

In the Environment Court of New Zealand
Christchurch Registry

I Te Koti Taiao o Aotearoa
Ōtautahi Rohe

ENV-2020-CHC-127

Under the Resource Management Act 1991 (**RMA**)

In the matter of of the Water Permits Plan Change - Plan Change 7, being part of a proposal of national significance directed by the Minister for the Environment to be referred to the Environment Court under section 142(2)(b) of the RMA

And

In the matter of of an application under section 149T of the RMA

Between **Otago Regional Council**

Applicant

Statement of Evidence of Matthew James Sole on behalf of Central Otago Environmental Society (COES)

21 April 2021

May it please the court:

- 1 Thank you for the opportunity to appear before you today. My name is Matthew James Sole.
- 2 Through our respective submissions we are giving voice to our Manuherekia Rohe and her many tributary catchments of creeks, streams and rivers, the living arteries for this terrestrial life sustaining land.
- 3 We have three members of Central Otago Environmental Society speaking to their summary of written submissions and evidence.
 - (a) First is myself Matthew Sole - archaeologist, naturalist, father and grandfather residing in the Manuherekia Valley.
 - (b) followed by Jillian Sullivan – mother, grandmother, writer, home builder and Ida Valley resident.
 - (c) finally Phil Murray - consultant in Natural Resource management, keen kayaker, resident in Clyde with two children now adults who have represented NZ in kayaking overseas.
- 4 The statements provided by COES have a focus on the Manuherekia, because it is where we live and is at the forefront of our minds. We fully acknowledge that Plan Change 7 will have impacts outside of the Manuherekia. With much of what we discuss being relevant to the other catchments.

Executive Summary

- 5 We support the temporary short-term consenting mechanism as an interim holding step while a new water and land plan is prepared and implemented to give effect to the NPS FW 2020.
- 6 Our focus in relation to supporting Plan Change 7 uses our experiences and observations with the Manuherekia Rohe (Kai tahu spelling) where we largely reside.
- 7 Through our evidence and observations provided below we are speaking and giving voice to Manuherekia and her tributaries over the loss and degradation of 'being' that we have experienced and noted over many years.
- 8 Through sustained engagement with ORC and Irrigator lead community workshops and working groups we are frustrated and disillusioned with that lack of meaningful understanding and explanation of the ecological needs and functional requirements of a pre abstraction/naturalised Manuherekia Rohe.
- 9 Of concern is the division and time consuming debate caused by the lack of understanding on ecological functional needs, robust baselines and incongruous monitoring and data to meaningfully understand the function and life supporting needs of our Manuherekia and its catchment tributaries. This is critical in order to manage sustainably the environmental needs of the catchment and make appropriate allocations for community function, wellbeing and a steady state economy without sacrificing ecological health and function of the Manuherekia Rohe.

- 10 We understand the human need for water but we as community members have not been provided with the knowledge and understanding on the ecological needs and life sustaining operational thresholds for the Manuherekia and her tributaries.
- 11 Without the pre abstraction naturalised needs of the river needs being understood, assessed and benchmarked, we do not have a basis on which to consider what the Manuherekia and her tributaries can provision us with for our human needs. We cannot determine the abstraction capacity until we know and understand the rivers ecological life supportive needs and benchmarks?
- 12 The Manuherekia Rohe has a history of over-allocation for over 100 years, as mining privileges are the primary legal means used to allocate water in the catchment. Mining privileges were allocated with little or no understanding of the Manuherekia and its catchment tributary systems and without regard for ecological, hydrological function or instream values. Progress is being made by land users on runoff and more efficient water application however our observations are, these gains in water efficiency are being directed to more land modification under irrigation as opposed to reducing abstraction and restoring waterway ecological function. The need to provide environmental flows and restore ecological and hydrological river and tributary function has been clearly signalled within a thirty-year time frame.
- 13 As a lay person the best means I have of assessing and monitoring for aquatic ecosystem health is the stark contrast in river and stream vitality and health in headwater catchments outside of the modified valley floor where I can and do drink, swim and absorb and revel in the vital life-giving properties of nature's own.
- 14 From the evidence our observations and monitoring of the Manuherekia Rohe, we show that it is over-allocated or over extracted, degraded in ecological function and has at times severely reduced in ecological energy and productivity.
- 15 There is poor understanding of the catchment valley's naturalised state when contrasted with the health and quality of ecological function and vitality of the Manuherekia headwaters and her tributaries.
- 16 Meaningful ecological thresholds and benchmarks for the naturalised ecological functional life-sustaining needs of the Manuherekia and her tributaries appear non-existent as a first order priority.
- 17 These are essential to assessing and determining the environmental effects of the second order essential needs of the community and then the third order ability of the people and communities to provide for their social, economic and cultural wellbeing, now and into the future.
- 18 It is the view of Central Otago Environmental Society that the current ORC water plan as per the Skelton Report is not fit for purpose. This position is informed by multiple expert planners in this hearing. Plan change 7 will provide time to produce a land and water plan fit for purpose with a holistic systems approach as opposed to the siloed, reductionist approach.

19 Thank you for providing the opportunity to present to you today. I am happy to respond to questions you may have. I have a power point available of images I have referenced in my evidence.

Dated this 21 April 2021



Matthew Sole

May I indulge the court with this I suggest apt quote from David Suzuki?

THE WAY WE SEE THE WORLD SHAPES THE WAY WE TREAT IT. IF A MOUNTAIN IS A DEITY, NOT A PILE OF ORE; IF A RIVER IS ONE OF THE VEINS OF THE LAND, NOT POTENTIAL IRRIGATION WATER; IF A FOREST IS A SACRED GROVE, NOT TIMBER; IF OTHER SPECIES ARE BIOLOGICAL KIN, NOT RESOURCES; OR IF THE PLANET IS OUR MOTHER, NOT AN OPPORTUNITY -- THEN WE WILL TREAT EACH OTHER WITH GREATER RESPECT. THIS IS THE CHALLENGE, TO LOOK AT THE WORLD FROM A DIFFERENT PERSPECTIVE.

- DAVID SUZUKI -