

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: GRANT R HUBBER, Chairman of Oreti River Liaison Committee	
Postal Address: Oporo, RD4, INVERCARGILL	
Work phone: 03 2352 851	Home phone: 03 2352 8851
Work fax:	Home fax:
Mobile:	Email address: grhubber@xtra.co.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:	
<p>The Oreti River Liaison Committee opposes the making of a Water Conservation Order relating to the Oreti River as proposed by New Zealand Fish and Game Council and Southland Fish and Game Council.</p>	
2. * My/our submission is (see notes 1 and 2):	
<p>a) The waters are not in their natural state and do not have outstanding or amenity value that requires the protection of a Conservation Order under Section 199 of the Resource Management Act.</p> <p>b) The proposal has no regard to the needs of primary and secondary industry and of the community.</p> <p>c) It does not take into account the proposed Regional Fresh Water Plan for Southland that has had wide public consultation and robust science in support of its objectives, policies and rules. The Freshwater Plan is robust and will manage the water resources of the Oreti River for the benefit of all users.</p> <p>d) The proposed Water Conservation Order is flawed in respect of consultation with the community whereas the proposed Freshwater Plan has had a very public and community related consultative process and is the most appropriate vehicle for management of rivers in the Southland Region including the Oreti River.</p>	

e) The Proposed Water Conservation Order does not have the same scientific basis that the proposed Regional Freshwater Plan has had in its preparation and ongoing management.	
3. *We seek the following decision from the special tribunal (give precise details, including the general nature of any changes sought to the Order)	
<p>The Oreti River Liaison Committee seeks the following;</p> <p>That the Special Tribunal recommends to the Minister that the application be rejected in its entirety.</p>	
Tick if applicable <input checked="" type="checkbox"/> #We want to be heard in support of this submission	<input type="checkbox"/> If others make a similar submission, I will consider presenting a joint case with them at a hearing.
Signature of submitter 	Date: 10/11/06

*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
 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.