

# Public Access New Zealand

Incorporated

Secretary, Public Access New Zealand Inc., P. O. Box 17, Dunedin, Otago New Zealand. phone/fax 64-03-489 8284

**19<sup>th</sup> September 2008**

## **Submission on Amendments to the Kawarau River Water Conservation Order**

**To :** Special Tribunal – Kawarau River Water Conservation Order  
c/- Alex Miller, Ministry for the Environment,  
PO Box 10362,  
Wellington 6143  
[alex.miller@mfe.govt.nz](mailto:alex.miller@mfe.govt.nz)

Name of submitter: This submission is made by **Public Access New Zealand INC (PANZ)**. PANZ is a charitable trust established in 1992. Its Objects are the preservation and improvement of public access to public lands, waters and the countryside through retention in public ownership of resources of value for recreation. PANZ is supported by a diverse range of land, freshwater, marine and conservation groups and individuals.

Although based in Otago, PANZ maintains involvement in issues of interest at both regional and national level.

This submission is in response to an application from New Zealand Fish and Game Council and Otago Fish and Game Council to amend the Kawarau River Water Conservation Order

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.

PANZ supports the application in total.

Our submission is that we support the proposed amendments to the order, both to recognise those outstanding values listed above, and to add a prohibition on damming and diversion of the river and conditions on minimum river flow.

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Reasons for submission:

Much of the Nevis valley is Crown pastoral lease land that is presently entering the tenure review process under the Crown Pastoral Lands Act. This includes Ben Nevis, Craig Roy and Carrick Stations

Two of these leases are owned by Pioneer Generation who have plans to develop the river for hydro power generation. Department of Conservation and Pioneer Generation have an agreed position on the outcome of the two tenure reviews which would include the freeholding of land on valley floor in a hydro dam footprint. If this comes to pass all its many recreational, fisheries, landscape, cultural and historic values would be sacrificed for high altitude lands to be added to a Remarkables Conservation Park.

The Nevis River and valley is a nationally renowned heritage landscape with high importance to a wide range of recreational users including those interested in nature conservation, walkers, mountain bikers, horse trekkers, four wheeled drivers, anglers, and amateur historians.

Continued access to the river and the associated historic sites scattered along it are vitally important to present and future generations because the valley is both a valued recreational destination but also an outdoor museum.

The Nevis deserves to be recognised for its full range of important values including its heritage landscape status and to be protected completely from the ravages of hydro development

I seek the following decision from the special tribunal:

To recognise the outstanding values of the Nevis River identified by New Zealand and Otago Fish and Game Councils' 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 wish to be heard in support of my submission.

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

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Signature of Alan McMillan  
Chairperson

Public Access New Zealand

Date 19<sup>th</sup> September 2008

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

Address for service of  
submitter:

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designation, if applicable*

*Alan*

*McMillan, Chairman, Board of*

*Trustees, Public Access New*

*Zealand Inc.,*

**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:*

*By post: Otago and New Zealand Fish and Game Councils*

*C/- Anderson Lloyd*

*Private Bag 1959*

*DUNEDIN*

*By fax: (03) 477318*

*By email: [maree.baker@andersonlloyd...co.nz](mailto:maree.baker@andersonlloyd...co.nz) )*