Hydro-electric Power Scheme, to ensure consistency with the Independent Hearing Panel's decisions on, and resulting planning provisions contained in their decisions on, Plan Change 18 (Indigenous Biodiversity) to the Operative Mackenzie District Plan.

Future Site Visits

5. Independent Hearing Panel's Minute 1 (dated 13 October 2022) advised that the Panel undertook a district wide site visit in mid-October, and that other site visits may be undertaken during or after the hearing of submissions for each stage, as required.
6. OWL would be more than happy to make arrangements for members of the Panel to visit the site of the Opuha Dam and Lake Opuha should they consider that to be of benefit prior to (or following) the Stage 3 hearings for future plan changes concerning infrastructure and Special Purpose Zone, which are currently expected to occur in April/May 2023.
7. OWL has a meeting with Mackenzie District Council planning staff and consultants as part of the Council's stakeholder consultation for the stage 3 plan changes in mid-November and will discuss that option further with them at that meeting.

Should you have any questions in relation to the above, please feel free to contact me at your earliest convenience.

Kind regards



Julia Crossman
Environmental Manager
Mobile: 021 535174
julia@opuha.co.nz