

RESOURCE MANAGEMENT ACT 1991

SUBMISSION ON A RESOURCE CONSENT APPLICATION

File No: RM000539

TO : CivicCorp
Private Bag 50077
QUEENSTOWN

Attention: Jane Tichener

Submitter: **CENTRAL OTAGO WHITEWATER (INCORPORATED)**
C/- Gordon Rayner
River Conservation Officer
P O Box 41
ALEXANDRA

Work phone : (03) 448 9671
Fax : (03) 448 8960
email : gordon@cmlaw.co.nz

Applicant's name: **KAWARAU JET SERVICES HOLDINGS LIMITED**

Details of application: To extend the operation and length of commercial jet boat trips between the confluence of the Arrow River and the Kawarau Gorge suspension bridge between the hours of 8.00 a.m. and 7.00 p.m. on any given day.

Location of application: Kawarau River from Arrow River confluence to the Kawarau Gorge suspension bridge.

Central Otago Whitewater (Incorporated) opposes the application RM000539

Submission:

- (1) **Introduction:**
 - (a) Central Otago Whitewater (Incorporated) (called "the Club") was incorporated in 1989 and represents kayaking interests in the Central Otago area.

- (b) Currently the Club has a membership of 80 people. The total number of kayakers in the Central Otago area greatly exceeds that number, however, there is no requirement for local kayakers to belong to a Club. The Kawarau gorge area has a national and international reputation for whitewater kayaking and is used extensively by kayakers from within New Zealand and overseas each year. The Kawarau gorge has been regularly and continuously used by kayakers and rafters for the previous 25 years.
- (c) The Club participated in the hearing for the National Water Conservation Order for the Kawarau river and its tributaries and has represented local kayakers in a number of hearings effecting whitewater river resources in Central Otago.
- (d) The members of the Club involved in this submission are volunteers.

2. Submission:

This application should be declined because –

- (a) It will have an adverse effect on the outstanding kayaking values of the Kawarau river recognised by the Water Conservation (Order) 1997.
- (b) It will make the river unsafe for the existing river users being kayakers, rafters and river surfers.
- (c) It will have adverse effects, that cannot be adequately mitigated, on the enjoyment of the river and its surroundings for those existing river users.
- (d) The applicant is unable to operate on that part of the Kawarau river because of the five knot speed limit downstream of the Arrow river confluence.
- (e) The application does not reflect the activity proposed by the applicant during consultation prior to the filing of the application.
- (f) Commercial jet boating cannot be operated on Smiths Falls rapid safely.

3. The reasons for my submission are:-

3.1 Water Conservation (Kawarau) Order 1997:

- (a) The Kawarau river is the subject of a National Water Conservation Order which recognises, inter alia, its outstanding recreational kayaking characteristics. Although the conservation order recognises that the Kawarau river also has outstanding jet boating characteristics we submit that, within the boundaries of the Queenstown Lakes District, those jet boat characteristics only apply to that part of the Kawarau river upstream of the Arrow river confluence used by jet boaters and the outstanding kayaking characteristics relate to that part of the river downstream of the Arrow River confluence used by kayakers.
- (b) One of the factors giving the Kawarau outstanding kayaking characteristics is the complete absence of jet boats on the whitewater section in the Kawarau river gorge downstream of the Arrow river confluence.

3.2 Risk to Safety of existing river users:

- (a) The presence of jet boats in the Smiths Falls rapid will create a dangerous hazard to rafters, kayakers and river surfers. Due to waves, boils and holes in the rapid and the tendency of kayakers to move in and out of these river features and of eddies along the banks, kayakers would not always be visible to a jet boat travelling at speed. The consequences of a collision will be tragic and completely unnecessary.
- (b) River surfers have a very low profile on the surface of the rapids and tend to spend part of their time completely submerged and in a big volume rapid such as Smiths Falls tend to surface in an unpredictable manner. This also applies to any swimmers who have exited their kayaks.
- (c) The Kawarau river is subject to huge seasonal river level fluctuations. At higher flows, the river is wider allowing for different lines to be taken down the river, however, holes, waves and boils in the rapids increase in size and

power causing a greater visibility issue. At lower flows the main channel of Smiths Falls rapid narrows, essentially leaving only a single line option for descending the river down the main current.

- (d) The geographical orientation of the Smiths Falls rapid is approximately north west to south east. In the afternoons, when the river is most regularly run, the sun is behind kayakers creating a greater visibility hazard for a jet boat endeavouring to travel upstream with river users being hidden in the reflective glare of the white water.
- (e) In its application, the applicant proposes to notify other river users that jet boats would be operating on the river. We submit, however, this is completely unworkable because the applicant would be unable to notify the recreational river users because they have no centralised contact address.
- (f) During March 2001, the applicant operated illegally on the Smiths Falls section of the Kawarau river. The applicant has
 - operated without resource consent; and
 - disregarded the 5 knot speed limit on the river; and
 - failed to consult with the recreational river users; and
 - cut tree branches on the river edge and disposed of those branches in the river without any regard for the safety of recreational river users and may have created a life threatening hazard in Smiths Falls.

3.3. Enjoyment of the River:

- (a) The Smiths Falls rapid forms part of the Chinese Dog-leg section of the river and is a quality kayaking adventure experience with few non-natural distractions, if any. The noise of a jet boat will adversely effect the enjoyment of the river by recreational river users.
- (b) The river journey downstream of the Arrow river confluence goes through a narrow rocky gorge with wild characteristics. The traffic light system proposed by the applicant for advising when jet boats are operating in the area

will detract from the wild nature of that gorge and the enjoyment of the river by its existing users.

3.4. Five knot speed limit:

- (a) The Kawarau river gorge is subject to a speed restriction of 5 knots which the Queenstown Lakes District Council regulates under its delegated authority from the Otago Regional Council.
- (b) Jet boats are unable to operate below the Arrow river confluence because of the speed restriction.
- (c) We are completely opposed to any uplifting of the speed limit on the Kawarau River below the Arrow river confluence because any uplifting of the speed limit would open this section of river to powered commercial and private use and creates a conflict with the present passive users. Once that limit is lifted, the controlling authority has no means by which to then control the intensity of the use of this section of the river.
- (d) The Queenstown Lakes District Council must not create a precedent by lifting the speed limit for any part of the Kawarau gorge. To do so would open the door for applications for commercial jet boat activities on this and other parts of the Kawarau River.

3.5 Proposed Activity disclosed during consultation:

During the consultation process the applicant sought consideration by the Club for a proposed operation being run for conference groups on an infrequent “as required” basis, with a lengthy lead in time frame for notification with existing users. However, the application filed is not framed in that way and is instead an extension of the applicants existing operation on the Kawarau river above the Arrow river confluence and to be operated between the hours of 8.00 a.m. and 7.00 p.m. on any given day. There has been no consultation with the Club to operate on such a broad basis.

3.5 Demarcation of jet boat and non-powered river use:

- (a) The rivers of the Queenstown area have a wide range of commercial and recreational uses. The Shotover and Kawarau rivers have clearly demarked boundaries between those areas used by commercial jet boat operations and those areas used by kayakers, river surfers and rafters being -
- the upper Shotover river above Skippers Canyon is used by kayakers
 - the Shotover river downstream of Skippers bridge to Deep Creek is used for commercial jet boating
 - the Skippers Canyon on the Shotover river below Deep Creek to the Oxenbridge Tunnel is used by rafting and kayakers
 - the river down stream of the Oxenbridge Tunnel is used for commercial jet boating
 - the Kawarau river from Lake Wakatipu to the Arrow river confluence is used by commercial jet boating
 - the area downstream of the Arrow river confluence to Wall Street rapid at the end of the Kawarau gorge is used by kayaking, rafting and river surfing.
 - The Kawarau river downstream of Wall Street rapid to the Goldfields Mining Centre is used for jet boating.
- (b) This demarcation has evolved out of practicality and common sense simply because jet boat operations and passive river craft cannot co-exist safely and they actually use quite different river geographies. This demarcation works well with clear boundaries which are known to recreational kayakers. These lines should not be blurred.
- (c) The hundreds of kayakers who use the Kawarau gorge should be left alone to continue to enjoy their section of the river without any threat from jet boats.
- (d) A commercial jet boat operation on the Waikato river passes through the Full James rapid being an important kayaking resource (the site of the World Kayak Rodeo Championships 2000). That rapid has entirely different characteristics

