

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 15th November 2006**.

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

SUBMITTER'S DETAILS	
Full name: Environment Southland	
Postal Address: Private Bag 90116, Invercargill	
Work phone: 03 211 5115	Home phone:
Work fax: 03 211 5252	Home fax:
Mobile:	Email address: service@es.govt.nz

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

<p>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)</p>	
<p>Refer to attached document.</p>	
<p>Tick if applicable</p> <p><input checked="" type="checkbox"/> I/We want to be heard in support of this submission</p>	<p><input checked="" type="checkbox"/> If others make a similar submission, I will consider presenting a joint case with them at a hearing.</p>
<p>Signature of submitter</p> 	<p>Date: 8/11/06</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
10th 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.



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**environment
SOUTHLAND**

Te Taiaro Tonga

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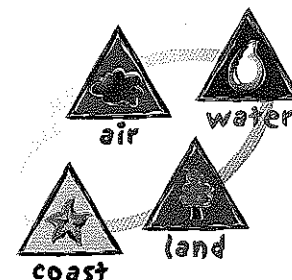
To: The Special Tribunal
Oreti River Water Conservation Order
Ministry for the Environment
PO Box 1345
Christchurch

Submission on Proposed Water Conservation Order: Oreti River

Environment Southland (the Southland Regional Council) opposes the making of the Water Conservation Order in respect of the Oreti River sought by the New Zealand Fish and Game Council and the Southland Fish and Game Council in their application dated 6 May 2005.

The reasons for the Council's opposition are as follows:

- 1) The waters are not in their natural state.
- 2) There are no outstanding amenity or intrinsic values of the waters of the River that require protection by a water conservation order.
- 3) The application for the water conservation order has insufficient regard to the needs of primary and secondary industry that use the River resource and of the Southland community. In particular, no account has been taken of the multiple uses of the River and its tributaries and of the effect of the restrictions the proposed order could place on those uses.
- 4) The application for the water conservation order has insufficient regard for the provisions of the proposed Regional Freshwater Plan for Southland and the ability of the provisions of that Plan to manage the water resource of the Oreti River to the overall benefit of all users including the users represented by the applicants. The application does not properly recognise the scientific basis for the Plan and the fact that it has been the subject of extensive public participation. In particular and without affecting the generality of this reason, the Council is concerned, that the proposed order:
 - a) Is ambiguous and contradictory in parts;
 - b) Is vague as to its geographical extent and as to the uses and activities that would be subject to it.



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The Council seeks the following relief:

- That the Tribunal recommends to the Minister that the application be rejected.

SOUTHLAND REGIONAL COUNCIL
By its authorised delegate


Warren Tuckey
Director of Environmental Management

9 November 2006

Address for service: Environment Southland
Private Bag 90116
Invercargill

Telephone: 03 211 5115

Fax: 03 211 5252

Contact person: Rachael Millar
Senior Resource Planner



**environment
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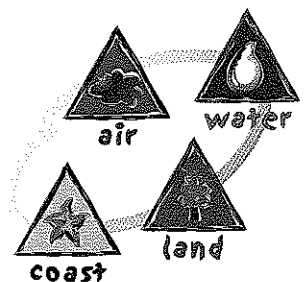
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