

Outstanding water bodies screening criteria

Background

Since the late 1970s, successive governments have introduced and amended various types of legislation in an attempt to protect those water bodies in New Zealand which have outstanding features. One of the most central statutory tools in New Zealand used to protect water bodies with outstanding features are Water Conservation Orders (WCOs), passed into legislation in 1981. These are often referred to as the national park equivalent for water bodies.

In 2011, the Government signalled additional protection for outstanding water bodies (OWB) through the National Policy Statement for Freshwater Management (NPS-FM). The NPS-FM provisions set out a new direction for the management of freshwater resources in New Zealand at a regional level, but did not set a mandatory or approved methodology for the assessment and identification of OWB.

Both WCO and NPS-FM OWB provisions provide a high level, but slightly different type, of protection for this class of water body. In particular, WCOs look to identify and protect nationally outstanding values of freshwater bodies, with the NPS-FM looking to identify the regionally outstanding values of freshwater bodies with the protection directed at those water bodies' significant values. The 2020 version of the NPS-FM now specifically recognises water bodies with a WCO as OWBs.

***Outstanding water body** means water body, or part of a water body, identified in a regional policy statement, regional plan, or a water conservation order as having one or more outstanding values. (NPS-FM 2020)*

Despite nearly 40 years of research, investigations and discussions, to this day there is no nationally accepted criteria that can be used to assess the specific values of freshwater bodies and determine whether they are outstanding in either a national or regional context. This has created uncertainty and debate around when the values of a water body are outstanding and should be protected under the NPS-FM.

In 2014, Hawke's Bay Regional Council (HBRC) partnered with Auckland Council and the Ministry for the Environment in an attempt to develop criteria and a methodology to assist regional councils with the identification of OWB across New Zealand, pursuant to the NPS-FM. That project is referred to as the Community Environment Fund - Outstanding Freshwater Body Project. The project reviewed the WCO reports and recommendations released by various courts and tribunals, to identify common themes, factors and characteristics of those water bodies with an outstanding status, and produced a report in 2020¹.

Consultation

Horizons Regional Council is proposing to use a modified version² of the HBRC criteria (decisions version)³ in our identification of outstanding water bodies in the One Plan, and would like feedback from tāngata whenua, stakeholders and our communities on the appropriateness of the criteria for the Manawatū-

¹ Harper, B. (2020). Water conservation order review: Outstanding values: Key features.

<https://www.hbrc.govt.nz/assets/Document-Library/Outstanding-Water-Bodies/CEF-OFWB-Project-WCO-Review.pdf>

² The criteria for karst system / subterranean waters has not been included because it is not appropriate for Manawatū-Whanganui region.

³ Decision of the Independent Hearings Panel on proposed Plan Change 7 to the Hawke's Bay Regional Resource Management Plan (2021). <https://www.hbrc.govt.nz/assets/Document-Library/Outstanding-Water-Bodies/Decision-of-the-Independent-Hearing-Panel-PC7.pdf>

DRAFT FOR CONSULTATION

Whanganui region. Horizons is also engaging with iwi and hapū in another format, where we will specifically seek iwi and hapū feedback on the cultural and spiritual significance criteria.

Criteria

Value	Sub Value / Outstanding Indicators	Evidential sources can include but not limited to the following ¹
Ecosystem Health – the water body supports an appropriate ecosystem	Habitat for aquatic birds (native and migratory)	
	<p>Water body should be further investigated as providing an outstanding habitat for aquatic birds where it meets:</p> <ul style="list-style-type: none"> • at least one matter in List A and • all matters in List B. <p>List A</p> <p>a) One of the highest regional populations of a native aquatic bird species which is endangered, threatened or distinctive⁴.</p> <p>b) One of the highest natural diversity of aquatic birds (native and migratory) in the region, which includes endangered or threatened species</p> <p>List B</p> <p>a) Evidence is provided in support of outstanding features.</p>	<ul style="list-style-type: none"> • International Union for Conservation of Nature (IUCN) criteria • RAMSAR site criteria reports. • New Zealand threat classification system • IUCN red list • Expert evidence
	Native fish habitat	
	<p>Water body should be further investigated as providing an outstanding habitat for native fish where it meets:</p> <ul style="list-style-type: none"> • at least one matter in List A and • all matters in List B <p>List A</p> <p>a) A unique species or distinctive assemblage of native fish not found anywhere else in the region.</p> <p>b) Native fish that are landlocked and not affected by presence of introduced species.</p> <p>c) One of the highest diversities of native fish species in the region, which includes a threatened, endangered or distinctive species.</p> <p>d) An outstanding customary fishery.</p> <p>List B</p> <p>a) Evidence is provided in support of outstanding native fish habitat value.</p>	<ul style="list-style-type: none"> • Waters of National Importance • Expert evidence

⁴ For WCO purposes, at least 5% of the national population (Rangitata South Irrigation Ltd v New Zealand and Central South Island Fish and Game Council [2004]. Interim report on a proposed Rangitata Water Conservation Order (C109/2004)).

DRAFT FOR CONSULTATION

Value	Sub Value / Outstanding Indicators	Evidential sources can include but not limited to the following ¹
	Habitat for indigenous plant communities	
	<p>Water body should be further investigated as providing an outstanding habitat for an indigenous plant community where it meets:</p> <ul style="list-style-type: none"> • at least one matter in List A and • all matters in List B <p>List A</p> <p>a) The indigenous plant community has a high diversity of habitats, or rare and threatened plant species in the region.</p> <p>b) The indigenous plant community contains special features not found anywhere else in the region.</p> <p>List B</p> <p>a) The indigenous plant community is reliant on the river flows, other aquatic characteristics, or is an integral part of the water body.</p> <p>b) Evidence is provided in support of outstanding features.</p>	<ul style="list-style-type: none"> • New Zealand Geopreservation Inventory • Protected Natural Area (PNA) surveys • Expert evidence
Fishing – the water body supports fisheries of species allowed to be caught and eaten	Habitat for trout and salmon	
	<p>Water body provides an outstanding habitat for trout and salmon where it meets all matters in List A.</p> <p>List A</p> <p>a) Has an outstanding angling amenity or is critical to maintaining an outstanding angling amenity elsewhere in the catchment.</p> <p>b) Supports a self-sustaining population of wild trout or salmon (i.e., fish population not periodically restocked from hatcheries).</p> <p>c) Evidence is provided in support of outstanding features.</p>	<ul style="list-style-type: none"> • Waters of National Importance. • Headwater trout fisheries (NIWA). • Expert evidence.
	Angling amenity (trout)	
	<p>Water body should be further investigated as providing an outstanding recreational fishing experience (angling amenity) where it meets:</p> <ul style="list-style-type: none"> • at least one matter in List A and • at least one matter in List B and • all matters in List C <p>List A</p> <p>a) Trophy trout (over 4 kg in size).</p> <p>b) High numbers of large trout (water body supports the highest number of large trout in the region).</p>	<ul style="list-style-type: none"> • National Angling Survey • Headwater trout fisheries (NIWA) • Testimonies from anglers • National Inventory of Wild and Scenic River • Expert evidence

DRAFT FOR CONSULTATION

Value	Sub Value / Outstanding Indicators	Evidential sources can include but not limited to the following ¹
	<p>c) High numbers of trout (water body supports the highest trout numbers in the region or the highest trout biomass in the region).</p> <p>List B</p> <p>a) Variety of high-quality angling experiences.</p> <p>b) Specialised high quality angling experience (scenic, solitude, challenging, high catch rate, ability to spot and fish to a particular trout).</p> <p>List C</p> <p>a) Wild trout fishery (self-sustaining trout population through natural replacement).</p> <p>b) Water body is accessible and suitable to fish (high water quality and suitable flows).</p> <p>c) A regional, national or international reputation as an exceptional trout fishery or high non-local usage (high numbers of anglers come from outside of the area).</p> <p>Evidence is provided in support of outstanding recreational experience.</p>	
Cultural and spiritual (tāngata whenua)	Cultural and spiritual (tāngata whenua)	
	<p>Water body should be further investigated as being outstanding for cultural and spiritual values where it meets all matters in List A.</p> <p>List A</p> <p>a) The features are of significance to wider iwi and hapū groups of the region.</p> <p>b) The features are acknowledged as outstanding, by the descendant groups most closely associated with the waterbody.</p> <p>c) Evidence is provided in support of outstanding features.</p>	<ul style="list-style-type: none"> • Waitangi Tribunal Reports • Statutory acknowledgements • Statements provided from Iwi members • Expert evidence • Deeds of settlement • Customary uses reports. • Court cases
Natural form and character – the water body has particular natural qualities that people value	Natural character	
	<p>Water body should be further investigated as having outstanding natural character values where it meets all matters in List A.</p> <p>List A</p> <p>a) The water body is highly natural with little or no human modification, including to the flow, bed and riparian margins, water quality, flora and fauna, within a largely indigenous landscape.</p> <p>b) The natural character values are conspicuous, eminent and/or remarkable in the context of the Manawatū-Whanganui Region.</p>	<ul style="list-style-type: none"> • Expert evidence

DRAFT FOR CONSULTATION

Value	Sub Value / Outstanding Indicators	Evidential sources can include but not limited to the following ¹
	Evidence is provided in support of outstanding natural character values by way of an expert assessment or independent evidence sources.	
	Natural form / Geomorphology	
	<p>Water body should be further investigated as having outstanding geology values where it meets all matters in List A.</p> <p>List A</p> <p>a) The geomorphological, geological or hydrological feature is dependent on the water body's condition and functioning.</p> <p>b) The geomorphological or geological values are conspicuous, eminent and/or remarkable in the context of the Manawatū-Whanganui Region.</p> <p>c) Evidence is provided in support of outstanding geology / geomorphology values by way of an expert assessment or independent evidence sources.</p>	<ul style="list-style-type: none"> • Expert evidence • New Zealand Geopreservation Inventory
Transport and tauranga waka – the water body is navigable for identified means of transport	Rafting	
	<p>Water body should be further investigated as providing an outstanding rafting experience (amenity) where it meets:</p> <ul style="list-style-type: none"> • at least one matter in List A and • all matters in List B. <p>List A</p> <p>a) Variety of high-quality rafting experiences found in few other water bodies in the region.</p> <p>b) A specialised high quality rafting experience found in few other water bodies in the region.</p> <p>List B</p> <p>a) The water body provides an outstanding rafting experience which is reliable and predictable for most of the year under normal flows (i.e. the experience is not reliant on dam release water or high flows, or subject to low flows).</p> <p>b) Regional, national or international significance as an exceptional rafting experience.</p> <p>c) High non-local usage (high numbers of participants come from outside of the area).</p> <p>d) Evidence is provided in support of an outstanding rafting experience.</p>	<ul style="list-style-type: none"> • 1991 River Use Survey. • New Zealand Recreational River Survey. • Testimonies from rafters and their local or national associations. • Expert evidence.

DRAFT FOR CONSULTATION

Value	Sub Value / Outstanding Indicators	Evidential sources can include but not limited to the following ¹
	Kayaking and canoeing	
	<p>Water body should be further investigated as providing an outstanding kayaking experience (amenity) where it meets:</p> <ul style="list-style-type: none"> • at least one matter in List A and • all matters in List B. <p>List A</p> <p>a) Variety of high-quality kayaking experiences found in few other water bodies in the region.</p> <p>b) A specialised high quality kayaking experience found in few other water bodies in the region</p> <p>List B</p> <p>a) The water body provides an outstanding kayaking experience which is reliable and predictable for most of the year under normal flows (i.e., the experience is not reliant on dam release water or high flows, or subject to low flows).</p> <p>b) Regional, national or international significance as an exceptional kayaking experience.</p> <p>c) High non-local usage (high numbers of participants come from outside of the area).</p> <p>d) Evidence is provided in support of an outstanding kayaking experience.</p>	<ul style="list-style-type: none"> • 1991 River Use Survey. • New Zealand Recreational River Survey. • New Zealand Whitewater: 120 Great Kayaking Runs. • Testimonies from kayakers and their local or national associations. • Expert evidence.
	Jet Boating	
	<p>Water body should be further investigated as providing an outstanding jet boating experience (amenity) where it meets:</p> <ul style="list-style-type: none"> • at least one matter in List A and • all matters in List B. <p>List A</p> <p>a) Variety of high-quality jet boating experiences found in few other water bodies in the region.</p> <p>b) A specialised high quality jet boating experience found in few other water bodies in the region.</p> <p>List B</p> <p>a) The water body provides an outstanding jet boating experience which is reliable and predictable for most of the year under normal flows (i.e. the experience is not reliant on high flows or subject to low flows).</p> <p>b) Regional, national or international significance as an exceptional jet boating experience.</p>	

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Value	Sub Value / Outstanding Indicators	Evidential sources can include but not limited to the following ¹
	<ul style="list-style-type: none">c) High non-local usage (high numbers of participants come from outside of the area).d) Evidence is provided in support of an outstanding jet boating experience.	