

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of applications by Williamson Holdings Ltd now Southdown Holdings Ltd(CRC 040835 and 040836) To take water from the upper Waitaki catchment, namely Lake Ohau.

**SUBMISSION OF THE BLUE FAMILY TRUST**

**Donald Blue,  
Mary Louise Blue,  
Jennifer Howey  
Susan Simpson  
Margaret Blue  
Maryanne Clark**

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**BACKGROUND**

1. We as a family have spent the major part of the last 55 years on the edge of Lake Ohau, a lake we love. My husband, Donald Blue purchased the Ohau Downs Station in 1954 and Don together with me (his wife Marylou) lived worked and raised our family of 5 children here.
2. In 1983 we subdivided off 50 acres (*title ref. Sec 3 Blk IV Lake Ohau SD.*) as a development block for our family. That 50 acre block was subsequently transferred to the Blue Family Trust. The Blue Family Trust block fronts onto Lake Ohau in the centre of Boat Harbour with a 300 metre lake frontage. On its west boundary is Shelton Downs and its east boarder is the QEII “Open Space” covenanted block of Ohau Downs. This property has magnificent views (North and West) up and across Lake Ohau and across into the Mackenzie country.
3. As a family we regularly use this site for holidays, camps and picnics at least 7 or 8 times every year. We have lived and worked along the edge of Lake Ohau for nearly all of the past 55 years. It is our solace and place of wonderful memories, a place of beauty and peacefulness. This block is the jewel in the crown for our family.
4. Boat Harbour also has a rich history. Lake Ohau was called Lake Ohou by the first Maoris thought to mean place of wind. The first Maori battle there was in about 1750 we think on the terrace above the lake toward the Ohau river (page 71 “Omarama, Place of Light” by

Marion Aubrey). Marion Aubrey also talks of “Opokia” a Maori village or kaik on the southeastern shore of Lake Ohau near Boat harbour with old maori ovens still present.

5. In 1990 ownership of Ohau Downs was transferred to son (John Blue) who continued running the farm for a further 10 years before selling to Five Rivers Ltd in 2005.
6. In 1995 our son John Blue registered approx 1200 acres of the western end of Ohau Downs, neighbouring (but not including) our family trust block, in a QEII covenant. We note on the application (ECan website) that our property is not identified but included in the QEII block. We also note that photographs in the application of the proposed intake site incorrectly identify the Blue family block as QEII
7. *Jenny*
8. *Susan*
9. *Margaret*
10. *Mary-Lou*

## SUBMISSION

11. We heard from friends but have not been consulted or advised by the applicants regarding the above proposals to take water from Lake Ohau for irrigation purposes. Our property is an immediate neighbour of the applicants (‘Ohau Downs’ on our east side, and ‘Shelton Downs’ on our west side). We understand that ‘Glen Eyrie Downs’ (owned by Southdown Holdings Ltd) will need an easement through ‘Shelton Downs’ to access the water. It is on our west boundary fenceline that we believe the proposed development will be.
12. We have written 2 letters to the applicant in May and July of this year (see appendix A & B), the second by tracked mail to Mr Whata of Russell McVeagh, requesting information. Neither letter was acknowledged or answered by Southdown Holdings or formerly Williamson Holdings. We do know the second letter was received. Mr Gavin Kemble admitted seeing it and did write to us on behalf of Five Rivers giving us the Five Rivers information (see appendix C). No communication was ever received from Southdown Holdings.
13. Having not heard back we accessed data from the Ecan website and when confirmed in October just prior to the hearings that the proposed water intake and pumping station was going to be on our west boundary we approached Mr Peacocke of Southdown Holdings through farm consultant Mr John Ryan asking for a meeting which we achieved in Christchurch on the evening of 11 October 2009. Mr Peacocke was not willing to meet us half way.
14. We have had no other contact from Southdown Holdings as claimed by Mr Peacocke in paragraph 38 of his evidence. We have since been sent a copy of their application. This application has been running since 2003. Over these 6 years Mr Peacocke claims to have

made contact with all parties but has unfortunately not made contact with us even though we have written to them twice and submitted to ECan on 19 Feb 2008.

15. The proposed water intake is stated to be from the lake immediately next to our western boundary with a large pumping station pushing the water up a pipeline along our boundary fence line to a height of approximately 100 metres above lake level.
16. The proposed gallery screen within the lake bottom will be 85 metres long. The construction of this 3.3 metre deep structure within the bed of the lake will involve significant earthworks and disruption of Boat Harbour over a significant period of time. This construction will be across a large portion of Boat harbour and any wind will bring noise and dust across our site. We ask that there be strict noise and timing constraints put on the construction period, if allowed at all, as significant numbers of visitors use this idyllic site for picnics and family activity over most of the summer months. Where will the greater than 1000 cubic metres of spoil from these earthworks be tipped?
17. This proposal will require at least one very large pumping station, a large pipeline, significant high voltage power supply for the pumps, and an access road to the pumping station(s) and power supply line for which there are no structural plans available.
18. The pumping structures, if at all above ground will be unsightly and intrude into Boat Harbour (Maori Bay in Southdown's evidence) which is a picturesque, peaceful, protected safe harbour. This harbour is now only accessed by boat or through private land. The water intake and hence pumping station would also be on (and shores of) Boat Harbour. This is a public swimming and picnic area used by families with children. Will the structures be unseen, safe for children? Will there be exclusion zones around the intakes? We note that when we enquired of the District Council to build a house on our site we were told it would not be allowed to be seen from the lake. We can only presume that the water intake, pumping station and support structures including power supply will need to follow a similar guideline and not be visible from the lake or in our line of view. This area is zoned 'Rural Scenic' and is regarded as an 'Outstanding Natural Landscape'. (see appendix E) Waitaki District Council District Plan, part III, Zone Rules, section 4.1 states "The Rural Scenic Zone has a particular visual amenity associated with a predominance of open space vistas and landforms and the lack of intensive subdivision and land use and the overall absence of buildings and structures. Parts of the upper Waitaki contain landscapes that are outstanding due to their high degree of unity, coherence and naturalness." Boat harbour on Lake Ohau is definitely one of these. We would certainly request that the structures not be visible (or heard) from our property or from Boat Harbour.
19. The noise (and vibration) of the large pumps required for the volumes of water proposed (1.2 cumecs) will be a significant hum against a background of extremely low noise (even if pumps are underground). In such an accepted Outstanding Natural Landscape the LAeq from the noise standards needs to be much less than the 40 decibels referred to for outside of normal hours and even 20 decibels would be too loud recognizing that this noise will be continuous over the summer months when we are most often present. The predominant wind at this site is from the NW across the proposed pump site to our property. Boat Harbour is also a natural amphitheatre so any sound will have limited attenuation. At least one of the pumping stations would be on our immediate boundary near the lakeside and our tent sites will be less than 50 metres from the proposed pumps. As recently viewed

on television, noise is understood to have a major effect on human psychology even the low background hum of neighbours heat pumps.

- 20.** We understand from Mr Peacocke that the pumping structure is planned to be above ground, banded in concrete and covered with soil, not underground as implied in Mr Peacocke's evidence. This will only moderately suppress the noise. Pumping station noise and associated facilities will seriously detract from the amenity value of our property. In the proposal documents there is no reference to noise levels from these pumps nor hours of operation (We presume 24 hour per day during the summer months). Such issues need to be addressed in the conditions. The background environment noise levels are extremely low (less than 15dBA) making suppression of the pump noise almost impossible even if buried 2 metres underground. Similar pumps within a large concrete structure below ground level at Blackpoint on the North Otago Irrigation scheme are still very audible.
- 21.** The pipeline, power poles or pylons and lines, unless all underground, will be unsightly and in our direct line of vision of the lake, mountains and basin. Even the pipeline must be underground and not above ground then mounded over. Any above ground poles and cables will be directly across our main north west vista as in photograph 1. We have seen no plans of the power supply or pipeline. Since the beginning of these hearings Mr Peacocke has offered to "underground the power supply from the top of the terrace approaching the lake" This would need to be at least the main terrace between the road and the lake edge not the lower terrace near the lake. (The cost of this undergrounding would go considerably to balance the cost of moving the intake out of Boat Harbour). In the original application prepared for Williamson Holdings Ltd in October 2003 paragraph 7.2 states "the supply main will be located below ground level. This contradicts Mr Peacockes statement referring to power lines and his offer to underground part of it.
- 22.** The access/service roadway will be an unsightly scar immediately neighbouring our property. This must be minimized.
- 23.** The irrigation systems have the ability to be used to include fertilizers and effluent. Any backflow of this into the lake, even accidental, would be unacceptable and we recommend a condition excluding the use of fertilizers, herbicides, pesticides or effluent within the system. One way valves are renowned for failure and require regular servicing still with a risk of backflow and are not a sufficient guarantee.
- 24.** The noise and visual effects coupled with risk of contamination of the lake would all significantly adversely affect the amenity value of our property and hence the value and enjoyment of that property.
- 25.** In the section 42A Officers report of Claire Penman, in paragraphs 57 and 58 she states "A submission from the adjacent property owner in opposition to this proposal has been received. They are concerned about noise from pumping station that may affect the peaceful surroundings of the lake, and the visibility of pump station and associated infrastructure and access track may be visible to users of the lake. No mitigation measures regarding these concerns have been provided, therefore I am not satisfied that the adverse effects on people, community and amenity values, in terms of visual effects from the pump station will be minor." We believe significant changes need to be made to the location and design to adequately mitigate the above issues

26. We strongly believe that the water access point should not be within Boat Harbour. We believe access would be across easier terrain to the west of Boat Harbour and decreasing the height of pumping. We believe the increased distance of pipe would be counterbalanced by other gains such as easier terrain, less height of pumping, and easier access to power supply, as well as mitigating the negative effects on Boat Harbour and the Blue property. Mr Peacocke has stated in a letter to us since the beginning of these hearings that Mr Errol Williams (owner of Shelton Downs Station) is not prepared to consider an access easement away from that previously agreed on the boundary line...” In actual fact Mr Williams answer was “My view is that it would not be suitable changing the location.” (see appendix D). If Mr Peacocke’s view of the minor effect of this pipe and power line is taken we can see little reason for not granting a different access easement.

27. The family members of our Blue Family Trust regard with deep respect and true affection and love our property on the edge of lake Ohau. We ask you to keep it this way.

We therefore oppose these applications for consent.

We would like to thank you for hearing this submission.

*Signed ..... Mary Louise Blue*

*..... Donald Blue*

*..... Jennifer Howey*

*..... Susan Simpson*

*..... Margaret Blue*

*..... Maryanne Clark*

*the Blue Family Trust*

*Dated 05 ...../11.../2009.....*