

Form 30
Submission on publicly notified application for water conservation order
or for revocation or amendment of water conservation order

Sections 205 and 216, Resource Management Act 1991

To: Special Tribunal - Hurunui River Water Conservation Order
c/- Alex Miller
Ministry for the Environment
PO Box 10362
Wellington 6143

Name of submitter: The New Zealand Water & Wastes Association (NZWWA)

This is a submission on an application from the *New Zealand and North Canterbury Fish and Game Councils and the New Zealand Recreational Canoeing Association* for a water conservation order for *Hurunui River*.

The application seeks a Water Conservation Order for the preservation and protection of outstanding features held by the following waters:

- The mainstem of the upper Hurunui River and all of its lakes, tributaries and contributing waters (including hydraulically connected groundwaters) from its source in the Main Divide of the Southern Alps down to immediately above its confluence with the Mandamus River (Upper Hurunui Waters).
- The mainstem of the lower Hurunui River from immediately above its confluence With the Mandamus River down to the Sea (Lower Hurunui River).

It is stated within the application as applied for that the Applicants consider that the amenity and intrinsic values of the Hurunui River and its associated lakes and tributaries are nationally outstanding and should be recognized and sustained by a Water Conservation Order.

It is also stated that the Hurunui River and its associated lakes and tributaries are under increasing threat from major irrigation and hydro-electricity proposals and therefore the Hurunui River needs robust and durable statutory protection to ensure that future generations are able to continue to experience its outstanding values.

The specific parts of the application that our submission relates to are:

The whole application.

Our submission is:

We oppose the order for the following reasons:

- The proposed order would prevent utilising the upper waters of the Hurunui River for primary or secondary industry.

- Agriculture and horticulture underpin the national economy and utilisation of the upper waters of the Hurunui River would allow for the irrigation of approximately 40,000 – 50,000 hectares. The Ministry of Agriculture and Forestry (MAF) have in their *Briefing for Incoming Ministers (November 2008)* noted, “*Further irrigation development, particularly on the eastern side of New Zealand as climate change impacts, will require water storage and distribution systems to deal with fluctuating water availability. Currently only about four percent of all the freshwater that flows toward the sea is extracted. In Canterbury, where most irrigation occurs, just one percent of allocated water comes from storage infrastructure.* In addition, if climate variability does impact it is predicated that alpine sourced water flows are expected to increase. Storage not only enables irrigation but also groundwater re-charge. Implementing the proposed order would preclude both these options.
- The proposed order seeks to prevent storage of water for part of the year in Lake Sumner by employing a small weir at the outlet, and the construction of a water storage dam on the South Branch. Preliminary research suggests such structures would not substantively impact on the flows of the Hurunui River. Storage of water has also been shown to improve river ecosystems.
- We do not believe the characteristics of the Upper Hurunui as outlined in the Application can be considered outstanding. The same characteristics are present on a number of other Rivers in the Canterbury Region.
- We do not believe the characteristics of the Lower Hurunui as outlined in the Application can be considered outstanding. Again the same characteristics are present on a number of other Rivers in the Canterbury Region and this is also a modified environment.
- If it is finally determined that the characteristics outlined by the Applicant are outstanding for both or either of the Upper and Lower Hurunui the final Conservation Order to be issued on the Hurunui must take into account the needs of primary and secondary industry, and of the community. Prohibiting the ability to develop the Hurunui water resource is contrary to this requirement as outlined in s207(b) of the Resource Management Act.
- The Application submitted by the Applicants is unclear on how the outstanding features supposedly present are to be protected. The Application provides no detail on any water allocation regime to be implemented.

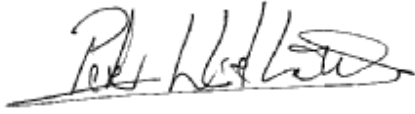
The Application is an additional process to the proposed Natural Resources Regional Plan, the Hurunui District Plan, the Hurunui River Management Plan and the Canterbury Strategic Water Study. All of these processes have considered the values that need protecting and how they should be protected. It is a waste of tax payer resources to consider further protection of the Hurunui River.

NZWWA seeks the following decision from the special tribunal:

- That the application for a Water Conservation Order on the Hurunui be declined.

If others make a similar submission, NZWWA will consider presenting a joint case with them at a hearing.

Signature of submitter



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Date: 9 December 2008

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Note to submitter

You must serve a copy of your submission on the applicant as soon as reasonably practicable after you have served your submission on the special tribunal.

The special tribunal may require you to provide further information on your submission.