

Submission on Amendments to the Kawarau River Water Conservation Order

To : Special Tribunal – Kawarau River Water Conservation Order
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Name of submitter: This submission is made by the **Central Otago Environmental Society Incorporated (COES)** (Reg. No. CC20371) which was formed in 2007 by Central Otago residents with a common concern for the qualities that make Central such a special place.

The Main Objectives of the Society are:

1. The protection and preservation of the natural landscape and character of Central Otago, including, but not being restricted to, landscape values, amenity values aesthetic values and Central Otago's endemic flora and fauna.
2. Raising awareness of issues concerning the natural landscape, heritage and resources of Central Otago with the wider public.
3. To encourage and support the Government, the Central Otago District Council, the Otago Regional Council, the Department of Conservation and other statutory authorities as appropriate, to establish policies and make decisions which will preserve and enhance the special character of Central Otago's landscapes, heritage and resources for the benefits of future generations

This submission is in support of an application from New Zealand Fish and Game Council and Otago Fish and Game Council to amend the Kawarau River Water Conservation Order (KRWCO). Proposed amendments cover the Nevis River's outstanding values: wild and scenic characteristics; backcountry 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.

Further amendments are aimed at protecting 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. COES is wholly supportive of Fish and Game's proposed amendments to the order.

COES asks that, when considering the fate of the Nevis you consider the noted 19th century philosopher William James's observation: 'The most significant characteristic of modern civilization is the sacrifice of the future for the present...', and reflect on the thinking behind the continuing environmental practices evident in Pioneer Generation's plans for a key section of the Nevis valley and river. Consider, too, that today the Nevis is just about the only river in Central Otago that hasn't been dammed or diverted - the Clutha, Fraser, Lindis, Teviot, Manuherikia, Taieri all have been, and more dams are planned or under investigation for them and other waterways in the district. We contend it way past time to call a halt. Enough is enough.

COES argues that if today's generations of New Zealanders together wish to be seen as a truly enlightened and caring society, then as a people we would have no hesitation in determining to protect rivers, and landscapes too, on the grounds that such are of inestimable and indispensable benefit, not a cost, to society. Such a determination would signal that our society understood and accepted that, in the overwhelming number of cases, the costs of environmental damage and destruction are greater than the costs of prevention.

In our view, when the KRWCO was put in place, few would have believed that Department of Conservation (DoC) and Pioneer Generation would disregard the varied and major range of values associated with the river, its wonderfully wild gorge below the Nevis Crossing, and its flats along the valley floor, and agree to negotiate a tenure review deal that would freehold land and result in the loss of stunning landscape, recreational, fisheries, cultural and historic values. That DoC and Pioneer Generation would come to such an arrangement smacks of evident disregard for the aforementioned values, and invites serious questions about the ethics and probity of it all.

The Nevis River and valley is a heritage landscape of national importance. It attracts a wide range of recreational users including those interested in nature conservation, mountain bikers, horse trekkers, four-wheel-drive parties, anglers, historians, archaeologists, and so on.

Affirming and salutary qualities associated with our heritage, from mining through to pastoralism to today's multifarious recreational activities, are confirmed by the public's desire for continuing access to the historic sites in the valley. Some go so far as to term the valley an outdoor museum. It must be protected. Pioneer Generation's scheme would destroy a major part of all this.

The Nevis Valley is becoming more and more appreciated and treasured. As the noted author Brian Turner writes in his essay 'In Praise of the Nevis' (in the book *Into the Wider World; A Back Country Miscellany*, Godwit/Random House, 2008), when approaching the Nevis from the east,

'the views north, south, east and west from Duffers Saddle are special indeed. To the north the Clutha River shines as it winds down from Wanaka and enters Lake Dunstan. In the northwest is the Pisa Range and, further away, and to the east, the dun hills guarding the Lindis Pass, gateway to the Mackenzie Country and the high peaks of Tasman and Cook, Aorangi the cloud piercer. The land rolls away in all directions, wrinkled like a giant brain. The near slopes are often tawny-coloured in contrast to the sometimes gun-metal blues of mountains farther off. The breeze seems to ssssss in the grass, and when there's a sparky sun in an azure blue sky, and the hawks are patrolling, the spirits lift with a force that feels almost numinous.

'West are the great sweeping faces on the eastern side of the Hector Mountains which run north to the Remarkables. The road winds down into the Nevis Valley and one is soon at the bridge over the greeny river at a spot known as the Nevis Crossing.

It's here that the river pinches in and enters a spectacular gorge, frequently raw and lovely, which continues right down to the river's confluence with the powerful, often sullen and cloudy Kawarau.'

A little later he writes of where the river *'runs through a series of wonderful pools in a section some call 'The Dell'. How beautiful it is there. Dam builders have their eyes on it, naturally, Desecrators.'*

We ask that the special tribunal:

confirms the outstanding values of the Nevis River identified by New Zealand and Otago Fish and Game Councils' in their Application; adds a prohibition on damming and diversion of the Nevis and adds minimum river flow conditions to protect the river.

We wish to be heard in support of our submission.

.....Richard Kohler.....

Signature of Dr. Richard Kohler (president COES)

(A signature is not required if you make your submission by electronic means.)

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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 applicants' address for service is:

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