

Form 6

Further submission in support of, or in opposition to, submission
on proposed Otago Regional Policy Statement – Freshwater Planning
Instrument Parts [Clause 8](#) of Schedule 1, Resource Management Act 1991

To Otago Regional Council

Name of person making further submission: Minister David Parker

This is a further submission in support of and in opposition to various submissions on the following proposed Otago Regional Policy Statement – Freshwater Planning Instrument Parts (the **proposal**):

I am

- *a person representing a relevant aspect of the public interest. Grounds: As the Minister for the Environment.*

Appendix 1 sets out the submissions or parts of submissions that I support or oppose, the reasons for support or opposition, and the relief sought in relation to those submissions or parts of submissions.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Signature of person making further submission
(or person authorised to sign on behalf of person making further submission)



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Date: 3 February 2023

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Note to person making further submission

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter

Appendix 1: Further submission points

Submitter	Submitter number	Support or Oppose	Parts of the submission supported or opposed	Reason for support or opposition	Seek the following
Dunedin City Council	FPI001	Support	FPI001.007	Agree with the point made by Dunedin City Council that further clarification may be needed to reflect the priority given to health needs of people as required by NPS-FM 2020 – particularly, drinking water and how that is to be balanced against ‘well-being’ which has been introduced into tier two of the hierarchy (noting social, economic and cultural well-being is in tier three of the hierarchy in NPS-FM 2020).	That the submission be allowed.
Director General of Conservation (DOC)	FPI044	Support in part	FPI044.006	We support DOCs efforts to provide clarity on how LF-WAI-P1 can work with IM-P1 and generally support LF-WAI-P1 taking priority as this is more direct reflection of NPS-FM Objective 2.1. However, further consideration of what is put forward in the non-freshwater process is needed before settling on the exact mechanism and wording.	That the submission be allowed.
Director General of Conservation (DOC)	FPI044	Support	FPI044.008	Support the relief sought that direct reference be added in the visions that freshwater be managed consistent with the Kawarau River WCO.	That the submission be allowed.
Contact Energy Limited	FPI027	Support	FPI027.019	Agree with Contact energy that where degraded, the health of the lakes should	That the submission be allowed.

				be improved as required by NPS-FM policy 5.	
Wise Response Society	FPI035	Support in part	FPI035.005	We consider that the overall timeframes for achieving visions is best determined by ORC, however agree that 5-yearly milestones should be included to recognise that achieving the vision cannot be left until close to the final timeframe.	That the submission be allowed.
Director General of Conservation (DOC)	FPI044	Support in part	FPI044.016	Agree with DOC that protection and the promotion of restoration of natural inland wetlands are required by NPS-FM policy 6.	That the submission be allowed.
Federated Farmers of New Zealand	FPI026	Oppose	FPI026.029	Oppose the deletion of objective LF-FW-O9 as it is intended to give effect to Policy 6 of NPS-FM.	That the submission be disallowed.
Director General of Conservation (DOC)	FPI044	Support	FPI044.005	Support DOC's position that LF-WAI-O1 should not be drafted in a way that would preclude consideration of coastal waters, which is required by clause 3.5 of NPS-FM.	That the submission be allowed.
Kāi Tahu ki Otago	FPI030	Support	FPI030.028	We support the inclusion of land in in this objective to recognise the interconnections between water and land and better give effect to Te Mana o Te Wai and NPS-FM clause 3.5.	That the submission be allowed.
Silver Fern Farms Limited	FPI020	Oppose	FPI020.010	We disagree with that submission as we consider restoration being "promoted" weaker than simply being "restored", particularly as policy 5 of the NPS-FM requires degraded water bodies to be improved. Additionally, we consider that "restored" should be replaced with	That the submission be disallowed.

				“improved” as per the wording used in Policy 5 of the NPS-FM.	
Director General of Conservation (DOC)	FPI044	Support	FPI044.009 - FPI044.013	Strongly support the need for staged targets or interim steps for meeting long term visions, particularly where those timeframes are on the longer end of the scale.	That the submission be allowed.
Federated Farmers of New Zealand	FPI026	Oppose	FPI026.022 - FPI026.026	While we acknowledge the ambitious, but reasonable timeframes required in visions are best set by the regional council, we oppose the suggestion by Federated Farmers of New Zealand to remove the vision timeframes from the pRPS as the pRPS must include a specific, ambitious but reasonable, date where the visions will be achieved.	That the submission be disallowed.
Contact Energy Limited	FPI027	Oppose in part	FPI027.006	The pRPS definition of ‘over-allocation’ does not accurately reflect the definition used in the NPS-FM as amended in December 2022. Clause ‘c’ of the NPS-FM definition which enables ‘an FMU or part of an FMU is not achieving an environmental flow or level set for it’ to be defined as over-allocated is missing from the pRPS definition. Amend the pRPS definition to reflect the updated NPS-FM definition.	That the submission be disallowed.