

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:	Gore e District Angling Soc
Postal Address	of J Pacey-Cust, Sec, 203 Campion Rd, HRD, Gore 9174
Work phone:	-
Home phone:	03 208 5200
Work fax:	-
Home fax:	-
Mobile:	-
Email address:	0943@ispnz.co.nz

SUBMISSION DETAILS (use additional pages if required)	
<input checked="" type="checkbox"/> 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 application	
2. * My/our submission is (see notes 1 and 2):	
attached	



<p>3. <b>*I/we seek the following decision from the special tribunal (give precise details, including the general nature of any changes sought to the Order)</b></p>	
<p>attached</p>	
<p><b>Tick if applicable</b></p> <p><input checked="" type="checkbox"/> <b>*We want to be heard in support of this submission</b></p>	<p><input checked="" type="checkbox"/> <b>If others make a similar submission, I will consider presenting a joint case with them at a hearing.</b></p>
<p><b>Signature of submitter</b></p> <p><i>A O Giles</i></p>	<p><b>Date:</b> <i>1st November 2006</i></p>

\*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**

### **The submission of the Gore and District Angling Society is :**

**2:** The Gore and District Angling Society supports in its entirety the application for a Water Conservation Order on the Oreti River as set out by Southland Fish and Game. It was resolved unanimously at an ordinary meeting of the Society on 31<sup>st</sup> October 2006 that a submission to this effect be submitted to the Special Tribunal.

The Club is one of the oldest in Southland, being the direct descendent of an angling club formed at Gore in 1888. Whilst its members predominantly fish the Mataura river and its tributaries we have good knowledge of the Oreti river, especially the headwaters, where, in addition to other individual visits by members, we have an annual Society weekend trip.

The case set out by Southland Fish and Game puts the issues at stake very clearly: The Oreti River is a special river and the fish in it above Mossburn run very much larger than in the river lower down and indeed in the headwaters of other Southland rivers. This is well known to anglers, both local and visitors, so that the river has a recognised economic value both as an attraction for living in Southland and as a contributor to the tourist economy.

There is a history of suggestions that the river be dammed in its headwaters as a source of water for irrigation and hydro power. Whilst these usually originate from the wilder eyed 'pioneers' of the community they may possibly become more attractive now that intensive agriculture is seen to be possible in dry and infertile areas just by the addition of fertilisers and irrigation water – hydroponics if you like. The desert may bloom but the consequences for the river are disregarded.

As the application says, we do not know for certain why the upper Oreti contains a brown trout population of exceptional average size. The case has been put (and it seems logical) that this is due to the movement upstream of large fish from a large and fertile estuary into a rich habitat further up. Whatever the reason, the fishery is very valuable and it makes no sense to test it by damming the river, only to find that the theory was correct and that the fishery is now stuffed. We have seen too much of that elsewhere, using the spurious claim of private property rights and to hell with the commons. We want no dams.

A similar case exists for control of the groundwater upstream from Mossburn. The opportunity for intensification may be limited, but it exists, and it needs to be contained by a very conservative estimate of the available yield of water from aquifers. The present system of calculation is arcane in the extreme – if you doubt it, try understanding the formulae – and appears to underestimate (some say ignore) the cumulative effect of takes. The calculation process arises from work done in agricultural institutes dedicated to increasing agricultural production, and currently about 600 water consents in

Canterbury are under review downwards as a result of the over-optimism inherent in the process.

We do not want the natural flow of the river reduced by extractions, nor do we want its state affected by nutrient runoff from intensified agriculture. The river is a unique and valuable resource on its own right.

**3. We seek the following decision from the Special Tribunal:** that the application for a water conservation order on the Oreti river be granted as set out by Southland Fish and Game.

X  
President, Gore and District Angling Society

1<sup>st</sup> November 2006

*A D Giles*