

16 May 2023

Central Otago District Council
By email

**Plan Change 19 - Water and Reverse Sensitivity - Cairine Heather MacLeod - Section 57
Block I Bannockburn SD**

We act for Cairine Heather MacLeod and we provide this letter in connection with her submission in respect of Plan Change 19.

We comment as set out below in respect of the parcel of land (being part of Section 57 Block I Bannockburn SD, Record of Title OT18B/1145 "the land") that our client is seeking to be rezoned as part of Plan Change 19.

Water and Productivity of Land

1. The land is situated in Bannockburn, which according to historical rainfall data receives the lowest median annual rainfall in New Zealand. As such, to productively farm or grow crops in Bannockburn it is necessary to have an irrigation water supply.
2. Bannockburn also suffers hard frosts through spring and in order to grow grapes or other fruit, it is necessary to frost fight. Frost fighting in Central Otago is primarily undertaken by spraying water or by using mechanically generated air movement.
3. We understand that the Central Otago District Council do not allow its reticulated water supply to be used for irrigation or frost fighting. As such, it is necessary to have a private water supply to undertake commercial growing activities. This is not physically available or economically feasible in some cases.
4. Our client's land has no current private water supply capable of supporting commercial growing and the only known possible water supply would be from the Carrick Irrigation Company Limited ("Carrick") scheme. However, our client's land is not connected to the Carrick water scheme and in order to do so would need Carrick board approval, assessment of easements from the scheme supply point to the land (which may necessitate third party easements) and construction of physical water infrastructure from the scheme supply point to the land to be used.
5. The Carrick scheme is a periodical scheme (supplies water to one user at a time for a set period) which would necessitate a significant investment in water storage (usually a water dam) in order to use the scheme water for viticulture or horticulture.

6. The Carrick water scheme was created using deemed water permits originating from the days of mining in the area. All such deemed water permits terminated in 2021 pursuant to the Resource Management Act 1991. As such, it was necessary for Carrick to apply for new replacement water permits under the Resource Management Act 1991. The Otago Regional Council have advised us that such replacement consents have not yet been granted and if granted, will only have a consent term of 6 years.

6. We do not consider that the water consents currently enjoyed by the Carrick scheme would (given the short consent period) give any potential grower sufficient security to incur the significant capital expenditure required in order to develop the land for viticulture or horticulture.

Reverse Sensitivity

7. We understand another submitter (land to the east/ southeast) has raised reverse sensitivity concerns in respect of vineyard frost fighting activities (wind machine) on the land to the east/ southeast. In that regard we would comment as follows:

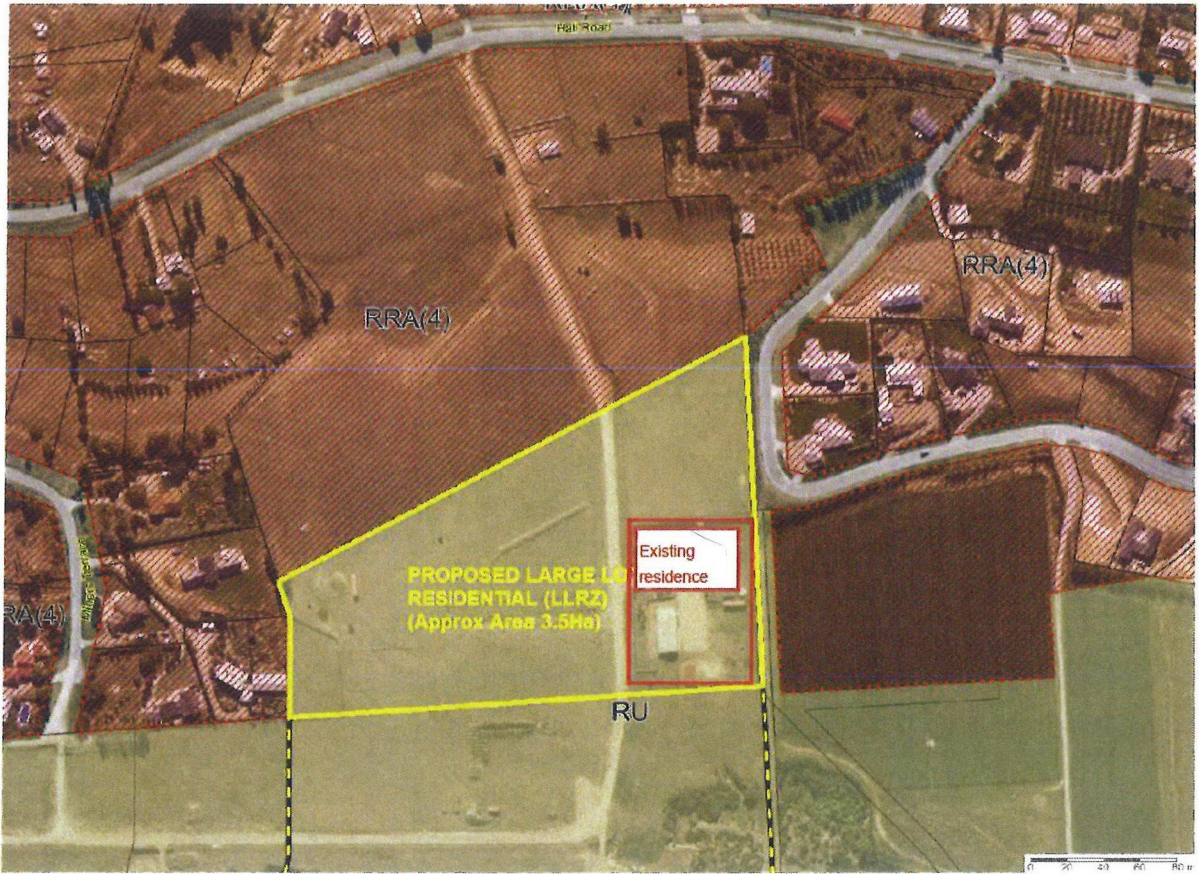
a) A residential dwelling already exists on the land in close proximity to the adjoining vineyard (see map snip below);

b) Other residential dwellings (off Lynne Lane and Miners Terrace) are already in close proximity to the vineyard and the wind machine (see map snip below);

c) Wind machines are only used for limited periods of the year for frost fighting;

d) Modern dwellings can be constructed to control sound; and

e) Our client would be willing to impose a reverse sensitivity covenant in respect of the operation of the existing frost fighting wind machine on the land to the east/ southeast (subject to it complying with the Resource Management Act 1991, the CODC District Plan and the conditions of any resource consent) on any new residential lot created from the land, if the land is rezoned as proposed.



Yours faithfully
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