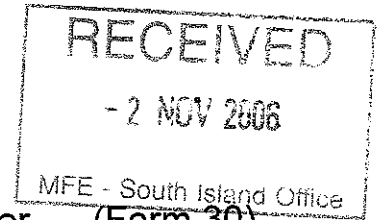


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Submission on Water Conservation Order - Oreti River (Form 30)

Section 205, Resource Management Act 1991

1. In completing your submission include:
  - whether you support or oppose the Order; and the reasons for your views
  - If you support the Order, but prefer to preserve a different but related water body in the same catchment, state this and your reasons
  - If you support the Order, but prefer to preserve different features and qualities of the water body, state this and your reasons.

In giving reasons for these preferences, you must refer, if practicable, to the matters set out in sections 199, 200 and 207 of the Resource Management Act 1991. You must also describe the provisions that you think should be included in the Order and the effects that those provisions would have on the water body.

2. If you oppose the Order, you must give reasons why you consider that the Order is not justified in terms of sections 199 and 207 of the Resource Management Act 1991.
3. The Special Tribunal may require you to provide further information on your submission.
4. You must send a copy of your submission to the applicant as soon as reasonably practicable after you have served your submission on the Special Tribunal.


Submissions must be received by the Special Tribunal at its address stated below by 5pm on Wednesday 15<sup>th</sup> November 2006.

Submission: To the Special Tribunal, Oreti River Water Conservation Order

SUBMITTER'S DETAILS	
Full name:	John Richard PUREY-CUST
Postal Address	203 Campion Rd. 4RD Gore 9974
Work phone:	—
Home phone:	03 208 5200
Work fax:	—
Home fax:	—
Mobile:	—
Email address:	0943@isp13.co.nz

SUBMISSION DETAILS (use additional pages if required)	
<input checked="" type="checkbox"/> I/we support the application	<input type="checkbox"/> I/we oppose the application
1. * The specific parts of the application that my/our submission relates to are:	
The whole document	
2. * My/our submission is (see notes 1 and 2):	
Attached	



3. * I/we seek the following decision from the special tribunal (give precise details, including the general nature of any changes sought to the Order)	
attached	
<b>Tick if applicable</b> <input checked="" type="checkbox"/> I/we want to be heard in support of this submission	<input checked="" type="checkbox"/> If others make a similar submission, I will consider presenting a joint case with them at a hearing.
<b>Signature of submitter</b> 	<b>Date:</b> 29-10-06

\*Use additional pages if required  
**Return by 15 November to:**

The Special Tribunal  
Oreti River Water Conservation Order  
Ministry for the Environment  
Te Waipounamu House  
Level 7, 158 Hereford Street  
PO Box 1345  
Christchurch

**And as soon as practicable to:**

NZ and Southland Fish & Game Councils  
C/- Anderson Lloyd Caudwell  
Otago House  
10<sup>th</sup> Floor  
Moray Place/Princes Street corner  
Private Bag 1959  
Dunedin

**Summary of application**

The applicant seeks protection of:

- the main stem of the Oreti River upstream of Mossburn
- Weydon Burn, Windley River and all other tributaries upstream of Lincoln Hill
- Groundwater connected to the surface water of the river from Mossburn upstream to the headwaters

In recognition of the following outstanding features and characteristics

- Natural state, wild and scenic
- Fishery and angling amenity
- Habitat for trout and wildlife
- Value in accordance with tikanga Maori,

The outstanding features and characteristics are to be protected by prohibiting damming; restricting the taking of surface water and groundwater, restricting alteration of river flow, form or water quality; and the maintenance of fish passage.

The applicant also seeks protection of the main stem of the Oreti between Mossburn and the bridge at Wallacetown, for:

- Its necessary contribution to the outstanding angling and fishery values upstream.
- This necessary contribution is to be protected in this stretch by a prohibition on damming, which will enable fish passage to be maintained.

The application is supplemented by further information provided to the Minister in July and August 2005.

## Submission on the application by Southland Fish & Game for a Water Conservation Order (WCO) on the Oreti River

### **My (John Purey-Cust) submission is:**

2. I am a long time angler in Southland's rivers, an elected member of the Southland Fish and Game Council and secretary of the Gore and District Angling Society. Living in Gore, I mostly fish the Mataura river but also know the Oreti well.

All the main Southland rivers have their different characteristics, and that of the Oreti is its capacity to hold good numbers of large brown trout above Mossburn. This is well known to local and overseas anglers alike and is recognised by Southland Fish & Game by special regulations – a 'Back Country' license sticker, in part 'Walk Only' access, and various restrictions on the bag limit.

Why the Oreti differs from other Southland rivers is not well understood: no doubt it's very large estuary offering ample food is a part and it is widely held that this and the ease of passage up the river both contribute to population of big fish in the headwaters. The distinction of the Oreti is not the size of these fish, but their number – many rivers have large fish in their headwaters, but few so many.

There is a tendency amongst developers to claim that intangibles like recreation, landscape and so on have no 'value' when compared to production (usually measured by volume rather than unit value). They are all very nice until there is a production alternative, and then they must give way. The fact that a development is possible overrides other existing values, and conflict with these other values gets scant recognition from the RMA unless damaging effects can be proved in advance, which usually they can't be.

The value of the Oreti, particularly above Mossburn, is that it is a local icon to which people travel from far and near. It is a part of that which makes Southland different (which just another dairy farm or gravel extraction certainly isn't). Thus we should not put the river at risk, a value which we know, from hopeful pie in the sky developments which add nothing to Southland as a place to live or to visit. In this context it might pay to remember that statistics on the MAF website (dairy monitoring report) show that nationally dairy farming over the past five years has yet to produce a disposable \$ surplus, so even the economic driver is suspect as we head ever faster down the path of falling commodity prices.

Damming the river as an irrigation water source is proposed from time to time and has in the past been dismissed as the demented ramblings of frustrated pioneers. Unfortunately it can no longer be dismissed so easily. Intensive agriculture, in particular dairy, has rapidly moved to hydroponics where fertility is no longer important: fertiliser (mostly nitrogen) + irrigation over a porous gravel substrate (the toilet) = high production. This fate is proposed for the Eyrewell and Balmoral plantation forests in Canterbury, growing

on shingle banks virtually without soil, the most desolate country I know, much worse than the Oreti headwater country.

The fact that a good part of the upper Oreti is farmed by Landcorp is no protection, if only because the National Party has stated its policy to privatise that state owned enterprise.

So it is essential that we protect the river in two ways. Firstly, by a total constraint on damming for the total length of the river, so that the passage of fish be not interrupted, and secondly, in the headwater part, that drawing off of underground water (surface water takes being very tightly controlled) must be very tightly and conservatively controlled too. The aquifers are shallow (a high risk of groundwater pollution), the hydrological situation is as yet poorly understood, and the models on which allowable takes are based are suspect and unintelligible to the layman.

The Mataura river WCO did not specifically include underground water within the catchment and it was initially argued by people seeking consent to abstract that it was therefore not a part of the river. Much time and energy were expended before it was agreed that this was not the case. Thus, though it might seem obvious, it has to be made quite clear that the Oreti WCO includes the groundwater also.

**In summary therefore:**

- (i) The brown trout fishery of the Oreti river requires the protection of a water conservation order, both as a Southland icon and because of its existing economic value, of a kind usually disregarded in the quest for conventional development. These other values are particularly high in the river above Mossburn but since the whole river is a connected system the WCO must cover more than that.
- (ii) The particular threat to the fishery is intensive 'hydroponic' agricultural development involving large quantities of irrigation water and fertilisers. This opens up a much larger potential for farm development than previously envisaged. It has been suggested in the past that one potential source of irrigation water might come from damming the Oreti river itself. This would interrupt the free flow of fish up the river, on which it is held that the excellence of the back country fishery depends, and so the WCO must require 'no dams'.
- (iii) 'Hydroponic' agriculture requires large quantities of irrigation water which, given the extreme limitation on surface water takes, must come from underground. The aquifers are shallow and liable to pollution and so the WCO rightly requires that taking groundwater be very tightly controlled.

3. I therefore ask that the special tribunal accept the application by Southland Fish & Game for a water conservation order on the Oreti river above Wallacetown in toto as presented.

