

Submission on the proposed amendments to the National Policy Statement for Freshwater Management 2011 prepared by the Save our River Trust (SoRT)¹, February 2014

The Save our River Trust (SoRT) has been established to pursue the restoration and conservation of Piriharakeke – the Manawatū River loop at Foxton – for the use and enjoyment of our community and the general public. Our activities are funded by grants and locally sourced funds as well as by our large membership who are dedicated to restoring the river and in particular, the loop.

Foxton is attributed with being the birthplace of the Manawatū and Piriharakeke was the pride of the region. It was once a thriving port with both rail and sail transporting goods to and from the region.

Piriharakeke has long been a papakāinga for the hapū of Ngāti Raukawa and was the residence of Ihakara Te Hokowhitu a Kuri, rangatira of the Ngāti Ngārongo, Patukohuru and Ngāti Hinemata hapū of Ngāti Raukawa. It is also home to Peketahi, the kaitiaki of Piriharakeke, whose lair is at the southern bend of the loop at Te Awahou (the new river), the name given by Maori to the region. This name serves as a reminder that this was a place of new beginnings that held the aspirations and hopes of a people.

In the early years, the town and its region thrived on the back of commerce and trade. However, this growth was to be sorely affected by the Public Works Department in 1942, whose actions inadvertently created a new river channel between the lower and upper ends of the loop and cut the loop off from the newly formed river main stem. These actions slowly but systematically robbed this small community of its port, its trade and eventually the river loop itself.

In its place, a backwash conveniently used for flood control was created, with little concern for the health and welfare of Piriharakeke, the town or the people who once used this section of the Manawatū River as their pātaka kai (food basket) and recreational facility.

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Regrettably this part of the Manawatū River is the recipient of up to 50,000 tonnes of sediment each time the Moutoa flood gates on the Lower Manawatū River are opened. An even more alarming fact is that the loop has had *E. coli* counts nearly nine times the safe level. The latter is a cause of considerable concern.

We would like to submit on proposals 4.3 (question 26), 4.4 (question 30), and 4.5 (question 33).

Proposal 4.3, question 26: Do you agree that human health for secondary contact recreation such as boating and wading should be a compulsory value?

We believe the Crown is setting the value for water bodies too low in this proposal, and the proposal should be changed to establish ‘human health for *primary* contact recreation’ as a compulsory value for water bodies. Our goal is that Piriharakeke is swimmable. Careful boating on and wading in the loop is already possible, but this does not mean that the loop satisfies our expectations of a healthy waterway. Our concern is that should the standard be set at secondary contact recreation, there will be nothing to compel our local bodies to improve the loop to a level that fulfils our values for it. We understand that regional councils can specify values for water bodies that exceed those in the National Policy Statement. However, we also know that the process of setting such values can be contested and dominated by groups that have vested interests in water decline, not improvement. We want to rejuvenate Piriharakeke and to have a policy framework at the national, regional and local levels that supports us to do that. We are not convinced that the current proposal would provide such a framework at the national level.

Proposal 4.4: National bottom lines, question 30: Do you agree with the proposed level at which bottom lines would be set for each attribute of human health for secondary contact recreation? If not, at what level should they be set?

We disagree with the proposed level at which the national bottom line for *E. coli* has been set (p. 72 of the discussion document). Crown officials will be well aware that *E. coli* counts above 550/100 mL of water indicate that the water is likely to cause illness if it is ingested. Setting the national bottom line at 1000 *E. coli*/100 mL of water is simply too high, and will not provide for the value of ‘human health’. We already know this from experience, having seen the Horowhenua District Council issue several red alert warnings for the loop when *E. coli* counts exceeded the safe number. A bottom line of 540 *E. coli*/100 mL (see Attribute

State B) – although right on the cusp of what would be safe – seems like an appropriate compromise.

Proposal 4.5, exceptions framework, question 33: Do you agree that there could be exceptions where historical activities have created impacts on water quality and the reversal of those impacts is not reasonably practicable, either physically or ecologically, even in the long term? Where in your region do you think this type of exception might apply?

In the past, some might have considered Piriharakeke to be an example of an exception as described in the discussion document; the activities of the Public Works Department in 1942 had long-lasting adverse effects on the loop that some have argued are too expensive to reverse. We have long advocated building a channel to reconnect the upper part of the loop to the main stem of the Manawatū River to restore flow to the loop. Regional council officials repeatedly advised us that building a channel would not reintroduce flow into the loop and would cost too much. Recently, however, their position seems to have changed, and it is possible that we may get consent to build a channel. At the very least, we are not being discouraged from applying for consent. Our point is that deciding whether something is an exception is subjective to the people making the decisions. Historically, Piriharakeke might have been thought of as an exception, but now that view may be changing, and the absence of policy guidance in this area has provided a space for that change to occur.

We understand that the decision to categorise a water body as an exception would need to go through a public consultation process. Our concern here is that in such processes, the cards can be stacked against community groups. If, for example, the exceptions proposal was to succeed and the regional council were to deem Piriharakeke an exception, it would be hard for us to argue against the council, because the council has far greater resources and capacity to commit to the argument than we do. The proposal to enable councils to specify exceptions to the national bottom lines may indeed be practical in some cases, but for groups like ours, it also presents real risks that should be avoided. One of these risks is that a water body is locked into a schedule in the National Policy Statement, effectively precluding any possibility of considering it for remediation. The other is that small, poorly resourced community groups have to engage in yet another consultation process to defend waterways that they already spend considerable time and effort trying to restore.