

Form 16 – Submission to the Otago Regional Council on Consent Applications

This is a Submission on (a) limited notified/publicly notified resource consent application/s pursuant to the Resource Management Act 1991.

Submitter Details:

(please print clearly)

Full Name/s:	Whitewater NZ		
Postal Address:			
		Post Code:	
Phone number:			
Email address:			

I/ we wish to **OPPOSE** submission on (circle one) the application of:

Applicant's Name:	Queenstown Lakes District Council
Location:	Shotover River/Kimiākau delta
Application Number:	RM25.177
Purpose:	To construct and operate a diversion channel within the bed of the Shotover River/Kimiākau to ensure the discharge of treated wastewater sought to be authorised under RM25.206 is always to flowing water.
Application Number:	RM25.206
Purpose:	Disposal of treated wastewater to water from a wastewater treatment plant and to construct a riprap outfall structure in the bed of the Shotover River/Kimiākau

Select one of the following options that applies:

- ☐ I am submitting on consent application RM25.177 **only**.
- ☐ I am submitting on consent application RM25.206 **only**.
- ☒ I am submitting on **both** consent applications.

The specific parts of the application/s that my submission relates to are: *(Give details)*

See attached PDF titled: Whitewater NZ Submission Opposing QLDC Resource Consents

My/Our submission is *(include: whether you support or oppose the application or specific parts of it, whether you are neutral regarding the application or specific parts of it and the reasons for your views)*.

See attached PDF titled: Whitewater NZ Submission Opposing QLDC Resource Consents

I/We seek the following decision from the consent authority *(give precise details, including the general nature of any conditions sought)*

Whitewater New Zealand respectfully urges that resource consents **RM25.177 and RM25.206 be DECLINED in full**. See attached PDF titled: *Whitewater NZ Submission Opposing QLDC Resource Consents* for details

I/we:

- ☐ Wish to be heard in support of our/my submission
☒ Not wish to be heard in support of our/my submission

I, **am not** (choose one) a trade competitor* of the applicant (for the purposes of Section 308B of the Resource Management Act 1991).

****If trade competitor chosen, please complete the next statement, otherwise leave blank.***

I, **am** (choose one) directly affected by an effect as a result of the proposed activity in the application that:

- a) adversely affects the environment; and
- b) does not relate to trade competition or the effects of trade competition.

I, **do** (choose one) wish to be involved in any pre-hearing meeting that may be held for this application.

I **have** served a copy of my submission on the applicant.

Please be advised that this application will be directly referred to the Environment Court for a decision.


Signature/s of submitter/s

(or person authorised to sign on behalf of submitter/s)

4/11/2025

(Date)

Notes to the submitter

If you are making a submission to the Environmental Protection Authority, you should use [form 16B](#).

The closing date for serving submissions on the consent authority is 3 November 2025.

You must serve a copy of your submission on the applicant as soon as is reasonably practicable after you have served your submission on the consent authority.

Privacy: Please note that submissions are public. Your name and submission will be included in papers that are available to the media and the public, including publication on the Council website. Your submission will only be used for the purpose of the notified resource consent process.

If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in [Part 11A](#) of the Resource Management Act 1991.

If you make a request under [section 100A](#) of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you may be liable to meet or contribute to the costs of the hearings commissioner or commissioners.

You may not make a request under section 100A of the Resource Management Act 1991 in relation to an application for a coastal permit to carry out an activity that a regional coastal plan describes as a restricted coastal activity.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

The address for service for the Consent Authority is:

Otago Regional Council, Private Bag 1954, Dunedin, 9054

or by email to submissions@orc.govt.nz

Submission Opposing QLDC Resource Consents

RM25.177 & RM25.206 (Shotover River Discharge and Diversion)

Submission of Whitewater New Zealand

Introduction and Submitter Details

Whitewater NZ is the national body that represents the interests of whitewater kayakers throughout New Zealand on matters of access, safety and protection of white water resources. Our mission is to protect and restore Aotearoa's whitewater rivers and to enhance opportunities to enjoy them safely. The Shotover and Kawarau rivers are prized by whitewater enthusiasts across New Zealand.

Queenstown Lakes District Council (QLDC) has applied for two resource consents relating to the Shotover River/Kimi-ākau wastewater treatment plant:

- RM25.206 – To discharge treated wastewater into the Shotover River.
- RM25.177 – To construct and operate a diversion channel in the Shotover Riverbed.

Whitewater New Zealand oppose both applications in full and wish to be heard. This submission outlines reasons for opposition, focusing on the proposals' inconsistency with legal protections, planning policies, and the high value of the well-being affordance of the Shotover/Kawarau River system.

Background

These consents seek to legitimise an emergency measure QLDC undertook in March 2025 when a failure of its land disposal field forced direct discharge of treated effluent to the Shotover River.

- While intended as a short-term fix, QLDC now proposes to continue discharging up to 12,000 cubic metres per day of treated wastewater into the river.
- The proposal also involves cutting/maintaining a channel in the braided riverbed to ensure effluent enters flowing water.

In practice, this amounts to a physical and operational extension of the wastewater treatment plant into the active braided riverbed, fundamentally altering the river's natural state. While Whitewater NZ acknowledges the urgent circumstances that led to the interim



discharge, ongoing consent is strongly opposed on legal, recreational, and environmental grounds.

Water Conservation Order and Legal/Planning Context

The Shotover and Kawarau Rivers are protected by the Water Conservation (Kawarau) Order 1997 (WCO), recognizing their outstanding wild, scenic, natural, scientific, recreational, and historical values.

- The WCO lists the Shotover River's wild and scenic characteristics, high natural sediment load and active delta, and recreational purposes (rafting, kayaking, jetboating) as outstanding characteristics to be preserved.
- Water quality in both rivers must be maintained at Class CR (contact recreation) standard.
- No damming is allowed.

Key Legal Points

- No resource consent should be granted that contravenes the WCO.
- Section 217 of the Resource Management Act 1991 (RMA) prohibits authorizing activities that breach the WCO conditions.

The applicant's proposal is inconsistent with the WCO in several ways:

Wild and Scenic Values

- Installing an outfall structure and artificially training the river's flow undermines the Shotover's wild character.
- Permanent diversion or channel cutting constitutes river control engineering and is inconsistent with RMA Section 6(a).

Natural Braided Character

- The Shotover's braided channels are a key outstanding feature.
- Fixing a single diversion channel simplifies and constrains the river's braids, reducing habitat diversity and resilience.

Recreational and Amenity Values

- Any degradation of water quality, navigability, or public perception undermines recreational values.
- The proposal cannot guarantee water quality meets Class CR standards under all conditions, especially low flows.



Conclusion: The proposed discharge and diversion contravene the Kawareau WCO and should not be granted.

Physical and Operational Extension into the Braided Riverbed

The proposal expands the footprint and operations of the wastewater treatment plant into the river environment.

- **Diversion Channel Construction:** Involves digging, re-routing water, and ongoing maintenance. This effectively manages part of the river as an extension of the treatment system.
- **Operational Uncertainties:** Braided rivers are dynamic; a single channel may fail during floods, droughts, or sediment accumulation.
- **Need for Ongoing Intervention:** Repeated dredging or reconstruction of the channel will disturb natural processes for years, contradicting river conservation objectives.

Recommendation: The consents should be declined, or at minimum, be strictly time-limited with full restoration required.

Hydrological Risks and Downstream Effects

Low Flows and Channel Capacity

- In droughts, one diversion channel may not provide enough flow to disperse effluent.
- Risk of concentrated wastewater zones and localized breaches of contact recreation standards.

Flood and Sediment Mobilisation

- Structures could alter natural sediment transport, scouring or silting unexpected areas.
- Potential to exacerbate sediment infilling in Lake Dunstan, affecting water clarity and navigability.

Water Quality and Clarity

- Kawareau River and Lake Dunstan are popular for recreation.
- Even treated effluent raises risks of nutrient accumulation, algal growth, and public perception issues.

Conclusion: The proposal is inconsistent with the National Policy Statement for Freshwater Management (2020) and the precautionary principle.

Impacts on Recreation, Accessibility, and Navigability

The proposal would negatively affect recreation, access, safety, and enjoyment:

- **Reduced Accessibility:** Machinery and channeling may block informal walking, fishing, and swimming areas.
- **Navigational Hazards:** Outfall structures and managed channels may pose physical dangers for kayakers and jetboats.
- **Contact Recreation and Perceived Health Risk:** Public perception of wastewater may reduce swimming and enjoyment, even if technically safe.
- **Amenity and Enjoyment:** Construction works and signage degrade scenic, cultural, and tourist values.
- **Commercial Recreation Interests:** Potential impact on tourism operators dependent on a pristine river.

Recommendation: The applications should be declined due to unacceptable recreation and amenity effects alone.

Recreation-Specific Well-Being and Ecosystem Service Perspective

Whitewater New Zealand emphasise that natural environments afford people physical, social, and psychological well-being.

- **Psychological Benefits:** Clean rivers support mental health; pollution erodes this benefit.
- **Identity and Sense of Place:** Shotover/Kawarau are central to local identity and pride.
- **Physical Activity and Health:** Reduced river interaction impacts outdoor activity and community health.

IPBES and NCP Frameworks: Recreation, tourism, and inspiration are key non-material contributions of nature to human quality of life. Degrading the river reduces these contributions and harms community well-being.

Braided Rivers as High-Value, Threatened Geomorphologies

- Braided rivers are globally rare and endangered ecosystems.
- Human interventions that maintain a single thread of flow squeeze the river and degrade ecological integrity.
- The Shotover's active delta is scientifically valuable; channelization undermines natural processes.



- Planning frameworks (Otago Regional Policy Statement, Regional Plan: Water) require protection of natural river character.

Conclusion: Any further pressure on the Shotover River's braidplain must be avoided to protect its ecological and geomorphic integrity.

Conclusion

For the reasons detailed above – including conflict with the Kawarau WCO, infringement of RMA Part 2 principles, significant risks to water quality and river morphology, and unacceptable impacts on recreation and amenity – Whitewater New Zealand respectfully urges that resource consents **RM25.177 and RM25.206 be DECLINED in full.**

- QLDC must explore alternative disposal options that do not involve discharges to the Shotover or Kawarau river.
- Any works already undertaken in the river should be removed as soon as practicable.
- The submitter wishes to be heard in support of this submission to emphasize recreation-focused perspectives and community well-being.

Summary: The applications are opposed in their entirety. The Shotover and Kawarau Rivers deserve the highest degree of protection and respect.

References

- Water Conservation (Kawarau) Order 1997, Schedule 2 (values and restrictions for Shotover and Kawarau Rivers)
- Otago Fish & Game statement on WCO protecting Shotover's water quality, fisheries, and contact recreation values
- Anderson Lloyd legal update re: WCO effect (no consent may contravene an order)
- QLDC press release (20 Sep 2025) – notification of applications (retrospective discharge, diversion channel)
- RNZ News report on Shotover wastewater emergency discharge and consent applications
- Environment Canterbury – Importance of braided rivers (recreational opportunities, global rarity)
- University of Canterbury news – braided rivers research (endangered status, harm from channelization, need to allow braiding processes)