

## Highly Polluted River

In a mere 150 years, the mighty Whanganui of Maori mythology had been reduced from a magnificent waterway displaying all the classic signs of ecological diversity from snow to sea, hosting a remarkable array of plant life, aquatic species, bird and wildlife, including the short-winged bat; and sustaining a Maori population of about 30,000 – to a dirty, silt-laden, highly polluted river.

Such was the situation confronting King Country Forest and Bird when research began for submissions to the Whanganui National Park draft Management Plan in early 1987. Gazettal of the park presented an ideal catalyst to return the Whanganui to a normal and healthy state – for if the national park was to be managed according to accepted conservation principles, surely its *raison d'être*, the mighty Whanganui, should be accorded equal status? If the status quo prevailed, (viz the land managed for maximum protection and the river for maximum exploitation), New Zealand's national

flow conditions. Artificial and unsuitable though the regime was, it held one enormous advantage. It provided a legal base to mount a determined challenge to recover a biologically acceptable quantity of water. Research indicated that 70 percent of the natural flow was required.

Basic themes were decided, some of these being canvassed in submissions to DoC. The branch would propose no solutions, suggesting instead that an authoritative forum should be constituted with wide terms of reference, whereby solutions would be arrived at following examination of scientific and social evidence. The minimum flow regime was judged a mistake, for it visited upon the river an alien environment. If water had to be diverted, then it should be on a proportional basis, (i.e. a fixed percentage to the Electricity Corporation, the rest to the river.) We rejected any notion of ownership of the river. The concept of sharing would be vigorously promoted.



*The Mangetepopo Stream is an attractive tributary of the Whanganui. Descending down off the Central Plateau, it tumbles down through dense native forest until, within only 50 metres of the Outdoor Pursuits Centre, it disappears north. Here thousands of young people each year learn about the outdoors.*

parks were clearly under the gravest of threats. Such a precedent could easily be transferred.

The branch worked out a general strategy – the principle objective being to return the Whanganui to a normal and healthy state with compatible management structures. The review of the so-called “minimum flow regime” set down for May 1988, was identified as the suitable means to institute fundamental change.

The regime was set in place in 1983 following an application for more water by the NZ Canoeing Association in 1977. It was not ideal and was implemented to satisfy recreational demand rather than the general ecology. It allowed a 22 cumec minimum flow at Te Maire for 10 summer weeks and Easter, and a 16 cumec minimum for the rest of the year. As a reference yardstick, this is about 50 percent below normal low



These strategies and themes were then discussed with Forest & Bird staff during the 1987 AGM. Over one matter we held no doubts – the stakes were high! Electricity Corp stood to lose up to \$30 million per year — a figure which has since risen to \$300 million plus!

## Taking it to the Public

We decided, therefore, to take the matter to the public.

On 20 October 1987, the King Country Branch hosted a public meeting in Taumarunui with two aims in mind. Firstly, to explain the basic workings of the scheme and some of its history. Secondly, to form a community-based coalition of organisations to lobby for fundamental change.

The meeting was a huge success. The Whanganui River Flows Coalition eventually came to represent over 35 organisations as

diverse as: King Country Federated Farmers, Whanganui Chamber of Commerce, Friends of the Shoreline, Forest & Bird, Tramping Clubs, Owhango Electrical.

The campaign message was simple — the Coalition rejected outright a review of minimum flows as merely tinkering with the problems, and said Electricorp's right to the water itself ought to be reviewed. This was later upgraded for Electricorp to apply for a water right to take and use the headwaters of the Whanganui. This was a fundamental distinction, in that a water right applicant must prove the requirement for water.

However, the Government planned to sell all of the electricity generation and transmission assets to Electricorp – including water rights. The public were excluded from the negotiations. In retaliation the Coalition began a round of public meetings, TV appearances, press statements and radio interviews. The Minister of Conservation was seen as a natural ally, and her advice was sought. Six Ministers were informed that very serious mistakes were being made. The Parliamentary Commissioner for the Environment was asked to intervene on the grounds that a national resource was being allocated in advance of public participation and little investigation. It was made known that a legal case was being investigated to take the Government to court on the grounds they were acting against the principles of the Treaty of Waitangi. (The State-Owned Enterprises Act binds Electricorp to the principles of the Treaty). Forest & Bird were briefed on the issue during the National Council Meeting at Mt Ruapehu in November 1987.

## Simple Message

Once again the message was kept simple – “... the Government planned to sell New Zealand's rivers ... customary rights of access were in jeopardy.” The NZ Maori Council held similar fears, and the sale of water rights was abandoned in mid-December 1987.

By Christmas 1987, advice had been received that the National Water and Soil Conservation Authority was to be axed with functions devolving to Catchment Boards and the Ministry for the Environment. This meant the Ministry's policies, particularly the legal status of intrinsic values and sustainability, would/should preside over any allocation decisions. Good news indeed. All efforts were now directed down two avenues.

The first was to persuade the Government that Electricorp must apply for a water right. This was achieved remarkably quickly. A nationwide petition was launched on 28 January 1988 calling on the Government to take whatever action was required to have Electricorp apply for a water right. Six weeks later and six weeks in advance of the petition deadline, Electricorp announced they would apply for such a right ... in five years. Despite the tag, Electricorp were publicly congratulated for a sensible and courageous decision. An important principle had been established; for the first time in New Zealand history, Electricorp would have to stand in the market place and prove its case. 5,500 people from just about every