

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

Name of submitter: My full name is Ian Charles Horrax of 2 RD Wanaka.

This is a submission on an application from New Zealand and Otago Fish and Game Councils for an amendment to the water conservation order for the Kawarau River which relates to its tributary, the Nevis River. The application seeks to recognise the Nevis River's outstanding values - wild and scenic characteristics; back country trout fishery; natural characteristics, in particular outstanding natural landforms; trout spawning habitat; adult trout habitat (trophy trout); native fishery habitat; scientific - biogeographic river capture; historic and cultural values.

The application seeks to protect those outstanding values by adding a prohibition on damming and diversion of the river and adding a condition on water takes so as not to breach a minimum river flow.

**I support** the whole application.

**My submission** is that I support the proposed amendments to the order both to recognise those outstanding values mentioned above and to add a prohibition on damming and diversion of the river and conditions on minimum river flow.

**The reasons for my submission.**

The Nevis River is simply one of the few remaining natural flowing rivers within the Central Otago region. Its exclusion from the Department of Conservation initiated Kawarau River Water Conservation Order has always mystified me, and its omission has always given me deep concern. The river and its associated valley meet all the criteria required under Section 199 (1) (a) of the Resource Management Act, and demands protection.

It is a truly outstanding fishery.

I have visited the Nevis valley and fished its river on many occasions over the past 15 years or so. I, with my wife Ann run Riversong B&B in Albert Town Wanaka, and have been host to many overseas anglers who return year after year, always with the objective that they must again fish, among others, the Nevis river. Not only is it the fishing that attracts, but it is the naturalness of the whole valley, its isolation as well its historical significance from our early gold mining days. These overseas anglers are simply blown away with the whole experience that this river and its surrounds offer.

As a fishery it is without peer, particularly as regards trophy brown trout, spawning, and as a nursery to young trout. It offers some of the most challenging fishing available within our region. I say to guests on the drive down to the valley floor, not to take this river as easy. It can be moody, and this combined with the altitude and its varying weather patterns, is what constitutes this challenge. It is this challenge that overseas anglers travel long distances, and at a cost, come to experience and enjoy. The benefits from fishing tourism to the Otago community are considerable, and should not be underestimated.

From a local recreational fishing perspective, this river is held in high regard by all who make the effort to access it.

In assessing such an application the special tribunal must have particular regard to the matters set out in Section 199 but also to the "needs of primary and secondary industry, and of the community." The power company in its desire to dam this river, will no doubt argue that the national interest, through further energy production, is greater than those of the community, and that one's benefit leads on to the other's benefit. I would argue that community benefits cover a far wider ambit than those espoused by one particular commercial sector. To allow such an outstanding natural river to be destroyed through damming, is in my view totally abhorrent. The

infinitesimal amount of electricity to be generated from such a scheme, cannot in any way justify such destruction.

I am also very critical of the attitude as taken by the Department of Conservation in not supporting this application. The Department is charged under Section 6 of the Conservation Act, amongst others, of **preserving** all indigenous freshwater fisheries, and **protecting** recreational freshwater fisheries, and freshwater fish habitats. In not supporting this application, my view is that the Department is completely abrogating one of its statutory functions, and should be taken to task. Further in taking such a stance, it may well be inferred that the Department does not see the Nevis river as outstanding, or of no particular significance. Non performance of one of its primary functions, is closer to the truth.

In summary the Nevis valley with its natural flowing river must be protected at all cost from destruction. It meets all the criteria that define the words "outstanding" and "natural."

I seek the following decision from the special tribunal:

To recognise those outstanding values of the Nevis River identified by Fish and Game in the application.

To add a prohibition on damming and diversion of the river and to add minimum river flow conditions to protect the river.

**I do not wish to be heard** in support of my submission.

Ian C Horrax.  
2rd Wanaka  
23rd September 2008.