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**SUBMISSION ON WATER CONSERVATION ORDER – ORETI RIVER
UNDER SECTION 205 OF THE RESOURCE MANAGEMENT ACT 1991**

To: Special Tribunal
Oreti River Water Conservation Order
C/- Ministry for the Environment
PO Box 1345
CHRISTCHURCH

SUBMISSION ON: WATER CONSERVATION ORDER – ORETI RIVER

FULL NAME: FEDERATED FARMERS OF NEW ZEALAND (INC)

GENERAL COMMENT:

Federated Farmers of New Zealand (Inc) is a voluntary, primary sector organisation representing approximately 17,000 farming and related rural businesses. The Southland Province of Federated Farmers of New Zealand (Inc.) represents 1400 members throughout Southland, and this submission is written on behalf of those members. As a voluntary, member funded organisation, Federated Farmers is directly accountable to its farmers.

The Federation aims to add value to its members' farming business. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:

- Our members may operate their business in a fair and flexible commercial environment;
- Our member's families and their staff have access to services essential to meet the needs of the rural community; and
- Our members adopt responsible management and environmental practices

Farming makes a disproportionately significant contribution to the flexible, dynamic and innovating part of Southland's economy and Federated Farmers of New Zealand (Inc) is proud to represent the needs and interests of its members.

The Federation wishes to be heard in support of this submission.

SUBMISSION:

Federated Farmers of NZ (Inc) **OPPOSES** the application for the Water Conservation Order – Oreti River as sought in the application by New Zealand Fish and Game Council and Southland Fish and Game Council.

This submission in opposition relates to the entire application for Water Conservation Order.

Federated Farmers of NZ (Inc) opposes the application for the following reasons:

1. The Oreti River and its tributaries are not in a natural state, nor is it a wild and scenic river.
2. The Oreti River and its tributaries do not have outstanding amenity or intrinsic values that warrant the protection of a Water Conservation Order.
3. It is acknowledged that the Oreti River is an important trout fishery but it is considered that the Proposed Regional Freshwater Plan is the appropriate mechanism to address the protection of the fishery, not a Water Conservation Order.
4. The proposal has given no regard to the needs of primary and secondary industry and of the community. The Oreti River is important to primary production and the impact of the Water Conservation Order as sought will be significant in terms of water takes (both ground and surface water), damming and diversions, and water quality.
5. Maori values have been addressed through the Regional Freshwater Plan for Southland and the Ngai Tahu Claims Settlement Act 1998.
6. The Proposed Regional Freshwater Plan for Southland is the appropriate mechanism for addressing the management of the Oreti River and its tributaries. The Plan has undergone substantial public consultation and a number of Variations have been proposed to further address matters raised. All of the matters raised by the Applicant are able to be addressed through the Regional Plan process where all uses of the river are considered. The Plan still has a number of stages to progress and there is still the option of appeals to the Environment Court if the applicant considers that the Plan does not adequately balance the issues and protect the fishery.
7. The Additional Information provided by the applicant on 30 August 2005 indicates that the Applicant is satisfied with the provisions of the Proposed Regional Freshwater Plan in respect to Stream Depletion effects as being appropriate but still seeks an order to override such provisions in the Plan. This is unnecessary duplication and demonstrates that the Proposed Regional Freshwater Plan is adequate to address the applicants concerns.
8. The Water Conservation Order sought is not precise in detail and is inappropriate as a regulatory mechanism. For instance the geographical extent is not clearly defined.

DECISION SOUGHT:

That the Special Tribunal recommends to the Minister that the application be rejected in its entirety.



Grant Kettle
Policy Manager
Federated Farmers of New Zealand (Inc)

David Rose
President, Southland Province
Federated Farmers of NZ (Inc)

Date: November 2006

Address for Service

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Attention: Grant Kettle