

28 February 2023

Oranga Wai – Our Freshwater Future
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Tēnā koe,

Manawatū District Council feedback on Freshwater Engagement – Top Spots and Outstanding Water Bodies

The Manawatū District Council (MDC) thanks Horizons for the opportunity to submit on the current round of freshwater engagement.

Top Spots

From 27 January to 7 February 2023, MDC ran a photograph competition through its Facebook Page on people's favourite camping spots. Many of these campsites are adjacent to rivers, and feedback received includes reference to favourite swim spots, including Totara Reserve, Vinegar Hill, Himatangi Beach, Herbertville Beach, and the Piripiri campsite (adjacent to the Pohangina River).

Proposed Criteria for Outstanding Water Bodies

MDC generally supports the proposed use of a modified version of the Hawke's Bay Regional Council's criteria for identification of outstanding water bodies. However, it is not clear from the documentation in which ways the proposed criteria mirror the Hawke's Bay Regional Council's criteria, what is unique about Horizons proposed criteria, and the reasons for any differences.

MDC notes that the criteria require "expert evidence." MDC is of the opinion that evidence used in the identification of outstanding water bodies should be provided by suitably qualified experts. MDC therefore requests that all references to "expert evidence" within the criteria be changed to "evidence from a suitably qualified expert."

The proposed criteria are subjective. For example, the reference to "high diversity" and "one of the highest diversities of.." is not specific and would be subject to personal opinion of an expert. MDC recommends that wherever possible, the criteria be evidence based, such as referencing a certain percentage, water class under a national policy, or national inventory.

The criteria are not presented in a hierarchical way. For example, there is no hierarchy between water bodies with outstanding values under ecosystem health, with those that are outstanding for recreational reasons (such as providing an outstanding rafting or jet boating experience). MDC questions how the criteria for identifying outstanding water bodies aligns with the concept of Te Mana o te Wai that seeks to ensure that the health and well-being of

water is protected and human health needs are provided for before enabling other uses of water. MDC expects to see the hierarchy of needs to be reflected through the objectives, policies and rules in the regional plan that relate to Outstanding Water Bodies. That is, MDC expects more stringent controls to be imposed on activities and operations within Outstanding Water Bodies that have high values for ecosystem health, cultural and spiritual values or natural form and character values over those with high values for fishing and/or transport and Tauranga waka.

MDC wishes to better understand the methodology for identifying Outstanding Water Bodies. We understand that once finalised, the criteria will be used to evaluate and identify Outstanding Water Bodies that warrant protection under the NPS-FM. Will councils have an opportunity to submit on the proposed Outstanding Water Bodies that are included in this engagement through a formal plan change process? If so, MDC recommends that this be done in conjunction with consultation on the regional plan provisions that will apply to these areas.

MDC seeks assurance that Councils will be consulted prior to notification of any plan change that includes new Outstanding Water Bodies (i.e. that are not identified as potential Outstanding Water Bodies in this current engagement).

It is difficult for MDC to evaluate the impact of the identification of outstanding water bodies on Council activities and operations, in the absence of proposed regional plan provisions. It is therefore vital that Councils have opportunities to provide input into the drafting of the associated regional plan provisions, and to provide feedback on any new Outstanding Water Bodies that are proposed for inclusion in the One Plan.

Decisions sought:

- That Horizons clarify any differences between the Hawke’s Bay Regional Council’s criteria for Outstanding Water Bodies and the proposed criteria, and the reasons for any differences.
- That all references to “expert evidence” within the criteria be replaced with “evidence from a suitably qualified expert.”
- That wherever possible, criteria be evidence based rather than subjective.
- That Horizons consider how Te Mana o te Wai is to be reflected in the Regional Plan with respect to management of Outstanding Water Bodies.
- That Horizons consult with any relevant local authorities prior to notifying any plan change that includes Outstanding Water Bodies.
- That Horizons provide opportunities for councils to provide input into the drafting of the associated regional plan provisions and any new Outstanding Water Bodies that are proposed for inclusion in the One Plan in the future.

Outstanding Water Bodies

MDC understands that this engagement is to inform a future plan change to the One Plan to reflect the National Policy Statement – Freshwater Management provisions that require the protection of significant values of outstanding water bodies.

Based on the information provided, MDC understands that the following proposed Outstanding Water Bodies are located within the Manawatū District:

- Makiekei and Limestone Creeks
- Ruahine Dress Circle
- Mangamako Gorge
- The middle Rangitikei River (downstream of Mangaweka)
- Pukepuke Lagoon

These water bodies were all identified as Outstanding Natural Features and Landscapes (ONFLs) within Plan Change 65 (PC65) to the Manawatū District Council's District Plan. However, it is worth noting that these sites were identified as "outstanding landscapes or features" by a suitably qualified landscape architect and not as "outstanding water bodies." The criteria used to identify the characteristics and values of these landscapes were:

- a. Natural science factors
- b. Aesthetic values
- c. Expressiveness (Legibility)
- d. Transient values
- e. Shared and recognised values
- f. Cultural and spiritual values for tangata whenua
- g. Historic heritage values.

The "Natural science factors" includes consideration of geological/geomorphological, biological/ecological and hydrological features. However, these characteristics only form one part of the overall evaluation. MDC did not commission any water quality assessment as part of this plan change.

Providing Horizons has evaluated these sites according to the proposed criteria for Outstanding Water Bodies and not relied on the ONFL evaluations contained within the Manawatū District Plan, MDC is comfortable with their inclusion as proposed Outstanding Water Bodies.

There are several other ONFL's within PC65 that include water bodies that do not appear to have been included in this consultation as proposed Outstanding Water Bodies, including:

- Lake Kaikōkopu
- Mangoira and Mangahuia Stream
- Upper Pōhangina River
- Totara Reserve

MDC understands that Horizons has not included Lake Kaikōkopu due to degraded water quality. Even if Lake Kaikōkopu is not to be included in the One Plan as an Outstanding Water Body, MDC seeks some assurance from Horizons that Lake Kaikōkopu will be afforded some form of protection so over time its ecosystem functionality, mauri and ecological values will be restored.

MDC seeks confirmation from Horizons as to whether the Mangoira and Mangahua Stream, the Upper Pōhangina River, and Totara Reserve were also evaluated by Horizons using the proposed criteria for the identification of proposed Outstanding Water Bodies (but did not meet the definition of an “Outstanding Water Body”). As noted above, Totara Reserve was identified as a favourite swim spot through MDC’s recent Facebook photo competition.

MDC is aware that Appendix 1A (Wetlands, lakes, rivers and their margins) of the Manawatū District Plan is redundant given the management framework for rare, threatened and at-risk habitats introduced through the One Plan. It is MDC’s intention to remove this Appendix as part of a future plan change. MDC raises this to reiterate our earlier caution against relying on existing District Plan schedules and appendices as a starting point for identification of Outstanding Water Bodies.

While not within the boundaries of the Manawatū District, MDC questions the omission of the Foxton Estuary which is an estuarine wetland that is an internationally recognised Ramsar Convention site. MDC seeks assurance that this site and its outstanding values will be adequately protected under the One Plan or other legislation such as the New Zealand Coastal Policy Statement.

Decisions sought:

- That for those proposed Outstanding Water Bodies that are also identified as Outstanding Natural Features and Landscapes (ONFLs) in the Manawatū District Plan, MDC seeks assurance that Horizons has evaluated these sites according to the proposed criteria for Outstanding Water Bodies.
- That Horizons provide MDC with information on how the One Plan will protect Lake Kaikōkopu from further degradation and enable the future restoration of its ecosystem functionality, mauri and ecological values.
- That Horizons provide MDC with confirmation as to whether whether the Mangoira and Mangahua Stream, the Upper Pōhangina River and Totara Reserve were also evaluated by Horizons using the proposed criteria, but were not identified as “Outstanding Water Bodies.”
- That Horizons clarify whether the Foxton Estuary should be classified as an Outstanding Water Body, and if not, how its values will be adequately protected.

Definition of “Outstanding Water Body”

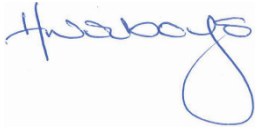
It appears that Horizons’ proposed definition of an outstanding water body is based on the *Wakatipu Environmental Society and others v Queenstown-Lakes District Council* [2000] C180/99. However, MDC considers that this definition does not provide sufficient certainty. MDC recommends that the definition be amended and suggested wording is as follows:

Outstanding Water Body means:

a water body that has attributes and values, including ecological, landscape, recreational and spiritual values, that are more than significant at a local or regional scale.

MDC welcomes any opportunity to meet with Horizons to further discuss any of the matters raised in our feedback.

Yours sincerely

A handwritten signature in blue ink that reads "Helen Worboys". The signature is fluid and cursive, with a large loop at the end of the word "Worboys".

Helen Worboys
Mayor, JP