

Proposed Otago Regional Policy Statement 2021

Reply report version

How to read this document

This version of the Proposed Otago Regional Policy Statement 2021 (pORPS) does not have any legal weight. It has been prepared to help the Hearing Panel, Council staff, and submitters understand what changes have been recommended by the reporting officers to the provisions in the regional policy statement since it was notified in June 2021. This page is included for information purposes only and does not form part of the pORPS.

Key

Appearance	Explanation
Black text with no shading	Parts of the pORPS notified on 26 June 2021 that are not a freshwater planning instrument (FPI).
Black text with underlining or strikethrough	Amendments recommended by reporting officers to non-FPI parts of the pORPS.
Black text with blue shading	Parts of the pORPS notified on 30 September 2022 that are a freshwater planning instrument.
Black text with underlining or strikethrough and blue shading	Amendments recommended by reporting officers (including from s42A reports, supplementary evidence, opening statements, and reply reports).

Where reporting officers have recommended additions or deletions, these changes are accompanied by a footnote referencing the basis for the recommended change. Usually these are references to specific submission points but in some cases refer to the provisions of Schedule 1 of the Resource Management Act 1991. In addition to those footnotes, there are ‘permanent’ footnotes that set out references or provide additional information. To differentiate these from the officer recommendation footnotes above, both the in-text footnote numbers and the text at the bottom of the page has been shaded grey.

Some reporting officers have recommended moving provisions. There are notes included in the relevant chapter describing the movement of these provisions. These are to aid reading and do not form part of the pORPS. They are identified as a ‘note to readers’ and shown with a black outline, as follows:

Note to readers: *As a result of reporting officer recommendations...*

Some reporting officers have recommended including advice notes. These are notes in a chapter to aid interpretation but have no legal weight. They do form part of the pORPS (as recommended it be amended by officers). They are shown as an ‘advice note’ and are underlined, as follows:

Advice note: ...

PART 1 – INTRODUCTION AND GENERAL PROVISIONS

Foreword or mihi

Regional policy statements are significant planning tools; overarching documents that identify our most pressing environmental issues and provide direction to *district plans* and other resource management plans on how we will manage them. Developing this new Regional Policy Statement (RPS)¹ has provided an opportunity for renewed partnership between Kāi Tahu in Otago and Southland,² and the Otago Regional Council (ORC)³. We present this foreword to the notified version together, in recognition of that partnership and in anticipation of the work to come.

ORC didn't expect to find itself writing another Regional Policy Statement so soon. The ink is hardly dry on the 2019 Partially Operative Regional Policy Statement (in fact, as the name suggests, all the ink isn't even there yet), and here is the notification for the next. Nonetheless, a 2019 review of ORC's water management framework and a slew of new national regulation meant a new RPS was needed to set the scene for work on a new Land and Water Regional Plan.

Having this new RPS developed so soon after the last has allowed it to build directly on the previous process. With issues and concerns still fresh, more refinement has been possible, building better processes and driving rapid progress on significant issues facing the region, including *resilience to climate change* and *natural hazards*, managing urban development, improving *freshwater* and coastal environmental management, and supporting biodiversity. The community, including Mā⁴mana whenua, the community⁵ and ORC have faced this planning challenge together. We have placed the *environment* at the centre of all we do in our long-term vision:

The management of natural and physical resources in Otago,⁶ by and for the people of Otago, including in partnership with⁷ Kāi Tahu, and as expressed in all resource management plans and decision making,⁸ achieves a healthy, and resilient, and safeguarded⁹ natural systems environment,¹⁰ and including¹¹ the ecosystem services they offer it provides,¹² and supports the well-being of present and future generations, mō tātou, ā, mō kā uri ā muri ake nei.¹³

¹ Clause 16(2), Schedule 1, RMA

² 00223.007 Ngāi Tahu ki Murihiku

³ Clause 16(2), Schedule 1, RMA

⁴ 00226.112 Kāi Tahu ki Otago.

⁵ 004200.004 Jim Hopkins

⁶ 00239.034 Federated Farmers

⁷ 00226.085 Kāi Tahu ki Otago

⁸ 00121.015 Ravensdown

⁹ 00211.004 LAC, 00210.004 Lane Hocking, 00209.004 Universal Developments, 00118.005 Maryhill, 00014.005 Mt Cardrona Station

¹⁰ 00231.03 Fish and Game

¹¹ 00139.022 DCC

¹² 00239.034 Federated Farmers

¹³ 00239.034 Federated Farmers

This statement reflects that a healthy, flourishing *environment* is fundamental to our well-being. Integration is the central tenet, seeing the *environment* as a single connected system, *ki uta ki tai*, and weaving this in to the RPS fabric.

Our long-term vision takes its cue from the holistic perspective of *Te Mana o te Wai* in the National Policy Statement for Freshwater Management 2020. Guided by the need to give effect to *Te Mana o te Wai* we have worked with *mana whenua* and the wider community to develop long-term visions for Otago's *water bodies*. The purpose of these visions is to protect the mauri of *water bodies* in Otago, a responsibility shared by all. The aim is to achieve positive outcomes for *water* and habitat that also address the community's needs and interests.

A broad section of people from all walks of life have contributed to developing the Regional Policy Statement. Through a variety of means, including in-person public workshops, community reference groups, online surveys, and reports, people have helped shape policy development in its earliest stages and fed into the long-term *freshwater* visions for their own parts of Otago.

Thank you to all who have been involved in bringing this RPS to notification: *mana whenua*; staff from ORC, Aukaha, and Te Ao Marama Inc; councillors; stakeholders; and community members.

The objectives and policies in this RPS signal a significant step change in Otago, mindful of the need to consider the *environment* that will be inherited by future generations. We are asking our communities to join us in that change, to create a future of opportunity and security for all of us.

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Purpose

As a community, we in Otago are moving into an age that requires solutions to both entrenched legacy issues and significant emerging issues in order to promote positive sustainable change while also enabling the Otago community to flourish, and to enjoy all that the region has to offer.

The Otago Regional Policy Statement (ORPS) provides a policy framework that aims to achieve long-term environmental sustainability by integrating the protection, restoration, enhancement, ~~and~~ use and development¹⁴ of Otago's *natural and physical resources*. The ORPS also promotes a thriving and healthy natural environment as being vital to sustaining our wellbeing.¹⁵

The ORPS responds to identified significant regional values and resource management issues relating to Otago's *environment, historic heritage, economy, recreational opportunities and communities*. The ORPS sets out objectives, policies, and methods to address and¹⁶ resolve, over time, the identified issues as effectively and efficiently as possible. The ORPS gives effect to the statutory requirements set out in the Resource Management Act 1991 (RMA-1991)¹⁷, as well as relevant national direction instruments, and is informed by¹⁸ iwi authority planning documents. *Regional plans*¹⁹ and *district plans* must give effect to the ORPS.

¹⁴ 00213.003 Fonterra

¹⁵ 00239.002 Federated Farmers

¹⁶ 00213.003 Fonterra

¹⁷ Clause 16(2), Schedule 1, RMA

¹⁸ 00223.008 Ngāi Tahu ki Murihiku

¹⁹ Clause 16(2), Schedule 1, RMA

Description of the Region²⁰

At 32,000 km², the Otago region is the second largest region in New Zealand, making up 12% of New Zealand's *land* mass.

The region's eastern edge is entirely marine, extending 12 nautical miles out to sea from a scenic and varied coastline. Otago meets Canterbury at the southern bank of the Waitaki River, its northern border following the *river* upstream then branching off along Awamoko Stream, following the north branch of the Kakanui River before heading inland once again along the Hawkdun Range, following catchment boundaries and ridgelines into the Southern Alps at Otago's westernmost border. In the south, beginning at Brother's Point in the scenic Catlins, the border with Southland tends northeasterly, taking in the ~~Pomohaka~~ Poumāhaka²¹ River catchment, and Umbrella and ~~Kōpūwai~~ Kōpūwai²² Ranges to encompass the headwaters of the glacial alpine lakes, Whakatipu-~~wai-māori~~ Waimāori²³ (Lake Wakatipu), ~~Wanaka~~ Wānaka,²⁴ and Hāwea.

Otago is made up of five *territorial authorities*: DCC, and Queenstown Lakes, Waitaki, Central Otago, and Clutha District Councils.

Otago's population at the 2018 Census was 225,186.²⁵ Dunedin City has the largest population of the Otago *territorial authorities* at 126,255, followed by Queenstown Lakes District at 39,153, Waitaki District at 22,308, Central Otago District at 21,558, and Clutha District at 17,667. Growth is not evenly distributed across the region, with the fastest growing district being Queenstown Lakes.

Otago's history recognises the early exploration and occupation of Otago by Māori Kāi Tahu²⁶ followed by the arrival of settlers from Europe and Asia.²⁷ Otago's economy centres around construction, primary production agriculture, tourism, mineral mining,²⁸ and education. The construction industry is a major contributor to employment numbers in Otago, supported by the region's population growth. The primary production sector is a source of revenue and employment for the districts and the wider region. Otago's farms are also a key contributor to the national food supply network.²⁹ The University of Otago enrolls approximately 20,000 students each year from around New Zealand and internationally, contributing to annual population spikes in Dunedin and significantly boosting the economy. Tourism ~~has~~³⁰ also ~~has had~~³¹ a significant impact on the regional economy, contributing about a quarter of the region's total gross domestic product. This is the highest of any region in New Zealand, and primarily concentrated in the Queenstown Lakes District.

Renewable energy generation facilities³² meet a large portion of regional and national energy requirements. Significant hydroelectric generation facilities in Otago are located in the Central Otago,

²⁰ Clause 16(2), Schedule 1, RMA

²¹ 00223.009 Ngai Tahu ki Murihiku

²² 00226.024 Kāi Tahu ki Otago

²³ 00226.024 Kāi Tahu ki Otago

²⁴ 00226.024 Kāi Tahu ki Otago, 00223.009 Ngai Tahu ki Murihiku

²⁵ 2018 Census place summaries: Stats NZ. (n.d.). <https://www.stats.govt.nz/tools/2018-census-place-summaries/otago-region> (accessed 26 May 2021)

²⁶ Clause 16(2), Schedule 1, RMA

²⁷ 00212.005 Central Otago Heritage Trust

²⁸ 00140.001 Waitaki DC

²⁹ 00239.002 Federated Farmers, 00236.008 Horticulture NZ, 00240.002 NZ Pork, 00140.001 Waitaki DC

³⁰ 00206.006 Trojan, 00411.001 Wayfare

³¹ 00206.006 Trojan, 00411.001 Wayfare

³² Fitzgerald, W. (2019). *Dunedin Energy Study 2017-2018*. University of Otago.

Clutha, and Queenstown Lakes Districts. Additionally, Otago has two wind farms, located in the Clutha District.

Otago is home to important indigenous biodiversity for Aotearoa, some of which is specific to Otago. Nationally significant indigenous biodiversity features include inland saline habitats, ephemeral wetlands, endemic and threatened inland galaxiid fish and lizard populations, western forest habitats, and coastal fauna.³³

Climate

The Otago region experiences two distinct climates due to the geographic variety between the temperate coastal areas, and the almost continental inland areas. The coastal settlements experience a cyclic weather pattern that alternates frequently between a warmer and drier climate, and a cooler, damper climate. Central Otago's climate is characterised by hot, dry summers and contrastingly cold, frosty winters. The unique climate supports many of the diverse industries in Otago.³⁴

General temperature ranges for the region fall between 18°C and 24°C on summer afternoons, and -2°C and 3°C during winter nights.³⁵ The mean daily temperatures in summer in Central Otago range between approximately 10°C and 25°C, while the mean daily temperatures in winter range between approximately -1°C and 10°C.³⁶ Central Otago has held national records for both the hottest and coldest temperature readings in New Zealand. Ophir, a small settlement in Central Otago, has recorded temperatures of 35.2°C in 1959 and -21.6°C in 1995. Significant rises in the use of heating sources occur during the drastically colder winter periods. The highest regional rainfalls, averaging 2000mm per year, occur typically over western areas of Otago such as around the Lakes District and Southern Alps. In contrast, the average rainfall in Central Otago is the lowest in New Zealand averaging around 400-500mm per year.

Coast

The Otago coastline stretches for 480 km and is extremely diverse, encompassing pebble and sandy beaches, basalt formations, dune systems, eelgrass and saltmarshes, estuaries, rolling downlands, and striking cliff heads. Working farms abut most of the coastline, and³⁷ while remnant swathes of native bush clad coastline are a distinct feature of the Catlins area³⁸. Significant coastal settlements include Dunedin and ~~Oamaru~~ Oamaru.³⁹ ~~with t~~⁴⁰ The Otago port is based in Port Chalmers, within the Otago Harbour,⁴¹ ~~and Otago Harbor~~⁴² is the region's only commercial freight handling harbour, h ~~However~~⁴³ commercial fishing ramps (supporting fishing fleets)⁴⁴ are present in Oamaru,⁴⁵ ~~Moeraki, Karitane~~ Karitane,⁴⁶ and Taieri Mouth. Coastal erosion and the decline of the regional coastline is well

³³ 00137.004 DOC

³⁴ 00235.006 OWRUG

²⁹ Macara, G. R. (2015). The Climate and Weather of Otago, Second Edition. *NIWA SCIENCE AND TECHNOLOGY SERIES*, 67th ser.

³⁶ Central Otago Climate. (n.d.). <https://centralotagonz.com/opportunities/working-here> (accessed 26 May 2021)

³⁷ 00239.003 Federated Farmers

³⁸ 00223.009 Kāi tahu ki Murihiku

³⁹ 00226.024 Kāi Tahu ki Otago

⁴⁰ 00411.012 Wayfare

⁴¹ 00411.012 Wayfare

⁴² 00223.010 Ngai Tahu ki Murihiku, 00411.011 Wayfare

⁴³ 00411.012 Wayfare

⁴⁴ 00411.012 Wayfare

⁴⁵ 00226.024 Kāi Tahu ki Otago

⁴⁶ 00226.024 Kāi Tahu ki Otago

documented, posing a long-term threat to residential and commercial coastal developments and historic heritage, particularly *wāhi tūpuna*.⁴⁷

Otago's benthic and marine ecosystems are varied and diverse including rocky reef systems, sponge gardens, bryozoan and horse mussel beds, biogenic reefs, kelp forests and submarine canyons within 12 nautical miles of the shore. More than thirty species of seabird are regularly found off the coast of Otago. Rare sea birds such as the Royal Albatross and hoiho (Yellow-eyed penguin) can be found along the landward coastal environment. Surfing is a significant recreational activity, in Dunedin particularly, and there are four *surf breaks* of national significance along the Otago coastline.

Water bodies

The Otago region has significant *freshwater* resources in the form of surface water, natural and artificial *lakes*, *groundwater*, and *wetlands*. Otago's communities are reliant on the use of these *water* resources for their social, cultural and economic well-being. *Rivers* and *lakes* make up most of the regional surface *water*. The big *lakes*, such as ~~Wanaka~~ Wānaka,⁴⁸ ~~Whakatipu-wai-māori~~ Waimāori⁴⁹ (Lake Wakatipu) and Hāwea and including artificial *lakes* Te Wairere/Dunstan,⁵⁰ Roxburgh and Onslow, constitute about 23% of New Zealand's total *lake* surface area. The primary catchments are Lakes ~~Wanaka~~ Wānaka,⁵¹ ~~Whakatipu-wai-māori~~ Waimāori⁵² (Lake Wakatipu) and Hāwea, which feed into Otago's largest *river*, the Clutha River/Mata-Au. Otago also has many *groundwater* sources. *Wetlands* make up many significant landscape and ecosystem elements in Otago, including blanket and string bogs, saline areas, swamp forest remnants, shallow *lake* complexes, estuarine saltmarshes, and valley floor swamps.

Natural character and landscapes

Otago's landscapes are diverse. Moving inland from Otago's diverse and varied coastline, the landscapes change dramatically. Rolling plains separated by mountain ranges, steep hillsides of tussock, and deep gorges make up a lot of rural Otago ~~South and Central Otago~~⁵³. This *land* is dissected by flowing bodies of water, towering mountainscapes, and fascinating geological formations. Modified landscapes encompassing farmland and remnants of the region's early gold mining activity are ever-present, creating a rich sense of heritage and regional identity. National Parks and other Public Conservation areas provide important areas of unmodified *land* and *water*.⁵⁴

Urban form

Urbanised areas in Otago occupy only about 1% of total *land* area, however 87% of people live in urban settlements. Dunedin is Otago's largest *urban area*, surrounded by hills and harbour⁵⁵, and has a large suburban area and commuter catchment especially to the south, with more recent expansion moving out to connect with an expanding Mosgiel. The Queenstown Lakes District population is

⁴⁷ 00123.008 Heritage NZ

⁴⁸ 00226.024 Kāi Tahu ki Otago

⁴⁹ 00226.024 Kāi Tahu ki Otago

⁵⁰ 00226.024 Kāi Tahu ki Otago

⁵¹ 00226.024 Kāi Tahu ki Otago

⁵² 00226.024 Kāi Tahu ki Otago

⁵³ 00140.001 Waitaki DC

⁵⁴ 0.0206.007 Trojan, 00411.013 Wayfare

⁵⁵ 00120.007 Yellow-eyed Penguin Trust

approximately 91% urban. Its outstanding landscape has ~~historically determined~~, and will continue to influence ~~determine~~,⁵⁶ how urban form develops.

In the remainder of the region, smaller urban settlements are geographically scattered, maintaining clear distinctions between rural and urban forms, and with significant variability in growth pressures and *infrastructure* capacity. Growth in overall numbers of people is not the only driver of urban change pressures in Otago; many areas face low or no growth, and all areas are expected to have an aging population.

⁵⁶ 00206.008 Trojan, 00411.014 Wayfare

How the policy statement works

Statutory context

Resource Management Act 1991

The Resource Management Act 1991 (RMA-1991)⁵⁷ is the primary resource management statute in New Zealand and sets out the related responsibilities and powers of national, regional, and city/district government.

The RMA-1991⁵⁸ requires regional councils to have a regional policy statement (RPS) under Section 60, prepared in accordance with the process set out in Schedule 1. The purpose of the RPS, as set out in Section 59 of the RMA, is to provide an overview of the specific resource management issues for the region and establish policies and methods to achieve the integrated management of both the *natural and physical resources* of the region. The RPS must be prepared in accordance with and contain the matters set out in Sections 30, 60, 61, and 62 of the RMA-1991.⁵⁹

The regional policy statement must be prepared in accordance with and/or⁶⁰ give effect to higher order national direction instruments, including any regulations ~~National Environmental Standards (NES)~~,⁶¹ National Policy Statements (NPS), the New Zealand Coastal Policy Statement (NZCPS) and be written to comply with the National Planning Standards. Further ORC must observe and enforce observance of any National Environmental Standards (NES) to the extent to which their powers enable them to do so⁶² The RPS sets out requirements that *regional plans, district plans*, and regional coastal plans must give effect to. More information about the relevant national direction instruments can be found in the 'national direction instruments' section of this Regional Policy Statement.

Figure 1 – Position of the Regional Policy Statement within the resource management planning framework ~~Statutory framework~~⁶³

⁵⁷ Clause 16(2), Schedule 1, RMA

⁵⁸ Clause 16(2), Schedule 1, RMA

⁵⁹ Clause 16(2), Schedule 1, RMA

⁶⁰ 00239.004 Federated Farmers

⁶¹ 00239.004 Federated Farmers

⁶² 00239.004 Federated Farmers

⁶³ 00233.004 Fonterra



Partnership, Te Tiriti o Waitangi and Kāi Tahu⁶⁴

The Otago Regional Policy Statement has been developed in partnership with Kāi Tahu, the iwi and *tangata whenua* of Otago. The partnership between the Otago Regional Council and Kāi Tahu is an important and valuable relationship, evident throughout the ORPS and woven into its provisions. The RMA-1991⁶⁵ requires Regional and Local Councils to address matters of National Importance, including matters associated with Te Tiriti o Waitangi (The Treaty of Waitangi) and key issues and concerns of iwi.⁶⁶

The ORC has also considered the Kāi Tahu ki Otago 2005 Resource Management Plan and Te Tangi a Taurira: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008. ORPS chapters on Significant Resource Management Issues for Iwi and on *Mana Whenua* provide an in-depth discussion of iwi issues and set a basis for the remaining policy framework.

The key issues identified by Kāi Tahu include:

- recognising the rights and interests of Kāi Tahu in natural and resource management processes;
- recognising the important role of mātauraka in natural resource management;
- recognising the integral relationship of Kāi Tahu with *natural and physical resources*, including the coast, waterways, *lakes, wetlands* and indigenous flora and fauna, protecting these

⁶⁴ In the South Island, the local Māori dialect uses a 'k' interchangeably with 'ng'. The preference in Otago is to use a 'k' so southern Māori are known as Kāi Tahu, and in this document Kāi Tahu is a reference to the seven Papatipu Rūnanga with interests in the Otago region. In this RPS, the 'ng' is used for iwi in general or when there is reference to Ngāi Tahu ki Murihiku (Southland), when referencing statutory instruments or documents, and when specifically differentiating between the groupings of Papatipu Rūnanga represented by Aukaha Limited (Kāi Tahu ki Otago) and Te Ao Marama Incorporated (Ngāi Tahu ki Murihiku) – amendments in response to 00223.011 Ngai Tahu ki Murihiku

⁶⁵ Clause 16(2), Schedule 1, RMA

⁶⁶ These matters are addressed throughout the Resource Management Act 1991, see in particular sections 6, 8 and 62.

resources from degradation, improving them where they have been *degraded*, and sustaining them for future generations;

- protecting and restoring the abundance of ~~maḥika kai~~ maḥika kai⁶⁷ and restoring access to ~~maḥika kai~~ maḥika kai⁶⁸ areas;
- protecting the values of *wāhi tūpuna* and the ability for Kāi Tahu to maintain their relationship with these areas;
- enabling development of *land* and resources within native reserves and Māori land,⁶⁹ including *papakāika housing*; and
- the need for integrated management that recognises the interconnections between resources and across different parts of the *environment*.

Cross-boundary matters

Ecosystems and human activities cross jurisdictional boundaries. When different jurisdictions manage similar activities or resources in different ways there is potential for inconsistent outcomes, resulting in inefficient and ineffective management.

To achieve integration, those involved in resource management need to coordinate their policies, plans and actions. This is encompassed by the philosophy “*ki uta ki tai*”, often translated as “from the mountains to the sea.”⁷⁰ Accordingly, section 62 of the RMA-1991⁷¹ requires regional councils to include in the RPS the processes to be used to deal with issues that cross *local authority* boundaries, and issues between *territorial authorities* or between regions.

Cross-boundary issues can arise in several ways, and generally manifest in issues for either plan preparation and review, or plan administration and the processing of applications for *resource consents*. Otago’s cross-boundary matters include:

- ~~adverse~~⁷² *effects* in one jurisdiction due to the activities in another, ~~particularly including~~⁷³ where *territorial authority* boundaries do not match catchment boundaries, as with the Clutha Mata-au, or the Waitaki River catchment over which Otago and Canterbury Regional Councils share jurisdiction, or Otago’s coastal environment, which covers three *territorial authorities’* jurisdictions, and may be affected by *land uses and dam structures*⁷⁴ in the other two (through sediment flowing down the Clutha Mata-au, for instance). Effects within the Otago coastal environment may also have effects on adjoining regional council jurisdiction;⁷⁵
- Kāi Tahu interests, which span Otago as a whole, across *local authority* boundaries;

⁶⁷ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁶⁸ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁶⁹ 00234.009 Te Rūnanga o Ngāi Tahu, 00226.053 Kāi Tahu ki Otago, 00010.002 Cain whanau

⁷⁰ 00223.012 Ngāi Tahu ki Murihiku

⁷¹ Clause 16(2), Schedule 1, RMA

⁷² 00314.002 Transpower

⁷³ 00314.002 Transpower

⁷⁴ 00139.003 DCC

⁷⁵ 00013.001 ECan

- natural⁷⁶ resources that cross *local authority* boundaries which must be managed in a uniform manner, such as water,⁷⁷ outstanding natural features, outstanding natural landscapes and *significant natural areas*;
- differences in policies or methods across plans, particularly where *district plans*⁷⁸ and *regional plans* are at different planning stages and may be out of step with current regulation;
- physical resources such as⁷⁹ local, *regionally significant infrastructure*⁸⁰ or *nationally significant infrastructure being developed and operated* ~~operating~~⁸¹ across *local authority* boundaries, as with transport and electricity ~~supply~~ networks, and potentially shared services such as waste management and minimisation ~~waste disposal~~⁸²; and
- duplicated effort for *local authorities* and increased cost for people seeking consents for activities that occur across *local authority* boundaries or require *resource consent* from two or more consent authorities.

Processes that will be used to address these matters are described in the sections below.

Clear direction in the ORPS

The ORPS provides a vision and broad policy framework for all resource management in Otago, including various methods that require *local authorities* to work together to achieve good outcomes and, in some cases, set implementation timeframes. *Regional plans*⁸³ and *district plans* as they develop over the next 10 years and beyond, are required to give effect to the ORPS. In doing so one result should be consistency between them. The ORPS has been drafted using direct language and clarity of outcomes sought.

ORPS methods also indicate actions that fall outside the RMA-1991⁸⁴ framework. This recognises that only *district plans*⁸⁵ and *regional plans* are required to give effect to a regional policy statement, and non-regulatory methods may sometimes be useful to help address cross-boundary matters and achieve desired outcomes.

Cooperation and partnerships with stakeholders

Stakeholders, ~~from~~ including Government agencies,⁸⁶ industry representatives, landowners, and ~~to~~⁸⁷ community-based volunteer groups, provide valuable strategic input to planning and decision-making. Inter-agency groups, such as Te Roopu Taiao, can assist with managing cross-boundary issues and issues affecting people across Otago strategically and collaboratively.

⁷⁶ 00314.002 Transpower

⁷⁷ 00236.009 Horticulture NZ

⁷⁸ Clause 16(2), Schedule 1, RMA

⁷⁹ 00314.002 Transpower

⁸⁰ Clause 16(2), Schedule 1, RMA

⁸¹ 00314.002 Transpower

⁸² 00139.004 DCC

⁸³ Clause 16(2), Schedule 1, RMA

⁸⁴ Clause 16(2), Schedule 1, RMA

⁸⁵ Clause 16(2), Schedule 1, RMA

⁸⁶ 00137.005 DOC

⁸⁷ 00239.005 Federated Farmers

ORC will seek to establish and build upon working relationships with other resource management stakeholders. This will help ensure that the processes it undertakes are efficient and, wherever possible, reduce duplication of effort. As new issues emerge in the region and work on existing issues continues, they are best managed through collaboration, which will improve effectiveness and deliver better outcomes. This is particularly important for enhancing and managing important region-wide matters such as⁸⁸ *regionally significant infrastructure and significant natural areas*.

Cooperation and partnerships with other local authorities

There are many opportunities to work more closely with other *local authorities* to achieve a consistent and integrated approach to managing *natural and physical resources*.

Local authorities together can:

- share information, for instance to understand the long-term growth and economic development opportunities and threats and the spatial pattern of *land use* and development, or to ensure natural resources are not artificially fragmented;
- hold joint processes for processing *resource consents* and associated hearings where activities or *effects* cross jurisdictional boundaries. This allows all *effects* of ~~new~~⁸⁹ activities to be considered holistically at the same time, including any cumulative *effects*. Joint processes could also reduce the processing cost (in both money and time) for the applicant;
- work collaboratively on plan changes and develop combined planning documents for shared areas of responsibility;
- clearly define their resource management roles and responsibilities to reduce duplication of effort and streamline processes for Otago's communities; and
- cooperate and budget for joint processes and major projects through Annual and Long-term Planning processes under the ~~Local Government Act 2002 (LGA 2002)~~ LGA⁹⁰. This allows pooling resources, reducing inefficiency and integrating management approaches through time, to ensure that cooperation between agencies is budgeted for, including setting up structures and processes for joint management.

These approaches are more likely to properly address cross-boundary issues and *effects* than *local authorities* working alone.

Triennial agreement

Triennial agreements under the LGA 2002⁹¹ are an opportunity for *local authorities* within a region to set out processes for consultation, protocols and processes for resolving cross-boundary issues.

⁸⁸ 00239.005 Federated Farmers

⁸⁹ 00223.013 Ngāi Tahu Ki Murihiku

⁹⁰ Clause 16(2), Schedule 1, RMA

⁹¹ Clause 16(2), Schedule 1, RMA

Cooperation at a national level

Cross-boundary issues may arise that are significant at a national level. This is particularly likely when addressing ~~nationally important~~ significant⁹² infrastructure such as the National Grid ~~electricity transmission grid~~⁹³ or *land transport infrastructure*.

In such cases, ORC will advise and work with the Minister for the Environment, the Minister of Conservation in the *coastal marine area* and any other relevant agency to identify and resolve cross boundary issues or proposals, to ensure that consideration of the matter occurs in a transparent and timely manner. ORC will endeavour to represent its communities' interests in such situations.

Transferring and delegating functions, powers and duties to other authorities

~~The RMA 1991 enables ORC to transfer or delegate its powers to another public authority, community boards, commissioners or employees. ORC can also enter joint management agreements with other statutory bodies (such as Te Rūnanga o Ngāi Tahu). The RMA enables ORC to transfer its powers, functions and duties to another public authority, including an iwi authority or other statutory body. It may also delegate these to committees, community boards, commissioners or employees. ORC can also enter joint management agreements with other statutory bodies and an iwi authority (such as Te Rūnanga o Ngāi Tahu).~~⁹⁴

These tools can be used to achieve integrated management and to reduce duplication of effort by local and public authorities, and to enable a Treaty partnership approach to resource management.⁹⁵ Joint management agreements enable iwi partners and⁹⁶ important stakeholders to have an active role in the management of specific resources, and for specific purposes. They can also be used to build community capacity and share understanding in resource management.

Helping to build capacity for, and improve, *takata whenua* involvement

Takata whenua have the prerogative to express and explain how their tikaka and mātauraka should be realised in resource management. Councils have a vital role in assisting this process through finding ways to partner, resource, and upskill rūnaka so they can be fully involved in the resource management partnership.

Establishing and implementing relationship agreements such as Mana Whakahono a Rohe agreements, protocols and charters can provide a framework for the council to provide necessary support. Increasing skills and capacity within council staff and decision-makers through training in Te Tiriti o Waitangi, locally relevant Treaty Settlement mechanisms and tikanga Māori, and developing familiarity with Kāi Tahu documents, are also important means of improving *takata whenua* involvement in council processes.⁹⁷

⁹² 00314.002 Transpower

⁹³ 00314.002 Transpower

⁹⁴ 00509.013 Wise Response

⁹⁵ 00223.015 Ngāi Tahu ki Murihiku

⁹⁶ 00223.015 Ngāi Tahu ki Murihiku

⁹⁷ 00223.016 Ngāi Tahu ki Murihiku

Interpretation

Definitions

Term	Definition
1990 mean sea level (Otago Metric Datum)⁹⁸	means the fixed level for basing subsequent level measurements on. In this case Otago Metric Datum is the Dunedin Vertical Datum (DVD 1958) plus 100 metres.
Active transport	<p>has the same meaning as in clause 1.3 of the National Policy Statement on Urban Development 2020 (as set out in the box below)</p> <div data-bbox="464 663 1246 786" style="border: 1px solid black; padding: 5px;"> <p>means forms of transport that involve physical exercise, such as walking or cycling, and includes transport that may use a mobility aid such as a wheelchair</p> </div>
Additional infrastructure	<p>has the same meaning as in clause 1.3 of the National Policy Statement on Urban Development 2020 (as set out in the box below)</p> <div data-bbox="464 898 1246 1379" style="border: 1px solid black; padding: 5px;"> <p>means:</p> <ul style="list-style-type: none"> (a) public open space (b) community infrastructure as defined in section 197 of the Local Government Act 2002 (c) land transport (as defined in the Land Transport Management Act 2003) that is not controlled by local authorities (d) social infrastructure, such as schools and healthcare facilities (e) a network operated for the purpose of telecommunications (as defined in section 5 of the Telecommunications Act 2001) (f) a network operated for the purpose of transmitting or distributing electricity or gas </div>
Airshed	<p>has the same meaning as in regulation 3 of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (as set out in the box below)</p> <div data-bbox="464 1525 1246 1771" style="border: 1px solid black; padding: 5px;"> <p>airshed means—</p> <ul style="list-style-type: none"> (a) the region of a regional council excluding any area specified in a notice under paragraph (b): (b) a part of the region of a regional council specified by the Minister by notice in the Gazette to be a separate airshed </div>
Afforestation	<p>has the same meaning as in regulation 3 of the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 (as set out in the box below)</p>

⁹⁸ 00239.006 Federated Farmers

Term	Definition
	<p>(a) means planting and growing <i>plantation forestry</i> trees on land where there is no <i>plantation forestry</i> and where <i>plantation forestry</i> harvesting has not occurred within the last 5 years; but</p> <p>(b) does not include vegetation clearance from the land before planting</p>
Ambient air quality standards	<p>has the same meaning as in regulation 3 of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (as set out in the box below)</p> <div data-bbox="464 622 1246 680" style="border: 1px solid black; padding: 5px;"> <p>means the standard prescribed by regulation 13(1)</p> </div>
Amenity values	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 786 1246 913" style="border: 1px solid black; padding: 5px;"> <p>means those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes</p> </div>
Ancillary activity	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="464 1021 1246 1122" style="border: 1px solid black; padding: 5px;"> <p>means an activity that supports and is subsidiary to a primary activity</p> </div>
Aquaculture activities	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 1227 1246 1895" style="border: 1px solid black; padding: 5px;"> <p>(a) means any activity described in section 12 done for the purpose of the breeding, hatching, cultivating, rearing, or ongrowing of fish, aquatic life, or seaweed for harvest if the breeding, hatching, cultivating, rearing, or ongrowing involves the occupation of a coastal marine area; and</p> <p>(b) includes the taking of harvestable spat if the taking involves the occupation of a coastal marine area; but</p> <p>(c) does not include an activity specified in paragraph (a) if the fish, aquatic life, or seaweed—</p> <p style="padding-left: 20px;">(i) are not in the exclusive and continuous possession or control of the person undertaking the activity; or</p> <p style="padding-left: 20px;">(ii) cannot be distinguished or kept separate from naturally occurring fish, aquatic life, or seaweed; and</p> <p>(d) does not include an activity specified in paragraph (a) or (b) if the activity is carried out solely for the purpose of monitoring the <i>environment</i></p> </div>
Aquatic compensation	<p>has the same meaning as in clause 3.21(1) of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p>

Term	Definition
	<p>means a conservation outcome resulting from actions that are intended to compensate for any more than minor residual adverse effects on a <i>wetland</i> or <i>river</i> after all appropriate avoidance, minimisation, remediation, and aquatic offset measures have been sequentially applied</p>
<p>Aquatic offset</p>	<p>has the same meaning as in clause 3.21(1) of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p> <div data-bbox="464 573 1246 1122" style="border: 1px solid black; padding: 5px;"> <p>means a measurable conservation outcome resulting from actions that are intended to:</p> <p>(a) redress any more than minor residual adverse effects on a <i>wetland</i> or <i>river</i> after all appropriate avoidance, minimisation, and remediation, measures have been sequentially applied; and</p> <p>(b) achieve no net loss, and preferably a net gain, in the extent and values of the <i>wetland</i> or <i>river</i>, where:</p> <p>(i) no net loss means that the measurable positive effects of actions match any loss of extent or values over space and time, taking into account the type and location of the <i>wetland</i> or <i>river</i>, and</p> <p>(ii) net gain means that the measurable positive effects of actions exceed the point of no net loss</p> </div>
<p>Archaeological site⁹⁹</p>	<p><u>means</u></p> <p>a. <u>any place in New Zealand, including any <i>building</i> or <i>structure</i> (or part of a <i>building</i> or <i>structure</i>), that—</u></p> <p>i. <u>was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and</u></p> <p>ii. <u>provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and</u></p> <p>b. <u>includes a site for which a declaration is made under section 43(1) of the Heritage New Zealand Pouhere Taonga Act 2014.</u></p>
<p>Attribute (in relation to fresh water)¹⁰⁰</p>	<p>has the same meaning as in clause 1.4 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p> <div data-bbox="464 1626 1246 1753" style="border: 1px solid black; padding: 5px;"> <p>means a measurable characteristic (numeric, narrative, or both) that can be used to assess the extent to which a particular value is provided for</p> </div>
<p>Bed</p>	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p>

⁹⁹ 0123.006 Heritage New Zealand Pouhere Taonga

¹⁰⁰ Clause 16(2), Schedule 1, RMA

Term	Definition
	<p>means,—</p> <p>(a) in relation to any <i>river</i>—</p> <p style="padding-left: 40px;">(i) for the purposes of <i>esplanade reserves, esplanade strips, and subdivision</i>, the space of land which the <i>waters</i> of the <i>river</i> cover at its annual fullest flow without overtopping its banks;</p> <p style="padding-left: 40px;">(ii) in all other cases, the space of <i>land</i> which the <i>waters</i> of the <i>river</i> cover at its fullest flow without overtopping its banks;</p> <p>and</p> <p>(b) in relation to any <i>lake</i>, except a <i>lake</i> controlled by artificial means,—</p> <p style="padding-left: 40px;">(i) for the purposes of <i>esplanade reserves, esplanade strips, and subdivision</i>, the space of <i>land</i> which the <i>waters</i> of the <i>lake</i> cover at its annual highest level without exceeding its margin;</p> <p style="padding-left: 40px;">(ii) in all other cases, the space of <i>land</i> which the <i>waters</i> of the <i>lake</i> cover at its highest level without exceeding its margin;</p> <p>and</p> <p>(c) in relation to any <i>lake</i> controlled by artificial means, the space of land which the <i>waters</i> of the <i>lake</i> cover at its maximum permitted operating level; and</p> <p>(d) in relation to the sea, the submarine areas covered by the internal <i>waters</i> and the territorial sea</p>
Biodiversity	see <i>biological diversity</i>
Biological diversity	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>means the variability among living organisms, and the ecological complexes of which they are a part, including diversity within species, between species, and of ecosystems</p> </div>
Building	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>means a temporary or permanent movable or immovable physical construction that is:</p> <p style="padding-left: 20px;">(a) partially or fully roofed; and</p> <p style="padding-left: 20px;">(b) fixed or located on or in <i>land</i>;</p> <p>but excludes any motorised vehicle or other mode of transport that could be moved under its own power</p> </div>
Business land	has the same meaning as in clause 1.3 of the National Policy Statement on Urban Development 2020 (as set out in the box below)

Term	Definition
	<p>means <i>land</i> that is zoned, or identified in an FDS or similar strategy or plan, for business uses in <i>urban environments</i>, including but not limited to <i>land</i> in the following:</p> <ul style="list-style-type: none"> (a) any industrial zone (b) the commercial zone (c) the large format retail zone (d) any centre zone, to the extent it allows business uses (e) the mixed use zone, to the extent it allows business uses (f) any special purpose zone, to the extent it allows business uses
Cascading hazards	means where the occurrence of one <i>natural hazard</i> is likely to trigger another <i>natural hazard</i> event e.g. an earthquake triggering a landslide which dams a <i>river</i> causing flooding.
Certified freshwater farm plan	<p>has the same meaning as section 217B of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 880 1246 1014" style="border: 1px solid black; padding: 5px;"> <p>means a <i>freshwater</i> farm plan certified under section 217G, as amended from time to time in accordance with section 217E(2) or (3)</p> </div>
Climate change	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 1126 1246 1294" style="border: 1px solid black; padding: 5px;"> <p>means a change of climate that is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and that is in addition to natural climate variability observed over comparable time periods</p> </div>
<u>Climate change adaptation</u> ¹⁰¹	<u>means the process of adjustment to actual or expected climate and its effects</u>
<u>Climate change mitigation</u> ¹⁰²	<u>means a human intervention to reduce the sources of, or enhance the sinks of, <i>greenhouse gases</i></u>
<u>Coastal hazard</u> ¹⁰³	<u>means a subset of <i>natural hazards</i> covering tidal or coastal storm inundation, rising sea level, tsunami or meteorological tsunami inundation, coastal erosion (shorelines or cliffs), rise in <i>groundwater</i> levels from storm tides and sea-level rise (plus associated liquefaction), and salinisation of surface <i>fresh waters</i> and <i>groundwater aquifers</i>.</u>
Coastal marine area	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)

¹⁰¹ 00509.015 Wise Response

¹⁰² 00509.015 Wise Response

¹⁰³ 00301.047 Port Otago

Term	Definition
	<p>means the foreshore, seabed, and coastal water, and the air space above the <i>water</i>—</p> <p>(a) of which the seaward boundary is the outer limits of the territorial sea:</p> <p>(b) of which the landward boundary is the line of mean high water springs, except that where that line crosses a <i>river</i>, the landward boundary at that point shall be whichever is the lesser of—</p> <p>(i) 1 kilometre upstream from the mouth of the <i>river</i>; or</p> <p>(ii) the point upstream that is calculated by multiplying the width of the <i>river</i> mouth by 5</p>
Coastal water	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 831 1246 1021" style="border: 1px solid black; padding: 5px;"> <p>means seawater within the outer limits of the territorial sea and includes—</p> <p>(a) seawater with a substantial <i>fresh water</i> component; and</p> <p>(b) seawater in estuaries, fiords, inlets, harbours, or embayments</p> </div>
Commercial activity	<p>has the same meaning as in the Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="464 1133 1246 1256" style="border: 1px solid black; padding: 5px;"> <p>means any activity trading in goods, equipment or services. It includes any ancillary activity to the commercial activity (for example administrative or head offices)</p> </div>
Commercial port activity	<p>means commercial shipping operations associated with the Otago Harbor <u>Harbour</u>¹⁰⁴ and the activities carried out at the ports at Port Chalmers and Dunedin (<u>including the wharf at Ravensbourne</u>),¹⁰⁵ which include:</p> <p>(a) Operation of commercial <i>ships</i> in Otago Harbor <u>Harbour</u>;¹⁰⁶</p> <p>(b) Loading and unloading of goods and passengers carried by sea (<u>except for loading and unloading of passengers at Ravensbourne</u>);¹⁰⁷</p> <p>(c) Facilities for the storage of goods carried by sea (<u>except at Ravensbourne</u>);¹⁰⁸</p> <p>(d) <i>Buildings</i>, installations, other <i>structures</i> or equipment at or adjacent to a port and used in connection with the ports' operation or administration (<u>except at Ravensbourne</u>);¹⁰⁹</p> <p>(e) <i>Structures</i>, facilities and pipelines for fuel storage, and refuelling of <i>ships</i>;</p> <p>(f) Provision, maintenance and development of shipping channels and swing basins;</p>

¹⁰⁴ 00120.007 Yellow-eyed Penguin Trust

¹⁰⁵ 00121.004 Ravensdown

¹⁰⁶ 00120.007 Yellow-eyed Penguin Trust

¹⁰⁷ 00121.004 Ravensdown

¹⁰⁸ 00121.004 Ravensdown

¹⁰⁹ 00121.004 Ravensdown

Term	Definition
	<p>(g) Disposal of dredged materials at A0 A0¹¹⁰ Heyward Point, Aramoana and Shelly Beach referred to in MAP2;¹¹¹</p> <p>(h) Installation and maintenance of beacons and markers for navigation safety; and</p> <p>(i) Provision and maintenance of the mole at Aramoana.</p>
Competitiveness margin	<p>has the same meaning as in clause 3.22 of the National Policy Statement on Urban Development 2020 (as set out in the box below)</p> <div data-bbox="464 517 1246 689" style="border: 1px solid black; padding: 5px;"> <p>means a margin of <i>development capacity</i>, over and above the expected demand that tier 1 and tier 2 local authorities are required to provide, that is required in order to support choice and competitiveness in housing and business land markets</p> </div>
Contaminant	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 797 1246 1178" style="border: 1px solid black; padding: 5px;"> <p>includes any substance (including gases, odorous compounds, liquids, solids, and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy, or heat—</p> <p>(a) when discharged into <i>water</i>, changes or is likely to change the physical, chemical, or biological condition of <i>water</i>; or</p> <p>(b) when discharged onto or into <i>land</i> or into air, changes or is likely to change the physical, chemical, or biological condition of the <i>land</i> or air onto or into which it is discharged</p> </div>
Contaminated land	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 1290 1246 1480" style="border: 1px solid black; padding: 5px;"> <p>means <i>land</i> that has a hazardous substance in or on it that—</p> <p>(a) has significant adverse effects on the <i>environment</i>; or</p> <p>(b) is reasonably likely to have significant adverse effects on the <i>environment</i></p> </div>
Critical buildings	<p>for the purposes of the consequence table within APP6, these are buildings which have a post-disaster function. These include:</p> <p>(a) <i>Buildings</i> and facilities designed as essential facilities;</p> <p>(b) <i>Buildings</i> and facilities with special post-disaster function;</p> <p>(c) Medical emergency or surgical facilities;</p> <p>(d) Emergency service facilities such as fire and police stations;</p> <p>(e) Designated emergency shelters;</p> <p>(f) Designated emergency centres and ancillary facilities; and</p>

¹¹⁰ 00137.007 DOC, 00223.017 Ngāi Tahu ki Murihiku

¹¹¹ 00137.007 DOC, 00223.017 Ngāi Tahu ki Murihiku

Term	Definition
	(g) <i>Buildings</i> and facilities containing hazardous materials capable of causing hazardous conditions that extends beyond the property boundaries.
Degraded (in relation to fresh water) ¹¹²	<p>where it is used in the <i>LF – Land and freshwater</i> chapter, has the same meaning as in clause 1.4 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p> <div data-bbox="464 456 1246 994" style="border: 1px solid black; padding: 10px;"> <p>in relation to an <i>FMU</i> or part of an <i>FMU</i>, means that as a result of something other than a naturally occurring process:</p> <ul style="list-style-type: none"> (a) a site or sites in the <i>FMU</i> or part of the <i>FMU</i> to which a target attribute state applies: <ul style="list-style-type: none"> (i) is below a national bottom line; or (ii) is not achieving or is not likely to achieve a target attribute state; or (b) the <i>FMU</i> or part of the <i>FMU</i> is not achieving or is not likely to achieve an environmental flow and level set for it; or (c) the <i>FMU</i> or part of the <i>FMU</i> is less able (when compared to 7 September 2017) to provide for any value <u>described in Appendix 1A</u> or any other value¹¹³ identified for it under the NOF </div>
Development capacity	<p>has the same meaning as in clause 1.4 of the National Policy Statement for Urban Development 2020 (as set out in the box below)</p> <div data-bbox="464 1133 1246 1420" style="border: 1px solid black; padding: 10px;"> <p>means the capacity of the <i>land</i> to be developed for housing or for business use, based on:</p> <ul style="list-style-type: none"> (a) the zoning, objectives, policies, rules, and overlays that apply in the relevant proposed and operative RMA planning documents; and (b) the provision of adequate <i>development infrastructure</i> to support the development of land for housing or business use </div>
Development infrastructure	<p>has the same meaning as in clause 1.4 of the National Policy Statement for Urban Development 2020 (as set out in the box below)</p> <div data-bbox="464 1525 1246 1827" style="border: 1px solid black; padding: 10px;"> <p>means the following, to the extent that they are controlled by a <i>local authority</i> or council controlled organisation (as defined in section 6 of the Local Government Act 2002):</p> <ul style="list-style-type: none"> (a) network <i>infrastructure</i> for <i>water supply, wastewater, or stormwater</i> (b) land transport (as defined in section 5 of the Land Transport Management Act 2003) </div>
Discharge	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)

¹¹² Clause 16(2), Schedule 1, RMA.

¹¹³ Clause 16(2), Schedule 1, RMA.

Term	Definition
	includes emit, deposit, and allow to escape
Distribution network	<p>has the same meaning as in regulation 3 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (as set out in the box below)</p> <p>(a) means lines and associated equipment that are used for conveying electricity and are operated by a business engaged in the distribution of electricity; but</p> <p>(b) does not include lines and associated equipment that are part of the <i>national grid</i></p>
District plan	<p>has the same meaning as in section 43AA of the Resource Management Act 1991 (as set out in the box below)</p> <p>(a) means an operative plan approved by a <i>territorial authority</i> under Schedule 1; and</p> <p>(b) includes all operative changes to the plan (whether arising from a review or otherwise)</p>
Drinking water	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <p>means <i>water</i> intended to be used for human consumption; and includes <i>water</i> intended to be used for food preparation, utensil washing, and oral or other personal hygiene</p>
Dwelling	<p>has the same meaning as that given for dwellinghouse in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <p>means any <i>building</i>, whether permanent or temporary, that is occupied, in whole or in part, as a residence; and includes any <i>structure</i> or outdoor living area that is accessory to, and used wholly or principally for the purposes of, the residence; but does not include the land upon which the residence is sited</p>
Earthworks	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <p>means the alteration or disturbance of <i>land</i>, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); but excludes gardening, cultivation, and disturbance of <i>land</i> for the installation of fence posts</p>
Effect	has the same meaning as in section 3 of the Resource Management Act 1991 (as set out in the box below)

Term	Definition
	<p>In this Act, unless the context otherwise requires, the term effect includes—</p> <ul style="list-style-type: none"> (a) any positive or adverse effect; and (b) any temporary or permanent effect; and (c) any past, present, or future effect; and (d) any cumulative effect which arises over time or in combination with other effects— <p>regardless of the scale, intensity, duration, or frequency of the effect, and also includes—</p> <ul style="list-style-type: none"> (e) any potential effect of high probability; and (f) any potential effect of low probability which has a high potential impact
<p>Effects management hierarchy¹¹⁴</p>	<p>has the same meaning as in clause 3.21 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below) and in this RPS also applies to natural wetlands</p> <div style="border: 1px solid black; padding: 5px;"> <p>in relation to natural inland wetlands and rivers, means an approach to managing the adverse effects of an activity on the extent or values of a wetland or river (including cumulative effects and loss of potential value) that requires that:</p> <ul style="list-style-type: none"> (a) adverse effects are avoided where practicable, (b) where adverse effects cannot be avoided, they are minimised where practicable, (c) where adverse effects cannot be minimised, they are remedied where practicable, (d) where more than minor residual adverse effects cannot be avoided, minimised, or remedied, aquatic offsetting is provided, and (e) if aquatic compensation is not appropriate, the activity itself is </div>
<p>Effects management hierarchy (in relation to indigenous biodiversity)¹¹⁵</p>	<p><u>means the effects management hierarchy set out in ECO-P6.</u></p>
<p>Effects management hierarchy (in relation to <i>natural</i>)</p>	<p><u>means the effects management hierarchy set out in LF-FW-P13A.</u></p>

¹¹⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00315.014 Aurora Energy, 00235.125 OWRUG, 00511.012 PowerNet, 00320.012 Network Waitaki

¹¹⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00315.014 Aurora Energy, 00235.125 OWRUG, 00511.012 PowerNet, 00320.012 Network Waitaki

Term	Definition
<u>inland wetlands and rivers</u> ¹¹⁶	
Electricity sub-transmission infrastructure	<p>means electricity infrastructure <u>that is not the <i>National Grid</i> and that</u> which conveys electricity between:¹¹⁷</p> <p>(a) <u>energy generation sources and zone substations,</u>¹¹⁸</p> <p>(b) <u>the <i>National Grid</i> and zone substations; or and</u>¹¹⁹</p> <p>(c) <u>between zone substations.</u>¹²⁰</p>
Environment	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 645 1246 1014" style="border: 1px solid black; padding: 10px;"> <p>includes—</p> <p>(a) ecosystems and their constituent parts, including people and communities; and</p> <p>(b) all <i>natural and physical resources</i>; and</p> <p>(c) amenity values; and</p> <p>(d) the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) or which are affected by those matters</p> </div>
Environmental outcome	<p>has the same meaning as in clause 1.4 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p> <div data-bbox="464 1122 1246 1249" style="border: 1px solid black; padding: 10px;"> <p>means, in relation to a value that applies to an FMU or part of an FMU, a desired outcome that a regional council identifies and then includes as an objective in its <i>regional plan(s)</i></p> </div>
Esplanade reserve	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 1350 1246 1749" style="border: 1px solid black; padding: 10px;"> <p>means a reserve within the meaning of the Reserves Act 1977—</p> <p>(a) which is either—</p> <p style="padding-left: 20px;">(i) a local purpose reserve within the meaning of section 23 of that Act, if vested in the <i>territorial authority</i> under section 239; or</p> <p style="padding-left: 20px;">(ii) a reserve vested in the Crown or a regional council under section 237D; and</p> <p>(b) which is vested in the <i>territorial authority</i>, regional council, or the Crown for a purpose or purposes set out in section 229</p> </div>

¹¹⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00315.014 Aurora Energy, 00235.125 OWRUG, 00511.012 PowerNet, 00320.012 Network Waitaki

¹¹⁷ 00314.003 Transpower

¹¹⁸ 00314.003 Transpower

¹¹⁹ 00314.003 Transpower

¹²⁰ 00314.003 Transpower

Term	Definition
Esplanade strip	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 338 1246 465" style="border: 1px solid black; padding: 5px;"> <p>means a strip of land created by the registration of an instrument in accordance with section 232 for a purpose or purposes set out in section 229</p> </div>
Exceedance	<p>has the same meaning as in regulation 13 of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (as set out in the box below)</p> <div data-bbox="464 613 1267 707" style="border: 1px solid black; padding: 5px;"> <p>for a contaminant, means an instance where the contaminant exceeds its threshold concentration in an airshed</p> </div>
Freshwater or fresh water	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 815 1246 869" style="border: 1px solid black; padding: 5px;"> <p>means all <i>water</i> except <i>coastal water</i> and geothermal water</p> </div>
Freshwater management unit or FMU	<p>has the same meaning as in clause 1.4 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p> <div data-bbox="464 976 1246 1227" style="border: 1px solid black; padding: 5px;"> <p>means all or any part of a <i>water body</i> or <i>water bodies</i>, and their related catchments, that a regional council determines under clause 3.8 is an appropriate unit for <i>freshwater</i> management and accounting purposes; and part of an FMU means any part of an FMU including, but not limited to, a specific site, <i>river reach</i>, <i>water body</i>, or part of a <i>water body</i></p> </div>
Functional need	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="464 1335 1246 1458" style="border: 1px solid black; padding: 5px;"> <p>means the need for a proposal or activity to traverse, locate or operate in a particular <i>environment</i> because the activity can only occur in that <i>environment</i></p> </div>
Future development strategy	<p>has the same meaning as in the National Policy Statement for Urban Development 2020 (as set out in the box below)</p> <div data-bbox="464 1570 1246 1659" style="border: 1px solid black; padding: 5px;"> <p>means the Future Development Strategy required by subpart 4 of Part 3</p> </div>
Greenhouse gas	<p>has the same meaning as in section 4(1) of the Climate Change Response Act 2002 (as set in in the box below)</p>

Term	Definition
	<p>means—</p> <p>(a) carbon dioxide (CO₂):</p> <p>(b) methane (CH₄):</p> <p>(c) nitrous oxide (N₂O):</p> <p>(d) any hydrofluorocarbon:</p> <p>(e) any perfluorocarbon:</p> <p>(f) sulphur hexafluoride (SF₆)</p>
Groundwater	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="464 696 1246 790" style="border: 1px solid black; padding: 5px;"> <p>means <i>water</i> occupying openings, cavities, or spaces in soils or rocks beneath the surface of the ground</p> </div>
Hard protection structure	<p>within the coastal environment, has the same meaning as in the Glossary of the New Zealand Coastal Policy Statement 2010 (as set out in the box below)</p> <div data-bbox="464 898 1246 1111" style="border: 1px solid black; padding: 5px;"> <p>includes a seawall, rock revetment, groyne, breakwater, stop bank, retaining wall or comparable <i>structure</i> or modification to the seabed, foreshore or coastal land that has the primary purpose or effect of protecting an activity from a <i>coastal hazard</i>, including erosion</p> </div> <p>and</p> <p>outside the coastal environment, <u>means any <i>structure</i> that has the primary purpose of <i>natural hazard risk</i> mitigation, including:¹²¹ any dams, weirs, <i>riprap</i>,¹²² stopbanks, carriageways, groynes, or reservoirs and any structure or appliance of any kind which is specifically established for the purpose of natural hazard risk mitigation.¹²³</u></p>
High valued species and vegetation types¹²⁴	<p>include:</p> <p>(a) <u>naturally uncommon ecosystems</u></p> <p>(b) <u>wetlands and indigenous sand dune vegetation</u></p> <p>(c) <u>important indigenous fauna habitats</u></p> <p>(d) <u>species classified as Threatened or At Risk-Declining</u></p> <p>(e) <u>species with important ecosystem functions, for example pollination, seed dispersal and provision of fauna habitat.</u></p>
Highly productive land¹²⁵	<p><u>has the same meaning as in clause 1.3 of the National Policy Statement for Highly Productive Land (as set out in the box below)</u></p>

¹²¹ 00223.117 Ngāi Tahu ki Murihiku

¹²² 00305.002 Waka Kotahi

¹²³ 00223.117 Ngāi Tahu ki Murihiku, 00230.006 Forest and Bird

¹²⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.158 DOC

¹²⁵ 00235.009 OWRUG, 00236.013 Horticulture NZ, 00240.025 NZ Pork

Term	Definition
	<p><u>means <i>land</i> that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when <i>land</i> is rezoned and therefore ceases to be highly productive land).</u></p>
Highly valued natural features and landscapes	<p>highly valued natural features, <u>and</u> landscapes and seascapes¹²⁶ are areas which contain attributes and values of significance under Sections 7(c) and 7(f) of the RMA 1991,¹²⁷ which have been identified in accordance with APP9, <u>and for the purposes of the NESPF they are visual amenity landscapes.</u>¹²⁸</p>
Historic heritage	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 779 1246 1458" style="border: 1px solid black; padding: 10px;"> <p>(a) means those <i>natural and physical resources</i> that contribute to an understanding and appreciation of New Zealand’s history and cultures, deriving from any of the following qualities:</p> <ul style="list-style-type: none"> (i) archaeological: (ii) architectural: (iii) cultural: (iv) historic: (v) scientific: (vi) technological; and <p>(b) includes—</p> <ul style="list-style-type: none"> (i) historic sites, <i>structures</i>, places, and areas; and (ii) <i>archaeological sites</i>; and (iii) sites of significance to Māori, including wāhi tapu; and (iv) surroundings associated with the <i>natural and physical resources</i> </div>
Housing and Business Development Capacity Assessment	<p>has the same meaning as in the National Policy Statement for Urban Development Capacity 2020 (as set out in the box below)</p> <div data-bbox="464 1563 1246 1666" style="border: 1px solid black; padding: 10px;"> <p>means the Housing and Business Development Capacity Assessment (HBA) required by subpart 5 of Part 3</p> </div>
Identified for future urban development ¹²⁹	<p><u>has the same meaning as in clause 1.3 of the National Policy Statement for Highly Productive Land (as set out in the box below)</u></p>

¹²⁶ 00301.054 Port Otago

¹²⁷ Clause 16(2), Schedule 1, RMA

¹²⁸ 00230.007 Forest & Bird

¹²⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00101.044 Tōitu Te Whenua

Term	Definition
	<p><u>means:</u></p> <p>(a) <u>identified in a published <i>Future Development Strategy</i> as land suitable for commencing urban development over the next 10 years; or</u></p> <p>(b) <u>identified:</u></p> <p>(i) <u>in a strategic planning document as an area suitable for commencing urban development over the next 10 years; and</u></p> <p>(ii) <u>at a level of detail that makes the boundaries of the area identifiable in practice</u></p>
Indigenous vegetation	means vascular and non-vascular plants that, in relation to a particular area, are native to the ecological district ¹³⁰ or <u>freshwater or marine bioregion</u> ¹³¹ in which that area is located.
Indigenous species (in relation to the ECO chapter) ¹³²	<u>means species that occur naturally in Otago.</u>
Industrial activities	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="464 1043 1246 1211" style="border: 1px solid black; padding: 5px;"> <p>means an activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes any ancillary activity to the industrial activity</p> </div>
Industrial and trade waste ¹³³	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="464 1323 1246 1491" style="border: 1px solid black; padding: 5px;"> <p><u>means liquid waste, with or without matter in suspension, from the receipt, manufacture or processing of materials as part of a commercial, industrial or trade process, but excludes sewage and greywater.</u></p> </div>
Infrastructure	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)

¹³⁰ McEwen, W Medium (ed), 1987. Ecological regions and districts of New Zealand. Wellington: Department of Conservation (new footnote attributed to 00138.027 QLDC)

¹³¹ 00137.013 Director General of Conservation

¹³² 00120.009 Yellow-eyed Penguin Trust

¹³³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.189 Kāi Tahu ki Otago, 00230.094 Forest and Bird

Term	Definition
	<p>means—</p> <ul style="list-style-type: none"> (a) pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy: (b) a network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001: (c) a network for the purpose of radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989: (d) facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support <i>structures</i> for lines used or intended to be used to convey electricity, excluding facilities, lines, and support <i>structures</i> if a person— <ul style="list-style-type: none"> (i) uses them in connection with the generation of electricity for the person’s use; and (ii) does not use them to generate any electricity for supply to any other person: (e) a <i>water</i> supply distribution system, including a system for irrigation: (f) a drainage or sewerage system: (g) structures for transport on land by cycleways, rail, <i>roads</i>, walkways, or any other means: (h) facilities for the loading or unloading of cargo or passengers transported on land by any means: (i) an airport as defined in section 2 of the Airport Authorities Act 1966: (j) a navigation installation as defined in section 2 of the Civil Aviation Act 1990: (k) facilities for the loading or unloading of cargo or passengers carried by sea, including a port related commercial undertaking as defined in section 2(1) of the Port Companies Act 1988: (l) anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166
Intrinsic values	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px;"> <p>In relation to ecosystems, means those aspects of ecosystems and their constituent parts which have value in their own right, including –</p> <ul style="list-style-type: none"> (a) their biological and genetic diversity; and (b) the essential characteristics that determine an ecosystem’s integrity, form, functioning and <i>resilience</i> </div>
Kāika	means a settlement of Kāi Tahu or their tūpuna.

Term	Definition
Kaitiakitanga or kaitiakitaka	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 338 1246 488" style="border: 1px solid black; padding: 5px;"> <p>means the exercise of guardianship by the <i>tangata whenua</i> of an area in accordance with tikanga Māori in relation to <i>natural and physical resources</i>; and includes the ethic of stewardship</p> </div>
Key civic public spaces¹³⁴	<p>are publicly owned and accessible public spaces identified by local authorities where the public use and enjoyment of the space is strongly influenced by sun and daylight access to the extent that loss of sun and daylight may diminish this use and enjoyment.</p>
Lake	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 757 1246 853" style="border: 1px solid black; padding: 5px;"> <p>means a body of <i>fresh water</i> which is entirely or nearly surrounded by <i>land</i></p> </div>
Land	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 958 1246 1294" style="border: 1px solid black; padding: 5px;"> <p>(a) includes land covered by <i>water</i> and the airspace above land; and (b) in a national environmental standard dealing with a regional council function under section 30 or a regional rule, does not include the <i>bed</i> of a <i>lake</i> or <i>river</i>; and (c) in a national environmental standard dealing with a <i>territorial authority</i> function under section 31 or a district rule, includes the surface of <i>water</i> in a <i>lake</i> or <i>river</i></p> </div>
<u>Land-based primary production</u> ¹³⁵	<p><u>has the same meaning as in clause 1.3 of the National Policy Statement for Highly Productive Land 2022 (as set out in the box below)</u></p> <div data-bbox="464 1406 1246 1503" style="border: 1px solid black; padding: 5px;"> <p><u>means production, from agricultural, pastoral, horticultural, or forestry activities, that is reliant on the soil resource of the <i>land</i></u></p> </div>
Landfill	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="464 1608 1246 1704" style="border: 1px solid black; padding: 5px;"> <p>means an area used for, or previously used for, the disposal of solid <i>waste</i>. It excludes cleanfill areas</p> </div>
Lifeline utilities	<p>means utilities provided by those entities listed in Schedule 1 of the Civil Defence Emergency Management Act 2002</p>

¹³⁴ 00223.019 Ngāi Tahu ki Murihiku

¹³⁵ 00021.002 Matakanui Gold Limited, 00016.009 Alluvium Limited and Stoney Creek Mining, 00017.007 Danny Walker and others, 00226.033 Kāi Tahu ki Otago, 00223.094 Ngāi Tahu ki Murihiku

Term	Definition
<u>Limit</u> ¹³⁶ <u>(in relation to freshwater)</u> ¹³⁷	<p>has the same meaning as in clause 1.4(1) of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p> <div data-bbox="464 333 1246 389" style="border: 1px solid black; padding: 5px;"> <p>means either a limit on resource use or a take limit</p> </div>
Local authority	<p>has the same meaning as in section 5 of the Local Government Act 2002 (as set out in the box below)</p> <div data-bbox="464 495 1246 551" style="border: 1px solid black; padding: 5px;"> <p>means a regional council or <i>territorial authority</i></p> </div>
Loss of values	<p>has the same meaning as in clause 3.21(1) of the National Policy Statement for Freshwater Management 2020 (as set out in the box below) and in this RPS also refers to <i>natural wetlands</i></p> <div data-bbox="464 701 1246 1205" style="border: 1px solid black; padding: 10px;"> <p>in relation to a natural inland <i>wetland</i> or <i>river</i>, means the <i>wetland</i> or <i>river</i> is less able to provide for the following existing or potential values:</p> <ul style="list-style-type: none"> (a) any value identified for it under the NOF process; or (b) any of the following, whether or not they are identified under the NOF process: <ul style="list-style-type: none"> (i) ecosystem health (ii) indigenous biodiversity (iii) hydrological functioning (iv) Māori <i>freshwater</i> values (v) amenity </div>
<u>LUC 1, 2, or 3 land</u> ¹³⁸	<p>has the same meaning as in clause 1.3 of the National Policy Statement for Highly Productive Land (as set out in the box below)</p> <div data-bbox="464 1312 1246 1480" style="border: 1px solid black; padding: 5px;"> <p>means <i>land</i> identified as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory or by any more detailed mapping that uses the Land Use Capability classification</p> </div>
<u>Mahika kai</u> ¹³⁹	<p>means gathering of food and natural materials by Kāi Tahu whānui in accordance with <i>tikaka</i>, the places where those resources are gathered, and the work, methods and cultural activities involved in obtaining them</p>
Mana whenua	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) and in this RPS also refers to the people who hold customary authority</p> <div data-bbox="464 1760 1246 1850" style="border: 1px solid black; padding: 5px;"> <p>means customary authority exercised by an iwi or hapu in an identified area</p> </div>

¹³⁶ Clause 16(2), Schedule 1, RMA

¹³⁷ 00231.009 Fish and Game

¹³⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00101.044 Tōitu Te Whenua

¹³⁹ 00226.0038 Kāi Tahu ki Otago

Term	Definition
Māori Land ¹⁴⁰	<p>for the purposes of this RPS, means land within the region that is:</p> <p>(1) <u>owned by Te Rūnanga o Ngāi Tahu or its constituent papatipu rūnaka and to be used for the purpose of:</u></p> <p>(a) <u>Locating <i>papakāika</i> development away from land that is either at <i>risk</i> from <i>natural hazards</i>, including climate change effects such as sea level rise, or is otherwise unsuitable for <i>papakāika</i> development,</u></p> <p>(b) <u>extending the area of an existing <i>papakāika</i> development.</u></p> <p>(2) <u>Māori communal <i>land</i> gazetted as Māori reservation under s338 Te Ture Whenua Māori Act 1993;</u></p> <p>(3) <u>Māori customary <i>land</i> and Māori freehold <i>land</i> as defined in s4 and s129 Te Ture Whenua Māori Act 1993;</u></p> <p>(4) <u>former <i>Māori land</i> or general land owned by Māori (as those terms are defined in Te Ture Whenua Māori Act 1993) that has at any time been acquired by the Crown or any local or public body for a public work or other public purpose, and has been subsequently returned to its former Kāi Tahu owners or their successors and remains in their ownership;</u></p> <p>(5) <u>general <i>land</i> owned by Māori (as defined in Te Ture Whenua Māori Act 1993) that was previously Māori freehold <i>land</i>, has ceased to have that status under an order of the Māori Land Court made on or after 1 July 1993 or under Part 1 of the Māori Affairs Amendment Act 1967 on or after 1 April 1968, that is in the ownership of Kāi Tahu whānui;</u></p> <p>(6) <u>vested in a Trust or Māori incorporation under Te Ture Whenua Māori Act 1993;</u></p> <p>(7) <u>held or claimed (whether as an entitlement, part of an ancillary claim, or because it was transferred or vested) either:</u></p> <p>(a) <u>as part of redress for the settlement of Treaty of Waitangi claims; or</u></p> <p>(b) <u>by the exercise of rights under a Treaty settlement Act or Treaty settlement deed (as those terms are defined under the Urban Development Act 2020);</u></p> <p>(8) <u>owned by a person or persons with documentary evidence of Kāi Tahu whakapapa connection to the <i>land</i>, where that evidence is provided by either the Māori Land Court or the Te Rūnanga o Ngāi Tahu Whakapapa Unit.</u></p>
Mineral	<p>has the same meaning as in section 2(1) of the Crown Minerals Act 1991 (as set out in the box below)</p> <div data-bbox="464 1570 1246 1787" style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p>means a naturally occurring inorganic substance beneath or at the surface of the earth, whether or not under <i>water</i>; and includes all metallic <i>minerals</i>, non-metallic <i>minerals</i>, fuel <i>minerals</i>, precious stones, industrial rocks and building stones, and a prescribed substance within the meaning of the Atomic Energy Act 1945</p> </div>
Mixing zone	<p>has the same meaning as in the Glossary of the New Zealand Coastal Policy Statement 2010 (as set out in the box below)</p>

¹⁴⁰ 00234.009 Te Rūnanga o Ngāi Tahu, 00226.053 Kāi Tahu ki Otago, 00010.002 Cain whanau

Term	Definition
	<p>the area within which ‘reasonable mixing’ of contaminants from discharges occurs in receiving <i>waters</i> and within which the relevant <i>water</i> quality standards do not apply</p>
Multiple hazards ¹⁴¹	<p>means where two or more unrelated <i>natural hazard</i> events may occur.</p>
National grid	<p>has the same meaning as in the Interpretation section of the National Policy Statement on Electricity Transmission 2008 for Renewable Electricity Generation 2011¹⁴² (as set out in the box below)</p> <div data-bbox="464 595 1246 685" style="border: 1px solid black; padding: 5px;"> <p>means the <i>assets</i> lines and associated equipment used or owned by Transpower New Zealand Limited to convey electricity</p> </div> <p style="text-align: right; margin-right: 20px;">¹⁴³</p>
National Objectives Framework	<p>has the same meaning as in clause 1.4 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p> <div data-bbox="464 797 1246 887" style="border: 1px solid black; padding: 5px;"> <p>means the framework for managing <i>freshwater</i> as described in subpart 2 of Part 3</p> </div>
Nationally significant infrastructure	<p>has, to the extent applicable to the Otago Region, the same meaning as in clause 1.4(1) of the National Policy Statement for Urban Development 2020 (as set out in the box below)</p> <div data-bbox="464 1037 1246 1693" style="border: 1px solid black; padding: 5px;"> <p>means all of the following:</p> <ul style="list-style-type: none"> (a) State highways (b) the <i>national grid</i> electricity transmission network (c) <i>renewable electricity generation</i> facilities that connect with the <i>national grid</i> (d) the high-pressure gas transmission pipeline network operating in the North Island (e) the refinery pipeline between Marsden Point and Wiri (f) the New Zealand rail network (including light rail) (g) rapid transit services (as defined in this clause) (h) any airport (but not its ancillary commercial activities) used for regular air transport services by aeroplanes capable of carrying more than 30 passengers (j) the port facilities (but not the facilities of any ancillary commercial activities) of each port company referred to in item 6 of Part A of Schedule 1 of the Civil Defence Emergency Management Act 2002 </div>
Natural and physical resources	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p>

¹⁴¹ Clause 16(2), Schedule 1, RMA – term not used in pORPS so no definition needed

¹⁴² 00314.004 Transpower

¹⁴³ 00314.004 Transpower

Term	Definition
	<p>includes <i>land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures</i></p>
Natural hazard	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 479 1246 703" style="border: 1px solid black; padding: 5px;"> <p>means any atmospheric or earth or <i>water</i> related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the <i>environment</i></p> </div>
Natural hazard works	<p>has the same meaning as in regulation 51(1) of the National Environmental Standard for Freshwater 2020 (as set out in the box below)</p> <div data-bbox="464 813 1246 1043" style="border: 1px solid black; padding: 5px;"> <p>means works for the purpose of removing material, such as trees, debris, and sediment, that—</p> <p>(a) is deposited as the result of a <i>natural hazard</i>, and</p> <p>(b) is causing, or is likely to cause, an immediate hazard to people or property</p> </div>
Natural inland wetland¹⁴⁴	<p><u>has the same meaning as in clause 3.21 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</u></p> <div data-bbox="464 1151 1326 1733" style="border: 1px solid black; padding: 5px;"> <p><u>means a <i>wetland</i> (as defined in the Act) that is not:</u></p> <p><u>(a) in the <i>coastal marine area</i>; or</u></p> <p><u>(b) a deliberately constructed <i>wetland</i>, other than a <i>wetland</i> constructed to offset impacts on, or to restore, an existing or former <i>natural inland wetland</i>; or</u></p> <p><u>(c) a <i>wetland</i> that has developed in or around a deliberately constructed <i>water body</i>, since the construction of the <i>water body</i>; or</u></p> <p><u>(d) a <i>geothermal wetland</i>; or</u></p> <p><u>(e) a <i>wetland</i> that:</u></p> <p style="padding-left: 20px;"><u>(i) is within an area of pasture used for grazing; and</u></p> <p style="padding-left: 20px;"><u>(ii) has vegetation cover comprising more than 50% exotic pasture species (as identified in the National List of Exotic Pasture Species using the Pasture Exclusion Assessment Methodology (see clause 1.8)); unless</u></p> <p style="padding-left: 20px;"><u>(iii) the <i>wetland</i> is a location of a habitat of a <i>threatened species</i></u></p> </div>
Naturally rare	<p>has the same meaning as in the Glossary of the New Zealand Coastal Policy Statement 2010 (as set out in the box below)</p> <div data-bbox="464 1845 1246 1895" style="border: 1px solid black; padding: 5px;"> <p>originally rare: Rare before the arrival of humans in New Zealand</p> </div>

¹⁴⁴ FPI045.017 Forest and Bird

Term	Definition
Natural wetland	<p>has the same meaning as in clause 3.21 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>means a wetland (as defined in the Act) that is not:</p> <p>(a) a wetland constructed by artificial means (unless it was constructed to offset impacts on, or restore, an existing or former natural wetland); or</p> <p>(b) a geothermal wetland; or</p> <p>(c) any area of improved pasture that, at the commencement date, is dominated by (that is more than 50% of) exotic pasture species and is subject to temporary rain derived water pooling</p> </div> <p>means a <i>wetland</i> (as defined in the Act) that is not:</p> <p>(a) a deliberately constructed <i>wetland</i>, other than a <i>wetland</i> constructed to offset impacts on, or to restore, an existing or former <i>natural wetland</i>; or</p> <p>(b) a <i>wetland</i> that has developed in or around a deliberately constructed <i>water body</i>, since the construction of the <i>water body</i>; or</p> <p>(c) a <i>geothermal wetland</i>; or</p> <p>(d) a <i>wetland</i> that:</p> <p>(i) is within an area of pasture used for grazing; and</p> <p>(ii) has vegetation cover comprising more than 50% exotic pasture species (as identified in the National List of Exotic Pasture Species using the Pasture Exclusion Assessment Methodology (see clause 1.8 of the National Policy Statement for Freshwater Management)); unless</p> <p>(iii) the <i>wetland</i> is a location of a habitat of a <i>threatened species</i> identified under clause 3.8 of the National Policy Statement for Freshwater Management, in which case the exclusion in (d) does not apply.¹⁴⁵</p>
Nohoaka or nohoanga	means a site occupied by Kāi Tahu on a seasonal and temporary basis for māhika kai <i>māhika kai</i> ¹⁴⁶ or other customary purposes.
<u>Occupancy</u> ¹⁴⁷	<u>Means, in relation to measuring indigenous biodiversity, the number of units per area occupied by a species or taxa.</u>
Operational need	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> <p>means the need for a proposal or activity to traverse, locate or operate in a particular <i>environment</i> because of technical, logistical or operational characteristics or constraints</p> </div>
Other infrastructure ¹⁴⁸	has the same meaning as in regulation 3 of the National Environmental Standard for Freshwater 2020 (as set out in the box below). ¹⁴⁹

¹⁴⁵ 00409.012 Ballance

¹⁴⁶ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

¹⁴⁷ 00223.099 Ngāi Tahu ki Murihiku, 00226.215 Kāi Tahu ki Otago

¹⁴⁸ Clause 10(2)(b)(i) – consequential amendment arising from FPI001.019 DCC, FPI026.031 Federated Farmers, FPI027.027 Contact

¹⁴⁹ Clause 10(2)(b)(i) – consequential amendment arising from FPI001.019 DCC, FPI026.031 Federated Farmers, FPI027.027 Contact

Term	Definition
	<p>means infrastructure, other than specified infrastructure, that was lawfully established before, and in place at, the close of 2 September 2020</p>
<p>Outstanding water body</p>	<p>has the same meaning as in clause 1.4 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p> <p>means a <i>water body</i>, or part of a <i>water body</i>, identified in a regional policy statement, a <i>regional plan</i>, or a water conservation order as having one or more outstanding values</p>
<p>Over-allocation, or over-allocated¹⁵⁰</p>	<p>has the same meaning as in clause 1.4 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)¹⁵¹</p> <p>in relation to both the quantity and quality of freshwater, is means the situation where:</p> <p>(a) resource use exceeds a limit; or</p> <p>(b) if limits have not been set, an FMU or part of an FMU is degraded or degrading; or</p> <p>(c) <u>an FMU or part of an FMU is not achieving an environmental flow or level set for it under clause 3.16.</u></p>
<p>Papakāika or papakāinga</p>	<p>means <u>subdivision</u>,¹⁵² use and development by <i>mana whenua</i>, <u>either on their own or in conjunction with other parties</u>,¹⁵³ of ancestral or tribal lands <u>Māori Land</u>¹⁵⁴ and <u>associated resources to provide for sustain</u> themselves in <u>general</u>¹⁵⁵ accordance with tikanga Māori, which may include residential activities and non-residential activities for cultural, social, <u>educational</u>,¹⁵⁶ recreational, environmental, or limited¹⁵⁷ commercial purposes.</p>
<p>Pest¹⁵⁸</p>	<p>has the same meaning as in section 2 of the Biosecurity Act 1993 (as set out in the box below)</p> <p>means an organism specified as a <i>pest</i> in a <i>pest management plan</i></p>
<p>Plantation forestry</p>	<p>has the same meaning as in regulation 3 of the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 (as set out in the box below)</p>

¹⁵⁰ Clause 16(2), Schedule 1, RMA

¹⁵¹ Clause 16(2), Schedule 1, RMA

¹⁵² 00010.003 Cain Whanau

¹⁵³ 00010.003 Cain Whanau

¹⁵⁴ 00234.009 Te Rūnanga o Ngāi Tahu, 00226.053 Kāi Tahu ki Otago, 00010.002 Cain whanau

¹⁵⁵ 00010.003 Cain Whanau

¹⁵⁶ 00010.003 Cain Whanau

¹⁵⁷ 00010.003 Cain Whanau

¹⁵⁸ 00239.007b Federated Farmers, 00411.017 Wayfare

Term	Definition
	<p>means a forest deliberately established for commercial purposes, being—</p> <ul style="list-style-type: none"> (a) at least 1 ha of continuous forest cover of forest species that has been planted and has or will be harvested or replanted; and (b) includes all associated forestry infrastructure; but (c) does not include— <ul style="list-style-type: none"> (i) a shelter belt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30 m; or (ii) forest species in <i>urban areas</i>; or (iii) nurseries and seed orchards; or (iv) trees grown for fruit or nuts; or (v) long-term ecological restoration planting of forest species; or (vi) willows and poplars space planted for soil conservation purposes
PM₁₀	<p>has the same meaning as in regulation 3 of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px;"> <p>means particulate matter that is—</p> <ul style="list-style-type: none"> (a) less than 10 micrometres in aerodynamic diameter; and (b) measured in accordance with the United States Code of Federal Regulations, Title 40—Protection of Environment, Volume 2, Part 50, Appendix J — Reference method for the determination of particulate matter as <i>PM₁₀</i> in the atmosphere </div>
PM_{2.5}	<p>means particulate matter that is less than 2.5 micrometres in aerodynamic diameter.</p>
Polluted airshed	<p>has the same meaning as in regulation 17(4) of the National Environmental Standards for Air Quality 2004 (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px;"> <ul style="list-style-type: none"> (a) an <i>airshed</i> becomes a <i>polluted airshed</i> on and from 1 September 2012 or any later day if, for the immediately prior 5-year period— <ul style="list-style-type: none"> (i) the <i>airshed</i> has meaningful <i>PM₁₀</i> data for at least a 12-month period; and (ii) the <i>airshed's</i> average <i>exceedances</i> of <i>PM₁₀</i> (as calculated under regulation 16D) was more than 1 per year; and (b) an <i>airshed</i> stops being a <i>polluted airshed</i> on and from any day if the <i>PM₁₀</i> standard was not breached in the <i>airshed</i> in the immediately prior 5-year period </div>

Term	Definition
Primary contact site ¹⁵⁹	<p>has the same meaning as in clause 1.4 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>in relation to both the quantity and quality of <i>freshwater</i>, is the means a site identified by a regional council that it considers is regularly used, or would be regularly used but for existing <i>freshwater</i> quality, for recreational activities such as swimming, paddling, boating, or watersports, and particularly for activities where there is a high likelihood of <i>water</i> or <i>water</i> vapour being ingested or inhaled</p> </div>
Primary production	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>means:</p> <ul style="list-style-type: none"> (a) an aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and (b) includes initial processing, as an <i>ancillary activity</i>, of commodities that result from the listed activities in a); (c) includes any <i>land</i> and <i>buildings</i> used for the production of the commodities from a) and used for the initial processing of the commodities in b); but (d) excludes further processing of those commodities into a different product </div>
Productive capacity ¹⁶⁰	<p>has the same meaning as in clause 1.3 of the National Policy Statement for Highly Productive Land (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><u>in relation to <i>land</i>, means the ability of the <i>land</i> to support land-based <i>primary production</i> over the long term, based on an assessment of:</u></p> <ul style="list-style-type: none"> <u>(a) physical characteristics (such as soil type, properties, and versatility); and</u> <u>(b) legal constraints (such as consent notices, <i>local authority</i> covenants, and easements); and</u> <u>(c) the size and shape of existing and proposed <i>land</i> parcels</u> </div>
Public transport	<p>has the same meaning as in clause 1.4 of the National Policy Statement for Urban Development 2020 (as set out in the box below)</p>

¹⁵⁹ Clause 16(2), Schedule 1, RMA

¹⁶⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00014.031 Mt Cardrona Station, 00209.01 Universal Developments, 00210.012 Lane Hocking, 00211.01 LAC

Term	Definition
	<p>means any existing or planned service for the carriage of passengers (other than an aeroplane) that is available to the public generally by means of:</p> <ul style="list-style-type: none"> (a) a vehicle designed or adapted to carry more than 12 persons (including the driver), or (b) a rail vehicle, or (c) a ferry
<p>Receiving environment (in relation to fresh water and the coastal marine area)¹⁶¹</p>	<p>has the same meaning as in in clause 1.4 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>includes, but is not limited to, any <i>water body</i> (such as a <i>river, lake, wetland</i> or aquifer) and the <i>coastal marine area</i> (including estuaries)</p> </div>
<p>Reclamation</p>	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>means the manmade formation of permanent dry <i>land</i> by the positioning of material into or onto any part of a <i>waterbody, bed of a lake or river</i> or the <i>coastal marine area</i>, and:</p> <ul style="list-style-type: none"> (a) includes the construction of any causeway; but (b) excludes the construction of <i>natural hazard</i> protection structures such as seawalls, breakwaters or groynes except where the purpose of those structures is to form dry <i>land</i> </div>
<p>Regional plan</p>	<p>has the same meaning as in section 43AA of the Resource Management Act 1991 (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <ul style="list-style-type: none"> (a) means an operative plan approved by a regional council under Schedule 1 (including all operative changes to the plan (whether arising from a review or otherwise)); and (b) includes a regional coastal plan </div>
<p>Regionally significant infrastructure</p>	<p>means:</p> <ul style="list-style-type: none"> (1) roads classified as being of regional importance in accordance with the One Network Road Classification <u>One Network Framework</u>,¹⁶² (2) <i>electricity sub-transmission infrastructure</i>, (2A) <u><i>significant electricity distribution infrastructure</i></u>,¹⁶³ (3) <i>renewable electricity generation</i> facilities that connect with the local distribution network but not including <i>renewable electricity generation</i> facilities designed and operated principally for supplying a single premise or facility,

¹⁶¹ 00121.009 Ravensdown

¹⁶² 00139.007 DCC

¹⁶³ 00315.010 Aurora Energy, 00320.001 Network Waitaki, 00511.001 PowerNet

Term	Definition
	<p>(4) telecommunication and radiocommunication facilities, networks,¹⁶⁴</p> <p>(5) facilities for public transport, including¹⁶⁵ terminals and stations,</p> <p>(6) the following airports: Dunedin, Queenstown, Wanaka <u>Wānaka</u>,¹⁶⁶ Alexandra, Balclutha, Cromwell, Ōamaru <u>Ōamaru</u>,¹⁶⁷ Taieri, Taiari,¹⁶⁸ <u>and any other airport (but not its ancillary commercial activities) used for regular air transport services by aeroplanes capable of carrying more than 30 passengers,</u>¹⁶⁹</p> <p>(7) navigation <i>infrastructure</i> associated with airports and commercial ports which are nationally or regionally significant,</p> <p>(8) defence facilities <u>for defence purposes in accordance with the Defence Act 1990,</u>¹⁷⁰</p> <p><u>(8A) established community-scale irrigation and stockwater infrastructure;</u>¹⁷¹</p> <p>(9) community drinking water abstraction, supply treatment and distribution <i>infrastructure</i> that provides no fewer than 25 households with drinking water for not less than 90 days each calendar year, and community water supply abstraction, treatment and distribution <i>infrastructure</i> (excluding delivery systems or <i>infrastructure</i> primarily deployed for the delivery of water for irrigation of land or rural agricultural drinking-water supplies)</p> <p>(10) community <i>stormwater infrastructure</i>,</p> <p>(11) <i>wastewater</i> and <i>sewage</i> collection, treatment and disposal <i>infrastructure</i> serving no fewer than 25 households, and</p> <p><u>(11A) oil terminals, bulk fuel storage and supply <i>infrastructure</i>, and ancillary pipelines at Port Chalmers and Dunedin,</u>¹⁷²</p> <p>(12) Otago Regional Council’s hazard mitigation works including flood protection <i>infrastructure</i> and drainage schemes,¹⁷³</p> <p><u>(12A) <i>landfills</i> and associated solid <i>waste</i> sorting and transfer facilities which are designated by, or are owned or operated by a <i>local authority</i>,</u>¹⁷³</p> <p><u>(12B) <i>ski area infrastructure</i>, and</u>¹⁷⁴</p> <p><u>(13) any <i>infrastructure</i> identified as <i>nationally significant infrastructure</i>.</u>¹⁷⁵</p>
Renewable electricity generation	<p>has the same meaning as in the Interpretation section of the National Policy Statement for Renewable Electricity Generation 2011 (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>means generation of electricity from solar, wind, hydroelectricity, geothermal, biomass, tidal, wave, or ocean current energy sources</p> </div>

¹⁶⁴ 00310.002 Chorus, Spark and Vodafone

¹⁶⁵ 00226.034 Kāi Tahu ki Otago / Aukaha

¹⁶⁶ 00226.024 Kāi Tahu ki Otago

¹⁶⁷ 00226.024 Kāi Tahu ki Otago

¹⁶⁸ 00226.024 Kāi Tahu ki Otago

¹⁶⁹ 00307.001 CIAL

¹⁷⁰ 00230.011 Forest and Bird

¹⁷¹ 00213.002 Waitaki Irrigators

¹⁷² 00510.009 The Fuel Companies

¹⁷³ 00138.106 QLDC

¹⁷⁴ 00206.015 Trojan and 00411.022 Wayfare

¹⁷⁵ 00311.003 Trustpower, 00301.007 Port Otago

Term	Definition
Renewable electricity generation activities	<p>has the same meaning as in the Interpretation section of the National Policy Statement for Renewable Electricity Generation 2011 (as set out in the box below)</p> <div data-bbox="464 331 1246 629" style="border: 1px solid black; padding: 5px;"> <p>means the construction, operation and maintenance of <i>structures</i> associated with <i>renewable electricity generation</i>. This includes small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the <i>national grid</i> and electricity storage technologies associated with renewable electricity</p> </div>
Replanting	<p>has the same meaning as in regulation 3 of the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 (as set out in the box below)</p> <div data-bbox="464 768 1246 887" style="border: 1px solid black; padding: 5px;"> <p>means the planting and growing of <i>plantation forestry trees on land</i> less than 5 years after <i>plantation forestry</i> harvesting has occurred</p> </div>
Residual risk ¹⁷⁶	<p>means the risk remaining after the implementation or undertaking of all available and practicable risk management measures.</p>
Resilient or resilience	<p>means the capacity and ability to withstand or recover quickly from adverse conditions.</p>
Resource consent	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 1171 1246 1283" style="border: 1px solid black; padding: 5px;"> <p>has the meaning set out in section 87; and includes all conditions to which the consent is subject</p> </div>
Reverse sensitivity ¹⁷⁷	<p><u>means the potential for the operation of an existing lawfully established activity to be constrained or curtailed by the more recent establishment or intensification of other activities which are sensitive to the effects of the established activity.</u></p>
Riprap ¹⁷⁸	<p><u>a permanent layer of large, angular rocks, concrete or boulders typically used to armour, stabilize, and protect the <i>land</i> surface and margins of <i>water bodies</i> against erosion and scour in areas of concentrated <i>water flow</i> or <i>wave energy</i></u></p>
Risk (in relation to natural hazards) ¹⁷⁹	<p>has the same meaning as in the Glossary in the New Zealand Coastal Policy Statement 2010 (as set out in the box below)</p> <div data-bbox="464 1641 1246 1839" style="border: 1px solid black; padding: 5px;"> <p>Risk is often expressed in terms of a combination of the consequences of an event (including changes in circumstances) and the associated likelihood of occurrence (AS/NZS ISO 31000:2009 <i>Risk management – Principles and guidelines</i>, November 2009)</p> </div>

¹⁷⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00138.147 QLDC

¹⁷⁷ 00233.005 Fonterra, 00305.005 Waka Kotahi

¹⁷⁸ 00305.002 Waka Kotahi

¹⁷⁹ 00230.013 Forest and Bird

Term	Definition
River	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 338 1246 555" style="border: 1px solid black; padding: 5px;"> <p>means a continually or intermittently flowing body of <i>fresh water</i>; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of <i>water</i> for electricity power generation, and farm drainage canal)</p> </div>
Road¹⁸⁰	<p>has the same meaning as in section 315 of the Local Government Act 1974; and includes a motorway as defined in section 2(1) of the Government Roading Powers Act 1989 (as set out in the boxes below)</p> <div data-bbox="464 696 1246 1854" style="border: 1px solid black; padding: 5px;"> <p>road means the whole of any <i>land</i> which is within a district, and which—</p> <ul style="list-style-type: none"> (a) immediately before the commencement of this Part was a road or street or public highway; or (b) immediately before the inclusion of any area in the district was a public highway within that area; or (c) is laid out by the council as a road or street after the commencement of this Part; or (d) is vested in the council for the purpose of a road as shown on a deposited survey plan; or (e) is vested in the council as a road or street pursuant to any other enactment;— <p>and includes—</p> <ul style="list-style-type: none"> (f) except where elsewhere provided in this Part, any access way or service lane which before the commencement of this Part was under the control of any council or is laid out or constructed by or vested in any council as an access way or service lane or is declared by the Minister of Works and Development as an access way or service lane after the commencement of this Part or is declared by the Minister of Lands as an access way or service lane on or after 1 April 1988; (g) every square or place intended for use of the public generally, and every bridge, culvert, drain, ford, gate, building, or other thing belonging thereto or lying upon the line or within the limits thereof;— <p>but, except as provided in the Public Works Act 1981 or in any regulations under that Act, does not include a motorway within the meaning of that Act or the Government Roading Powers Act 1989</p> </div>

¹⁸⁰ Clause 16(2), Schedule 1, RMA – definition unnecessary

Term	Definition
	<p>motorway—</p> <p>(a) means a motorway declared as such by the Governor-General in Council under section 138 of the Public Works Act 1981 or under section 71 of this Act; and</p> <p>(b) includes all bridges, drains, culverts, or other <i>structures</i> or works forming part of any motorway so declared; but</p> <p>(c) does not include any local road, access way, or service lane (or the supports of any such road, way, or lane) that crosses over or under a motorway on a different level.</p>
Rural area	means any area of <i>land</i> that is not an <i>urban area</i>
Rural industry ¹⁸¹	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="464 797 1382 898" style="border: 1px solid black; padding: 5px;"> <p><u>means an industry or business undertaken in a rural <i>environment</i> that directly supports, services, or is dependent on <i>primary production</i>.</u></p> </div>
Sensitive activities	<p>has the same meaning as in the Interpretation section of the National Policy Statement on Electricity Transmission 2008 (as set out in the box below)</p> <div data-bbox="464 994 1246 1050" style="border: 1px solid black; padding: 5px;"> <p>includes schools, residential <i>buildings</i> and hospitals</p> </div>
Sewage	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="464 1155 1246 1211" style="border: 1px solid black; padding: 5px;"> <p>means human excrement and urine</p> </div>
Ship	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 1323 1246 1406" style="border: 1px solid black; padding: 5px;"> <p>has the same meaning as in section 2(1) of the Maritime Transport Act 1994</p> </div>
Significant electricity distribution infrastructure ¹⁸²	<p><u>Means electricity infrastructure identified in a district plan which supplies:</u></p> <p><u>(a) essential public services (such as hospitals and lifeline facilities);</u></p> <p><u>(b) other <i>regionally significant infrastructure</i> or individual consumers requiring supply of 1MW or more;</u></p> <p><u>(c) 700 or more consumers; or</u></p> <p><u>(d) communities that are isolated and which do not have an alternative supply in the event the line or cable is compromised and where the assets are difficult to replace in the event of failure.</u></p>
Significant natural area	means areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna that are located outside the coastal environment. ¹⁸³

¹⁸¹ 00233.007 Fonterra, 00221.001 Silver Fern Farms, 00411.019 Wafare Group and 00206.012 Trojan

¹⁸² 00315.058 Aurora Energy, 00320.026 Network Waitaki and 00511.026 PowerNet

¹⁸³ 00137.016 DOC, 00226.035 Kāi Tahu ki Otago, 00120.011 Yellow-eyed Penguin Trust, 00230.016 Forest and Bird

Term	Definition
Ski area infrastructure ¹⁸⁴	<p>has the same meaning as in the clause 3.21(1) of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p> <div data-bbox="464 331 1246 577" style="border: 1px solid black; padding: 5px;"> <p><i>infrastructure</i> necessary for the operation of a ski area and includes: transport mechanisms (such as aerial and surface lifts, roads, and tracks); facilities for the loading or unloading of passengers or goods; facilities or systems for water, sewerage, electricity, and gas; communications networks; and snowmaking and snow safety systems</p> </div>
Small and community scale distributed electricity generation	<p>has the same meaning as in the Interpretation section of the National Policy Statement for Renewable Electricity Generation 2011 (as set out in the box below)</p> <div data-bbox="464 685 1246 824" style="border: 1px solid black; padding: 5px;"> <p>means <i>renewable electricity generation</i> for the purpose of using electricity on a particular site, or supplying an immediate community, or connecting into the distribution network</p> </div>
Social and cultural buildings	<p>for the purposes of the consequence table within APP6, these are buildings that are of social and cultural importance. These include:</p> <ul style="list-style-type: none"> (a) places of worship, (b) museums, (c) art galleries, (d) marae, and (e) educational facilities
Solid fuel	<p>has the same meaning as in regulation 3 of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (as set out in the box below)</p> <div data-bbox="464 1245 1246 1346" style="border: 1px solid black; padding: 5px;"> <p>means a solid substance that releases useable energy when burnt (for example, wood and coal)</p> </div>
Specified infrastructure ¹⁸⁵	<p>has the same meaning as in clause 3.21 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)¹⁸⁶</p>

¹⁸⁴ 00206.015 Trojan, 00411.022 Wayfare

¹⁸⁵ Clause 10(2)(b)(i) – consequential amendment arising from FPI001.019 DCC, FPI026.031 Federated Farmers, FPI027.027 Contact

¹⁸⁶ Clause 10(2)(b)(i) – consequential amendment arising from FPI001.019 DCC, FPI026.031 Federated Farmers, FPI027.027 Contact

Term	Definition
	<p><u>means any of the following:</u></p> <p><u>(a) infrastructure that delivers a service operated by a lifeline utility (as defined in the Civil Defence Emergency Management Act 2002),</u></p> <p><u>(b) regionally significant infrastructure identified as such in a regional policy statement or regional plan,</u></p> <p><u>(c) any public flood control, flood protection, or drainage works carried out:</u></p> <p><u>(i) by or on behalf of a local authority, including works carried out for the purposes set out in section 133 of the Soil Conservation and Rivers Control Act 1951, or</u></p> <p><u>(ii) for the purpose of drainage by drainage districts under the Land Drainage Act 1908</u></p>
<p>Specified rivers and lakes</p>	<p>has the same meaning as in Appendix 3 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p> <div data-bbox="464 920 1246 1178" style="border: 1px solid black; padding: 5px;"> <p>means:</p> <p>(a) rivers that are fourth order or greater, using the methods outlined in the River Environment Classification System, National Institute of Water and Atmospheric Research, Version 1, and</p> <p>(b) lakes with a perimeter of 1.5km or more</p> </div>
<p>Stormwater</p>	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="464 1285 1246 1469" style="border: 1px solid black; padding: 5px;"> <p>means run-off that has been intercepted, channelled, diverted, intensified or accelerated by human modification of a land surface, or run-off from the surface of any structure, as a result of precipitation and includes any contaminants contained within</p> </div>
<p>Structure</p>	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 1576 1246 1682" style="border: 1px solid black; padding: 5px;"> <p>means any building, equipment, device, or other facility made by people and which is fixed to land; and includes any raft</p> </div>
<p>Structure plan</p>	<p>means a framework to prescribe development of an area, including land use patterns, infrastructure, linkages and other key features and constraints that affect the development.</p>
<p>Subdivision</p>	<p>has the same meaning as “subdivision of land” in section 218 of the Resource Management Act 1991 (as set out in the box below)</p>

Term	Definition
	<p>(1) In this Act, the term <i>subdivision</i> of land means—</p> <p>(a) the division of an allotment—</p> <p>(i) by an application to the Registrar-General of Land for the issue of a separate record of title for any part of the allotment; or</p> <p>(ii) by the disposition by way of sale or offer for sale of the fee simple to part of the allotment; or</p> <p>(iii) by a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years; or</p> <p>(iv) by the grant of a company lease or cross lease in respect of any part of the allotment; or</p> <p>(v) by the deposit of a unit plan, or an application to the Registrar-General of Land for the issue of a separate record of title for any part of a unit on a unit plan; or</p> <p>(b) an application to the Registrar-General of Land for the issue of a separate record of title in circumstances where the issue of that record of title is prohibited by section 226,—</p> <p>and the term <i>subdivide land</i> has a corresponding meaning</p>
<p>Surf break</p>	<p>has the same meaning as in the Glossary in the New Zealand Coastal Policy Statement 2010 (as set out in the box below)</p> <div data-bbox="464 1160 1246 1675" style="border: 1px solid black; padding: 5px;"> <p>A natural feature that is comprised of swell, currents, <i>water</i> levels, seabed morphology, and wind. The hydrodynamic character of the ocean (swell, currents and <i>water</i> levels) combines with seabed morphology and winds to give rise to a ‘surfable wave’. A <i>surf break</i> includes the ‘swell corridor’ through which the swell travels, and the morphology of the seabed of that wave corridor, through to the point where waves created by the swell dissipate and become non-surfable. ‘Swell corridor’ means the region offshore of a <i>surf break</i> where ocean swell travels and transforms to a ‘surfable wave’. ‘Surfable wave’ means a wave that can be caught and ridden by a surfer. Surfable waves have a wave breaking point that peels along the unbroken wave crest so that the surfer is propelled laterally along the wave crest</p> </div>
<p>Takata whenua or tangata whenua</p>	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 1787 1246 1877" style="border: 1px solid black; padding: 5px;"> <p>in relation to a particular area, means the iwi, or hapu, that holds <i>mana whenua</i> over that area</p> </div>

Term	Definition
Taxa	<p>has the same meaning as in the Glossary of the New Zealand Coastal Policy Statement 2010 (as set out in the box below), <u>and in this RPS applies to the whole region</u>¹⁸⁷</p> <div data-bbox="464 338 1246 439" style="border: 1px solid black; padding: 5px;"> <p>Named biological classification units assigned to individuals or sets of species (eg species, subspecies, genus, order, variety)</p> </div>
Te Mana o te Wai	<p>has the same meaning as in clause 1.3 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)¹⁸⁸</p>

¹⁸⁷ 00230.017 Forest and Bird

¹⁸⁸ FPI00213.010 Fonterra

Term	Definition
	<p><i>Concept</i></p> <p>(1) Te Mana o te Wai is a concept that refers to the fundamental importance of water and recognises that protecting the health of <i>freshwater</i> protects the health and well-being of the wider environment. It protects the mauri of the wai. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community.</p> <p>(2) Te Mana o te Wai is relevant to all <i>freshwater</i> management and not just to the specific aspects of <i>freshwater</i> management referred to in this National Policy Statement.</p> <p><i>Framework</i></p> <p>(3) Te Mana o te Wai encompasses 6 principles relating to the roles of tangata whenua and other New Zealanders in the management of <i>freshwater</i>, and these principles inform this National Policy Statement and its implementation.</p> <p>(4) The 6 principles are:</p> <p>(a) <i>Mana whakahaere</i>: the power, authority, and obligations of tangata whenua to make decisions that maintain, protect, and sustain the health and well-being of, and their relationship with, <i>freshwater</i></p> <p>(b) <i>Kaitiakitanga</i>: the obligation of tangata whenua to preserve, restore, enhance, and sustainably use <i>freshwater</i> for the benefit of present and future generations</p> <p>(c) <i>Manaakitanga</i>: the process by which tangata whenua show respect, generosity, and care for <i>freshwater</i> and for others</p> <p>(d) <i>Governance</i>: the responsibility of those with authority for making decisions about <i>freshwater</i> to do so in a way that prioritises the health and well-being of <i>freshwater</i> now and into the future</p> <p>(e) <i>Stewardship</i>: the obligation of all New Zealanders to manage <i>freshwater</i> in a way that ensures it sustains present and future generations</p> <p>(f) <i>Care and respect</i>: the responsibility of all New Zealanders to care for <i>freshwater</i> in providing for the health of the nation.</p> <p>(5) There is a hierarchy of obligations in Te Mana o te Wai that prioritises:</p> <p>(a) first, the health and well-being of water bodies and <i>freshwater</i> ecosystems</p> <p>(b) second, the health needs of people (such as drinking water)</p> <p>(c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future</p>

Term	Definition
Territorial authority	<p>has the same meaning as in section 5 of the Local Government Act 2002 (as set out in the box below)</p> <div data-bbox="464 333 1246 445" style="border: 1px solid black; padding: 5px;"> <p>means a city council or a district council named in Part 2 of Schedule 2</p> </div>
Te Ture Whenua Maori land¹⁸⁹	<p>means land with the following status:</p> <p>(a) Māori communal land gazetted as Māori reservation under s338 Te Ture Whenua Maori Act 1993; and</p> <p>(b) Māori customary land and Māori freehold land as defined in s4 and s129 Te Ture Whenua Maori Act 1993.</p>
Threatened species	<p>means any indigenous species of flora or fauna that meets the criteria for nationally critical, nationally endangered, or nationally vulnerable species in the New Zealand Threat Classification System Manual (Townsend et al, 2008).</p>
Urban area	<p>means any area of <i>land</i> (regardless of size, and irrespective of <i>local authority</i> or statistical boundaries) that is, or is intended to be, predominantly urban in character. This includes but is not limited to any <i>land</i> identified in <i>District Plans</i> as being within any urban growth boundary or equivalent however described, any residential zone, commercial and mixed use zone, industrial zone and future urban zone as listed in the National Planning Standards or its present <i>District Plan</i> zone equivalent. <i>Urban environments</i> are a subset of <i>urban areas</i>.</p>
Urban environment	<p>has the same meaning as in clause 1.4 of the National Policy Statement on Urban Development 2020 (as set out in the box below)</p> <div data-bbox="464 1151 1246 1391" style="border: 1px solid black; padding: 5px;"> <p>means any area of <i>land</i> (regardless of size, and irrespective of <i>local authority</i> or statistical boundaries) that:</p> <p>(a) is, or is intended to be, predominantly urban in character; and</p> <p>(b) is, or is intended to be, part of a housing and labour market of at least 10,000 people</p> </div>
Vulnerability	<p>means the conditions determined by physical, social, economic and environmental factors or processes which increase the susceptibility of an individual, a community, assets or systems to the impacts of hazards.</p>
Wāhi tūpuna	<p>means landscapes and places that embody the relationship of manawhenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taoka.¹⁹⁰</p>
Waste	<p>has the same meaning as in regulation 3 of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (as set out in the box below)</p> <div data-bbox="464 1787 1246 1877" style="border: 1px solid black; padding: 5px;"> <p>means substances or objects that are disposed of or intended to be disposed of</p> </div>

¹⁸⁹ Clause 10(2)(b)(i) – consequential amendment arising from 00234.009 Te Rūnanga o Ngāi Tahu, 00226.053 Kāi Tahu ki Otago, 00010.002 Cain whanau

¹⁹⁰ 00226.037 Kāi Tahu ki Otago

Term	Definition
	<p>has the same meaning as in the Waste Minimisation Act 2008 (as set out in the box below) ¹⁹¹</p> <div data-bbox="480 349 1243 656" style="border: 1px solid black; padding: 5px;"> <p>(a) means any thing disposed of or discarded; and</p> <p>(b) includes a type of waste that is defined by its composition or source (for example, organic waste, electronic waste, or construction and demolition waste); and</p> <p>(c) to avoid doubt, includes any component or element of diverted material, if the component or element is disposed of or discarded</p> </div>
Wastewater	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="464 757 1246 869" style="border: 1px solid black; padding: 5px;"> <p>means any combination of two or more the following wastes: <i>sewage, greywater or industrial and trade waste</i></p> </div>
Water	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 972 1246 1216" style="border: 1px solid black; padding: 5px;"> <p>(a) means <i>water</i> in all its physical forms whether flowing or not and whether over or under the ground:</p> <p>(b) includes <i>fresh water, coastal water, and geothermal water</i>:</p> <p>(c) does not include <i>water</i> in any form while in any pipe, tank, or cistern</p> </div>
Water body	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 1323 1246 1458" style="border: 1px solid black; padding: 5px;"> <p>means <i>fresh water</i> or geothermal water in a <i>river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area</i></p> </div>

¹⁹¹ 00121.013 Ravensdown

Term	Definition
<p>Well-functioning urban environments</p>	<p>has the same meaning as in Policy 1 of the National Policy Statement on Urban Development 2020 (as set out in the box below)</p> <div data-bbox="464 331 1254 1061" style="border: 1px solid black; padding: 10px;"> <p><i>well-functioning urban environments</i> are <i>urban environments</i> that, as a minimum:</p> <ul style="list-style-type: none"> (a) Have or enable a variety of homes that: <ul style="list-style-type: none"> (i) meet the needs, in terms of type, price, and location, of different households; and (ii) enable Māori to express their cultural traditions and norms; and (b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and (c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and (d) support, and limit as much as possible adverse impacts on, the competitive operation of <i>land</i> and development markets; and (e) support reductions in <i>greenhouse gas</i> emissions; and (f) are <i>resilient</i> to the likely current and future effects of climate change </div>
<p>Wetland</p>	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="464 1182 1246 1317" style="border: 1px solid black; padding: 10px;"> <p>includes permanently or intermittently wet areas, shallow <i>water</i>, and <i>land water</i> margins that support a natural ecosystem of plants and animals that are adapted to wet conditions</p> </div>
<p>Wetland utility structure</p>	<p>has the same meaning as in regulation 3 of the National Environmental Standard for Freshwater 2020 (as set out in the box below)</p> <div data-bbox="464 1424 1254 2029" style="border: 1px solid black; padding: 10px;"> <ul style="list-style-type: none"> (a) means a <i>structure</i> placed in or adjacent to a <i>wetland</i> whose purpose, in relation to the <i>wetland</i>, is recreation, education, conservation, restoration, or monitoring, and (b) for example, includes the following <i>structures</i> that are placed in or adjacent to a <i>wetland</i> for a purpose described in paragraph (a): <ul style="list-style-type: none"> (i) jetties (ii) boardwalks and bridges connecting them, (iii) walking tracks and bridges connecting them, (iv) signs, (v) bird-watching hides, (vi) monitoring devices, (vii) maimai </div>

Term	Definition
Wilding conifer	<p>has the same meaning as in regulation 3 of the National Environmental Standard for Plantation Forestry 2017 (as set out in the box below)</p> <div data-bbox="464 338 1246 483" style="border: 1px solid black; padding: 5px;"> <p>means a self-established conifer species tree resulting from seed spread from <i>plantation forestry</i>, shelter belts, amenity planting, or an already established wilding conifer species tree population</p> </div>

Abbreviations

Abbreviation	Full Terms
<u>Air Plan</u> ¹⁹²	<u>Regional Plan: Air for Otago</u>
CDC	Clutha District Council
CODC	Central Otago District Council
DCC	DCC
FMU	Freshwater Management Unit
HAIL ¹⁹³	Hazardous Activities and Industries List
LGA ¹⁹⁴	Local Government Act 2002
NES ¹⁹⁵	National Environmental Standard
NESAQ	National Environmental Standards for Air Quality 2004
NESCS	National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
NESETA	National Environmental Standard for Electricity Transmission Activities 2009
NESF	National Environmental Standards for Freshwater 2020
NESMA ¹⁹⁶	National Environmental Standards for Marine Aquaculture 2020
NESPF	National Environmental Standards for Plantation Forestry 2017
NESHDW ¹⁹⁷	National Environmental Standard for Sources of Human Drinking Water 2007
NESTF	National Environmental Standards for Telecommunication Facilities 2016
NOF	National Objectives Framework
NPS	National Policy Statement
NPSET	National Policy Statement on Electricity Transmission 2008
NPSFM	National Policy Statement for Freshwater Management 2020
<u>NPSHPL</u> ¹⁹⁸	<u>National Policy Statement for Highly Productive Land 2022</u>
NPSREG	National Policy Statement for Renewable Electricity Generation 2011
NPSUD	National Policy Statement on Urban Development 2020
NTCSA	Ngāi Tahu Claims Settlement Act 1998

¹⁹² Clause 16(2), Schedule 1, RMA

¹⁹³ Clause 16(2), Schedule 1, RMA

¹⁹⁴ Clause 16(2), Schedule 1, RMA

¹⁹⁵ Clause 16(2), Schedule 1, RMA

¹⁹⁶ Clause 16(2), Schedule 1, RMA

¹⁹⁷ Clause 16(2), Schedule 1, RMA

¹⁹⁸ Clause 16(2), Schedule 1, RMA

Abbreviation	Full Terms
NZCPS	New Zealand Coastal Policy Statement 2010
OCCRA ¹⁹⁹	Otago Climate Change Risk Assessment Phase 1 report
ORC	Otago Regional Council
PORPS 2016 ²⁰⁰	Proposed Otago Regional Policy Statement 2016 – Decisions version
PORPS 2019 ²⁰¹	Partially Operative Regional Policy Statement 2019
PORPS 2021 ²⁰²	Proposed Otago Regional Policy Statement 2021
QLDC	QLDC
RPS	Regional Policy Statement
RPS 1998 ²⁰³	Regional Policy Statement for Otago 1998
RMA	Resource Management Act 1991
RMS ²⁰⁴	Regional Monitoring Strategy
TAs ²⁰⁵	Territorial authorities: Central Otago District Council, Clutha District Council, DCC, Queenstown Lakes District Council and Waitaki District Council
Waste Plan	Regional Plan: Waste for Otago
Water Plan	Regional Plan: Water for Otago
WDC	Waitaki District Council

¹⁹⁹ Clause 16(2), Schedule 1, RMA

²⁰⁰ Clause 16(2), Schedule 1, RMA

²⁰¹ Clause 16(2), Schedule 1, RMA

²⁰² Clause 16(2), Schedule 1, RMA

²⁰³ Clause 16(2), Schedule 1, RMA

²⁰⁴ Clause 16(2), Schedule 1, RMA

²⁰⁵ Clause 16(2), Schedule 1, RMA

National direction instruments

National policy statements and New Zealand Coastal Policy Statement

National Policy Statements	
<p>National policy statements (NPSs) and the New Zealand Coastal Policy Statement (NZCPS) form part of the Resource Management Act’s policy framework and are prepared by central government. NPSs and the NZCPS contain objectives, policies and methods that must be given effect to by policy statements and plans. NPSs and the NZCPS must also be given regard to by consent authorities when making decisions on <i>resource consent</i> applications, alongside other considerations.</p> <p>The following table provides an overview of whether any relevant review/s of the Otago Regional Policy Statement has been undertaken in relation to NPSs and the NZCPS.</p>	
National Policy Statement on Electricity Transmission 2008	The policy statement has been reviewed in May 2021
New Zealand Coastal Policy Statement 2010	The policy statement has been reviewed in May 2021
National Policy Statement for Renewable Electricity Generation 2011	The policy statement has been reviewed in May 2021
National Policy Statement for Freshwater Management 2020	The policy statement has been reviewed in May 2021
National Policy Statement on Urban Development (2020)	The policy statement has been reviewed in May 2021

National environmental standards

National Environmental Standards
<p>National environmental standards (NESs) are prepared by central government and can prescribe technical standards, methods (including rules) and/or other requirements for environmental matters throughout the whole country or specific areas. If an activity doesn’t comply with an NES, it is likely to require a <i>resource consent</i>. NESs must be observed and enforced by <i>local authorities</i>. The following relevant NESs are currently in force:</p> <ul style="list-style-type: none"> • Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (amended 2011) • Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007 • Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009

- [Resource Management \(National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health\) Regulations 2011](#)
- [Resource Management \(National Environmental Standards for Telecommunications Facilities\) Regulations 2016](#)
- [Resource Management \(National Environmental Standard for Plantation Forestry\) Regulations 2017](#)
- [Resource Management \(National Environmental Standards for Freshwater\) Regulations 2020](#)
- [Resource Management \(National Environmental Standards for Marine Aquaculture\) Regulations 2020](#)

Regulations

Regulations
<p>The regulations included in this chapter come under the Resource Management Act 1991 (excluding the national environmental standards listed above). These regulations are:</p> <ul style="list-style-type: none"> • Resource Management (Transitional, Fees, Rents, and Royalties) Regulations 1991 • Resource Management (Exemption) Regulations 1996 • Resource Management (Marine Pollution) Regulations 1998 • Resource Management (Infringement Offences) Regulations 1999 • Resource Management (Forms, Fees, and Procedure) Regulations 2003 • Resource Management (Discount on Administrative Charges) Regulations 2010 • Resource Management (Measurement and Reporting of Water Takes) Regulations 2010 • Resource Management (Network Utility Operations) Regulations 2016 • Resource Management (Exemption) Regulations 2017. • Resource Management (Stock Exclusion) Regulations 2020

Water conservation orders

<i>Water Conservation Orders</i>	
<p>Regional policy statements, <i>regional plans</i> and <i>district plans</i> cannot be inconsistent with the provisions of a water conservation order. A water conservation order can prohibit or restrict a regional council issuing new water and discharge permits, although it cannot affect existing permits.</p> <p>The following table provides an overview of whether any relevant review/s of the Otago Regional Policy Statement have been undertaken in relation to relevant water conservation orders.</p>	
Water Conservation (Kawarau) Order 1997	The policy statement has been reviewed in May 2021

MW – Mana whenua

Recognition of hapū and iwi

Kāi Tahu²⁰⁶

Kāi Tahu whānui²⁰⁷ are *takata whenua* of the Otago region. Waitaha were the first people of Te Waipounamu, the South Island. Led by Rākaihautū, they explored and settled Te Waipounamu, and their exploits are reflected in enduring place names and histories across the motu. Waitaha were followed by the arrival of Kāti Māmoe and finally Kāi Tahu. Through warfare, intermarriage and political alliances a common allegiance to Kāi Tahu was forged. Kāi Tahu means the ‘people of Tahu’, linking them by name to their common ancestor Tahu Pōtiki.

The Kāi Tahu tribal area extends from the sub Antarctic islands in the south to Te Parinuiowhiti (White Cliffs, Blenheim) in the north and to Kahurangi Point on Te Tai o Poutini (the West Coast).

Relationship of Kāi Tahu with their rohe

Te Rūnanga o Ngāi Tahu (the iwi authority) is made up of 18 ~~Papatipu Rūnaka~~ papatipu rūnaka²⁰⁸, of which seven have interests in the Otago region. ~~Papatipu Rūnaka~~ rūnaka²⁰⁹ are a focus for whānau and hapū (extended family groups) who have *mana whenua* status within their area. *Mana whenua* hold traditional customary authority and maintain contemporary relationships within an area determined by whakapapa (genealogical ties), resource use and ahikāroa (the long burning fires of occupation). Te ~~Rūnaka Rūnanga~~²¹⁰ o Ngāi Tahu encourages consultation with the ~~Papatipu Rūnaka~~ papatipu rūnaka²¹¹ and takes into account the views of kā Rūnaka when determining its own position.

~~Four~~ Three Kāi Tahu ki Otago ~~Papatipu Rūnaka~~ papatipu rūnaka²¹² ~~are have marae~~ based in Otago, ~~These are~~ Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, ~~and~~ Te Rūnanga o Ōtākou, ~~and~~ whilst the fourth, Hokonui Rūnanga, is based in neighbouring Southland.²¹³ Three Ngāi Tahu ki Murihiku Rūnaka – Awarua Rūnanga, Waihopai Rūnanga and Ōraka-Aparima Rūnanga – are based in Southland but also share interests with Kāi Tahu ki Otago in South Otago, the Mata-au Clutha River, and the inland *lakes* and mountains. The areas of shared interest originate from the seasonal hunting and gathering economy that was a distinctive feature of the southern Kāi Tahu lifestyle. Seasonal mobility was an important means by which hapū and whānau maintained customary rights to the resources of the interior and ahi kā.

Te Rūnanga o Moeraki

The takiwā of Te Rūnanga o Moeraki is centred on Moeraki and extends from the Waitaki River to the Waihemo Shag River and inland to the Main Divide. The coastal interests of Te Rūnanga o Moeraki are

²⁰⁶ In the south of the South Island, the local Māori dialect uses a 'k' interchangeably with 'ng'. The preference of Kāi Tahu ki Otago is to use a 'k' so southern Māori are known as Kāi Tahu, rather than Ngāi Tahu. In this document, the "ng" is used for the iwi in general, and the "k" for southern Māori in particular. Amendment attributed to 00223.024 Ngāi Tahu ki

Murihiku

²⁰⁷ 00226.039 Kāi Tahu ki Otago

²⁰⁸ 00226.043 Kāi Tahu ki Otago

²⁰⁹ 00226.043 Kāi Tahu ki Otago

²¹⁰ 00226.039 Kāi Tahu ki Otago

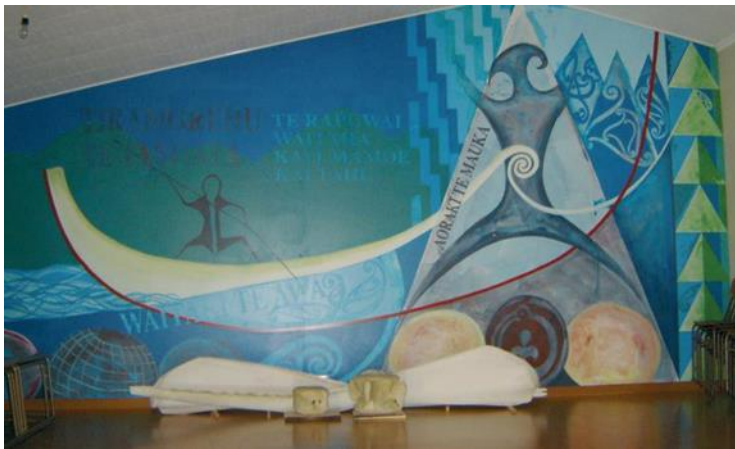
²¹¹ 00226.043 Kāi Tahu ki Otago

²¹² 00226.043 Kāi Tahu ki Otago

²¹³ 00223.024 Ngāi Tahu ki Murihiku

concentrated in the Moeraki Peninsula area and surrounds, including Te Raka-a-Hineatea Pā, Koekohe Hampden Beach, and Te Kai Hinaki with its famed boulders.

<https://www.terunangaomoeraki.org/>



Te Rūnanga o Moeraki Marae, Moeraki

Kāti Huirapa ki Puketeraki

The takiwā of Kāti Huirapa ki Puketeraki centres on Karitāne and extends from the Waihemo, Shag River to Purehurehu Heyward Point, and includes an interest in Ōtepoti and the greater ~~harbour~~ harbour²¹⁴ of Ōtākou. The takiwā extends inland to the Main Divide sharing an interest in the *lakes* and mountains to Whakatipu-Waitai with kā Rūnaka to the south. The kaimoana resources of the coast from Karitāne to Okahau Blueskin Bay and Pūrākaunui, and the kai awa of the ~~Waikouaiti~~ Waikōuaiti²¹⁵ River and estuary are treasured and well utilised ~~mahika kai~~ mahika kai²¹⁶ for Kāti Huirapa ki Puketeraki.

<http://www.puketeraki.nz/>



Puketeraki Marae

²¹⁴ 00120.007 Yellow-eyed Penguin Trust

²¹⁵ 00226.041 Kāi Tahu ki Otago

²¹⁶ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

Te Rūnanga o Ōtākou

The takiwā of Te Rūnanga o Ōtākou centres on ~~Muaupoko~~ Muaupoko²¹⁷ Otago Peninsula, and extends from Purehurehu Heyward Point, to Te Mata-au Clutha River, and inland, sharing an interest in the *lakes* and mountains to the western coast with kā Rūnanga to the north and south. The Otago ~~Harbor~~ harbour²¹⁸ has a pivotal role in the well-being of Ōtākou people. The ~~harbor~~ harbour²¹⁹ is a source of identity, a bountiful provider of kaimoana, and it is the pathway to the fishing grounds beyond. Traditionally it was the mode for other hapū to visit, and in today's world it is the lifeline to the international trade that benefits the region. The ebb and flow of the ~~harbor~~ harbour²²⁰ tides is a valued certainty in a world of change, a taoka to be treasured and protected for the benefit of current and future generations.

<http://www.otakourunaka.co.nz/>



Ōtākou Marae, Otago Peninsula

Hokonui Rūnanga

The takiwā of Hokonui Rūnanga centres on the Hokonui region and includes a shared interest in the *lakes* and mountains between Whakatipu-Waitai and Tawhitarere with other Murihiku Rūnanga and those located from Waihemo southwards. Although Hokonui Rūnanga is based in Gore, their interests in the Otago area, especially South Otago, are significant. They hold this in common with other Otago Rūnanga through whakapapa, history and tradition.

<https://www.hokonuirunanga.org.nz/>

²¹⁷ 00226.024 Kāi Tahu ki Otago

²¹⁸ 00120.007 Yellow-eyed Penguin Trust

²¹⁹ 00120.007 Yellow-eyed Penguin Trust

²²⁰ 00120.007 Yellow-eyed Penguin Trust



Hokonui Marae

Te Rūnanga o Awarua

The takiwa of Te Rūnanga o Awarua centres on Awarua and extends to the coasts and estuaries adjoining Waihopai sharing an interest in the *lakes* and mountains between Whakatipu-Waitai and Tawhititarere with other Murihiku Rūnanga and those located from Waihemo southwards.

Waihopai Rūnaka

The takiwa of Waihopai Rūnaka centres on Waihopai and extends northwards to Te Mata-au Clutha River, sharing an interest in the *lakes* and mountains to the western coast with other Murihiku Rūnaka and those located from Waihemo southwards.

Te Rūnanga o Ōraka Aparima

The takiwa of Te Rūnanga o Ōraka Aparima centres on Ōraka and extends from Waimatuku to Tawhititarere sharing an interest in the *lakes* and mountains from Whakatipu-Waitai to Tawhititarere with other Murihiku Rūnaka and those located from Waihemo southwards.

Environmental management perspectives and values of Kāi Tahu

He taura whiri kotahi mai anō te kōpunga tai nō ī te pū au

“From the source to the mouth of the sea, all things are joined together as one”

Te Tiriti o Waitangi establishes a partnership between Kāi Tahu and the Crown. The RMA-1991²²¹ requires that the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka, is ~~recognized~~ recognised²²² and provided for and that the principles of the Treaty of Waitangi are taken into account. In the spirit of this partnership and the Treaty principles,²²³ the ORPS seeks to facilitate Kāi Tahu engagement in resource management processes and decision-making²²⁴ in Otago.

This chapter acknowledges the principles of Te Tiriti o Waitangi and sets out general considerations for the incorporation of Kāi Tahu values and interests into resource management planning,

²²¹ Clause 16(2), Schedule 1, RMA

²²² Clause 16(2), Schedule 1, RMA

²²³ 00223.025 Ngāi Tahu ki Murihiku

²²⁴ 00226.040 Kāi Tahu ki Otago

consenting, and implementation processes. These are integrated throughout this document, and this chapter serves to tie the strands together. It reflects the philosophy embraced by Kāi Tahu of holistic resource management, *ki uta ki tai* – often described as “from the mountains to the sea”.

Kāi Tahu values

The following description is a guide to assist in understanding Kāi Tahu values. It is not a complete list of all the values held by Kāi Tahu.

Kāi Tahu do not see their existence as separate from ~~Te Ao Tūroa~~ te ao tūroa,²²⁵ the natural world, but as an integral part of it through whakapapa (genealogy). Whakapapa is central to ~~Te Ao te ao~~ Māori (a Māori world view),²²⁶ connecting the origins of everything, past and present. It is the foundation upon which all things are built, the web that connects all things together, the anchor which holds all things in place and the means by which all things link back to the beginning of time. It is through whakapapa that all things are intricately linked, as well as having their individual place in the world. Whakapapa binds Kāi Tahu to the mountains, forests and waters and the life supported by them, and this is reflected in attitudes towards the natural world and resource management.

Whakawhanaukataka, the process of maintaining relationships, embraces whakapapa through the relationship between people, and between people and the *environment*. The nature of these relationships defines people's rights and responsibilities in relation to the use and management of resources.

All things have the qualities of wairua (spiritual dimension) and mauri (life force),²²⁷ and have a genealogical relationship with each other. Mauri is found in all things organic and inorganic. The nurturing of all taoka and protection of their mauri is a prime concern and a ~~kaitiaki~~ significant obligation for Kāi Tahu whānui as *mana whenua* and *mana moana*, and as an expression of *rakatirataka*.²²⁸

Each ~~Papatipu Rūnaka~~ papatipu rūnaka²²⁹ has its own takiwā determined by whakapapa and its ahi-kā-roa (historical use and occupation). Takiwā are often defined by natural boundaries such as heads, mountain ranges and *rivers*. ~~This political~~ Political and operational authority over an area is undertaken by ~~mana whenua and encompasses~~ *kaitiakitaka* and *rakatirataka* Kāi Tahu as an expression of *rakatirataka*, *mana whenua*, and *mana moana*. The exercise of these powers in *te taiao* is through the action of *kaitiakitaka*.²³⁰ ~~An integral element of the concepts of *kaitiakitaka* and *rakatirataka* is the recognition that Kāi Tahu have their own traditional~~ Recognition of the *rakatirataka* and *mana* of Kāi Tahu as *kaitiaki whenua* can in part, be achieved by enabling Kāi Tahu to identify and exercise their preferred means of managing and maintaining resources and the *environment* (*te taiao*).²³¹ This system of rights and responsibilities (encompassing *tikaka* and *kawa*) is inherited from previous generations and has evolved over time.

The resources in any given area are a taoka; they are²³² source of prestige for *mana whenua* of that area and are a statement of their identity. Traditionally, the abundance or lack of resources directly determines the welfare of every hapū, and so affects their mana.

²²⁵ 00226.040 Kāi Tahu ki Otago

²²⁶ 00226.040 Kāi Tahu ki Otago

²²⁷ Clause 16(2), Schedule 1, RMA

²²⁸ 00226.040 Kāi Tahu ki Otago

²²⁹ 00226.043 Kāi Tahu ki Otago

²³⁰ 00226.040 Kāi Tahu ki Otago

²³¹ 00226.040 Kāi Tahu ki Otago

²³² 00226.040 Kāi Tahu ki Otago

Ki uta ki tai

Ki uta ki tai is a philosophy that has become synonymous with the way Kāi Tahu think about natural resource management. Ki uta ki tai is the concept used to describe holistic natural resource management, recognising all *environmental* elements are interconnected and must be managed as a whole. It is a way of understanding the natural *environment*, including how it functions, how people relate to it and how it can be looked after appropriately.

Rakatirataka

Rakatirataka ~~is about having~~ refers to the exercise of mana or authority to give effect to Kāi Tahu culture and traditions across all spheres in their takiwā, including in the management of the natural world-te taiao.²³³ Recognition of the relationship of Kāi Tahu and their culture and traditions with their ancestral lands, *water*, sites, wāhi tapu, and other taoka are is²³⁴ embedded in the RMA-1991²³⁵ and the Treaty of Waitangi.

Kaitiakitaka

~~Kaitiakitaka means~~ refers to the exercise of guardianship over natural and physical resources. It is an expression of rakatirataka and mana,²³⁶ and includes the ethic of stewardship. This statutory definition of *kaitiakitaka* is only a starting point for Kāi Tahu, as *kaitiakitaka* is a much wider cultural concept than guardianship.

Kaitiakitaka is fundamental to the relationship between Kāi Tahu and the *environment*. The objectives of *kaitiakitaka* are to protect the mauri and life supporting capacity of the *environment* and to pass the *environment* on to future generations in an enhanced state. For Kāi Tahu, *kaitiakitaka* is not passive custodianship, nor is it simply the exercise of traditional customary property rights, but it entails an active exercise of responsibility in a manner beneficial to the resource and rakatirataka to ensure long-term sustainability of resources as taoka, and for the benefit to future generations – mō tātou, ā, mō kā uri a muri ake nei.²³⁷

Hauora

Hauora is a holistic understanding of health and wellbeing. For Kāi Tahu, te hauora o te taiao (the health of the *environment*), te hauora o te wai (the health of the *waterbody*) and te hauora o te tangata (the health of the people) are all interconnected. Due to this connection, the state of health and well-being of wai māori and te taiao is seen as a reflection on the mana, health, and wellbeing of Kāi Tahu as *mana whenua*. Decline in te hauora o te wai and te hauora o te taiao is also understood by Kāi Tahu to adversely impact the health and well-being of the Otago community as a whole, tangata katoa.²³⁸

Tikaka and kawa²³⁹

²³³ 00226.040 Kāi Tahu ki Otago

²³⁴ Clause 16(2), Schedule 1, RMA

²³⁵ Clause 16(2), Schedule 1, RMA

²³⁶ 00226.040 Kāi Tahu ki Otago

²³⁷ 00226.040 Kāi Tahu ki Otago

²³⁸ 00226.047 Kāi Tahu ki Otago

²³⁹ 00138.051 QLDC

Tikaka and kawa Māori encompass ~~encompasses~~²⁴⁰ the beliefs, values, practices, protocols,²⁴¹ and procedures that guide appropriate codes of conduct, or ways of behaving. In the context of natural resource management, observing tikaka and kawa²⁴² is part of the ethic and exercise of *kaitiakitaka*. Tikaka and kawa are ~~it is~~²⁴³ underpinned by a body of mātauraka (traditional knowledge) and are ~~is~~²⁴⁴ based on a general understanding that people belong to the *land* and have a responsibility to care for and manage the land. These concepts and values incorporate ~~it incorporates~~²⁴⁵ forms of social control to manage the relationship of people and the *environment*, including concepts such as tapu, noa and rāhui.

Tikaka and kawa are ~~is~~²⁴⁶ based on traditional practices but are ~~is~~²⁴⁷ dynamic and continue ~~continues~~²⁴⁸ to evolve in response to different situations.

Mātauraka

Mātauraka, within this region, is Kāi Tahu customary knowledge passed down from one generation to the next, used in the present, and will continue to be developed for the future. It involves observing, experiencing, participating, studying, and understanding the world from an indigenous cultural perspective. It is a tool for thinking, organising information, considering the ethics of knowledge, and informing us about our world and our place in it. Incorporation of mātauraka in resource management decision-making is important to ensure that cultural interests are appropriately recognised and provided for.²⁴⁹

Taoka

All natural resources - air, *land*, *water*, and indigenous *biological diversity* - are taoka. Taoka are treasured resources that are highly valued by Kāi Tahu, derived from the atua (gods), linked to the people through whakapapa, and left by ~~the~~ tūpuna (ancestors) to provide for and sustain life.²⁵⁰ In the management of natural resources, it is important that the habitats and wider needs of taoka species are sustainably managed and enhanced.

Mahika kai Mahika kai²⁵¹

~~Mahika kai~~ Mahika kai²⁵² is one of the cornerstones of Kāi Tahu cultural identity. ~~Mahika kai~~ Mahika kai²⁵³ is a term that literally means "food workings" and refers to the customary gathering of food and natural materials and the places where those resources are gathered or produced. The term also embodies the traditions, customs and collection methods, and the gathering of natural resources for cultural use, including raraka (weaving) and rokoā (traditional medicines). Maintaining ~~mahika kai~~ mahika kai²⁵⁴ sites, gathering resources, and continuing to practice the tikaka that governs each

²⁴⁰ 00138.051 QLDC

²⁴¹ 00138.051 QLDC

²⁴² 00138.051 QLDC

²⁴³ 00138.051 QLDC

²⁴⁴ 00138.051 QLDC

²⁴⁵ 00138.051 QLDC

²⁴⁶ 00138.051 QLDC

²⁴⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00138.051 QLDC

²⁴⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00138.051 QLDC

²⁴⁹ 00420.007 Hopkins, Jim

²⁵⁰ 00226.040 Kāi Tahu ki Otago

²⁵¹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

²⁵² Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

²⁵³ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

²⁵⁴ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

resource, is an important means of maintaining and honouring whakapapa connections to land, taoka and tūpuna, and²⁵⁵ passing on cultural values and mātauraka to the next generation.

Resources of significance to Kāi Tahu

Wai ~~Maori~~-Māori²⁵⁶

Like all things, *water* has a whakapapa. All *water* is seen to have originated from the separation of Rakinui and Papatūānuku and their continuing tears for one another. Rain is Rakinui's tears for his beloved Papatūānuku and mist is regarded as Papatūānuku's tears for Rakinui.

From Rakinui and Papatūānuku came the offspring who were responsible for creating the elements that constitute our total world today, both animate and inanimate - the mountains, *rivers*, forests and seas, and all fish, bird and animal life. The realm of atua such as Rakinui and his many wives and offspring overarches and informs the Kāi Tahu whānui world view, values and beliefs.

Water plays a significant role in Kāi Tahu spiritual beliefs and cultural traditions. Kāi Tahu have an obligation through whakapapa to protect wai and all the life it supports, as *ko te wai te ora o kā mea katoa (water is the life giver of all things)*. The condition of *water* is seen as a reflection of the condition of the people. *Toitū te Marae o Tane, toitū te Marae o Takaroa, toitū te Iwi (Protect and strengthen the realms of the land and sea, and they will protect and strengthen the people)*. When the natural environment is strong and healthy, the people are strong and healthy and so too is their mana.

Taoka species and habitats

Taoka species and habitats are those that are treasured by Kāi Tahu, and Kāi Tahu regard all indigenous species as taoka. In many cases taoka species are also ~~mahika kai~~ *mahika kai*,²⁵⁷ treasured for their use as a resource. The ~~Ngāi Tahu Claims Settlement Act 1998 (NTCSA 1998)~~ NTCSA²⁵⁸ recognises the relationship Kāi Tahu has with some of these species through the Statutory Acknowledgement for Taonga Species. However, Kāi Tahu do not consider this list to be comprehensive as important taoka species such as tuna are not included.

Wāhi tūpuna

The value Kāi Tahu attached to *land* is evident from the fact that every part of the landscape is known and named. *Wāhi tūpuna* (ancestral landscapes) are made up of interconnected sites and areas reflecting the history and traditions associated with the long settlement of Kāi Tahu in Otago. The landscape of Otago includes many *wāhi tūpuna* and areas of significance, reflecting the relationship of Kāi Tahu with the *land* across the region. These places should not be seen in isolation from one another but are part of a wider cultural setting. For example, an *archaeological site* adjacent to a *wetland* is likely to be associated with ~~mahika kai~~ *mahika kai*²⁵⁹ resources in the *wetland*. The character of *wāhi tūpuna* in past times is retained in tribal memory, for example through songs, place names and proverbs. When these references to the character of the *wāhi tūpuna* become incorrect due to modification of the *environment*, it negatively affects the Kāi Tahu relationship with that landscape.

²⁵⁵ 00226.040 Kāi Tahu ki Otago

²⁵⁶ Clause 16(2), Schedule 1, RMA

²⁵⁷ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

²⁵⁸ Clause 16(2), Schedule 1, RMA

²⁵⁹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

For example, a waterway named Kaituna would be expected to contain many tuna. A waterway with this name used to exist in central Dunedin, but no longer exists because there is now a city where the waterway once was.

Air and atmosphere (kōhauhau)

In Kāi Tahu traditions, air and atmosphere emerged through the creation traditions and the movement from Te Kore through Te Pō to Te Ao Marama. Following the separation of Raki and Papatūānuku, one of their many children, Tāwhirimātea, fled with Raki into the sky. From there he controls the wind and weather. The air and atmosphere are integral parts of the *environment* that must be valued, used with respect, and passed on intact to the next generation. Pollution of the air and atmosphere adversely affects and degrades the mauri of this taoka, of te taiao, and of other taoka such as plants and animals. Poor air quality damages and degrades ancestral lands, mahika kai sites, and other sites such as rock art, adversely affecting the mauri of the landscape and the mana of the people.²⁶⁰

Coastal environment (taku tai moana me te wai māori)

~~The tūpuna of Kāi Tahu were great ocean travellers. Like many other Pacific peoples, Kāi Tahu are connected by whakapapa to those people who spread across Te – Moana – Nui – a – Kiwa, the Pacific Ocean. Takaroa is the atua who is central to these beliefs, which influence the way Kāi Tahu relate to and manage marine resources. associated with the oceans and seas, and their ecosystems. The marine environment is a moving force, a reminder of the power of Takaroa. As one of the children of Rakinui and Papatūānuku, Kāi Tahu are connected to Takaroa by whakapapa, affording rights and responsibilities in relation to te takutai moana.~~²⁶¹

The tūpuna of Kāi Tahu were great ocean travellers, having navigated by waka across Te Moana – nui – a – Kiwa, the Pacific Ocean for generations before settling in Te Wai Pounamu. Knowledge and practices brought with the tūpuna were adapted to meet the challenges and opportunities of the new environment. Over time, Kāi Tahu whānui developed the tikaka and mātauraka of takutai moana and mahika kaimoana that is used today.²⁶²

The coastal environment is particularly significant for Kāi Tahu in the southern South Island. Most of the permanent settlements were established on the coast due, in part, to the moderating influence of the sea on temperature, making the winters less bitter. The coast also had a bounty of kaimoana resources to support coastal settlements.

The *coastal waters* and processes were integral to the way of life tūpuna enjoyed, and the coastal environment continues to support significant ~~mahika kai~~ *mahika kai*²⁶³ resources. The *coastal waters* are a *receiving environment* for *fresh water*, gravels and sediment from the terrestrial landscape, which are important to maintaining natural processes and the domain of Takaroa. Recognising the interconnection of the *land* and sea *environments* is consistent with the ki uta ki tai philosophy.

²⁶⁰ 00226.040 Kāi Tahu ki Otago

²⁶¹ 00226.040 Kāi Tahu ki Otago

²⁶² 00226.040 Kāi Tahu ki Otago

²⁶³ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

Pounamu

Kāi Tahu customs are intricately linked to this special taoka. The practice of gathering, using and trading pounamu bind Kāi Tahu identity to the landscape. Pounamu conveys mana and mauri from ages past, and is reflected in its exalted whakapapa lineage, an uri (descendant) of Takaroa.

As an interim measure, until a Regional Pounamu Management Plan is developed for Otago and Murihiku, a rāhui pounamu has been in place in the Otago region since the passing of the Ngāi Tahu (Pounamu Vesting) Act 1997. This is subject to review by the collective Kaitiaki Rūnaka who will determine appropriate protection, access and use policies applicable to their membership and Ngāi Tahu whānui.

Ngāi Tahu Claims Settlement Act 1998 (NTCSA-1998)²⁶⁴

The NTCSA 1998²⁶⁵ was enacted to settle historical Ngāi Tahu claims against the Crown. The NTCSA 1998²⁶⁶ provides redress for breaches of Te Tiriti o Waitangi and to signal a new age of co-operation of the Crown and its agencies with Kāi Tahu. The Crown apology recorded in section 4 of the NTCSA 1998²⁶⁷ explicitly recognises the rakatirataka of Kāi Tahu within its takiwā, and the Act NTCSA²⁶⁸ includes specific provisions that provide for exercise of rakatirataka and *kaitiakitaka* by *mana whenua* in respect to ~~mahika kai~~ *mahika kai*,²⁶⁹ taoka species and other resource management matters. These include rights in relation to the management of specified significant areas (statutory acknowledgement areas, tōpuni and *nohoaka*) and customary fisheries.

Statutory acknowledgement areas

Statutory acknowledgements are recorded in the NTCSA 1998²⁷⁰ for several *water bodies*, mountains and coastal features in the Otago Region. These acknowledgements are statements by Te Rūnanga o Ngāi Tahu of the particular cultural, spiritual, historic and traditional association of Kāi Tahu with these areas.

Part 12 of the NTCSA-1998²⁷¹ provides details of statutory acknowledgements, and the responsibilities relating to them. Section 208 of the NTCSA-1998²⁷² requires that *local authorities* have regard to these statutory acknowledgements in *resource consent* processing under Section 95 of the RMA in deciding whether Te Rūnanga o Ngāi Tahu may be adversely affected by the granting of a *resource consent* for activities within, adjacent to or impacting directly on the area.

Statutory acknowledgements were intended as a measure to improve opportunities for *mana whenua* engagement in resource management processes, pending broader provision for areas of significance to Kāi Tahu being incorporated into resource management plans in order to protect and restore associated rights, interests and values. The statutory acknowledgements are *wāhi tūpuna*, but *wāhi tūpuna* are not confined to these areas.

²⁶⁴ Clause 16(2), Schedule 1, RMA

²⁶⁵ Clause 16(2), Schedule 1, RMA

²⁶⁶ Clause 16(2), Schedule 1, RMA

²⁶⁷ Clause 16(2), Schedule 1, RMA

²⁶⁸ Clause 16(2), Schedule 1, RMA

²⁶⁹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

²⁷⁰ Clause 16(2), Schedule 1, RMA

²⁷¹ Clause 16(2), Schedule 1, RMA

²⁷² Clause 16(2), Schedule 1, RMA

The following statutory acknowledgement areas in Otago are recognised in the NTCSA 1998²⁷³, and their values are described in Schedules to that Act:

- Ka Moana Haehae (Lake Roxburgh) - Schedule 22
- Kakaunui River - Schedule 23
- Kuramea (Lake Catlins) - Schedule 28
- Lake Hāwea - Schedule 30
- Lake Wānaka - Schedule 36
- Mata-Au (Clutha River) - Schedule 40
- Matakaea (Shag Point) - Schedule 41
- Pikirakatahi (Mount Earnslaw) - Schedule 51
- Pomahaka River - Schedule 52
- Te Tauraka Poti (Merton Tidal Arm) - Schedule 60
- Te Wairere (Lake Dunstan) - Schedule 61
- Tititea (Mount Aspiring) - Schedule 62
- Tokatā (The Nuggets) - Schedule 64
- Waihola/Waipori Waipōuri²⁷⁴ Wetland - Schedule 70
- Waitaki River – Schedule 72²⁷⁵
- Whakatipu Wai-Māori Waimāori²⁷⁶ (Lake Wakatipu) - Schedule 75
- Te Tai O Arai Te Uru (Otago Coastal Marine Area) - Schedule 103.

Tōpuni

The concept of tōpuni derives from the traditional Kāi Tahu custom of persons of raketira status extending their mana and protection over a person or area by placing their cloak over them or it. A number of areas on public conservation *land* that have significant values to Kāi Tahu because of their cultural, spiritual, historic and traditional associations are recognised in the NTCSA 1998²⁷⁷ as tōpuni. Sections 240 to 246 of the NTCSA 1998²⁷⁸ provide for Kāi Tahu consultation on management of these areas, to protect their values. Although the specific provisions in the NTCSA 1998²⁷⁹ relate only to management of conservation *land*, the interests of Kāi Tahu should be recognised and provided for when considering activities in nearby areas that may impact on the values of tōpuni or *waters* flowing from them.

Tōpuni recognised in Otago are:

- Matakaea (Shag Point) – Schedule 83
- Maukaatua Scenic Reserve – Schedule 84
- Pikirakatahi (Mount Earnslaw) – Schedule 87
- Te Koroka (Dart/Slipstream) – Schedule 91
- Tititea (Mount Aspiring) – Schedule 92.

²⁷³ Clause 16(2), Schedule 1, RMA

²⁷⁴ 00226.041 Kāi Tahu ki Otago

²⁷⁵ The Waitaki River lies within both the Otago and Canterbury regions.

²⁷⁶ 00226.024 Kāi Tahu ki Otago

²⁷⁷ Clause 16(2), Schedule 1, RMA

²⁷⁸ Clause 16(2), Schedule 1, RMA

²⁷⁹ Clause 16(2), Schedule 1, RMA

Nohoaka

Nohoanga (or *nohoaka*) entitlements provide a right of seasonal occupation and use for Kāi Tahu whānui on specified areas of Crown-owned *land* near *water bodies* for harvest of natural resources (sections 255 to 268 of the NTCSA 1998²⁸⁰). These rights are intended as partial redress for the loss of ~~māhika kai~~ *māhika kai*²⁸¹ through alienation of land.

Kāi Tahu interests in these areas should be recognised and provided for when considering management of associated *water bodies* or activities on nearby land. The ability of Kāi Tahu whānui to access and use *nohoaka* as intended is reliant upon protection and restoration of ~~māhika kai~~ *māhika kai*²⁸² values associated with them.

Nohoaka entitlements are listed in Schedule 95 of the NTCSA 1998²⁸³. In Otago, sites are identified adjacent to the following *water bodies*:

- Waitaki River (two sites)
- Waianakarua River
- ~~Taiari~~ *Taiari*²⁸⁴ River (three sites)
- Lake Hāwea (three sites)
- Hāwea River
- Lake Wānaka (two sites)
- ~~Lake Wakatipu~~ *Whakatipu Waimāori*²⁸⁵
- Shotover River (two sites)
- Mata-au Clutha River (four sites).²⁸⁶

Customary fisheries

Sections 297 to 311 of the NTCSA 1998²⁸⁷ include provisions recognising Kāi Tahu rights and interests in customary fisheries, and provide for involvement in management of these resources through the Conservation Act 1987 and the Fisheries Acts 1983 and 1996.

The interests of Kāi Tahu should be recognised and provided for when considering activities under the RMA 1991²⁸⁸ that may impact on customary fisheries, to enable protection and restoration of fisheries habitat. Mātaitai and taiāpure are mechanisms under the Fisheries Act that provide for management of customary fisheries areas and are applicable to both coastal and *freshwater* fisheries *environments*.

The East Otago Taiāpure is constituted by the Fisheries (East Otago Taiāpure) Order 1999. It includes the estuarine and inshore marine waters between Cornish Head and Potato Point.

There are also four mātaitai in Otago:

- Moeraki Mātaitai Reserve includes areas of *coastal waters* at Moeraki and Katiki (<https://www.mpi.govt.nz/dmsdocument/15220-Moeraki-North-Otago-Mataitai-Reserve>)

²⁸⁰ Clause 16(2), Schedule 1, RMA

²⁸¹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

²⁸² Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

²⁸³ Clause 16(2), Schedule 1, RMA

²⁸⁴ 00234.005 Te Rūnanga o Ngāi Tahu

²⁸⁵ 00226.041 Kāi Tahu ki Otago

²⁸⁶ 00234.005 Te Rūnanga o Ngāi Tahu

²⁸⁷ Clause 16(2), Schedule 1, RMA

²⁸⁸ Clause 16(2), Schedule 1, RMA

- ~~Waikouaiti~~ Waikōuaiti²⁸⁹ Mātaitai Reserve includes *freshwater* and estuarine waters of the ~~Waikouaiti~~ Waikōuaiti²⁹⁰ River (<https://www.mpi.govt.nz/dmsdocument/12954-Waikouaiti-South-Canterbury-Mataitai-Reserve->)
- Ōtākou Mātaitai Reserve includes most of the Otago ~~Harbor~~ Harbour²⁹¹ north of a line from Harwood to Pulling Point (<https://www.mpi.govt.nz/dmsdocument/14077-Otakou-mataitai-reserve>)
- Puna-wai-Tōriki (Hays Gap) Mātaitai Reserve includes an area of *coastal waters* north of Nugget Point (<https://www.mpi.govt.nz/dmsdocument/15223-Puna-wai-Toriki-Hays-Gap-South-Otago-Mataitai-Reserve>)

Māori Commercial Aquaculture Claims Settlement Act 2004

The Māori Commercial Aquaculture Claims Settlement Act 2004 provides full and final settlement of Māori commercial aquaculture claims since 21 September 1992. Settlement is delivered via Regional Aquaculture Agreements which may describe areas to be provided to iwi for the purposes of commercial aquaculture. Any future settlement outcomes will need to be provided for in *regional plans and district plans*.²⁹²

Māori Land Native²⁹³ reserves

A Native Reserve is any property or site that is a:

- Native Reserve excluded from the Ōtākou Land Purchases (1844)
- Native Reserve excluded from the Kemps Land Purchases (1848)
- Reserve granted by the Native Land Court (1868)
- Half Caste Reserve (1881)
- Landless Native Reserve (1896)
- Other reserve (1890 and 1900)

A number of Māori native²⁹⁴ reserves exist that were excluded from the *land* sales of the 1840s. These reserves are steeped in history and association and are places of belonging. Remaining reserves are located at Moeraki, ~~Waikouaiti~~ Waikōuaiti,²⁹⁵ Ōtākou, Onumia, Taieri Mouth, and Te Karoro, Kaka Point. Other categories of Māori²⁹⁶ *land* exist at ~~Koputa~~ Kōpūtai,²⁹⁷ Port Chalmers, and Ōtepoti, Dunedin, where tauraka waka, landing sites, were recognised. In addition, *land* was held at Manuhaea, Lake Hāwea, Aramoana, Clarendon, Taieri Mouth, Tautuku-Waikawa and Glenomaru amongst others.

²⁸⁹ 00226.041 Kāi Tahu ki Otago

²⁹⁰ 00226.041 Kāi Tahu ki Otago

²⁹¹ 00120.007 Yellow-eyed Penguin Trust

²⁹² 00234.006 Te Rūnanga o Ngāi Tahu

²⁹³ 00234.009 Te Rūnanga o Ngāi Tahu, 00226.053 Kāi Tahu ki Otago, 00010.002 Cain whanau

²⁹⁴ 00234.009 Te Rūnanga o Ngāi Tahu, 00226.053 Kāi Tahu ki Otago, 00010.002 Cain whanau

²⁹⁵ 00226.024 Kāi Tahu ki Otago

²⁹⁶ 00234.009 Te Rūnanga o Ngāi Tahu, 00226.053 Kāi Tahu ki Otago, 00010.002 Cain whanau

²⁹⁷ 00226.024 Kāi Tahu ki Otago

Landing reserves were allocated at Matainaka, ~~Waikouaiti~~ Waikōuaiti,²⁹⁸ and the former Lake Tatawai on the ~~Taiari~~ Taiari²⁹⁹ Plains.

The following table lists the reserves in Otago which are also mapped in MAP0 – Native reserves.³⁰⁰ Many of the sections within these Native Reserves now have the status of general land. While some of this general *land* is still in Māori ownership, many of the general titled sections have been sold to non-Māori or taken under various pieces of legislation such as the Public Works Act 1981. Although these sections are no longer in whānau ownership, descendants of the original owners retain an ancestral relationship with these lands.

Table 1 – Native reserves located within the Otago region

Location	Comments	Reserve Type
Tautuku	Southern block of Tautuku sections	South Island Landless Natives Act
	Northern sections are Reserved lands	Native Reserve
Glenomaru	Located south of Kaka Point	South Island Landless Natives Act
Maranuku	Granted in 1844 as part of the Otakeu <u>Ōtākou</u> ³⁰¹ Purchase. Originally called Te Karoro, split into two reserves	Native Reserve
Clarendon	Located inland from Taiari Mouth	Clarendon Half Caste Reserve
Taiari <u>Taiari</u> ³⁰²	Granted in 1844 as part of the Otakeu <u>Ōtākou</u> ³⁰³ Purchase Deed. Split into three reserves; A, B and C	Native Reserve
Lake Tatawai	Located on the Taiari <u>Taiari</u> ³⁰⁴ Plain, south of the ³⁰⁵ Dunedin, <u>includes lake that is now drained.</u> ³⁰⁶	Native Reserve <u>and</u> <u>Landing Reserve</u> ³⁰⁷
Lake Tatawai ³⁰⁸	Lake that is now drained	Landing Reserve
Otago Heads Native Reserve	Granted in 1844 as part of the Ōtākou Purchase Deed. Split into four reserves	Native Reserve
Port Chalmers	Granted in 1848 as part of the Ōtākou Purchase Deed. A further grant adjacent to the Reserve was made in approximately 1888	Native Reserve
Aramoana	This reserve resulted from the Purakaunui <u>Pūrākaunui</u> ³⁰⁹ Half Caste grant	Half Caste Reserve

²⁹⁸ 00226.024 Kāi Tahu ki Otago

²⁹⁹ 00226.024 Kāi Tahu ki Otago

³⁰⁰ 00226.329 Kāi Tahu ki Otago

³⁰¹ 00226.041 Kāi Tahu ki Otago

³⁰² 00226.041 Kāi Tahu ki Otago

³⁰³ 00226.041 Kāi Tahu ki Otago

³⁰⁴ 00226.041 Kāi Tahu ki Otago

³⁰⁵ Clause 16(2), Schedule 1, RMA

³⁰⁶ 00226.329 Kāi Tahu ki Otago

³⁰⁷ 00226.041 Kāi Tahu ki Otago

³⁰⁸ 00226.329 Kāi Tahu ki Otago

³⁰⁹ 00226.041 Kāi Tahu ki Otago

<u>Purakaunui</u> <u>Pūrākaunui</u> ³¹⁰	Granted in 1848 as part of Kemp's Purchase Deed. Further allocations were made in 1868 at Wharauwerawera	Native Reserve
Brinns Point	Granted in the latter part of the nineteenth century	Half Caste Reserve
<u>Karitane</u> <u>Karitāne</u> (<u>Waikouaiti</u> <u>Waikōuaiti</u> ³¹¹ Native Reserve)	Granted in 1848 as part of Kemp's Purchase Deed	Native Reserve
Matainaka and Hawksbury Fishing Easement	Two fishing easements fall under this reserve, Matainaka, located at <u>Hawkesbury</u> <u>Hawksbury</u> ³¹² Lagoon at <u>Waikouaiti</u> <u>Waikōuaiti</u> ³¹³ and the Forks Reserve located inland from <u>Karitane</u> <u>Karitāne</u> . ³¹⁴ The legal description for the latter reserve is Section 1N Town of Hawksbury	Fishing Easement
Hawksbury	Located north of <u>Waikouaiti</u> <u>Waikōuaiti</u> , ³¹⁵ in the vicinity of Goodwood	Hawksbury Half Caste Reserve
Moeraki	Granted in 1848 as part of Kemp's Purchase Deed. Further awards were made in 1868	Native Reserve
Kuri Bush	10 acre reserve of timber	Native Reserve
<u>Kakanui</u> ³¹⁶	Granted in 1848 as part of Kemp's Purchase Deed. By 1853, this Reserve was noted as being abandoned and the 75-acre allocation was added to the southern edge of the Moeraki Native Reserve	Native Reserve
Korotuaheka	Located south of the Waitaki River mouth. Now Reserved as an <u>urupa</u> <u>urupā</u> . ³¹⁷ It appears this originated as an occupational reserve and Fishing Easement	Partitioned in 1895 Possibly awarded as part of the 1868 awards <u>Native Reserve</u> <u>Fishing Easement</u> ³¹⁸
Punaomaru	376 acre reserve located approximately 14 miles from the Waitaki River mouth on the south bank of the <i>river</i>	Native Reserve
Lake Hāwea	Reserve of 100 acres situated in the western extremity of the middle arm of Lake Hāwea near a Lagoon. Part of the Reserve was taken for power development in 1962 and the balance of the <i>land</i> was alienated by the Māori Trustee in 1970	Fishing Easement

³¹⁰ 00226.041 Kāi Tahu ki Otago

³¹¹ 00226.041 Kāi Tahu ki Otago

³¹² Resource Management Act 1991, Schedule 1, Clause 16(2)

³¹³ 00226.041 Kāi Tahu ki Otago

³¹⁴ 00226.041 Kāi Tahu ki Otago

³¹⁵ 00226.041 Kāi Tahu ki Otago

³¹⁶ 00226.329 Kāi Tahu ki Otago

³¹⁷ 00226.041 Kāi Tahu ki Otago

³¹⁸ 00226.329 Kāi Tahu ki Otago

<u>Hāwea-Wānaka block (Wānaka Plantation Reserve)</u> ³¹⁹	Known as Sticky Forest and being 50.7 hectares more or less to be vested in the Successors as defined in and pursuant to Section 15 of the Deed of Settlement 1997 between Te Rūnanga o Ngāi Tahu and the Crown, and as enacted in Part 15 of the Ngāi Tahu Claims Settlement Act 1998. ³²⁰	South Island Landless Natives Act
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Mana whenua – local authority relationships

Kāi Tahu relationships with local authorities

There are a number of relationship agreements between Kāi Tahu ki Otago papatipu rūnaka³²¹ and *local authorities* in Otago. These include:

- Memorandum of Understanding and Protocol between Otago Regional Council, Te Rūnanga Ngāi Tahu and Kāi Tahu ki Otago for Effective Consultation and Liaison (2003)
- Te Roopū Taiao Otago Charter and Hui (ORC, QLDC, DCC, WDC, CDC, CODC)
- He Huarahi mō Ngā Uri Whakatupu – Charter of Understanding signed with 2016 between Te Ao Marama Inc. Incorporated, representing Ngāi Tahu ki Murihiku, and Southland Rūnanga (2016) councils.³²²

Kāi Tahu and Otago Regional Council use the Mana to Mana forum as a means to build a strengthened relationship between the two entities.

He Huarahi mō Ngā Uri Whakatupu³²³ is the Charter of Understanding between Ngāi Tahu ki Murihiku (Awarua Rūnanga, Waihopai Rūnanga, Ōraka-Aparima Rūnanga and Hokonui Rūnanga) and the local authorities, including Otago Regional Council, and QLDC and Clutha District Council. are signatories to Huarahi mō Ngā Uri Whakatupu as it applies in their areas of jurisdiction.³²⁴

Hapu Hapū³²⁵ and iwi planning documents

There are four iwi planning documents lodged with the *local authorities* in the Otago Region:

- Te Rūnanga o Ngāi Tahu Freshwater Policy 1999
- Kāi Tahu ki Otago Natural Resources Management Plan 2005
- Te Tangi a Taurira: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008
- Waitaki Iwi Management Plan 2019

How the iwi planning documents have been taken into account in this Regional Policy Statement

³¹⁹ 00234.005 Te Rūnanga o Ngāi Tahu

³²⁰ 00226.329 Kāi Tahu ki Otago

³²¹ Resource Management Act 1991, Schedule 1, clause 16(2)

³²² 00223.027 Ngāi Tahu ki Murihiku

³²³ Available from <https://www.es.govt.nz/repository/libraries/id:26gi9ayo517q9stt81sd/hierarchy/about-us/plans-and-strategies/regional-plans/iwi-management-plan/documents/The%20Charter%20of%20Understanding.pdf> (accessed 26 May 2021)

³²⁴ 00223.027 Ngāi Tahu ki Murihiku

³²⁵ 00226.042 Kāi Tahu ki Otago

Objectives and policies of the iwi management plans are reflected in the Resource Management Issues of Significance to Kāi Tahu and have been taken into account in the development of provisions across the whole of this Regional Policy Statement.

How iwi planning documents are used in Otago

The iwi management plans are used to provide cultural context and guidance as to the natural resource values, concerns and issues of Kāi Tahu ki Otago and Ngāi Tahu ki Murihiku.

The iwi planning documents are to be used in the development of planning policy and assist decision-makers to make informed decisions, recognising the local knowledge of the *environment* held by Papatipu Rūnaka papatipu rūnaka³²⁶ and the significance of the natural resource values to Kāi Tahu.

The iwi planning documents are also used to guide consultation with Rūnaka rūnaka³²⁷ and set out the expectations for consultation. The iwi management plans are not a substitute for direct communication with Papatipu Rūnaka papatipu rūnaka³²⁸.

Involvement and participation with *mana whenua*

ORC and the *local authorities* will establish and maintain effective resource management relationships with Kāi Tahu based on a mutual obligation to act reasonably and in good faith. The *local authorities* and Otago Regional Council will consult Kāi Tahu at an early stage in resource management processes and implementation, and facilitate efficient and effective processes for applicants to consult Kāi Tahu on *resource consent* applications and private plan change requests.

Local authorities may also ~~delegate and transfer~~ transfer and delegate³²⁹ any one or more of their functions, powers or duties to an iwi authority in accordance with ~~section~~ sections 33 (transfer) and 34A (delegation)³³⁰ of the RMA, and where this provides an effective service.

Mana whenua consultancy services

The Papatipu Rūnaka papatipu rūnaka³³¹ consultancy services, Aukaha, representing Kāi Tahu ki Otago, and Te Ao Marama Inc, representing Ngāi Tahu ki Murihiku, facilitate Kāi Tahu engagement in resource management processes and provide a first point of contact for the public seeking to engage with Papatipu Rūnaka papatipu rūnaka³³².

Other iwi, hapū and mātāwaka

Otago is also home to Māori from other iwi, hapū, and mātāwaka. The Araiteuru marae in Dunedin and Te Whare Koa in Ōamaru Ōamaru³³³ are important pan-tribal cultural centres for mātāwaka and sit within the manaakitaka of *takata whenua*.

³²⁶ 00226.043 Kāi Tahu ki Otago

³²⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.043 Kāi Tahu ki Otago

³²⁸ 00226.043 Kāi Tahu ki Otago

³²⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00509.024 Wise Response

³³⁰ 00509.024 Wise Response

³³¹ 00226.043 Kāi Tahu ki Otago

³³² 00226.043 Kāi Tahu ki Otago

³³³ 00226.043 Kāi Tahu ki Otago

Provisions

Objectives

MW-O1 – Principles of Te Tiriti o Waitangi

The principles of Te Tiriti o Waitangi are given effect in resource management processes and decisions, utilising a partnership approach between councils and ~~Papatipu Rūnaka~~ papatipu rūnaka³³⁴ to ensure that what is valued by *mana whenua* is actively protected in the region.

Policies

MW-P1 – Treaty obligations

Promote awareness and understanding of the obligations of *local authorities* in regard to the principles of Te Tiriti o Waitangi, tikaka Māori and kaupapa Māori.

MW-P2 – Treaty principles

Local authorities exercise their functions and powers in accordance with the principles of Te Tiriti o Waitangi Treaty principles,³³⁵ by:

- (1) recognising the status of Kāi Tahu as *mana whenua*³³⁶ and facilitating Kāi Tahu involvement in decision-making as a ~~Treaty partner~~ under Te Tiriti o Waitangi,³³⁷
- (2) including Kāi Tahu in resource management processes, ~~and~~ implementation and decision-making³³⁸ to the extent desired by *mana whenua*,
- (3) recognising and providing for Kai Tahu values, ~~and~~ addressing resource management issues of significance to Kāi Tahu,³³⁹ as identified by *mana whenua*, in resource management processes and plan implementation,
- (4) recognising and providing for the relationship of Kāi Tahu culture and traditions with their ancestral lands, ~~and waters, water,~~ encompassing wai māori and wai tai, significant sites, *wāhi tūpuna*, wāhi tapu and wāhi taoka, and other taoka by ensuring that Kāi Tahu have the ability to identify these relationships and determine how best to express them,³⁴⁰
- (5) ensuring that *regional plans*³⁴¹ and *district plans* recognise and provide for Kāi Tahu relationships with Statutory Acknowledgement Areas, tōpuni, *nohoaka* and customary fisheries identified in the NTCSA, ~~1998~~³⁴² including by actively protecting the mauri of these areas,

³³⁴ 00226.044 Kāi Tahu ki Otago

³³⁵ 00226.046 Kāi Tahu ki Otago

³³⁶ 00226.046 Kāi Tahu ki Otago

³³⁷ 00226.046 Kāi Tahu ki Otago

³³⁸ 00226.046 Kāi Tahu ki Otago

³³⁹ 00223.029 Ngāi Tahu ki Murihiku

³⁴⁰ 00226.046 Kāi Tahu ki Otago

³⁴¹ Clause 16(2), Schedule 1, RMA

³⁴² Clause 16(2), Schedule 1, RMA

- (6) having particular regard to the responsibility ability of Kāi Tahu to exercise their role as kaitiaki kaitiakitaka as an expression of mana and rakatirataka,³⁴³
- (7) actively pursuing opportunities for:
 - (a) delegation or transfer of functions to Kāi Tahu, and
 - (b) partnership or joint management arrangements, ~~and~~³⁴⁴
- (8) taking into account iwi management plans when making resource management decisions;³⁴⁵
- (8A) regional plans and district plans recognising and providing for aquaculture settlement outcomes identified under the Māori Commercial Aquaculture Claims Settlement Act 2004,³⁴⁶ and
- (8B) recognising and providing for mātauraka and tikaka in environmental and resource management.³⁴⁷

MW-P3 – Supporting Kāi Tahu ~~well-being~~ hauora³⁴⁸

The natural *environment* is managed to support Kāi Tahu ~~well-being~~ hauora³⁴⁹ by:

- (1A) recognising that Kāi Tahu hold an ancestral and enduring relationship with all whenua, wai māori and coastal waters within their takiwā,³⁵⁰
- (1) protecting customary uses, Kāi Tahu values and relationships ~~of Kāi Tahu~~ as identified by Kāi Tahu³⁵¹ to resources and areas of significance, and restoring these uses and values where they have been degraded by human activities,
- (2) safeguarding the mauri and life-supporting capacity of natural resources, recognising the whakapapa connections of Kāi Tahu with these resources as taoka, and the connections to practices such as mahika kai, and³⁵²
- (3) working with Kāi Tahu to incorporate mātauraka ~~in~~ into³⁵³ resource management processes and decision-making.³⁵⁴

MW-P4 – Sustainable use of ~~Māori land~~ Native Reserves and Māori land³⁵⁵

Kāi Tahu are able to ~~protect,~~³⁵⁶ develop and use *land* and resources within native reserves and ~~land~~ held under Te Ture Whenua Māori Act 1993 Māori land³⁵⁷ in accordance with mātauraka and tikaka,

³⁴³ 00226.046 Kāi Tahu ki Otago

³⁴⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00234.008 Te Rūnanga o Ngāi Tahu

³⁴⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00234.008 Te Rūnanga o Ngāi Tahu

³⁴⁶ 00234.008 Te Rūnanga o Ngāi Tahu

³⁴⁷ 00234.008 Te Rūnanga o Ngāi Tahu

³⁴⁸ 00226.047 Kāi Tahu ki Otago

³⁴⁹ 00226.047 Kāi Tahu ki Otago

³⁵⁰ 00226.277 Kāi Tahu ki Otago

³⁵¹ 00226.047 Kāi Tahu ki Otago

³⁵² 00226.047 Kāi Tahu ki Otago

³⁵³ 00223.029 Ngāi Tahu ki Murihiku

³⁵⁴ 00226.047 Kāi Tahu ki Otago

³⁵⁵ 00234.009 Te Rūnanga o Ngāi Tahu, 00226.053 Kāi Tahu ki Otago, 00010.002 Cain whanau

³⁵⁶ 00226.047 Kāi Tahu ki Otago, 00226.048 Kāi Tahu ki Otago, 00234.009 Te Rūnanga o Ngāi Tahu, 00010.004 Cain Whānau

³⁵⁷ 00234.009 Te Rūnanga o Ngāi Tahu, 00226.053 Kāi Tahu ki Otago, 00010.002 Cain whanau

~~a way consistent with their culture and traditions and to provide for their³⁵⁸ economic, cultural and social aspirations, including for *papakāika*, marae and marae related activities,~~ while:

- ~~(1) — avoiding adverse *effects* on the health and safety of people,~~
- ~~(2) — avoiding significant adverse *effects* on matters of national importance, and~~
- ~~(3) — avoiding, remedying, or mitigating other adverse *effects*.³⁵⁹~~

Methods

MW-M1 – Collaboration with Kāi Tahu

Local authorities must collaborate with Kāi Tahu to:

- (1) ~~identify, and map~~ manage, in accordance with tikaka, kawa, and mātauraka, those³⁶⁰ places, areas, or landscapes, waters, taoka and other elements of cultural, spiritual or traditional significance to them *mana whenua*,³⁶¹ by:
 - (a) identifying, recording, and assessing these elements using methods determined by *mana whenua* (which may include mapping), and
 - (b) protecting the values of, and *mana whenua* relationships to, these elements,³⁶²
- ~~(2) — protect such places, areas, or landscapes, and the values that contribute to their significance,~~
- (3) identify indigenous species and ecosystems that are taoka in accordance with ECO-M3, ~~and³⁶³~~
- ~~(4) — identify and map outstanding natural features, landscapes and seascapes, and highly valued natural features, landscapes and seascapes and record their values.~~
- (4A) determine appropriate naming for places of significance in Otago, and³⁶⁴
- (4B) share information relevant to Kāi Tahu interests.³⁶⁵

MW-M2 – ~~Work with Kāi Tahu~~ Mātauraka Māori³⁶⁶

Local authorities must work in partnership ~~consult³⁶⁷~~ with Kāi Tahu to:

- ~~(1) — determine appropriate naming for places of significance in Otago,~~
- ~~(2) — share information relevant to Kāi Tahu interests, and~~
- (2A) incorporate mātauraka into resource management processes,
- (2B) enable use of mātauraka in decision-making where appropriate, and³⁶⁸

³⁵⁸ 00234.009 Te Rūnanga o Ngāi Tahu

³⁵⁹ 00226.047 Kāi Tahu ki Otago, 00226.048 Kāi Tahu ki Otago, 00234.009 Te Rūnanga o Ngāi Tahu, 00010.004 Cain Whānau

³⁶⁰ 00223.031 Ngāi Tahu ki Murihiku, 00010.005 Cain whanau

³⁶¹ 00226.049 Kāi Tahu ki Otago

³⁶² 00223.031 Ngāi Tahu ki Murihiku, 00010.005 Cain whanau

³⁶³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.049 Kāi Tahu ki Otago

³⁶⁴ 00226.049 Kāi Tahu ki Otago

³⁶⁵ 00226.049 Kāi Tahu ki Otago

³⁶⁶ 00226.050 Kāi Tahu ki Otago

³⁶⁷ 00226.050 Kāi Tahu ki Otago

³⁶⁸ 00226.050 Kāi Tahu ki Otago

- (3) develop research and monitoring programmes that incorporate mātauraka and are led by *mana whenua*.

MW-M3 – Kāi Tahu relationships

Local authorities must develop processes to:

- (1) establish and maintain effective resource management relationships with Kāi Tahu based on a mutual obligation to act reasonably and in good faith,
- (2) involve Kāi Tahu at an early stage and throughout resource management processes, decision-making,³⁶⁹ and implementation, and
- (3) facilitate efficient and effective processes for applicants to consult Kāi Tahu on *resource consent* applications, private plan change requests, notices of requirement, and notices of requirement for heritage orders.

MW-M4 – Kāi Tahu rakaitirataka involvement in resource management³⁷⁰

Local authorities must facilitate Kāi Tahu involvement in resource management (including decision making), to the extent *mana whenua* consider themselves able to accommodate,³⁷¹ by:

- (1) including accredited Kāi Tahu commissioners including accredited commissioners approved or nominated by Kāi Tahu³⁷² on hearing panels for *resource consent* applications, notices of requirements,³⁷³ plan changes or plans where Kāi Tahu values may be affected,
- (2) resourcing Kāi Tahu participation in resource management decision making, including funding,
- (3) joint management agreements and full or partial transfers of functions, duties or powers from *local authorities* to iwi authorities in accordance with section 33 of the RMA-1991,³⁷⁴ and
- (4) entering into a Mana Whakahono ā Rohe with one or more iwi authorities.

MW-M5 – Regional plans³⁷⁵ **and district plans**

Local authorities must amend their regional plans³⁷⁶ and district plans to:

- (1) take into account ~~Iwi Management Plans~~ iwi management plans and address resource management issues of significance to Kāi Tahu ~~(RMA) into account~~,³⁷⁷
- (2) provide for the use of native reserves and Māori³⁷⁸ land in accordance with MW-P4, and recognise Kāi Tahu rakaitirataka over this land by enabling *mana whenua* to lead approaches to manage any adverse effects of such use on the environment,³⁷⁹

³⁶⁹ 00226.051 Kāi Tahu ki Otago

³⁷⁰ 00226.052 Kāi Tahu ki Otago

³⁷¹ 00223.034 Ngāi Tahu ki Murihiku

³⁷² Clause 16(2), Schedule 1, Resource Management Act 1991.

³⁷³ 00223.034 Ngāi Tahu ki Murihiku

³⁷⁴ Clause 16(2), Schedule 1, RMA

³⁷⁵ Clause 16(2), Schedule 1, RMA

³⁷⁶ Clause 16(2), Schedule 1, RMA

³⁷⁷ 00223.035 Ngāi Tahu ki Murihiku

³⁷⁸ 00234.009 Te Rūnanga o Ngāi Tahu, 00226.053 Kāi Tahu ki Otago, 00010.002 Cain whanau

³⁷⁹ 00226.047 Kāi Tahu ki Otago, 00226.048 Kāi Tahu ki Otago, 00234.009 Te Rūnanga o Ngāi Tahu, 00010.004 Cain Whānau

- (3) incorporate active protection of areas and resources recognised in the NTCSA 1998,³⁸⁰ and³⁸¹
- (3A) provide for the outcomes of settlements under the Māori Commercial Claims Aquaculture Settlement Act 2004.³⁸²

MW-M6 – Incentives and education

Local authorities are encouraged to use other mechanisms or incentives to assist in achieving Policies MW-P1 to MW-P4, promoting awareness and improving knowledge of tikaka and the principles of Te Tiriti o Waitangi among staff and stakeholders, including through hiring practices, induction programmes, key performance indicators and training activities.

MW-M7 – Advocacy and facilitation

Local authorities may facilitate negotiations with landowners to provide Kāi Tahu access to sites of significance to Kāi Tahu that do not have suitable access.

Explanation

MW-E1 – Explanation

The policies in this section are designed to achieve MW-O1 by setting out the actions that must be undertaken by *local authorities* to ensure the principles of Te Tiriti o Waitangi are given effect in resource management processes and decisions, and *mana whenua* values and taoka are actively protected, supporting Kāi Tahu wellbeing.³⁸³ The policies also require the development and implementation of planning tools and other mechanisms that³⁸⁴ ~~which~~ recognise the role of Kāi Tahu in resource management and ensure *mana whenua* engagement with and participation in resource management including through³⁸⁵ partnership with *local authorities*.³⁸⁶

Principal reasons

MW-PR1 – Principal reasons

Te Tiriti o Waitangi creates a special relationship between *takata whenua* and the Crown, which the Crown expresses in part through the provisions of the RMA and national instruments created in accordance with the RMA. This, in turn, creates responsibilities for *local authorities*. Providing for cultural well-being is a feature of the sustainable management purpose of the RMA.³⁸⁷ Section 8 of the RMA 1991³⁸⁸ requires *local authorities* to take the principles of Te Tiriti o Waitangi into account. These principles include *kāwanataka*, *rakatirataka*, partnership, participatory decision making and active protection of Kāi Tahu resources. Section 7(a) of the RMA 1991³⁸⁹ requires decision makers to have particular regard to *kaitiakitaka*. Effective *kaitiakitaka* is dependent upon the extent to which

³⁸⁰ Clause 16(2), Schedule 1, RMA

³⁸¹ Clause 10(2)(b)(i), Schedule 1, RMA – Consequential amendment arising from 00234.010 Te Rūnanga o Ngāi Tahu

³⁸² 00234.010 Te Rūnanga o Ngāi Tahu

³⁸³ 00223.036 Ngāi Tahu ki Murihiku

³⁸⁴ 00223.036 Ngāi Tahu ki Murihiku

³⁸⁵ FS00226.344

³⁸⁶ 00235.017 OWRUG.

³⁸⁷ 00223.037 Ngāi Tahu ki Murihiku

³⁸⁸ Clause 16(2), Schedule 1, RMA

³⁸⁹ Clause 16(2), Schedule 1, RMA

Kāi Tahu can exercise rakatirataka, which requires the authority and ability to make decisions relating to management of resources.

Local authorities need to incorporate Treaty principles into their decision making and ensure they are properly applied, to account for the *effects* of resource management decisions on Kāi Tahu values, including those described in iwi resource management plans. Deliberate measures need to be taken to ensure the principles are ~~well~~ clearly articulated and readily³⁹⁰ understood. The principles are broadly expressed, so a measure of flexibility is needed in applying them.

The provisions in this chapter assist in implementing sections 6(e), 7(a) and 8 of the RMA-1991³⁹¹ by requiring a partnership approach which involves Kāi Tahu and considers *mana whenua* rights, interests and values in decision making processes, and enables Treaty principles to be ~~taken into account~~ applied³⁹² in an appropriate way.

Implementation of the provisions in this chapter will occur primarily, but not exclusively,³⁹³ through *regional plans*³⁹⁴ and *district plan* provisions. ~~However~~ Local authorities may also adopt ~~additional a~~ range of methods, utilising statutory mechanisms and³⁹⁵ non-regulatory methods to implement the policies and support achievement of the objective.

Anticipated environmental results

MW-AER1 Resource management processes and decisions reflect the principles of Te Tiriti o Waitangi.

MW-AER2 Strong relationships between Kāi Tahu and *local authorities* facilitate the exercise of rakatirataka and *kaitiakitaka* by *mana whenua*.

³⁹⁰ 00239.017 Federated Farmers

³⁹¹ Clause 16(2), Schedule 1, RMA

³⁹² 00223.037 Ngāi Tahu ki Murihiku

³⁹³ 00223.037 Ngāi Tahu ki Murihiku

³⁹⁴ Clause 16(2), Schedule 1, RMA

³⁹⁵ 00223.037 Ngāi Tahu ki Murihiku

PART 2 – RESOURCE MANAGEMENT OVERVIEW

SRMR – Significant resource management issues for the region

Introduction

Otago’s people and communities rely on the *natural and physical*³⁹⁶ resources that Otago’s environment provides to enable their social, economic, and cultural well-being. Natural resources include *freshwater* (i.e. surface and *groundwater, wetlands, estuaries*), *land and soil*,³⁹⁷ terrestrial, and *freshwater* ecosystems, coastal and marine ecosystems, and air, landscapes, vegetation and natural landforms. Physical resources include *infrastructure, buildings and facilities*.³⁹⁸

From an economic perspective natural and physical³⁹⁹ resources support, and are impacted by, agricultural industries (e.g. grazing, cropping, horticulture, viticulture), urban development, industrial development, *infrastructure*, energy generation, transport, marine industries (fishing and aquaculture), tourism and *mineral* extraction. From a social and cultural perspective natural and physical⁴⁰⁰ resources support and are impacted by recreation, housing, and cultural activities (Refer Figure 2).⁴⁰¹

³⁹⁶ 00314.009 Transpower

³⁹⁷ 00239.019 Federated Farmers, 00236.021 Horticulture NZ

³⁹⁸ 00314.009 Transpower

³⁹⁹ 00314.009 Transpower

⁴⁰⁰ 00314.009 Transpower

⁴⁰¹ 00314.009 Transpower

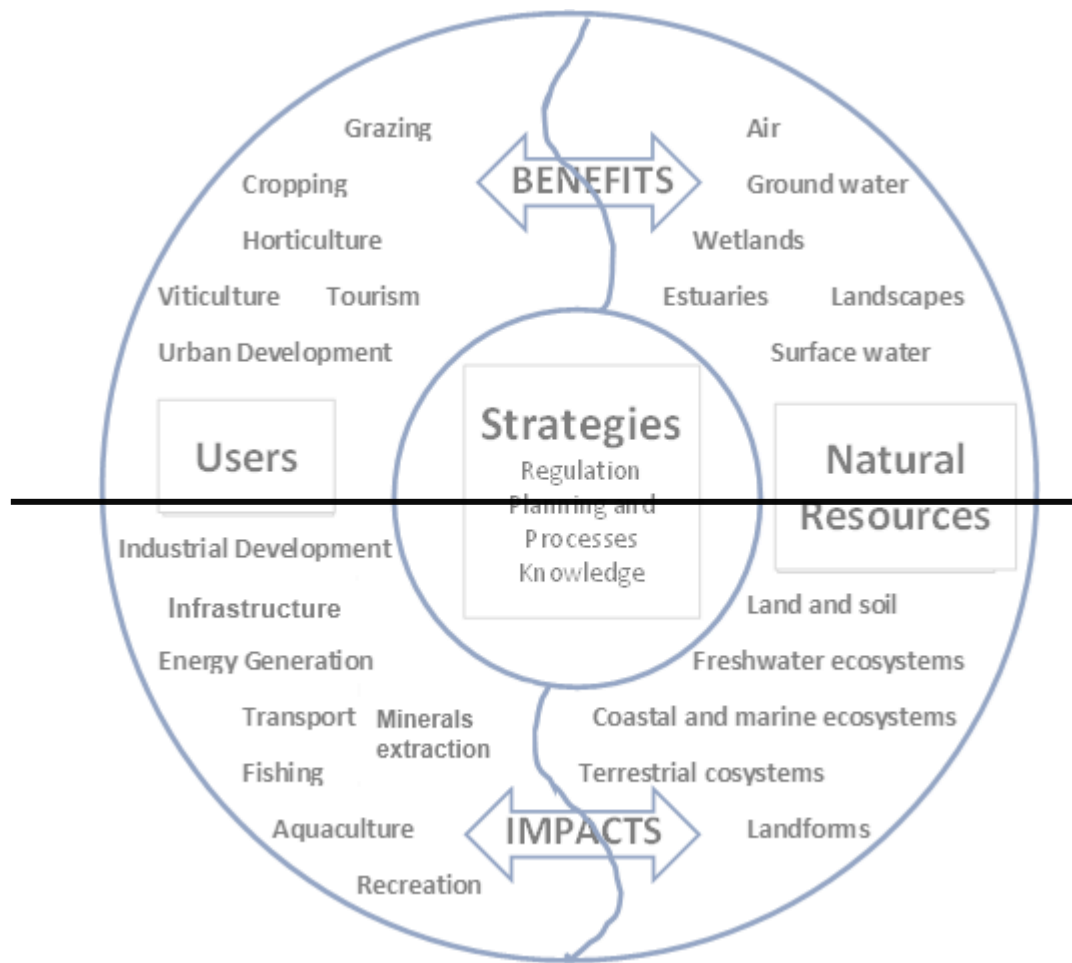


Figure 2—Relationships between natural resources, resource use and strategies⁴⁰²

This RPS identifies the ~~eleven~~ twelve⁴⁰³ most significant issues impacting the Otago region. Issues firstly considered include *natural hazards, climate change, pest species, water quantity and quality, and biodiversity loss*, collectively the “natural asset-based issues”. Two “place-based issues” of regional significance are then addressed - being Otago’s coast and Otago’s *lake* areas. Conflicts between resource use and development and managing the adverse effects of resource use are considered and Finally,⁴⁰⁴ issues of economic and domestic pressures, cumulative impacts and *resilience* are considered.

While the issues in this section are considered individually, this RPS considers and responds to them in a joined-up manner as part of a complex system with ~~biophysical~~ ^{biophysical} limits,⁴⁰⁵ inherent uncertainty, potentially irreversible and sometimes catastrophic impacts, and interdependent behaviours.

⁴⁰² 00314.009 Transpower

⁴⁰³ Clause 10(2)(b)(i), Schedule 1, RMA - Consequential amendment arising from 00322.004 Fulton Hogan, 00314.009 Transpower, 00315.015 Aurora, 00310.003 The Telecommunication Companies, 00213.018 Fonterra, 00236.033 Horticulture NZ, 00231.022 Otago Fish and Game, 00235.058 OWRUG, 00411.097 Wayfare

⁴⁰⁴ Clause 10(2)(b)(i), Schedule 1, RMA - Consequential amendment arising from 00322.004 Fulton Hogan, 00314.009 Transpower, 00315.015 Aurora, 00310.003 The Telecommunication Companies, 00213.018 Fonterra, 00236.033 Horticulture NZ, 00231.022 Otago Fish and Game, 00235.058 OWRUG, 00411.097 Wayfare

⁴⁰⁵ 00231.009 Fish and Game

Each issue is considered in the following manner:

- an issue statement
- context
- impacts on the *environment*, economy, and society

SRMR-I1 – *Natural hazards pose a risk to many Otago communities*

Statement

~~An earthquake on the Alpine Fault would cause potentially catastrophic impacts on the entire region. Particular areas in Otago are prone to flooding. A major hazard event could isolate all or parts of Otago for an extended time. Otago is prone to a range of *natural hazards* that pose a risk to Otago communities, property, *infrastructure*, and the wider *environment*. A major event could cause severe damage and may isolate Otago communities for an extended time. Major events of concern include flooding, an earthquake on the Alpine fault, tsunamis, coastal erosion, wildfires, and extreme weather events.~~⁴⁰⁶

Context

The Otago region is exposed to a wide variety of *natural hazards* that impact on people, property, *infrastructure*, *historic heritage* and the wider *environment*. ~~When a *natural hazard* event occurs, it is usually sometimes difficult and costly for a community to recover.~~⁴⁰⁷ The *natural hazard* threats range from coastal erosion and flooding in lowland coastal areas to alluvial fan deposition, landslip, rock fall, seismic events (earthquake and tsunamis), wind, snow, drought and riverbank breaches. The risk resulting from *natural hazards* is not only due to the hazards themselves, but also to whether human activities are located and operated in ways which make them vulnerable to those hazards.⁴⁰⁸ When a *natural hazard* event occurs, it is sometimes difficult and costly for a community to recover. Efficiently managed and appropriately located *infrastructure* has a critical role to play in responding to *natural hazards*.⁴⁰⁹

Frequent heavy rainstorms, the steep gradients of many *river* catchments and human occupation of floodplains combine to make flooding the most frequently occurring *natural hazard* event in the Otago region. For example, flooding can affect Otago's main urban centres causing damage to housing and business disruption, and ~~agriculture~~ primary production⁴¹⁰ can be disrupted in Otago's floodplains (including⁴¹¹ lower Clutha, Lower Waitaki⁴¹² and Taieri).

Seismic *risks* are widespread in Otago as evidenced by the region's active faults, being the Cardrona, Dunstan, Rough Ridge, Hyde, Taieri Ridge, Waihemo and Akatore faults. The Alpine Fault in the Queenstown Lakes District has an estimated 75% probability of causing a major earthquake in the next 50 years with associated large-scale destruction.

⁴⁰⁶ 00239.020 Federated Farmers

⁴⁰⁷ 00315.015 Aurora Energy, 00314.09 Transpower, 00310.003 The Telecommunications Companies

⁴⁰⁸ 00137.033 DOC

⁴⁰⁹ 00315.015 Aurora Energy, 00314.09 Transpower, 00310.003 The Telecommunications Companies

⁴¹⁰ 00140.010 Waitaki DC

⁴¹¹ 00239.020 Federated Farmers

⁴¹² 00140.010 Waitaki DC

Otago's coastline is exposed to tsunamis, from local offshore faults and nearby subduction zones, such as the Puysegur Trench (south of the South Island). The stretch of the Otago coastline north of the Otago Peninsula has a greater level of exposure to tsunamis generated from South America.

Natural hazards may be exacerbated by the *effects of climate change*, which include sea level rise, and greater frequency and intensity of extreme weather events. Elevated sea levels resulting in flooding can occur as a result of a combination of tides, storm surge, and waves. There are several low-lying areas in relatively close proximity to the coast that have been identified as being at *risk*, such as South Dunedin.

Parts of the Otago coastline (which is a soft coast formed by material such as sand or gravel) are also prone to significant coastal erosion. Coastal erosion is an *risk issue*⁴¹³ in Waitaki District, Dunedin City and along the Clutha River Delta, *potentially*⁴¹⁴ affecting communities and *infrastructure* near the coast.

Impact snapshot

Environmental

Ecosystems (from the mountains to the coast), *water bodies* and *water quality (rivers, lakes, wetlands and ground water)* are variously at *risk* of increased frequency and intensity of flooding and landslides. Seismic events result in liquefaction of *land* and associated soil disturbance, elevated sea levels and associated flooding, potential permanent inundation and coastal⁴¹⁵ erosion. While *effects* are localised, *natural hazard* impacts can be significant where threatened ecosystems or species are involved.

Economic

Otago's primary industries, *infrastructure*, energy and transport systems, and *urban areas* are exposed to the full range of hazards noted above, with potential for major-to-catastrophic economic consequences, including damage to production, *infrastructure* such as transport routes (highways, bridges), the built *environment* and communications, and often resulting in supply chain disruptions. *Natural hazards* could also impact on *renewable electricity generation in*⁴¹⁶ and the transmission and distribution of electricity the region⁴¹⁷ with ~~subsequent impact on electricity generation capacity. the potential for significant national and regional consequences. New infrastructure should be encouraged to locate in areas where it is less vulnerable to natural hazards.~~⁴¹⁸

For individuals and households this can result in changes to employment, income, assets and consumption patterns, disruption to social protection, services, social safety net mechanisms and institutions.

For industry, hazards can damage production assets and *infrastructure* with associated costs, disrupt service delivery and limit availability and access to goods and services, and cause decline in sales and

⁴¹³ 00140.010 Waitaki DC

⁴¹⁴ 00140.010 Waitaki DC

⁴¹⁵ 00223.040 Ngāi Tahu ki Murihiku

⁴¹⁶ 00315.015 Aurora Energy, 00314.09 Transpower, 00310.003 The Telecommunications Companies

⁴¹⁷ 00315.015 Aurora Energy, 00314.09 Transpower, 00310.003 The Telecommunications Companies

⁴¹⁸ 00315.015 Aurora Energy, 00314.09 Transpower, 00310.003 The Telecommunications Companies

increased costs. Loss or changes in production flows can be either temporary or permanent depending on financial *resilience* of businesses, which is a function of their existing loan commitments, credit worthiness and insurance cover. Food security can also be affected. Whilst the community and its businesses have substantial *resilience* to severe weather events and supply chain disruptions, there can be cumulative impacts from repeated events.⁴¹⁹

Social

Social impacts can be direct (e.g. physical destruction of housing or transport route, human physical harm) but equally important are indirect ~~and secondary~~⁴²⁰ impacts of disasters, including the destruction of communities and the negative impacts on people. Physical impacts and community dislocation can also cause long term psychological stresses affecting people's coping mechanisms, recovery sources and capacity which can test the *resilience* of a community. There can also be cumulative impacts from events on physical and mental health.⁴²¹

Social impacts of events can result in immediate impacts on livelihoods for individuals and families, particularly for lower socio-economic groups. Health services disruptions can occur, including access to and changes in demand for services. Similarly, there can be disruptions to education service delivery. Housing impacts may require urgent provision for basic human needs including replacement shelter and housing, and food and *water* immediately following an event.

Damage to *infrastructure* and assets may have varying impacts on different groups, for example those with less resources may have less capacity to respond to hazard events and be more impacted as a result. The relationship between affected people and their cultural assets may also be affected, for example customs and traditions related to housing, health, livelihoods, and nutrition.

SRMR-12 – *Climate change is likely to will*⁴²² impact our economy and environment

Statement

Otago's climate is changing, and these changes will continue for the foreseeable future. Central Otago is likely to see more varied precipitation, leading to increased flooding and reduced *water* reliability. This will be compounded by stronger winds, increased temperatures and longer dry periods, which may affect the number and types of crops and animals that the *land* can sustain, and the potential for *renewable electricity generation*.⁴²³ On the coast, low lying areas like South Dunedin are at *risk* of inundation from rising sea levels. This will also exacerbate coastal erosion, which could damage coastal *infrastructure* (including *roads*), damage *historic heritage*, particularly *wāhi tūpuna*, and expose old *waste dumps* (e.g. at Middle Beach). *Climate change* will also affect native animals and plants, compounding the impacts of existing *pests* and stresses and providing opportunities for new *pests* to

⁴¹⁹ 00239.020 Federated Farmers

⁴²⁰ 00101.006 Toitū Te Whenua

⁴²¹ 00239.020 Federated Farmers

⁴²² 00236.023 Horticulture NZ, 00235.028 OWRUG, 00230.023a Forest and Bird

⁴²³ 00306.015 Meridian

establish themselves due to changed conditions. The impact of other *climate change* threats is unpredictable.

Context

The rate of future *climate change* depends on how fast *greenhouse gas* concentrations increase. These changes are expected to result in higher temperatures, changes in precipitation, drought, fire weather, extreme weather events, inland and coastal flooding, landslides and soil erosion, salinity, sea level rise, erosion, reduced snow and ice, and marine heatwaves.

It is expected temperatures will increase across Otago, and by 2090, Otago is projected to have from 4 to 25 extra days per year where maximum temperatures exceed 25°C, with around 13 to 45 fewer frosts per year (and consequently less snow). Precipitation overall will increase slightly (by up to 10%), more so in the western part of the region, with less precipitation in central and eastern Otago. There will be an increase in average annual flows across the region, apart from the Taieri and North Otago, and flooding will be more severe – there will be an increase in the mean annual flood by 100% in some locations by the end of the century.

Rainfall and temperature change may result in drier soils and changes to *river* flow (low flow and floods), as well as increased occurrence of slips/landslides. Sea level rise will have impacts on coastal communities, *infrastructure* and habitats, while the *risk* of wildfire will also increase. Changing climate also risks increased biosecurity issues of increased plant, fungal and animal *pests* and diseases.⁴²⁴

Impact snapshot

Climate change impacts arising from changes in temperature, rainfall, *river* flows and flooding have been assessed in the Otago Regional Council's commissioned report: Otago Climate Change Risk Assessment Phase 1 report (OCCRA report).^{425 426} The following discussion is based on potential *climate change* impacts at 2050.

Environment

For terrestrial *native*⁴²⁷ ecosystems and species, higher frequency of severe events (e.g. high/low temperatures, intense rainfall, drought, fire weather) could reduce *resilience* of *native*⁴²⁸ terrestrial ecosystems and species over time with adverse impacts on *biodiversity*. Native species (including *threatened species*) and ecosystems are also likely to be affected by increased competition with invasive species/*pests* favoured by warmer temperatures, particularly with milder winters. This could be a contributory *risk* factor (but not sole cause) for native species that are threatened or close to extinction.

For marine and coastal ecosystems and species, potential climate impacts include lower ocean productivity and impacts on feeding grounds (e.g. decreasing the population of yellow-eyed penguins); ocean acidification; and changes in species diversity/distribution (e.g. reducing kelp forests). Increased intensity of flooding would result in an increase in sediment which will change the physical

⁴²⁴ 0239.021 Federated Farmers

⁴²⁵ Tonkin+Taylor, 2020, Otago Climate Change Risk Assessment (Commissioned by the Otago Regional Council)

⁴²⁶ Clause 16(2), Schedule 1, RMA

⁴²⁷ 00231.023 Fish & Game

⁴²⁸ 00231.023 Fish & Game

composition of *freshwater* and marine waters and, for example, may reduce light availability, smother fragile habitats, or impact on the foraging ability of some species, particular those that rely on vision (e.g. yellow-eyed penguins). New *pests* and disease threats may arise from marine heatwaves/warmer ocean temperatures. Warmer temperatures could also reduce oxygen and cause stratification in shallow bays (resulting in *water* quality impacts). Sea level rise will also affect coastal habitats and ecosystems (inter-tidal zones, sand dunes). *Groundwater* impacts will include coastal aquifers being affected by salinisation, and reduced rainfall in some areas will affect *groundwater* recharge, flow and surface *water discharges*, with potential adverse impacts on ecosystems and species dependent on *groundwater*.

By 2090, the time spent in drought ranges from minimal change through to more than double, depending on the climate model and emissions scenario considered. More frequent droughts are likely to lead to *water* shortages, increased demand for irrigation and increased *risk* of wildfires. Reduced snowfalls may affect *water* availability since snow acts as a storage mechanism until the *water* is required in summer.⁴²⁹ As a result, *river* ecosystems could be altered through reduced flows during drought periods with associated declining *water* quality, reduced food resources, and availability of habitats. This would affect ecosystems for key species, such as *river* nesting birds and endemic *freshwater* fish species.

Lakes could be subject to temperature increases. This can impact on the health of *lake* ecosystems, for example algal blooms. *Wetland* plant species and *wetland* habitats, and other species reliant on *wetlands* (including threatened bird species) are at risk of being negatively impacted. There are also likely to be cascading impacts on surrounding *environments* and ecosystems from hydrological changes (e.g. increased flood *risk*/changing *water* flows due to *wetland* loss). Coastal *wetlands* are particularly at risk due to salinisation from sea level rise and coastal flooding. Human adaptation to climate change, such as building or expanding dams or flood protection schemes, may give rise to adverse impacts on ecosystems, in addition to those imposed by climate change itself, and may also exacerbate the original risk.⁴³⁰

Economy

Regional industry

Climate change impacts will result in both impacts and opportunities for regional industry in terms of jobs, business income and profitability. Key industries likely to be impacted include sheep, beef, dairy and deer farming, cropping and viticulture, forestry, fisheries and aquaculture, as well as tourism. For example, agriculture may benefit from warmer temperatures, longer growing seasons and elevated carbon dioxide concentrations leading to better pasture and crop growth. *Climate change* may also result in shifting land-use activities to adapt to altered climate conditions, which will incur costs, and potentially enable resources previously unviable to come into production.

However, these benefits may be limited by negative *effects* of *climate change* such as prolonged drought and increased flood *risk*. Some of these impacts can be mitigated by adaptation, for example, planting new crops that are better suited to new climatic conditions or through changes in crop intensification, or *water* harvesting practices. *Pests* and diseases could spread in range and severity,

⁴²⁹ <https://www.mfe.govt.nz/climate-change/likely-impacts-of-climate-change/how-could-climate-change-affect-my-region/otago> (Accessed 26 May 2021)

⁴³⁰ 00231.024 Fish & Game

and pasture composition is likely to change with uncertain impacts on animal productivity and nutrient balances.

For tourism, there will be negative impacts on skiing where the number of snow days experienced annually could decrease by as much as 30-40 days in some parts of the region. The duration of snow cover is also likely to decrease, particularly at lower elevations. This will also lead to reduced summer waterflows.

Built *environment*

For Otago, by 2050, the built *environment* will experience high to extreme impact *risks* to *wastewater* and *stormwater infrastructure*, roads and bridges, airports, stop banks and flood management schemes, and rural drainage. Medium to extreme impact *risks* are expected to affect urban and rural housing, *water* supply, *landfill* areas; and medium level *risks* are likely for commercial and public *buildings*, open space, rail, and ports.

The main threat to the *urban environment* comes from possible increases in heavy rainfall, which would put pressure on drainage and *stormwater* systems and increase the *risk* of flooding in some areas. Erosion could also increase *road* maintenance costs. There is greater risk of *wastewater* network overflows, and *wastewater* treatment plants being compromised.

Warmer conditions will substantially reduce home heating costs, leading to reduced electricity demand during the peak winter season, but possibly increase demand for air conditioning during summer. A reduced winter demand for electricity, combined with an increased availability of *water* in hydroelectric storage *lakes* from projected rainfall increases over the Main Divide, would provide the opportunity for a more balanced annual cycle in electricity supply and demand.⁴³¹

Areas of particular concern include inland areas of flooding *risk* including South Dunedin, Mosgiel, and Milton; coastal erosion *risk* areas including St Kilda, St Clair, Clutha Delta, Moeraki, and ~~Ōamaru~~ Ōamaru;⁴³² sea level rise and salinity *risk* areas including South Dunedin, Harbour⁴³³ Basin, Aramoana, and Kaka Point.

Social

Changes to the economy generally and in relation to local shift in economic activity because of *climate change* may impact on community cohesion and *resilience*, and mental well-being and health. Higher temperatures could reduce illness in winter but can increase heat stress in summer. Higher levels and duration of ultraviolet radiation could increase skin cancer *risks*. Insect *pests* could increase, adversely impacting outdoor recreation experiences. Additionally, the visual and recreational values of Otago's landscape may be adversely impacted by the effects of climate change.⁴³⁴

Differentiation may occur between highly *resilient* (high social capital, high income and politically empowered) and non-*resilient* communities (especially those with low adaptive capacity, such as low-income and marginalised groups) which has the potential to increase socio-economic—and intergeneration⁴³⁵ and intrageneration inequality.

⁴³¹ <https://environment.govt.nz/assets/Publications/Files/impacts-report-jun01.pdf> (Accessed 28 May 2021)

⁴³² 00226.024 Kāi Tahu ki Otago

⁴³³ Clause 16(2), Schedule 1, RMA

⁴³⁴ 00138.003 QLDC

⁴³⁵ Clause 16(2), Schedule 1, RMA

SRMR-13 – Pest species pose an ongoing threat to indigenous *biodiversity*, economic activities and landscapes

Statement

Pest species can be found throughout Otago, from alpine to marine *environments*. Rabbits are changing Central Otago's landscape, eroding soils and affecting agriculture. Wallabies are an increasing risk with incursion beyond their containment zone and illegal liberations resulting in an expanding range within Otago, particularly Waitaki, Central Otago and Queenstown Lakes.⁴³⁶ *Wilding conifers* threaten high country and tussock grassland, changing the landscape and impacting on primary production,⁴³⁷ recreational, hydrological and conservation values. Aquatic *pests* and weeds such as *didymo*, *lake snow* and *lagarosiphon* affect our *lakes* and *rivers*. Invasive marine species affect our marine waters. Native aquatic plants are displaced, impacting ecosystem and indigenous *biodiversity* health and recreation activities.

Context

Otago's landscape, water⁴³⁸ and climate support many plants and animals considered to be *pests*. This includes weeds, vertebrate *pests* (e.g. rabbits), invertebrate pests, and diseases⁴³⁹ (e.g. pathogenic *pest* diseases (e.g. foot and mouth disease, pine needle diseases)), and *freshwater* and marine *pests* which are all biosecurity threats in the Otago region.

There are 35 listed weed species in Otago, and 11 listed animal *pests*. *Pest* management approaches include exclusion and surveillance (e.g. African feather grass), attempted eradication (e.g. wallabies and rooks), containment (e.g. *bomarea*) and sustained control (e.g. rabbits, gorse and broom). The approach deployed depends on the degree to which species are entrenched.

The Otago Pest Management Plan 2019-2029⁴⁴⁰ seeks to meet ORC's responsibilities under Part 2 of the Biosecurity Act 1992 to provide regional leadership through activities that prevent, reduce, or eliminate adverse *effects* resulting from harmful species that are present in the region. That plan details which approaches are to be used for which *pest* species, and the methods to be used for control.

In conjunction with that Plan, ORC has also established a Biosecurity Strategy (the Strategy) which sets out ORC's objectives for biosecurity management in the region using the full range of statutory and non-statutory tools available. Strategy priorities provide for protection of indigenous *biodiversity*, protection of landscape, recreation, cultural and *amenity values* and minimising the impact on agricultural production. The Strategy also supports *pest* management and seeks to integrate the regulatory and non-regulatory programmes. Collaborative partnership models of *pest* management are increasingly being developed and adopted in conjunction with community groups and *land* holders.

⁴³⁶ 00235.033 OWRUG

⁴³⁷ 00239.022 Federated Farmers

⁴³⁸ 00239.022 Federated Farmers

⁴³⁹ 00239.022 Federated Farmers

⁴⁴⁰ https://www.orc.govt.nz/media/8029/orc-pest-management-plan-2019_final_digital.pdf (accessed 26 May 2021)

Impact snapshot

Environmental

Otago is one of the most biodiverse regions in New Zealand, with high levels of endemism. It is also one of the most modified regions in New Zealand. Both plant and animal species *pests* have significant impacts on *biodiversity*. *Pests* can also adversely impact waterways,⁴⁴¹ natural features and landscapes.

Vertebrate browsing *pests* such as rabbits, ~~and~~ wallabies and goats⁴⁴² cause erosion and damage to *land* in both introduced pastures and native tussock communities, impacting significant lands and taoka species⁴⁴³. Severe erosion can have adverse *effects* on *water* quality. Rats and stoats predate on native birds, while deer destroy native vegetation, and possums compete with native birds for hollows and have also been known to predate on chicks. Possums spread viruses and diseases such as bovine tuberculosis, which can have severe impacts on stock.

Weeds smother and compete with native vegetation, taking up available nutrients, *water*, space and sunlight. They reduce natural diversity and prevent native plants growing back after clearing, fire and other disturbance. Nationally, weeds will potentially affect 7% of the conservation estate within a decade, corresponding to a loss of native *biodiversity* equivalent to \$1.3 billion.⁴⁴⁴ For example, *wilding pines-conifers*⁴⁴⁵ are a significant issue for the Otago region as well as nationally, where they threaten high country and tussock grassland, increase fire *risk*, and reduce *water* yield in *water* short catchments, impact soil nutrient cycling,⁴⁴⁶ change the landscape and negatively impact recreational, hydrological and conservation values.

Pest species destabilise aquatic habitats and negatively modify *water* flow with consequences for drainage, irrigation, power generation and recreational activities. The introduction of the *freshwater* diatom didymo (*Didymosphenia geminata*) in South Island streams is an example.⁴⁴⁷

Economic

Pests can cause economic losses because of reduction in production, quality, efficiency and or functionality. This can include lost crop or animal⁴⁴⁸ production, higher *water* requirements and reductions in animal health. Weeds can affect wool quality, impact the quality of leather,⁴⁴⁹ taint meat and milk, damage the feet of stock and, in some instances, be toxic.

Costs to agriculture, business and government to control *pests* and mitigate impacts are considerable, as are biosecurity costs to prevent *pest* incursion which are reflected in biosecurity fees and taxes. Biosecurity failure can have serious economic impacts on existing industries e.g. through the importation of fruit infected with fruitfly in a traveller's bag. *Pests* also adversely affect tourism

⁴⁴¹ 00239.022 Federated Farmers

⁴⁴² 00223.042 Ngāi Tahu ki Murihiku

⁴⁴³ 00223.042 Ngāi Tahu ki Murihiku

⁴⁴⁴ <https://www.royalsociety.org.nz/news/pests-costing-economy-and-environment-billions> (accessed 26 May 2021)

⁴⁴⁵ 00033.002 Port Blakely NZ Ltd

⁴⁴⁶ 00239.022 Federated Farmers

⁴⁴⁷ SL Goldson, GW Bourdôt, EG Brockerhoff, AE Byrom, MN Clout, MS McGlone, WA Nelson, AJ Popay, DM Suckling & MD Templeton (2015) New Zealand pest management: current and future challenges, *Journal of the Royal Society of New Zealand*, 45:1, 31-58, DOI: 10.1080/03036758.2014.1000343

⁴⁴⁸ 00239.022 Federated Farmers

⁴⁴⁹ 00239.022 Federated Farmers

through loss of landscape values (e.g. wilding ~~pines~~conifers⁴⁵⁰) and *amenity values* (e.g. didymo compromising fishing) which lead to reduced visitor experiences. Human health problems caused by pests can have a related economic cost.⁴⁵¹

Weeds, for example, are conservatively estimated to cost the New Zealand economy \$1.6 billion per annum⁴⁵² in terms of loss of economic production, management and control costs. They also affect landscape amenity value and tourism experiences relied upon by the tourism sector. Weeds, including didymo and lake snow,⁴⁵³ can also adversely impact *infrastructure, for example, such as*⁴⁵⁴ *water systems including irrigation, dams, and levies; power systems (e.g. generation penstock, gates, valves, surge tanks, transmission lines); renewable electricity generation infrastructure and activities*⁴⁵⁵ and transportation systems (e.g. *road beds, lake and river transportation, airstrips*).

Social

Recreation values can be impacted through loss of amenity, access or landscape values. *Pests* can also cause human health problems. For example, some weed pollens can induce asthma and cause allergies (e.g. hay fever).⁴⁵⁶ Zoonoses (bacterium, viruses, parasites, prions) can result in diseases being transferred from animals to humans and include, for example, leptospirosis and campylobacter.

SRMR-14 – Poorly managed urban and residential growth affects productive land, treasured natural assets, rural industry,⁴⁵⁷ *infrastructure and community well-being*

Statement

Natural resources used for urban development are permanently transformed – with the opportunity cost of removing urban activity being too high for *land* to revert to productive uses. Frequently, places that are attractive for urban growth also have landscape and productive values all of which must be balanced and where possible protected. The growth of ~~Wanaka~~ Wānaka⁴⁵⁸ and Queenstown is changing the natural landscape. Mosgiel's and Cromwell's⁴⁵⁹ growth is occurring on some of Otago's most highly productive soil, which removes the option for agriculture. Towns like Arrowtown, Clyde and Milton experience poor air quality in winter, while experiencing pressure to grow.

Context

How *urban areas* function and grow now and in the future can directly impact on a significant proportion of the current and future urban population and correspondingly future environmental,

⁴⁵⁰ 00033.002 Port Blakely NZ Ltd

⁴⁵¹ 00239.021 Federated Farmers

⁴⁵² <https://www.tandfonline.com/doi/abs/10.1080/14735903.2017.1334179?journalCode=tags20> (accessed 26 May 2021)

⁴⁵³ 00411.103 Wayfare Group Ltd

⁴⁵⁴ 00306.016 Meridian

⁴⁵⁵ 00306.016 Meridian

⁴⁵⁶ <http://www.allergy.org.nz/site/allergynz/files/Annual%20Pollen%20Calendar.pdf> (accessed 26 May 2021)

⁴⁵⁷ 00213.015 Fonterra

²³ Statistics New Zealand Subnational Population Projections, 2018 base, published 31 March 2021 (accessed 26 May 2021)

⁴⁵⁸ 00226.024 Kāi Tahu ki Otago

⁴⁵⁹ 00236.025 Horticulture NZ

economic, social and cultural outcomes and well-being. Most of Otago's population (87% or 225,186⁴⁶⁰ in 2018) live in *urban areas*, while non-urban areas comprise 99% of the region.⁴⁶¹ Otago's total population under a medium scenario is projected to increase by 20% between 2018 and 2048, with Queenstown-Lakes population projected to grow by 60%, Central Otago by 42%, Dunedin and Waitaki by 8%, and Clutha by 4% over the same period.⁴⁶²

Otago's *urban areas*, like its people and landscapes, are also diverse. The attraction of *urban areas* results from the benefits of proximity and access to a variety of other people, experiences, goods, services (e.g. shopping, education, specialist service providers, recreation and leisure facilities and *infrastructure* (usually described as *agglomeration effect*)). These are generally considered to exceed the inconveniences such as congestion, pollution, and noise. Growth in some *urban areas* and demand for living in and visiting Otago can also be driven by proximity and access to highly valued natural features, such as the coast, mountains, *lakes*, and *rivers*. The open space and landscapes provided in *rural areas* also drives demand for rural residential living lifestyle development,⁴⁶³ particularly in areas with these qualities that are also in relative proximity to urban services.

Well-functioning urban places need to be dynamic and efficient, enable human social interactions and provide a wide variety of housing, employment, service and recreational opportunities that meet changing needs and preferences, in a way that maximises the well-being of all its present and future inhabitants, and respects its history and *historic heritage*, its setting and the *environment*. This requires well located development, supported by the necessary infrastructure.

Urban growth, especially if it exceeds *infrastructure* capacity (either through sheer pace and scale or by lack of planning) or if it occurs in a way or at a rate that mean that appropriate *infrastructure* is not provided, is lagging or is inefficient, can result in adverse impacts on the *environment*, existing residents, business and wider society. ~~Quality urban environments are those that maximise the positive aspects of urban areas and minimise the negative.~~⁴⁶⁴

In addition, the productive *land* in Otago contributes to the social and economic well-being of the community through production of food and other rural production-based products. In some parts of Otago, *land* and soil resources are particularly valuable for food production. However, where development occurs in a place or manner that removes or reduces the potential to use productive *land*, including through *reverse sensitivity effects*, the ability of *land* to support *primary production* is compromised.⁴⁶⁵

Impact snapshot

Environmental

⁴⁶⁰ 2018 Census place summaries: Stats NZ. (n.d.). Retrieved June 29, 2020, from <https://www.stats.govt.nz/tools/2018-census-place-summaries/otago-region> (accessed 26 May 2021)

⁴⁶¹ The rural/urban area definitions in this paragraph are taken from Statistics New Zealand Urban/Rural Classification at the SA2 geographic level using usually resident population data from the 2018 Census.

⁴⁶² Statistics New Zealand Subnational Population Projections, 2018 base, published 31 March 2021 (accessed 26 May 2021)

⁴⁶³ Clause 10(2)(b)(i), Schedule 1, RMA – Consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

⁴⁶⁴ 00411.105 Wayfare

⁴⁶⁵ 00236.025 Horticulture NZ

Urban areas and associated concentration of human activity result in adverse impacts on the natural environment, as a result of *land* consumption, landscape, waterway and vegetation modification for housing, industry, transport of goods and people and recreation areas, the diversion and use of *water*, and *waste* disposal and effluent and pollution *discharges* to air, *land* and *water*. Urban or rural lifestyle expansion can remove *land* and soil resources from productive uses, including for the production of food.⁴⁶⁶ All of these can also impact *mana whenua* values. These impacts can also result in loss or impediment of access to important resources including significant *biodiversity* or natural features and landscapes. Poorly managed urban growth can lead to additional carbon emissions, this can create tensions between the need to increase residential housing stock and the need to meet carbon reduction targets.⁴⁶⁷

Urban development growth within *rural areas* can also lead to reverse-sensitivity effects on existing primary production activities and related rural based activities, because urban activities can be sensitive to the effects generated by primary production activities and related rural based activities, whereby traditional methods of pest management or the undertaking of rural production activities cannot be deployed due the proximity of urban populations and the potential for adverse impacts on those populations.⁴⁶⁸ Urban growth can also impact air quality, through increased vehicle use, but also particularly where *solid fuel* burners are used, noting they are the heating of choice in Otago. *Urban areas* such as Arrowtown, Cromwell, Alexandra, Clyde, Milton, and Mosgiel already do not meet National Environment Standards for Air Quality (NESAQ), for example. Emissions from existing domestic fuel burners account for more than 95% of winter *PM₁₀* emissions in all of these towns but Milton.²⁴ Air quality in *urban areas* in Otago therefore needs to be addressed from two perspectives, dealing with existing problems and, in areas where further development is planned, addressing the additional impact that development may have.

Economic

While potentially providing short term commercial returns, poorly managed urban growth and development may result in long term impacts including:

- the loss of *land* for primary production activities productive land⁴⁶⁹ (either directly through building on it, or indirectly through *reverse sensitivity effects*);
- the consequences of previous decisions (low density development, including rural residential lifestyle,⁴⁷⁰ in the short term can preclude higher density development in the medium to longer term);
- increased capital and operational costs for *infrastructure* which can foreclose other more suitable investments or spending, increased costs from less efficient spatial arrangements (such as increased transportation and *infrastructure* costs to both users and operators), and loss of valued natural capital and future opportunities; and
- housing affordability can be challenges are present in the region and are⁴⁷¹ negatively affected

⁴⁶⁶ 00236.025 Horticulture NZ

⁴⁶⁷ QLDC (not captured on SODR)

⁴⁶⁸ 00208.004 AgResearch, 00410.002 Rural Contractors NZ

⁴⁶⁹ 00322.006 Fulton Hogan

⁴⁷⁰ Clause 10(2)(b)(i), Schedule 1, RMA – Consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

⁴⁷¹ 00138.004 QLDC

by urban growth where demand outpaces supply.

- conflict arising from the location of incompatible activities within proximity of each other, including the potential for *reverse sensitivity effects* on the continued operation and growth of rural based activities.⁴⁷²

~~In Otago, housing has been more affordable for homeowners than the NZ average in recent years, however house value growth has been higher in Otago (12.6% per annum) than the NZ average (7%) since 2017.~~⁴⁷³

The costs and negative impacts from 'over planning' for growth are much lower than the direct and wider costs and *risks* of under-planning, and largely relate to the provision of *infrastructure* ahead of demand. While this can cause financial and operational issues for *infrastructure* providers, undersized or delayed *infrastructure* also generates impacts for those providers, and the wider economy, through delayed, foregone, or less appropriate or efficient development, and contributes to rising housing and *land* costs.

Social

Adverse impacts from inefficient or poorly planned urban development affect the well-being of both individuals and communities. This shows up as health *risks* as a result of increased air pollution and *water* pollution, decreased social capital and mental health in fragmented, disconnected and dispersed communities and inequality impacts arising from less-competitive *land* and house markets and reduced housing choice and access to affordable housing.

Changes in the overall number of people and changes in preferences can alter the relative balance between supply and demand for housing and where supply is unable to respond in a timely way to demand, this can impact on prices for housing, including rent. These impacts can disproportionately affect people on lower incomes who may already face affordability issues, and accordingly have less options. While Otago has traditionally been relatively affordable, house prices have risen rapidly across almost all districts, at a rate higher than the national average.

Transportation of goods and people between and within *urban areas* can also generate impacts on humans. For example, increased traffic congestion and lack of safe and attractive alternatives within *urban areas* impacts people and businesses living near to high volume traffic routes, resulting in lost time for family and other activities for those who use them, and *road* fatalities on rural highways.

Urban growth has the potential, through good development planning and provision of appropriate *infrastructure*, to improve well-being by providing an increased range of housing types in more locations, resulting in greater range of prices. Well planned subdivisions provide opportunities to increase public access to natural *environments*, including to the coast (e.g. via esplanades, *lakes*, *rivers* and their margins), to protect areas of cultural or historic significance and to provide means or other measures for their protection, such as through restrictive covenants. Poorly managed growth can compromise both access to and protection of natural and cultural *environments*, and as *subdivision* and development is effectively permanent and irreversible, it is important that it is done well with an eye to the longer term.

⁴⁷² 00213.016 Fonterra

⁴⁷³ 00138.004 QLDC

SRMR-15 – Freshwater demand exceeds capacity in some places

Statement

In *water*-short catchments, *freshwater* availability may not be able to meet competing demands from the health and well-being needs of the *environment*, the health and well-being needs of people, and the ability of people and communities to provide for their social, economic and cultural well-being. Many of these catchments are also experiencing urban growth, changes in rural *land* uses, and increased demand for hydro-electric generation. Individually and cumulatively these can alter demand including further increases in demand on *freshwater* supply. Some catchments are complex, making it challenging to identify or mitigate these *effects*.

Context

Freshwater, including *rivers* and streams, *lakes*, *groundwater* systems, and *wetlands*, is a finite resource, critical to the *environment*, society and the economy. In Otago, access to, allocation, and *use of freshwater* reflects current demands and historical development associated with “deemed permits” (water permits under the RMA 1991) and a permissive water resource management regime. The deemed permits originated from mining licences issued under historic mining legislation and which enable water to continue to be used for a range of uses until October 2021.

Population growth and land-use intensification in urban and rural environments can create increased demand for *freshwater* for human consumption, irrigation, *renewable electricity generation*⁴⁷⁴ and other economic⁴⁷⁵ uses. *Freshwater* resources in some places are reaching, or are beyond, their sustainable abstraction limits. However, there continues to be debate in the community about how historical *freshwater* allocations can be adjusted to achieve a balance of prioritise protection of the mauri of water bodies, meet the health needs of people, and provide for economic, environmental, social and cultural needs well-being.⁴⁷⁶

On 3 September 2020, new National Environmental Standards for Freshwater (NESF) and a new National Policy Statement for Freshwater Management (NPSFM)⁴⁷⁷ came into force. They have a goal of making immediate improvements so that improving⁴⁷⁸ *freshwater* quality is materially improving⁴⁷⁹ within five years, reversing past damage degradation⁴⁸⁰ and bringing New Zealand’s *freshwater* resources, waterways and ecosystems to a healthy state within a generation. The NPS-FM also clarified the need to provide first for the health and well-being of *water bodies* and *freshwater* ecosystems; then health and needs of people (such as *drinking water*); and finally the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

Impact snapshot

Environmental

⁴⁷⁴ FPI016.009 Meridian

⁴⁷⁵ FPI047.009 Horticulture NZ

⁴⁷⁶ FPI047.004 Ngāi Tahu ki Murihiku

⁴⁷⁷ <https://www.mfe.govt.nz/fresh-water/freshwater-acts-and-regulations/national-policy-statement-freshwater-management> (accessed 26 May 2021)

⁴⁷⁸ FPI025.010 Beef + Lamb and DINZ, FPI026.006 Federated Farmers

⁴⁷⁹ FPI025.010 Beef + Lamb and DINZ, FPI026.006 Federated Farmers

⁴⁸⁰ FPI027.010 Contact, FPI026.006 Federated Farmers

Freshwater abstraction can reduce *water* level or flow and connections between different *water bodies*. This can negatively impact ecosystems by affecting⁴⁸¹ *freshwater* habitat size and the shape and condition of the *water body*, including *bed*, banks, margin, riparian vegetation, connections to *groundwater*, *water* chemistry (for example by increasing concentrations of pollutants), and interaction between species and their habitat. How much an ecosystem is affected by taking *freshwater* is determined by departure from natural flow regimes, taking into account magnitude, frequency, timing, duration and rate of change, and ecosystem capacity to recover.

Economic

Freshwater in the Otago region is a factor of production that directly contributes to human needs (~~urban~~⁴⁸² *water* supply) ~~agriculture~~ *primary production*,⁴⁸³ *industry*,⁴⁸⁴ and hydro-electric power supply, ~~and mineral extraction~~.⁴⁸⁵ *Freshwater* also indirectly contributes to the tourism industry through maintenance of *freshwater* assets for aesthetic and commercial recreational purposes. Lack of *freshwater* can negatively impact economic output of those industries that rely on *water* in the production process. To varying degrees these impacts can be mitigated through *water* efficiency measures and innovation. At the same time other industries, such as tourism that rely on the aesthetic characteristic of *rivers* and *lakes*, do not have such opportunities available to them and instead rely on management regimes that sustain flows and *water* levels suitable for their activities.

Social

Ensuring appropriate *freshwater* supply for human use ~~is available~~ is essential, including⁴⁸⁶ as part of planned urban growth and to support rural communities⁴⁸⁷ ~~is essential~~.⁴⁸⁸ It is possible this may require consideration of additional *freshwater* storage in the future. For the wider community, water is a source of kai and for food harvesting and food production.⁴⁸⁹ The region's *freshwater* assets also support a range of recreation uses, for example camping, fishing, *water* sports, and swimming. These values are strongly linked to environmental, health, landscape and aesthetic⁴⁹⁰ values and as such, reduced environmental flows have a corresponding negative impact on social and cultural values, including people's wellbeing.⁴⁹¹

⁴⁸¹ Clapcott, 2018, Our Freshwater 2020

⁴⁸² Consequential amendment to FPI026.008 Federated Farmers, FPI023.003 Moutere Station

⁴⁸³ FPI041.001 McArthur Ridge Vineyard

⁴⁸⁴ FPI019.001 Fonterra, FPI020.008 Silver Fern Farms

⁴⁸⁵ Consequential amendment to FPI041.001 McArthur Ridge Vineyard

⁴⁸⁶ FPI038.020 NZSki, FPI039.022 Realnz

⁴⁸⁷ FPI026.008 Federated Farmers, FPI023.003 Moutere Station

⁴⁸⁸ FPI038.020 NZSki, FPI039.022 Realnz

⁴⁸⁹ FPI047.009 Horticulture NZ

⁴⁹⁰ FPI037.007 Fish and Game

⁴⁹¹ FPI037.007 Fish and Game, FPI038.020 NZSki, FPI039.022 Realnz

SRMR–I6 – Declining *water* quality has adverse *effects* on the *environment*, our communities, and the economy

Statement

While the pristine areas of Otago generally maintain very⁴⁹² good *water* quality, some areas of Otago demonstrate poorer quality and declining trends in *water* quality which can often⁴⁹³ be attributed to *discharges* from *land use* intensification (both rural and urban) and *land* management practices. Erosion, run-off and soil loss can lead to sediment and nutrients being deposited into *freshwater* bodies resulting in declining *water* quality.

Context

The health of *water* is vital for the health of the *environment*, people and the economy. It is at the heart of culture and identity. Nationally, and in parts of Otago, *freshwater* is facing significant pressure. Population growth and land-use intensification in urban and rural *environments* has impacted the quality of *water*, increasing contamination from nutrients and sediment.

Water quality affects a wide range of environmental health factors, human health and⁴⁹⁴ survival needs, and cultural, social, recreational, and economic uses. Some of the biggest impacts on *water* quality in Otago are considered to come from some forms of⁴⁹⁵ agriculture and urbanisation, through diffuse *discharges* and point source *discharges*.

On 3 September 2020, new National Environmental Standards (NESF) and a new National Policy Statement (NPSFM)⁴⁹⁶ came into force to make immediate improvements to improve⁴⁹⁷ *water* quality within five years; and reverse past damage degradation⁴⁹⁸ and bring New Zealand's *freshwater* resources, waterways and ecosystems to a healthy state within a generation.

Impact snapshot

Environmental

Despite the region's *lakes* and *rivers* being highly valued by Otago communities, reports indicate that in many areas⁴⁹⁹ there are reasons for concern about *water* quality and its trends with consequent potential impact on ecosystems and people.

Water quality across Otago is variable. *River water* quality is best at *river* and stream reaches located at high or mountainous elevations under predominantly native vegetation cover, and mostly good in the upper areas of large *river* catchment and outlets from large *lakes*. *Water* quality is generally poorer in smaller low-elevation streams and coastal shallow lakes where they receive *water* from upstream pastoral areas or urban catchments. For example, catchments such as the Waiareka Creek, Kaikorai

⁴⁹² FPI038.021 NZSki, FPI039.023 Realnz

⁴⁹³ FPI026.011 Federated Farmers

⁴⁹⁴ FPI047.010 Horticulture NZ, FPI043.023 OWRUG

⁴⁹⁵ FPI009.002 COWA

⁴⁹⁶ <https://www.mfe.govt.nz/fresh-water/freshwater-acts-and-regulations/national-policy-statement-freshwater-management> (accessed 26 May 2021)

⁴⁹⁷ FPI026.012 Federated Farmers, FPI025.011 Beef + Lamb and DINZ

⁴⁹⁸ FPI026.012 Federated Farmers

⁴⁹⁹ FPI043.023 OWRUG

Stream, and sub-catchments within⁵⁰⁰ the lower Clutha catchment rohe⁵⁰¹, have some of the worst poorest⁵⁰² *water* quality in the region; Otago's central lakes are impacted by increased population, urban development and tourism demand; other areas, such as urban streams in Dunedin, intensified catchments in North Otago and some tributaries, also have poor *water* quality.⁵⁰³ Between 2006 and 2017, trends in a number of *water* quality parameters were worsening.⁵⁰⁴

For *E. coli*, for example, 30% of sites had a probable or significant worsening trend compared to 7% of sites that had either stable or improving trends. In urban streams in Dunedin, intensified catchments in North Otago and some tributaries of the Poumāhaka,⁵⁰⁵ *E. coli* was the worst performing variable⁵⁰⁶. In many cases, the specific source of contamination is unknown.

There are many different types and sizes of *lakes* in Otago. ORC monitors *water* quality in *lakes*, of which eight have generally shown good *water* quality. There have been concerns within the community about the quality of *water* in Lakes Wānaka, Whakatipu Waimāori/Lake Wakatipu⁵⁰⁷ and Lake⁵⁰⁸ Hayes.

Groundwater quality also varies across the region, with some areas having elevated *E. coli* and nitrate concentrations above the NZ Drinking Water Standards. The main areas with elevated nitrate concentrations are North Otago and the Lower Clutha. Some bores across the region have exceeded the drinking *water* standards for *E. coli*; highlighting localized problems, likely due to inadequate bore head security. In addition to human sources of poorer *groundwater* quality, low *groundwater* quality from natural or geologic sources may also affect the potability of bore *water* throughout Otago (e.g. naturally occurring arsenic or boron concentrations found in bores associated with particularly geologies).

Stock entering *water bodies* can lead to pugging and destruction of riparian soils and *beds* that play an important role in filtering *contaminants*, as well as excreting directly in waterways. The growing practice of wintering cattle in Otago can exacerbate leaching *effects*, which may not connect to surface *water* until spring, creating spikes in nutrient loads.⁵⁰⁹

Sediment is a key issue for *freshwater* quality throughout Otago, including coastal estuaries where it can significantly impact the life supporting capacity of waterways. Urban development is a key generator of sediment input to *lakes* and *rivers* in Central Otago, from *building* platforms and from *stormwater* contamination. Activities such as agricultural intensification land use,⁵¹⁰ mining, and forestry also contribute.

⁵⁰⁰ FPI026.013 Federated Farmers

⁵⁰¹ FPI026.013 Federated Farmers

⁵⁰² FPI026.013 Federated Farmers

⁵⁰³ Rachel Ozanne and Adam Uytendaal (2017) *State of the Environment Surface Water Quality in Otago 2006 to 2017*: Otago Regional Council p ii

⁵⁰⁴ Ibid.

⁵⁰⁵ FPI030.049 Kāi Tahu ki Otago

⁵⁰⁶ Ibid.

⁵⁰⁷ FPI030.049 Kāi Tahu ki Otago

⁵⁰⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI030.049 Kāi Tahu ki Otago

⁵⁰⁹ Science Staff Survey, June 2020.

⁵¹⁰ FPI019.002 Fonterra, FPI043.023 OWRUG

Agricultural intensification land use⁵¹¹ also contributes to nutrients (nitrogen and phosphorus) leaching into underlying *groundwater* or running off into surface *water bodies*, and can also increase the risk of *E.coli* contamination from animal waste.

Urban environmental contaminants include hydrocarbons, and metals from *roads* and *structures*. They often wash into urban *stormwater* systems and pass unfiltered into *water bodies*, or the *coastal marine area*. *Stormwater effects*, particularly in *urban areas*, are poorly understood. *Wastewater* and *stormwater* systems may not be adequate in some places due to aging *infrastructure*, rapid growth pressure, or insufficient investment in replacement or upgrades. Overflows of *wastewater* (*sewage* and *waste products*) create significant *risks* for *water* quality. These can enter the *environment* either directly or through *stormwater* systems, particularly in flood events.

Economic

Water pollution (from nutrients, chemicals, pathogens, and sediment and other contaminants)⁵¹² can have far-reaching effects potentially impacting tourism, food production,⁵¹³ property values, commercial fishing, recreational businesses, and many other sectors that depend on clean *water*.⁵¹⁴

These impacts can be direct (varying the quality of *primary production* outputs such as fish); increasing costs of production through mitigation or remediation costs (*drinking water* treatment cost, riparian restoration); loss of enjoyment and benefit from tourism uses, and indirect such as cost to human health and associated medical costs, or reduction in brand value (e.g. Brand New Zealand).

Social

For the wider community, *water* is a source of kai ~~and~~ for harvesting and food production. *Water* is also a source⁵¹⁵ of recreation, including swimming, fishing and *water* sports. There are multiple dimensions to the way *water* quality impacts on peoples' interaction with *water bodies*, including environmental, health, landscape, and aesthetic factors.⁵¹⁶ Otago's *rivers*, *lakes*, estuaries and bays are important destinations for recreational use including swimming, fishing and *water* sports. Eighty-two per cent of Otago's *rivers* and *lakes* are swimmable.⁵¹⁷ Where *water* quality cannot support these activities, the lifestyle of those living in Otago is impacted.

Degraded *water* quality reduces the mauri of the *water* and the habitats and species it supports, therefore also negatively affecting *mahika kai* and taoka species and places. This constitutes a loss of Kāi Tahu culture, affecting the intergenerational transfer of knowledge handed down from tūpuna over hundreds of years; and it culminates in a ~~loss of rakatirataka~~ and diminishing of⁵¹⁸ mana.

⁵¹¹ FPI043.023 OWRUG

⁵¹² FPI026.014 Federated Farmers

⁵¹³ FPI043.023 OWRUG, FPI047.012 Horticulture NZ

⁵¹⁴ <https://www.epa.gov/nutrientpollution/effects-economy> (accessed 26 May 2021)

⁵¹⁵ FPI043.023 OWRUG

⁵¹⁶ FPI037.008 Fish and Game

⁵¹⁷ This estimate applies to larger rivers and lakes, defined as "rivers that are fourth order in the River Environment Classification system and lakes with a perimeter of 1.5km or more" – ORC Policy Committee Report – 29 Nov 2018 - PPRM1843

⁵¹⁸ FPI030.014 Kāi Tahu ki Otago

SRMR-17 – Rich and varied *biodiversity* has been lost or degraded due to human activities and the presence of *pests* and predators

Statement

Fragmentation, loss and isolation of populations and communities of *indigenous species* has been ongoing across New Zealand, and Otago is no exception. *Biodiversity* mapping indicates Otago is one of the most modified regions in New Zealand.⁵¹⁹ This can be attributed to habitat loss, *land* use changes, vegetation clearance and the presence of *pests* and predators. Further, many of these *effects* are a result of the cumulative changes of past and current development. These cumulative *effects* have often not been identified, managed or measured. Leadership and coordination of the various initiatives to address *biodiversity* loss has also been lacking.

Context

Otago is notable for the diversity of its landscapes, ecosystems, and climatic conditions. With that comes a diverse range of important *biodiversity* values which are at *risk*. These include rare ecosystems such as inland saline habitats, nationally rare *lake* and *river* systems, endemic and threatened lizard and fish species and important and diverse marine and coastal habitats.

Ecosystems are an interacting system of living and non-living parts such as sunlight, air, *water*, *minerals* and nutrients. *Biological diversity* (hereafter called *biodiversity*) describes the variety of all living things, including the range of species living in our *environments*, their genetics, and the ecosystems where they live. New Zealand's high level of indigenous *biodiversity* makes a unique contribution to the world's *biodiversity*. Otago is a good example of the enormous diversity in New Zealand's natural *environment* from toroa (albatross) and hoiho (yellow-eyed penguins) on the Otago Peninsula to the endangered species (for example, skinks) of Central Otago, the kea of the Southern Alps, galaxias species as well as the internationally significant braided *rivers* and their ecosystems.

The health of New Zealand's *biodiversity* has declined significantly since the arrival of humans. Environment Aotearoa 2019⁵²⁰ found that our indigenous *biodiversity* is under significant pressure from introduced species, pollution, physical changes to our *environment* and harvesting of wild species.

Almost 4,000 native species are currently threatened with, or at *risk* of, extinction. The information available indicates Otago's *biodiversity* faces the same challenges.

Impact snapshot

Environmental

Threats to *biodiversity* in Otago include invasive species (weeds and predators), vegetation clearing, *land* fragmentation and grassland "improvement", poor *water* quality (nutrients and sediments), dredging and overfishing.

⁵¹⁹ Wildlands (2020). Unpublished Consultancy Report to Otago Regional Council R5015a. Mapping of potential natural ecosystems and current ecosystems in Otago region. (New footnote attributed to 00239.026 Federated Farmers)

⁵²⁰ <https://environment.govt.nz/assets/Publications/Files/environment-aotearoa-2019.pdf> (accessed 26 May 2021)

There are ~~6261~~⁵²¹ ecosystems in the Otago region.⁵²² Whilst the average ecosystem extent compared to pre- European settlement is 62%, over 17 communities have been reduced to less than 40% extent. Forest communities have declined substantially, for example kahikatea forests have been reduced to 3.9% of pre-European extent. Matai, totara, broadleaved forest (6.5%) and Kirk’s scurvy grass herbfield/loamfield (7.1%) have also been significantly reduced. ~~There are six ecosystems with less than 10 hectares remaining.~~⁵²³

Impacts of human activities are evident both in terms of species and ecosystems. Some 44% of Otago’s bird species are threatened or at *risk*; 88% of lizard species; and 72% of indigenous fish species. Inland Otago has degraded native fish communities, due to anthropogenic alteration of waterways (such as damming, abstraction, bed manipulation, draining wetlands), the discharge of contaminants ~~the presence of the Clutha dams and their effects on eel populations~~⁵²⁴ and trout predation on native galaxiids. This is illustrated by the low scores for Otago’s rivers in the *freshwater* fish index of biotic integrity.

The extent of impacts on marine species and *environments* is not well understood. Sedimentation and nutrients entrapped in land run-off⁵²⁵ is known to have contributed to the loss of kelp forests.⁵²⁶ In addition to sedimentation, other human impacts on kelp forests include rising sea surface temperatures associated with *climate change*, the introduction of invasive species and fishing ~~and trophic cascades from fishing pressure; together with downward trends in fish and crayfish catches.~~⁵²⁷ There has been a 70% decline in the abundance of hoiho (yellow-eyed penguin) on the Otago coast since 2008⁵²⁸ ~~and downward trends in ngohi (fish) and koura (crayfish) catches.~~⁵²⁹ The *effects of climate change* will add significantly to *risks* of continuing *biodiversity* decline.

Economic

Biodiversity and ecosystem services underpin agriculture primary production⁵³⁰ (ecosystem services such as *water*, soil *biodiversity*, *pest* protection, pollination) and tourism (the “clean green” image of “pure New Zealand” is related to a public perception of Otago’s healthy *environment* and *biodiversity*).

Short-term impacts of loss of productivity or increased costs of *pest* management occur and longer-term impacts of net loss of natural capital in the region over time are also of concern. The economic costs of lost productivity due to *pests*, erosion and damage to *land*, are likely to be significant and there is potential for loss of *biodiversity* to adversely impact on the economy.

Social

⁵²¹ Clause 16(2), Schedule 1, RMA

⁵²² Wildlands (2020). Unpublished Consultancy Report to Otago Regional Council R5015a. Mapping of potential natural ecosystems and current ecosystems in Otago region.

⁵²³ Clause 16(2), Schedule 1, RMA

⁵²⁴ 00231.027 Fish & Game

⁵²⁵ 00303.001 Fisheries New Zealand

⁵²⁶ Schiel et al. 2006, Sediment on rocky intertidal reefs: Effects on early post-settlement stages of habitat-forming seaweeds, *Journal of Experimental Marine Biology and Ecology* 331(2):158-172 (reference provided by Department of Conservation)

⁵²⁷ 00303.001 Fisheries New Zealand, 00125.023 Otago Rock Lobster

⁵²⁸ Department of Conservation, 2008, Unpublished data.

⁵²⁹ 00125.023 Otago Rock Lobster

⁵³⁰ 00239.026 Federated Farmers

Biodiversity is a significant contributor to the community's recreational experiences and *intrinsic values*. *Biodiversity* loss will adversely impact those values and experiences. Some introduced species such as trout, deer and pigs have social and recreation values but ~~may~~⁵³¹ also have impacts on native ecosystems and species.

SRMR-I8 – Otago's coast is a rich natural, cultural and economic resource that is under threat from a range of terrestrial and marine activities

Statement

Otago's coast provides habitat for rare species (including toroa and hoiho), comprises some of the region's outstanding natural⁵³² landscapes, is a rich food source, provides many recreation opportunities, is the location for some industries, and has potential for further economic use (aquaculture). Threats to it are not always well understood and not always well managed. From the sedimentation *effects* of inland development to *waste* disposal, human activity puts stress on the marine and coastal environment. Some of those activities, like port activities and tourism, are also vital to the region's economic well-being.

Context

Otago's coastal environment includes *land* adjoining the coast where coastal characteristics apply (as outlined in NZCPS Policy 1), and the *coastal marine area* is generally considered to extend from the *land* that forms the first significant ridgeline⁵³³ out to the twelve nautical mile seaward limit. The coastal *environment* is a finite resource which is sensitive to change. Recent rapid expansion of some types of coastal development is a significant issue for the sustainable management of the coastal environment of Otago.

Activities occurring within or affecting the coastal environment include urban development, recreational activities, transport *infrastructure*, energy generation and transmission, *land* and marine based (e.g. aquaculture) food production industries and other *rural industry* activities, carbon forestry and⁵³⁴ *plantation forestry*, fishing, tourism, and *mineral* extraction. Such activities ~~can be~~ are⁵³⁵ important contributors to the ~~existing and future~~⁵³⁶ health and well-being of communities, when they are located and managed appropriately. A number of these activities provide a significant contribution to the regional economy.

Dunedin is a major coastal city with increasing urban development. It also hosts *infrastructure* of national significance such as Port Otago and associated *road* transport networks servicing the Otago region and beyond which contribute to and facilitate regional economic and social development.

The community values the coast for its landscapes, natural character, recreational uses and associated habitat for *biodiversity*. Recreational activities such as boating, fishing, swimming and general beach

⁵³¹ 00230.026 Forest and Bird

⁵³² 00411.116 Wayfare

⁵³³ 00137.035 DOC

⁵³⁴ 00239.027 Federated Farmers

⁵³⁵ 00411.117 Wayfare

⁵³⁶ 00411.117 Wayfare

access are interconnected with coastal values. Conserving coastal *biodiversity* and marine reserves are associated with coastal values.⁵³⁷ A key challenge is the protection of the coast's natural and cultural assets while enabling economic and social development opportunities to be realised.

Impact snapshot

Impacts of hazards, *climate change*, *pests*, *fresh*⁵³⁸ *water*, and *biodiversity* loss, which have been discussed above, all impact the coast. Urban development and population pressure can amplify these *effects*.

Environmental

These impacts can affect natural processes. For example, poor *water* quality can result in degradation of estuarine and ocean chemistry with adverse impacts on ecosystems, including coastal *wetlands* and marshes, benthic muds, subtidal and inter-tidal area muds/sands, reefs, and marine vegetation areas (e.g. sea grasses, kelp). Ecosystems and indigenous *biodiversity*, and their flora and fauna (from zooplankton to whales) can be impacted by urban and industrial development, *pests*, and *climate change* leading to *biodiversity* loss.

Natural features, and landscapes and (including seascapes), and *surf breaks* of national significance can be affected by human activity, *climate change*, and *natural hazards*. Susceptibility Vulnerability⁵³⁹ to these impacts is determined by susceptibility, spatial scale, frequency, functional impact/consequence, recovery capacity/time, and likelihood of the impact's occurrence. Around Dunedin, for example, impacts include nutrients and *contaminants* from Dunedin *stormwater* which impact on *coastal waters* and estuaries; declining hoiho (yellow-eyed penguins) numbers due to introduced predators and domestic pets; whilst recovering seal and sealion numbers can create conflict with recreational *uses* on the coast; and beach erosion at St. Clair in Dunedin⁵⁴⁰ can impact social values and beach recreation use.

Economic

Deterioration of coastal assets and values causes loss of production and income, increases *infrastructure* costs and costs of production, and loss of property values. There are also costs associated with mitigation, for example in the case of coastal erosion. Other economic impacts include recreation and tourism industries being adversely impacted by degraded coastal environments; marine industry production suffering because of poor *water* quality; dredging of sedimentation;⁵⁴¹ and costs of mitigating adverse impacts, e.g. combatting invasive *pests*.

Social

Impacts on the coastal environment and its associated unique values include those on its landscapes and landforms, those on it as a place to live and work and for recreation activities, those on access,

⁵³⁷ ORC Committee Report, RPS Consultation Summary, ORC Agenda 27 May 2020

⁵³⁸ 00223.047 Ngāi Tahu ki Murihiku

⁵³⁹ 00230.020 Forest and Bird

⁵⁴⁰ 00120.022 Yellow-eyed Penguin Trust

⁵⁴¹ Clause 16(2), Schedule 1, RMA

and those which give rise to coastal deterioration and which compromise general enjoyment and amenity for communities.

SRMR–I9 – Otago lakes are subject to pressures from tourism and population growth

Statement

The beauty, recreational opportunities and regional climate of Lakes ~~Wanaka~~ Wānaka,⁵⁴² Whakatipu Waimāori/Lake Wakatipu, Lake⁵⁴³ Hāwea and Te Wairere/Lake⁵⁴⁴ Dunstan and their environs attract visitors and residents from around the region, the country and the world. This ~~influx~~ supports human health and well-being and⁵⁴⁵ brings economic opportunity, but the activities and services created to take advantage of it can degrade the *environment* and undermine the experience that underpins their attractiveness.

Context

Healthy *lakes* are one of Otago's most valued natural resources and for the most part *water* quality is good. The values assigned to *lakes* include the natural features and landscapes, the quality and quantity of *water* accessible to the Otago communities, the accessibility of these resources for recreation, the health of native flora and fauna associated with Otago's *rivers* and *lakes*, and renewable ~~energy production~~ electricity generation.⁵⁴⁶

Urban growth is adversely affecting the natural features and landscapes around the lakes. The amount of growth is demonstrated in the Queenstown Lakes District, including Queenstown and ~~Wanaka~~ Wānaka,⁵⁴⁷ where the population tripled in the last 20 years from 16,750 in 1999 to 47,400 in 2020.⁵⁴⁸ Continued growth is projected over the 30 years from 2020 to 2050 (by 63%).⁵⁴⁹

This desire ~~of New Zealanders and international visitors~~⁵⁵⁰ to enjoy the outstanding natural environments of the Otago *lakes* has placed significant pressures on the *environment*, transport, energy and other *infrastructure*, health services and social structures. At the same time the economy of the Otago lakes area is heavily dependent on tourism. For example in 2020, tourism employment accounted for an estimated 56% (or 17,758) of the jobs in the Queenstown-Lakes district; tourism GDP accounted for 43.7% (or NZ \$1.7 billion) of the district's GDP and international tourism contributed 64% (or NZ \$1.89 billion).⁵⁵¹ The Otago-Lakes area also supplies significant renewable ~~energy~~ electricity⁵⁵² for use in Otago and beyond.

⁵⁴² FPI027.038 Contact, FPI042.142 Te Rūnanga o Ngāi Tahu, FPI042.132 Ngāi Tahu ki Murihiku

⁵⁴³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI030.049 Kāi Tahu ki Otago

⁵⁴⁴ FPI030.049 Kāi Tahu ki Otago

⁵⁴⁵ FPI037.009 Fish and Game

⁵⁴⁶ FPI027.012 Contact

⁵⁴⁷ FPI027.038 Contact, FPI042.142 Te Rūnanga o Ngāi Tahu, FPI042.132 Ngāi Tahu ki Murihiku

⁵⁴⁸ Infometrics online database (February 2021)

⁵⁴⁹ Queenstown-Lakes District Council demand projections by Utility

⁵⁵⁰ FPI046.002 QLDC

⁵⁵¹ Infometrics online database; (February 2021)

⁵⁵² FPI027.012 Contact

Impact snapshot

Environmental

Population pressures arising from urban development, and tourism population pressures are impacting on the *environment*. Lake ~~Wanaka~~ Wānaka,⁵⁵³ Lake Hāwea, and Whakatipu Waimāori/Lake Wakatipu,⁵⁵⁴ as well as the Kawarau River and upper reaches of the Clutha Mata-au and ~~Taieri~~ Taiari⁵⁵⁵ Rivers all have good *water* quality which equates to the “A” band (being top/best level) for the *National Objectives Framework*.⁵⁵⁶

However, *water* quality is being adversely impacted by increased population, urban development and tourism demand which is straining existing waste management infrastructure. In addition, localised degradation of some areas is occurring due to overuse and unregulated use (e.g. freedom camping). The amenity of these areas is being compromised in some places by over-crowding.

Recreation *use* impacts on the *environment* can be a *risk*, for example the distribution of pest species can be accelerated as has occurred for lake snow and *Lagarosiphon* weeds being spread by recreation boating movements. Natural features and landscape values ~~are also~~ can be adversely impacted by tourism and urban growth, and ~~energy production~~ electricity generation.⁵⁵⁷

Economic

The economic benefits of urban development, tourism, ~~agriculture~~ primary production,⁵⁵⁸ ~~energy production~~ renewable electricity generation⁵⁵⁹ and *water* supply can be positive for the Otago-Lakes’ communities and visitors. It also impacts on the region’s natural assets with a growing cost to the region that puts at *risk* the *environment* highly prized by residents and visitors. There are also impacts between industry sectors.

For example, the clean green image of New Zealand, of which the Otago Lakes area is symbolic, is at *risk* of being compromised ~~because of over-crowding in peak tourism seasons~~ if the quality of lakes becomes degraded or visitor numbers exceed the servicing capacity of the district.⁵⁶⁰ This has the potential to adversely affect the existing regional economy and future economic development; and the tourism industry’s social licence to operate. At the same time tourism can negatively impact on how ~~agriculture~~ primary production⁵⁶¹ can operate, potentially limiting its contribution to the regional economy.

Urban development brings economic development and improved opportunities and standards of living to the Otago lakes area but can adversely impact on both the *environment* and how ~~agriculture~~ primary production⁵⁶² can operate.

Social

⁵⁵³ FPI027.038 Contact, FPI042.142 Te Rūnanga o Ngāi Tahu, FPI042.132 Ngāi Tahu ki Murihiku

⁵⁵⁴ FPI030.049 Kāi Tahu ki Otago

⁵⁵⁵ FPI030.049 Kāi Tahu ki Otago

⁵⁵⁶ Land, Air, Water, Aotearoa: <https://www.lawa.org.nz/explore-data/otago-region/> (accessed 26 May 2021).

⁵⁵⁷ FPI027.012 Contact

⁵⁵⁸ FPI043.026 OWRUG

⁵⁵⁹ FPI027.012 Contact

⁵⁶⁰ FPI 038.023 NZSki, FPI039.025 Realnz

⁵⁶¹ FPI043.026 OWRUG

⁵⁶² FPI043.026 OWRUG

Over-crowding impacts can adversely affect urban amenity and recreation experiences of both tourists and residents, particularly outdoor recreation such as fishing and water sports, and urban amenity.⁵⁶³

SRMR-I10A – The social, cultural and economic well-being of Otago’s communities depends on the use and development of *natural and physical resources*, but that use and development can compromise or conflict with the achievement of *environmental outcomes*

Statement

The ability to access and use *natural and physical resources*, including for *infrastructure, primary production, mineral and aggregate extraction, tourism and industrial activities*, is essential for the social, cultural and economic well-being of the region. Access to, and the ability to use, *natural and physical resources* can be impacted by regulatory changes, incompatible *land uses, natural hazards and climate change*. Equally, the use and development of the region’s *natural and physical resources* can have adverse *effects* on the *environment* which need to be appropriately managed.

Context

The well-being of Otago’s communities relies on the ability to access and use the region’s *natural and physical resources*. The quality of these resources and the ability to access them has a direct bearing on the well-being of people and communities in the region.

Failing to plan and provide for activities that contribute to the regional economy can lead to adverse socioeconomic consequences. Conversely, failure of activities to sustainably manage their impact on *natural and physical resources* can also lead to poor socioeconomic outcomes.

Appropriate access to and use of *natural and physical resources* needs a planning framework that recognises and provides for the essential operational, locational and functional requirements of activities while managing the adverse *effects* of these activities. The ongoing *effects of climate change* (addressed elsewhere in the Issues section) will have an ongoing impact on the operation of activities.

Impact snapshot

Environmental

The use of *natural and physical resources* can have adverse *effects* on the *environment*, which need to be appropriately managed to avoid, remedy or mitigate the adverse *effects*. Loss or degradation of resources can diminish their *intrinsic values*. Some of Otago’s resources are nationally or regionally important for their natural values and economic potential and so warrant careful management.

Economic

⁵⁶³ FPI 038.023 NZski, FPI039.025 Realnz

Activities that rely on *natural and physical resources* generate direct and indirect economic benefits; therefore, their ability to operate, or to improve their operational efficiency, affects the economy of the region.

The ability to access and use *natural and physical resources* may impact the ability of activities to optimise the use of investments and assets and realise their potential economic value.

Activities that rely on *natural and physical resources* also rely on clear regulatory settings to inform investment decision-making about the use and development of *natural and physical resources*.

Social and cultural

The ability for activities to access and use *natural and physical resources* provides for the social and cultural wellbeing of people and communities including by supporting employment, liveability, recreation, *resilience*, food security and investment into communities.⁵⁶⁴

SRMR-I10 – Economic and domestic activities in Otago use natural resources but do not always properly account for the environmental stresses or the future impacts they cause

Statement

Sediment from development and ~~forestry~~ *primary production*⁵⁶⁵ activities flows⁵⁶⁶ into streams and builds up in the coastal environment, smothering kelp forests and affecting rich underwater habitats. *Water* abstraction and *wastewater* and *stormwater discharges* adversely affect the natural *environment*, cultural and *amenity values*, and recreation. Agriculture, ~~fishing~~⁵⁶⁷ and *minerals* extraction support employment and economic well-being but also change landscapes and habitats. Otago's port moves freight to and from Otago and Southland, but operates alongside sensitive *environments*, including the Aramoana saltmarsh. Tourism and recreation,⁵⁶⁸ which relies on the *environment*, can also put pressure on natural *environments*.

Context

The Otago regional economy GDP totals \$13.2 billion and supports a population of 236,200 residents (over half of which are in Dunedin). A significant part of the economy relies on the region's natural resources (air, vegetation, *biodiversity*, *water*, *land*, marine and *minerals*). This supports agriculture, forestry, fishing (6.9% of GDP), mining (4.5% of GDP), electricity, gas, *water* and *waste* services (4.4% of GDP), as well as conservation activities and hunting. Tourism (18.1% of GDP) also partially relies on the natural values of the region.⁵⁶⁹

⁵⁶⁴ 00322.004 Fulton Hogan, 00314.009 Transpower, 00315.015 Aurora, 00310.003 The Telecommunication Companies, 00213.018 Fonterra, 00236.029, 00236.033 Horticulture NZ, 00231.022 Otago Fish and Game, 00235.058 OWRUG, 00411.097 Wayfare

⁵⁶⁵ 00020.005 Rayonier Matariki

⁵⁶⁶ Clause 16(2), Schedule 1, RMA

⁵⁶⁷ 00126.001 Harbour Fish, Southern Fantastic and Fantastic Holdings, 00124.001 Southern Inshore Fisheries Management Company Limited

⁵⁶⁸ 00231.022 Fish and Game

⁵⁶⁹ Infometrics, August 2020.

However, economic activity needs to more effectively account for and manage its impacts on the region's natural resources.⁵⁷⁰ Where business and social activity does not account for its impacts on natural resources in the long term, not only is the sustainability of the region's natural resources threatened, but equally the associated long term economic, social and cultural values are also threatened.

Impact snapshot

Environmental

Economic activities can lead to, for example, *biodiversity* loss, poor *water* quality, coastal and marine degradation, and loss of natural features and landscapes. These and other matters are considered in further detail elsewhere in this chapter.

Negative impacts on the *environment* can also compromise the ecosystems and the services economic activities depend on (ecosystem services), for example loss of *wetlands* which provide flood attenuation services, loss of *biodiversity* which provide *pest* control and pollination services, and loss of soil *biodiversity*. Economic activity also has the potential to compromise or destroy natural features and landscapes. Such impacts are both immediate and cumulative. Cumulative impacts that are not addressed have the potential to lead to tipping points beyond which systems can no longer properly function.

Economic

The costs of production can rise because of poor quality natural resources, for example, through higher input costs (e.g. fertiliser, weed and *pest* control); and remediation requirements (e.g. riverbank restoration, erosion control). Some *land* management practices can compromise *productive capacity* of agricultural *land*, for example, loss of soil through erosion or soil structure through compaction. Marine industries (e.g. fishing and aquaculture) can also be adversely affected.

Business environmental performance is becoming increasingly important in terms of providing access to investment. Poor business environmental performance can also lead to increased regulatory requirements and associated higher costs of doing business.

Social

Damage to or loss of natural features and landscapes compromises *amenity values*. Failure of business to sustainably manage their impact on natural resources can compromises⁵⁷¹ the social licence of a business sector to operate. This adversely impacts social capital (trust) and can create community division. In extreme cases it can lead to calls for reduced access to resources.

⁵⁷⁰ <https://www.orc.govt.nz/media/8882/community-consultation-summary-report-draft.pdf> (accessed 26 May 2021)

⁵⁷¹ 00206.093 Trojan, 00411.126 Wayfare

SRMR-I11 – Cumulative impacts and *resilience* – the environmental costs of our activities in Otago are adding up with tipping points potentially being reached

Statement

How and where we currently live, and the activities we undertake, are ⁵⁷² likely to change significantly in coming years. To respond to all the issues identified in this RPS, it is essential to consider changes to how we travel, the industries our economy relies on, the use we currently make of the *natural and physical resources* of the region, and how we provide for personal and community well-being, all while protecting our natural *environment*. Consideration must include the rate at which change or adaptation is required to occur, the nature of place-specific and activity-specific responses required, and the timeframes for action. ⁵⁷³

Context

The long term environmental, economic, and social well-being of the Otago region requires anticipating and minimising cumulative environmental impacts before they reach a tipping point, beyond which systems can no longer properly function. This requires *resilient* frameworks that take account of the dynamic relationship between the *environment*, economy and people while acknowledging that the future is always uncertain, and knowledge is imperfect. Should a tipping point be reached a *resilient* Otago society will have the ability to absorb, respond to, adapt to, and recover from disruptive events. ⁵⁷⁴

Impact snapshot

Environmental

While many ecosystems have a degree of *resilience*, increasing pressures on the *environment*, typically as a result of human activities (for example economic development), can have an adverse cumulative effect. *Climate change* also has the potential to seriously challenge ecosystem adaptive capacity. Much work is being undertaken to address this challenge, but it is still possible that permanent changes may occur (tipping point).

The first and best response is to ensure sustainable management of our natural resources and avoid immediate and long-term cumulative effects that degrade the *environment*. At the same time a *resilience* approach is needed that identifies thresholds and sets limits ⁵⁷⁵ on the use of natural resources to avoid permanent and potentially catastrophic changes occurring, as would occur if a tipping point is reached.

Indicators and tools for measuring *resilience* and tipping points remain in the early stages of understanding and development. Even though regulatory agencies and proponents for natural resource development and environmental rehabilitation projects have difficulties interpreting and

⁵⁷² 00236.055 Horticulture NZ, 00235.058 OWRUG

⁵⁷³ 00236.055 Horticulture NZ, 00235.058 OWRUG

⁵⁷⁴ <https://www.civildefence.govt.nz/cdem-sector/plans-and-strategies/national-disaster-resilience-strategy/national-disaster-resilience-strategy-summary-version/> (accessed 26 May 2021)

⁵⁷⁵ 00231.009 Fish and Game

verifying the potential for environmental recovery and *resilience* (particularly in relation to the regulatory context of impact assessment in order to provide consenting decisions for regulated activities)⁵⁷⁶ that should not be taken as a reason to delay acting.

Social and economic

The well-being of Otago's people and communities in the long term will be sustained by the enduring ecological health and *resilience* of the *environment* and by human activity providing for the *environment* in equal or greater measure than is taken from it (in other words, net impact determines net well-being). It will also be sustained through community *resilience* so that it can adapt and nimbly respond to future challenges.

⁵⁷⁶ <https://par.nsf.gov/servlets/purl/10047476> (accessed 26 May 2021)

RMIA – Resource management issues of significance to iwi authorities in the region

Introduction

The MW – *Mana Whenua* chapter describes the integral relationship between Kāi Tahu and the natural world, including the relationship with particular resources, and the values that influence the Kāi Tahu approach to resource management. The issues and concerns described in this chapter should be read and understood in the context of the explanations in the MW – *Mana Whenua* chapter.

RMIA-WAI – Wai Māori

Context

Water plays a significant role in Kāi Tahu spiritual beliefs and cultural traditions. Kāi Tahu have an obligation through whakapapa to protect wai and all the life it supports. Whānau have observed the health of *water* degrade through time and consider it is crucial that this degradation is reversed.

RMIA-WAI-11 – The loss and degradation of *water* resources through drainage, abstraction, pollution, and damming has resulted in material and cultural deprivation for Kāi Tahu ki Otago

The drainage of *wetlands*, *water* abstraction, degraded *water* quality, barriers to fish passage and changes to flow regimes as a result of damming have had significant negative impacts on Kāi Tahu. These activities degrade the mauri of the *water* and the habitats and species it supports, therefore also degrading *mahika kai* and taoka species and places.

These changes to the *environment* have meant that Kāi Tahu have had to adapt and change their *use* of the *environment*. As traditional *mahika kai* places and species have declined, *mahika kai* must now be carried out in artificial habitats such as reservoirs, and whānau have had to switch to exotic species such as trout and salmon. The mātauraka associated with traditional *mahika kai* species and places cannot be passed on, and the intergenerational transfer of knowledge that has occurred for over 800 years is broken. Place names that carry tribal history are no longer reflective of their places – for example no one would now claim that the Waiareka is ‘sweet *water*’ to drink.

RMIA-WAI-12 – Current *water* management does not adequately address Kāi Tahu cultural values and interests

Kāi Tahu values and interests are not properly considered in current *land* and *water* resource management. The well-being of ~~mahika kai~~ *mahika kai*⁵⁷⁷ and taoka and protection of other cultural values is rarely given effect to in environmental policy or decision-making processes and these considerations are often compromised in favour of other values, including economic values. The mana of *mana whenua* and of the *water* is not recognised because *water* quality and quantity have been allowed to be degraded. Resource management in Otago has failed to meet its obligation to recognise

⁵⁷⁷ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

Kāi Tahu values and provide for the relationship of Kāi Tahu with the *water bodies* within their rohe. The understanding of cultural values by many is still developing and, as a result, Kāi Tahu values and interests are often not well represented in plans and decision-making.

RMIA–WAI–I3 – The effects of land and water use activities on freshwater habitats have resulted in adverse effects on the diversity and abundance of ~~māhika kai~~ māhika kai⁵⁷⁸ resources and harvesting activity

~~Māhika kai~~ Māhika kai⁵⁷⁹ is the gathering of foods and other resources, the places where they are gathered, and the practices used in doing so. ~~Māhika kai~~ Māhika kai⁵⁸⁰ is an intrinsic part of Kāi Tahu identity and economic well-being. Kāi Tahu fishing rights were explicitly protected by the Treaty of Waitangi. Not only was the right to engage in ~~māhika kai~~ māhika kai⁵⁸¹ activity confirmed, so too was the expectation that such activity will continue to be successful as measured by reference to past practice. However, as described in evidence provided to the Waitangi Tribunal in the Ngāi Tahu claim, there has been a dramatic loss of ~~māhika kai~~ māhika kai⁵⁸² resources and places of procurement since the Treaty was signed. This loss is greater than the loss of kai. It is a loss of Kāi Tahu culture, as it affects the intergenerational transfer of mātauraka handed down from tūpuna over hundreds of years. It represents a significant loss for mana whenua and a diminishing of rakatirataka and⁵⁸³ of mana. ~~Māhika kai~~ Māhika kai⁵⁸⁴ continues to be degraded through the effects of land and water use activities on freshwater habitats. Activities such as the construction of barriers to fish passage, drainage, altered flow regimes, reduced water quality and removal of riparian vegetation all impact on access to and use of resources. Inadequate regulation of commercial fishing of tuna (eels) and inaka (whitebait) has also exacerbated the impacts of degradation and loss of habitat from land and water use activities on remaining populations of these species.⁵⁸⁵

RMIA–WAI–I4 – Effective participation of Kāi Tahu in freshwater management is hampered by poor recognition of mātauraka

The term ‘mātauraka Māori’ includes all branches of Māori knowledge, past, present, and still developing. It involves observing, experiencing, studying, and understanding the world from an indigenous cultural perspective. It is a tool for thinking, organising information, considering the ethics of knowledge, and informing us about our world and our place in it. Incorporation of mātauraka in resource management decision-making is important to ensure that cultural interests are appropriately recognised and provided for. Resource managers do not always appreciate the depth and value of mātauraka held by members of Kāi Tahu Whānui. Even where mātauraka is valued there may be difficulty in determining how best to apply the knowledge.

⁵⁷⁸ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁷⁹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁸⁰ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁸¹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁸² Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁸³ FPI030.014 Kāi Tahu ki Otago

⁵⁸⁴ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁸⁵ FPI030.014 Kāi Tahu ki Otago

RMIA-WAI-I5 – Poor integration of *water* management, across agencies and across a catchment, hinders effective and holistic *freshwater* management

Kāi Tahu place emphasis on the holistic management of resources. Cultural values such as *whakapapa* and concepts such as *ki uta ki tai* recognise the interconnectedness of all things, and that *effects* on one part of the whole will be felt throughout the whole. Management of *water* in Otago is not holistic. Catchments are often managed by multiple councils, and the Waitaki (a most significant *river* to Kāi Tahu) is managed by two regional councils with policies and management approaches that include some significant differences. Regional councils are responsible for managing *land use effects* on *land* and at sea up to 12 nautical miles offshore, but beyond that the Environmental Protection Authority manages *effects* through a separate piece of legislation. District councils, although not specifically responsible for managing *freshwater*, are responsible for managing activities that affect *freshwater*.

In Otago there are separate plans for *freshwater* and the coastal area, and they are not consistent with each other. These divisions in the management of the *environment* fail to recognise that all *water*, in *ivers*, underground, in the air and in the ocean is connected, and what occurs in the headwaters and on *land* will have an impact in the ocean. This lack of holistic *freshwater* management also makes it difficult to understand and address the cumulative *effects* of different activities and decisions on cultural values.

Specific concerns related to RMIA-WAI-I1 to RMIA-WAI-I5 are interrelated, and include:

- *Water* quality concerns:
 - Deterioration in *water* quality resulting from poor *land* management practices.
 - The cultural and *water* quality impacts of point and non-point source *discharge* of human *waste* and other *contaminants* to *water*. *Whānau* cannot gather kai from places where human *waste* (whether treated or not) has been *discharged*, or where herbicides and pesticides have been used. Reliance on dilution rates to mitigate the *effects* of *discharges* is culturally inappropriate.
 - The *water* quality impacts of *discharges* from mining activities.
- *Water* allocation concerns:
 - Kāi Tahu consider that many of the waterways in the region are over-allocated from a cultural perspective.
 - Abstractions of greater volumes of *water* than are required, lack of *water* harvesting and continuation of inefficient methods of *water* use.
 - The implications of increased *water* demand for domestic use which will put additional pressure on the already scarce *water* resource.
 - The *effects* of long durations for *water* take consents which lock in a pattern of resource use for a long time, limiting the ability for of Kāi Tahu to exercise ~~kaitiakitaka responsibilities~~ their role as kaitiaki as an expression of mana and rakatirataka.⁵⁸⁶
 - The impact of cross mixing of *water* from different catchments on the distinctive mauri of the *water bodies*.
 - The lack of understanding of the interactions between *groundwater* and surface *water*.
- Concerns about channel modification and *river* works:

⁵⁸⁶ 00226.064 Kāi Tahu ki Otago

- The *effects* of damming on disruption of natural flow patterns, loss of *freshwater* habitats and migration of indigenous fish species.
- The *effects* on the mauri of the *water body* from diversion of watercourses upstream and downstream of mines.
- Impacts of activities such as channel maintenance and channel cleaning on *water* quality and on disruption of species living in the channel and their habitat.
- Impacts of channel reshaping, in particular straightening, on *river* flow and habitats, and the mauri of the *water body*.
- The *effects* of *bed* disturbance, including suction dredging and gravel extraction, on stream morphology and habitats.
- Impacts of willow removal on *water* quality, *water* temperature and ~~maḥika kai~~ maḥika kai⁵⁸⁷ habitat.
- Introduction of exotic weeds through poorly cleaned machinery, and the subsequent impact on bank habitat and *water* ecosystems.
- The *effects* of changes in vegetation cover, including clearance of *indigenous vegetation* and exotic *afforestation*, on the *water* retention capacity of *land* and consequent flow patterns, which can negatively affect ~~maḥika kai~~ maḥika kai⁵⁸⁸ and taoka species through a reduction in their habitat.

RMIA-MKB – ~~Maḥika kai~~ Maḥika kai⁵⁸⁹ and biodiversity

Context

The cold climate in southern Te Waipounamu, and the consequent difficulty of growing crops, made it difficult for tūpuna to establish permanent settlements and as a result Kāi Tahu in this area traditionally had a hunter-gatherer lifestyle, and went where the ~~maḥika kai~~ maḥika kai⁵⁹⁰ was abundant and in season. This lifestyle was unique to southern Kāi Tahu and ~~maḥika kai~~ maḥika kai⁵⁹¹ retains a central place in Kāi Tahu cultural identity. All indigenous species and habitats are treasured by Kāi Tahu as taoka in their own right, as well as for the ~~maḥika kai~~ maḥika kai⁵⁹² values associated with some species.

RMIA-MKB-I1 – The diversity and abundance of terrestrial and aquatic indigenous species has been reduced due to adverse *effects* of resource use and development

Resource *use* and development in Otago has led to degradation of taoka and ~~maḥika kai~~ maḥika kai⁵⁹³ places. This has occurred in a myriad of ways, contributing to a significant negative cumulative *effect* on many species and habitats. The decrease in diversity and abundance of indigenous species causes a negative impact on the mauri and health of the natural *environment*.

⁵⁸⁷ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁸⁸ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁸⁹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁹⁰ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁹¹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁹² Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁹³ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

The Kāi Tahu perspective recognises that species within ecosystems are connected, and *effects* on one species will be felt throughout the rest of the system. *Effects* on ~~māhika-kai~~ māhika kai⁵⁹⁴ and taoka species diversity and abundance affect the relationship of Kāi Tahu with these species. Whānau are unable to access traditional ~~māhika-kai~~ māhika kai⁵⁹⁵ and taoka species and places because in many cases they no longer exist, or no longer provide resources that were once abundant there.

Specific concerns include:

- Degradation of ~~māhika-kai~~ māhika kai⁵⁹⁶ due to the impacts of *contaminants* from both point and non-point source *discharges*, including human *waste* disposal to ~~māhika-kai~~ māhika kai⁵⁹⁷ areas.
- The *effects* of soil contamination from poorly managed *landfills*, industrial sites and *waste* disposal sites.
- Continued urban spread encroaching on ~~māhika-kai~~ māhika kai⁵⁹⁸ sites.
- Genetic modification of indigenous flora and fauna, which represents deliberate alteration of whakapapa.
- The impact on ~~māhika-kai~~ māhika kai⁵⁹⁹ and indigenous *biodiversity* from weed and *pest* invasion.
- Loss of indigenous fish *freshwater*⁶⁰⁰ species, many of which are taoka and ~~māhika-kai~~ māhika kai⁶⁰¹, through displacement and predation.
- Loss of indigenous flora and fauna remnants and lack of co-ordinated management of habitat corridors.
- Impacts on ~~māhika-kai~~ māhika kai⁶⁰² and aquatic ecosystems from a lack of effective catchment-wide riparian management.
- Loss of recruitment of indigenous flora in remnant bush areas due to continuous stock grazing.
- The impact of inappropriate forestry developments, conversion of tussock lands and other intensification of farming on indigenous flora and fauna values, including ecological disturbance and displacement of species.
- A persistent lack of recognition of Kāi Tahu perspectives, values and mātauraka in indigenous species and habitat management, planning, and decision-making.⁶⁰³
- The loss of cultural knowledge, mātauraka, and tikaka that has accompanied the loss of māhika kai, and indigenous biodiversity.⁶⁰⁴

⁵⁹⁴ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁹⁵ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁹⁶ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁹⁷ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁹⁸ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁹⁹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁶⁰⁰ 00137.037 DOC

⁶⁰¹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁶⁰² Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁶⁰³ 00226.066 Kāi Tahu ki Otago

⁶⁰⁴ 00226.066 Kāi Tahu ki Otago

RMIA-MKB-12 – Regulatory and physical barriers have impeded the ability of Kāi Tahu to access ~~māhika kai~~ māhika kai⁶⁰⁵ and to undertake customary harvest

The ability for Kāi Tahu to exercise customary rights to ~~māhika kai~~ māhika kai⁶⁰⁶ has been impeded by obstacles to accessing ~~māhika kai~~ māhika kai⁶⁰⁷ sites. Obstacles include lack of physical access and the sites no longer being safe to access due to the site becoming polluted, or a change in flow velocity and/or depth.

RMIA-MKB-13 – Impacts of *climate change* on both species/habitat viability and increasing *pest* (flora/fauna) encroachments

Climate change is now affecting and will continue to affect habitat availability and suitability for species in Otago. In some cases, this will mean that species will be able to increase their distribution, which will encourage spread of *pest/weed* species. *Climate change* will also reduce habitat and distributions for some species and affect habitat quality. These *effects* may also accumulate; for example, a native species may have worse and less habitat and its *pest/predator's* distribution and population may increase due to *climate change effects*. Where possible, environmental management should include planning for these effects should be planned for in environmental management and having regard for their impacts on Kāi Tahu and *mana whenua* values.⁶⁰⁸

RMIA-MKB-14 – Shortage of protected and secure areas for *biodiversity*

Currently there are not enough protected and secure areas for *biodiversity* in Otago. To ensure the long-term survival of our region's most *threatened species*, a series of protected areas must be established, ideally in a network connected by corridors so that each individual population is more *resilient* as well as the species' overall population.

RMIA-MKB-15 – Inconsistent approaches to *biodiversity* protection amongst regulatory authorities

Biodiversity is managed by several entities who have different approaches and powers through their separate governing legislation. For example, regional and district councils have obligations under the Resource Management Act 1991 and the Department of Conservation has obligations under the Conservation Act 1987 and the Wildlife Act 1953.⁶⁰⁹ Different pieces of legislation are not always consistent with each other. There can also be confusion about who is responsible for different aspects of *biodiversity* management as it is not managed by one entity.

RMIA-MKB-16 – Lack of information on species health and viability

In many instances there is a lack of information on species. This absence of information on matters such as life histories, current and previous distributions and habitat preferences makes it difficult to make decisions about how best to manage these species.

⁶⁰⁵ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁶⁰⁶ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁶⁰⁷ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁶⁰⁸ 00226.068 Kāi Tahu ki Otago

⁶⁰⁹ 00411.132 Wayfare

RMIA-WTU – *Wāhi tūpuna*

Context

Wāhi tūpuna (ancestral landscapes) across Otago are made up of interconnected sites and areas reflecting the history and traditions associated with the long settlement of Kāi Tahu in Otago. Areas of significance that form part of *wāhi tūpuna* include, but are not limited to:

- Wāhi tapu
- Kāika *nohoaka* (settlements)
- Wāhi kohātu and wāhi mahi kohātu (quarry sites)
- Wāhi ikoa (place names)
- Ara tawhito (traditional travel routes)
- Mauka (mountains), awa (rivers), roto (lakes), tai (coasts), and moana (seas)⁶¹⁰

It is important that resource management recognises the wider cultural setting by considering *effects* of activities on the broader *wāhi tūpuna* rather than just on discrete sites.

RMIA-WTU-I1 – The values of *wāhi tūpuna* are poorly recognised in resource management in Otago

Land, freshwater, and coastal⁶¹¹ management regimes have failed to adequately provide for Kāi Tahu interests in *wāhi tūpuna*. Attention has been too narrowly focused on the cultural redress components of the ~~Ngāi Tahu Claims Settlement Act 1998~~ NTCSA⁶¹² (statutory acknowledgements, place names, tōpuni areas and *nohoaka* sites), whereas *wāhi tūpuna* are considerably broader than the areas described in the legislation. The values of ~~these areas~~ *wāhi tūpuna*⁶¹³ can be adversely affected by inappropriate land use and development and by a range of activities that affect land, freshwater and coastal environments when those activities are poorly managed. Cumulative adverse effects on *wāhi tūpuna* values can result, impacting on the intergenerational relationship of Kāi Tahu with these areas.⁶¹⁴

Specific land management⁶¹⁵ concerns include:

- Changes to the recognisable character of *wāhi tūpuna* resulting from intensified *land use*, spread of exotic wilding trees and other woody weeds, forestry, *subdivision*, development of *buildings* and *structures*.
- Impacts on the integrity of *wāhi tūpuna* from extension and maintenance of *infrastructure* such as transport, telecommunications and other utility networks.
- Modification of landforms by *earthworks*, particularly on ridgelines and upper slopes and near waterways.
- Impacts on wāhi tapu and *archaeological sites* from *earthworks*.

⁶¹⁰ 00226.072 Kāi Tahu ki Otago

⁶¹¹ 00223.050 Ngāi Tahu ki Murihiku

⁶¹² Clause 16(2), Schedule 1, RMA

⁶¹³ 00223.050 Ngāi Tahu ki Murihiku

⁶¹⁴ 00223.050 Ngāi Tahu ki Murihiku

⁶¹⁵ 00223.050 Ngāi Tahu ki Murihiku

- Sedimentation of *water bodies* within *wāhi tūpuna*⁶¹⁶ from *earthworks*.
- Poor *land* management and inappropriate *land use* degrades the whenua itself.
- Failure to recognise Kāi Tahu connections to the *land* through use of traditional names for landscape features and sites.

Freshwater, biodiversity, coastal management and air and atmosphere issues that affect Kāi Tahu relationship with wāhi tūpuna are outlined in the RMIA-WAI, RMIA-MKB, RMIA-CE and RMIA-AA sections.⁶¹⁷

RMIA-WTA – Wāhi tapu and wāhi taoka

Context

~~Tribal~~ Ancestral⁶¹⁸ land was not just the source of economic well-being. For Māori it was also the burial ground of the placenta and of the bones of ancestors, the abode of tribal atua and a storybook through place names and traditions. This is reflected in ~~Te Reo~~ te reo⁶¹⁹ Māori, as the word ‘whenua’ means both ‘placenta’ and ‘land’. Ancestral lands were therefore regarded with deep veneration. For Kāi Tahu, the terms wāhi tapu and wāhi taoka refers to places with elevated mana and tapu due to their close association with atua and tūpuna. For example: that hold the respect of the people in accordance with tikaka or history including:⁶²⁰

- Mauka (mountains)
- Urupā (burial places)
- Tuhituhi neherā (rock art)
- Umu (ovens)
- *Nohoaka* (seasonal camp sites)

RMIA-WTA-I1 – ~~Land use a~~Activities⁶²¹ have resulted in disturbance and degradation of wāhi tapu and wāhi taoka sites and the cultural and spiritual values associated with these areas

Wāhi tapu and wāhi taoka sites are vulnerable to disturbance or destruction from ~~the~~ both direct and indirect⁶²² effects of resource use and development. ~~This is through~~ Direct effects can include those resulting from⁶²³ activities that require earthworks in proximity, ~~as well as from a~~ Natural⁶²⁴ or human-induced changes to biophysical processes can threaten these sites, such as for example,⁶²⁵ coastal erosion. Wāhi tapu and wāhi taoka values can also be adversely affected by the encroachment of culturally offensive activities e.g. it is inappropriate to have a *wastewater* treatment plant at or near a wāhi tapu or wāhi taoka. *Nohoaka*, as sites where *mahika kai* is gathered or was gathered in the

⁶¹⁶ 00226.024 Kāi Tahu ki Otago

⁶¹⁷ 00223.050 Ngāi Tahu ki Murihiku

⁶¹⁸ Clause 16(2), Schedule, RMA

⁶¹⁹ 00226.073 Kāi Tahu ki Otago

⁶²⁰ 00226.073 Kāi Tahu ki Otago

⁶²¹ 00223.051 Ngāi Tahu ki Murihiku

⁶²² 00223.051 Ngāi Tahu ki Murihiku

⁶²³ 00223.051 Ngāi Tahu ki Murihiku

⁶²⁴ 00223.051 Ngāi Tahu ki Murihiku

⁶²⁵ 00223.051 Ngāi Tahu ki Murihiku

past, are particularly at risk from the combination of direct and indirect effects, and from cumulative adverse effects. Nohoaka sites are degraded when mahika kai can no longer be gathered there.⁶²⁶

Specific concerns include:

- Disturbance, modification or destruction of wāhi tapu or wāhi taoka by *earthworks*.
- Degradation of the cultural value and integrity of wāhi tapu or wāhi taoka through contamination by *discharges*, inappropriate development, and culturally inappropriate activities such as mining/quarrying, *landfills* or *wastewater* disposal.
- The resurfacing of kōiwi takata (human remains) through natural and human-induced processes, such as *climate change*,⁶²⁷ and ensuring that these are kept safe and returned to Kāi Tahu so that they can be reinterred in accordance with tikaka.
- Ineffective management of *effects* due to inappropriate and inaccurate recording of wāhi tapu and wāhi taoka, and misinterpretation of the status and importance of sites.

RMIA-WTA-I2 – Access to wāhi tapu and wāhi taoka and the ability to undertake customary activities on these sites has been impeded

Access to culturally important sites has been impeded in many ways, affecting the ability of *mana whenua* to carry out customary activities and maintain relationships with wāhi tapu and wāhi taoka.⁶²⁸ Many sites are privately owned and cannot be accessed. Some sites no longer exist, or the customary activities associated with them⁶²⁹ cannot be undertaken. ~~For~~⁶³⁰ For example, *nohoaka* sites associated with ~~mahika kai~~ *mahika kai* gathering cannot be used if ~~the mahika kai is no longer there.~~ there is no way to reach the site or no safe way to harvest when at the site because of physical constraints.⁶³¹ A limited number of *nohoaka* sites were granted to Kāi Tahu through the ~~Ngāi Tahu Claims Settlement Act 1998~~ NTCSA⁶³² as redress for loss of traditional sites. Some of these were traditional sites, but others were in new locations. Some *nohoaka* have also become dissociated from their customary use due to *land* use change, freshwater management practices,⁶³³ and hazard management. For example, if the *river* channel has moved and the *nohoaka* has not, whānau visiting the *nohoaka* are not able to fish there.

RMIA-AA – Air and atmosphere

Context

As discussed in Part 1, the air and atmosphere are resources of significance to Kāi Tahu. In Kāi Tahu traditions, air and atmosphere emerged through the creation traditions and Te Ao Marama. The air is an integral part of the *environment* that must be valued, used with respect, and passed on intact to the next generation. Pollution of the atmosphere adversely affects the mauri of this taoka and other taoka such as plants and animals.

⁶²⁶ 00223.051 Ngāi Tahu ki Murihiku

⁶²⁷ 00226.074 Kāi Tahu ki Otago

⁶²⁸ 00223.051 Ngāi Tahu ki Murihiku

⁶²⁹ 00223.051 Ngāi Tahu ki Murihiku

⁶³⁰ 00223.051 Ngāi Tahu ki Murihiku

⁶³¹ 00223.051 Ngāi Tahu ki Murihiku

⁶³² Clause 16(2), Schedule 1, RMA

⁶³³ 00223.051 Ngāi Tahu ki Murihiku

RMIA-AA-I1 –The cultural impacts of *discharges* to air are poorly recognised in resource management

The cultural impacts of air pollution and *discharges* to air are poorly understood and seldom recognised. *Discharges* to air can adversely affect health and can be culturally offensive. Clean air is important to the health of ~~maohika kai~~ *maohika kai*⁶³⁴ and people, and odour and other emissions impact on the tapu of wāhi tapu sites. Air emissions can also reduce the visibility of cultural landscape *wāhi tūpuna*⁶³⁵ features and of the moon, stars, and rainbows.

Specific concerns include:

- Potential impacts of *climate change* which could potentially negatively affect ~~taoka such as wai Māori māori and wai tai,~~ ⁶³⁶ ~~maohika kai~~ *maohika kai*⁶³⁷ and *biodiversity, wāhi tūpuna, wāhi tapu, and wāhi taoka, the coastal environment*⁶³⁸ and⁶³⁹ the well-being of all people, and the *environment as an integrated system.*⁶⁴⁰
- Insufficient data has been collected and distributed about the *effects* of *discharges* to air.
- The *effects* of *discharges* to air on the health of people and ~~maohika kai~~ *maohika kai*⁶⁴¹, including *discharges* from industrial or trade premises, agrichemical spray drift, vehicle emissions and emissions from domestic fires in built up areas prone to inversion layers.
- Culturally offensive *discharges* from crematoriums, if located in close proximity to ~~maohika kai~~ *maohika kai*⁶⁴² and wāhi taoka.
- Adverse *effects* of vegetation burning on the integrity and the tapu of wāhi tapu sites.
- Impacts of odour on wāhi tapu, ~~maohika kai~~ *maohika kai*⁶⁴³ sites and *nohoaka*.
- Impacts of urban settlement and *discharges* to air on the visibility of the sky and *wāhi tūpuna* features.
- The impact of dust on the integrity of rock art sites.

RMIA-CE – Coastal environment (te takutai Taku tai moana me te wai Māori tai)⁶⁴⁴

Context

The coastal environment is particularly significant for Kāi Tahu in the southern South Island. The spiritual and cultural significance of taku tai moana me te wai māori (saltwater and *freshwater*) and the interconnection between *land* and sea *environments* are not always well recognised in management of the coastal environment.

⁶³⁴ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁶³⁵ 00223.006 Te Ao Marama

⁶³⁶ 00226.077 Kāi Tahu ki Otago

⁶³⁷ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁶³⁸ 00226.077 Kāi Tahu ki Otago

⁶³⁹ Clause 16(2), Schedule 1, RMA

⁶⁴⁰ 00226.077 Kāi Tahu ki Otago

⁶⁴¹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁶⁴² Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁶⁴³ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁶⁴⁴ 00226.078 Kāi Tahu ki Otago

RMIA-CE-I1 – ~~Mahika kai~~ Mahika kai⁶⁴⁵ and coastal systems are adversely affected by lack of integrated management across the land-water interface

Management of ~~mahika kai~~ mahika kai⁶⁴⁶ species and their habitats varies and is not holistic. Many important indigenous ~~mahika kai~~ mahika kai⁶⁴⁷ fish species are diadromous and move between *freshwater* and the ocean during different parts of their life cycle. The interconnection between *land* and marine *environments* needs to be carefully considered in order to manage *effects* that cross the *coastal marine area* boundary.

Specific concerns include:

- *Effects* on the coastal environment and natural systems resulting from modifications to waterways, such as damming and artificial openings of *river* mouths, estuary and lagoon systems.
- The *effects* of reductions in *river* flows on ingress of saltwater to *river* systems and conditions for inaka spawning.
- Barriers to species migration, and hence lifecycles, created by changes to *river* mouths from reductions in *river* flow.
- Impacts of changes in sediment transport on coastal ecosystems.
- The *effects* of *land reclamation* on *water* quality and flow in enclosed ~~harbours~~ harbours⁶⁴⁸ and estuarine ecosystems.
- *Effects* of *land use* activities and poor management of coastal margins on *coastal water* quality.
- *Climate change effects* occur across the land-water interface and the *freshwater*-saltwater interface, and cause changes to ~~mahika kai~~ mahika kai⁶⁴⁹ species distribution and the quality and locations of ~~mahika kai~~ mahika kai⁶⁵⁰ habitat.

RMIA-CE-I2 – *Discharges into coastal waters and marine dumping of waste degrade* ~~mahika kai~~ mahika kai⁶⁵¹ and the mauri of the waters

The practice of using the marine *environment* as a sink for disposal of *waste* from ~~both land development and marine vessels~~ activities that occur on *land* and in the marine *environment*⁶⁵² is culturally offensive and has resulted in degradation of kaimoana resources. Leaching and overland runoff of *contaminants* from activities occurring near the coast have also contributed to the adverse *effects* on the marine area.

Specific concerns include:

- Point source industrial *discharges* to the coastal environment.
- Contamination of *coastal waters* by leachate from inappropriately sited *landfills* and other *waste* disposal sites and runoff from coastal subdivisions.
- *Discharges of sewage* from marine outfalls, poorly designed or inadequate coastal sewerage *infrastructure* and freedom camping.

⁶⁴⁵ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁶⁴⁶ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁶⁴⁷ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁶⁴⁸ Clause 16(2), Schedule 1, RMA

⁶⁴⁹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁶⁵⁰ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁶⁵¹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁶⁵² 00126.002 Harbour Fish; 00124.002 Southern Inshore Fisheries

- The *effects of contaminants* such as oil and carbon particles in *discharges of stormwater* from urban roads.
- *Discharges of sewage* and contaminated bilge and ballast water from ships.
- Proliferation of rubbish in the coastal environment and in lakes and rivers,⁶⁵³ including materials such as lengths of rope from boats and moorings, plastic packaging strips, discarded and lost fishing gear, glass and plastic bottles as well as other dumped material.
- *Discharge* or disposal of *waste* products from the processing of marine species.
- Oil and chemical spills negatively affecting the natural *environment*.
- Indiscriminate Inappropriate disposal of human wastes, including indiscriminate⁶⁵⁴ *discharge* of human ashes in sensitive areas such as kaimoana areas, or without the knowledge of *takata whenua*, and *discharge of washdown wastes* from mortuaries and funeral homes to *coastal waters through stormwater drains*.⁶⁵⁵

RMIA-CE-I3 – The ability for Kāi Tahu ki Otago to access and harvest kaimoana has been impeded by the effects of activities in the coastal and marine environment

Parts of the coastal environment in Otago have been heavily modified since the arrival of settlers. Many parts of the coast around Dunedin have been reclaimed to establish the city, and the harbor has been dredged to enable the growth of the port. This has limited the ability for whānau to carry out customary harvest of kaimoana resources and to access sites of significance for customary fishing. Whānau are often unable to physically access the foreshore and seabed for the collection of kaimoana, or find that kai is no longer safe to eat due to pollution.

Specific concerns include:

- Impacts on kaimoana and associated habitats from the *effects* of waterway modifications on estuarine systems and the *freshwater/saltwater* interface.
- Modification or loss of marine habitats as a result of *reclamation*, dredging and dumping.
- Disturbance of intertidal habitats by vehicle access along beaches.
- Potential for modification and displacement of habitats by *aquaculture activities*.
- The negative *effects* of point and non-point source *discharges* on *water* quality.
- The introduction and spread of exotic species, such as the invasive seaweed *undaria*, through ballast, hull cleaning, and other shipping activities.
- Loss of access due to development of coastal *land*.

RMIA-CE-I4 – Habitat disturbance and modification has contributed to decline in populations of indigenous marine species, including marine mammals

Indigenous marine species, including marine mammals, are regarded as taoka by Kāi Tahu, and in many cases these are recognised through the NTCSA-1998⁶⁵⁶. The health and abundance of marine species populations are threatened by modification and loss of natural habitat as a result of the impacts identified in RMIA-CE-I2 and RMIA-CE-I3.

⁶⁵³ 00411.134 Wayfare

⁶⁵⁴ 00226.080 Kāi Tahu ki Otago

⁶⁵⁵ 00226.080 Kāi Tahu ki Otago

⁶⁵⁶ Clause 16(2), Schedule 1, RMA

RMIA-CE-15 – Wāhi tapu and wāhi tūpuna values in the coastal environment are poorly recognised and protected

The coastal environment is the domain of Takaroa and includes the *coastal waters* of Te Tai o Ara Te Uru as well as the adjoining land. Tauraka waka (waka landing places) occur up and down the coast in their hundreds and wherever a tauraka waka is located there is also likely to be a *nohoaka*, fishing ground, kaimoana resource, or rimurapa (seaweed) with the sea trail linked to a *land* trail or ~~mahika kai~~ *mahika kai*⁶⁵⁷ resource. Burial sites and other wāhi tapu are also associated with these wāhi tūpuna. Seascapes such as reef systems also form part of wāhi tūpuna.

Wāhi tapu and the broader wāhi tūpuna can be adversely affected by inappropriate activities and developments on coastal *land* and in the *coastal marine areas*.

Specific concerns include:

- Damage to and disturbance of wāhi tapu resulting from coastal erosion and the impacts of climate change,⁶⁵⁸ earthworks associated with *subdivisions*, and development of coastal walkways.
- The *effects of land* fragmentation on access to sites of significance.
- Loss of the integrity of ~~cultural landscapes~~ *wāhi tūpuna*⁶⁵⁹ by *reclamation* and the inappropriate location of *structures* and activities associated with aquaculture, tourism activities, *infrastructure*, and vessel moorings.
- Disturbance from mining of the seabed and foreshore.
- Restriction of access to tauraka waka and associated trails due to *land* development.
- The cumulative *effect* of incremental, uncoordinated *subdivisions*, *land use* change and building within the coastal environment.
- Failure to recognise and provide for the *effects of climate change* and⁶⁶⁰ of changing sea levels on coastal landscapes.

RMIA-PO – Pounamu

Context

Kāi Tahu customs are intricately linked to this special taoka. ~~There is currently no Regional Pounamu Plan for Otago. Many ara tāwhito, ancient trails, in Otago lead from coastal settlements to inland pounamu resources.~~⁶⁶¹ Management of this taoka is currently dependent on the provisions of the Ngāi Tahu (Pounamu Vesting) Act 1997 ~~and a rāhui pounamu is in place in the Otago region, which vests pounamu with Te Rūnanga o Ngāi Tahu. Papatipu rūnaka act as kaitiaki pounamu. There is currently no Regional Pounamu Plan for Otago. However, a rāhui pounamu is in place in the Otago region.~~⁶⁶²

⁶⁵⁷ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁶⁵⁸ 00226.083 Kāi Tahu ki Otago

⁶⁵⁹ 00223.006 Te Ao Marama

⁶⁶⁰ 00226.083 Kāi Tahu ki Otago

⁶⁶¹ 00223.052 Ngāi Tahu ki Murihiku

⁶⁶² 00223.052 Ngāi Tahu ki Murihiku

RMIA-PO-I1 – Pounamu resources need protection ~~from the effects of land use activities~~⁶⁶³

Pounamu is a taoka for Kāi Tahu, ~~but~~ and pounamu management according to mātauraka, tikaka and kawa is a tribal priority. ~~a lack~~ Lack⁶⁶⁴ of recognition and protection of pounamu resources may lead to these resources, the areas where they are found and Kāi Tahu relationship with them being unknowingly⁶⁶⁵ degraded, Pounamu resources may be present on *land* or in waterways. Kāi Tahu relationship with these resources can be affected by extractive activities,⁶⁶⁶ for example by extraction of material for *road* aggregate, and by reduced *water* quality and poor *water body* management.⁶⁶⁷

⁶⁶³ 00223.052 Ngāi Tahu ki Murihiku

⁶⁶⁴ 00223.052 Ngāi Tahu ki Murihiku

⁶⁶⁵ 00223.052 Ngāi Tahu ki Murihiku

⁶⁶⁶ 00223.052 Ngāi Tahu ki Murihiku

⁶⁶⁷ 00223.052 Ngāi Tahu ki Murihiku

IM – Integrated management

Objectives

IM-O1 – Long term vision (mō tātou, ā, mō kā uri ā muri ake nei)⁶⁶⁸

The management of *natural and physical resources* in Otago,⁶⁶⁹ by and for the people of Otago, ~~including in partnership with~~⁶⁷⁰ Kāi Tahu, ~~and as expressed in all resource management plans and decision making,~~⁶⁷¹ achieves a healthy, and resilient, and safeguarded⁶⁷² natural systems environment,⁶⁷³ ~~and including~~⁶⁷⁴ the ecosystem services they offer it provides,⁶⁷⁵ and supports the well-being of present and future generations, ~~mō tātou, ā, mō kā uri ā muri ake nei.~~⁶⁷⁶

IM-O2 – Ki uta ki tai

~~The management of n~~*Natural and physical resources management and decision making in Otago*⁶⁷⁷ embraces ki uta ki tai, recognising that the *environment* is an interconnected system,⁶⁷⁸ which depends on its connections to flourish,⁶⁷⁹ and must be ~~considered~~ managed⁶⁸⁰ as an interdependent whole.

IM-O3 – ~~Environmentally s~~Sustainable impact⁶⁸¹

Otago's communities ~~carry out their activities in a way~~ provide for their social, economic, and cultural well-being in ways⁶⁸² that support or restore ~~preserves~~⁶⁸³ environmental integrity, form, functioning,⁶⁸⁴ and *resilience*, so that the life-supporting capacities of air, *water, soil, and* ecosystems are safeguarded, ~~and indigenous biodiversity endure~~ for future generations.⁶⁸⁵

⁶⁶⁸ Clause 16(2), Schedule 1, RMA.

⁶⁶⁹ 00239.034 Federated Farmers

⁶⁷⁰ 00226.085 Kāi Tahu ki Otago

⁶⁷¹ 00121.015 Ravensdown

⁶⁷² 00211.004 LAC, 00210.004 Lane Hocking, 00209.004 Universal Developments, 00118.005 Maryhill, 00014.005 Mt Cardrona Station

⁶⁷³ 00231.03 Fish and Game

⁶⁷⁴ 00139.022 DCC

⁶⁷⁵ 00239.034 Federated Farmers

⁶⁷⁶ 00239.034 Federated Farmers

⁶⁷⁷ 00121.016 Ravensdown

⁶⁷⁸ Clause 16(2), Schedule 1, RMA

⁶⁷⁹ Clause 16(2), Schedule 1, RMA

⁶⁸⁰ 00137.039 DOC

⁶⁸¹ 00231.031 Fish and Game, 00411.024 Wayfare

⁶⁸² 00121.017 Ravensdown

⁶⁸³ 00211.005 LAC, 00210.005 Lane Hocking, 00118.006 Maryhill, 00114.006 Mt Cardrona Station, 00209.005 Universal Developments

⁶⁸⁴ 00235.060 OWRUG

⁶⁸⁵ 00121.017 Ravensdown

IM-O4 – Climate change⁶⁸⁶

Otago’s communities, including Kāi Tahu, understand what *climate change* means for their future, and responses to *climate change* responses⁶⁸⁷ in the region, [including *climate change adaptation* and *climate change mitigation actions*];⁶⁸⁸

- (1) are aligned with national level *climate change* responses,
- (2) assist with achieving the national target for emissions reduction,⁶⁸⁹ and
- (3) are recognised as integral to achieving the outcomes sought by this RPS.

Policies

IM-P1 – Integrated approach to decision-making⁶⁹⁰

Giving effect to the integrated package of objectives and policies in this RPS requires decision-makers to consider all provisions relevant to an issue or decision and apply them according to the terms in which they are expressed, and if there is a conflict between provisions that cannot be resolved by the application of higher order documents, prioritise:

- (1) the life-supporting capacity and mauri of air, water, soil, and ecosystems, and then
- (2) the health and safety of people and communities, and their ability to provide for their social, economic, and cultural well-being, now and in the future.⁶⁹¹

The objectives and policies in this RPS form an integrated package, in which:

- (1) all activities are carried out within the environmental constraints of this RPS,
- (2) all provisions relevant to an issue or decision must be considered,
- (3) if multiple provisions are relevant, they must be considered together and applied according to the terms in which they are expressed, and
- (4) notwithstanding the above, all provisions must be interpreted and applied to achieve the integrated management objectives IM-O1 to IM-O4.

IM-P2 – Decision priorities

Unless expressly stated otherwise, all decision making under this RPS shall:

- (1) firstly, secure the long-term life-supporting capacity and mauri of the natural environment,
- (2) secondly, promote the health needs of people, and

⁶⁸⁶ All formatting amendments recommended: Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendments arising from 00120.025 Yellow-eyed Penguin Trust, 00509.038 Wise Response

⁶⁸⁷ Clause 16(2), Schedule 1, RMA

⁶⁸⁸ Clause 10(2)(b)(i), Schedule 1, RMA – Consequential amendment arising from 00509.015 Wise Response

⁶⁸⁹ 00120.025 Yellow-eyed Penguin Trust, 00509.038 Wise Response

⁶⁹⁰ Clause 16(2), Schedule 1, RMA

⁶⁹¹ 00139.026 DCC, 00235.062 OWRUG, 00314.011 Transpower, 00239.036 Federated Farmers, 00139.027 DCC, 00231.033 Fish and Game, 00314.011 Transpower, 00230.032 Forest and Bird, 00230.033 Forest and Bird, 00206.016 Trojan, 00411.026 Wayfare, 00306.020 Meridian

- (3) ~~thirdly, safeguard the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.~~⁶⁹²

IM-P3 – Providing for *mana whenua* cultural values in achieving integrated management

Recognise and provide for the relationship of Kāi Tahu ~~'s relationship~~⁶⁹³ with natural resources by:

- (1) enabling *mana whenua* to exercise rakatirataka and *kaitiakitaka*,
- (2) facilitating active participation of *mana whenua* in resource management processes and⁶⁹⁴ decision-making,
- (3) incorporating mātauraka Māori in processes and⁶⁹⁵ decision-making⁶⁹⁶, and
- (4) ensuring resource management provides for the connections of Kāi Tahu to *wāhi tūpuna*, ~~water and water bodies, the coastal environment, wai māori (including awa [rivers] and roto [lakes]) and wai tai (including te takutai moana [coastal marine area]) and~~⁶⁹⁷ *māhika kai mahika kai*⁶⁹⁸ and habitats of taoka species.⁶⁹⁹

IM-P4 – Setting a strategic approach to ecosystem health

Healthy and *resilient*⁷⁰⁰ ecosystems and ecosystem services are achieved by developing regional plans and district plans ~~through a planning framework that.~~⁷⁰¹

- (1) ~~protects have~~⁷⁰² particular regard to ~~their the~~ intrinsic values of ecosystems,⁷⁰³
- (2) ~~takes take~~⁷⁰⁴ a long-term strategic approach that recognises ~~changing environments ongoing~~ environmental change,⁷⁰⁵ including the impacts of *climate change*,⁷⁰⁶
- (3) ~~recognises recognise~~⁷⁰⁷ and ~~provides provide~~⁷⁰⁸ for ecosystem complexity and interconnections, and

⁶⁹² 00121.020 Ravensdown, 00315.016 Aurora Energy, 00322.007 Fulton Hogan, 00235.063 OWRUG, 00314.011 Transpower, 00016.001 Alluvium and Stoney Creek, 00017.001 Danny Walker and Others, 00023.003 Waterfall Park, 00025.016 Boxer Hill Trust, 00320.013 Network Waitaki, 00511.013 PowerNet, 00313.005 Queenstown Airport, 00311.009 Trustpower, 00240.012 NZ Pork, 00301.013 Port Otago, 00236.036 Horticulture NZ, 00115.010 Oceana Gold, 00138.008 QLDC

⁶⁹³ Clause 16(2), Schedule 1, RMA

⁶⁹⁴ 00226.091 Kāi Tahu ki Otago

⁶⁹⁵ 00226.091 Kāi Tahu ki Otago

⁶⁹⁶ Clause 16(2), Schedule 1 RMA

⁶⁹⁷ 00226.091 Kāi Tahu ki Otago

⁶⁹⁸ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁶⁹⁹ 00226.091 Kāi Tahu ki Otago

⁷⁰⁰ 00231.034 Fish and Game, 00230.034 Forest and Bird

⁷⁰¹ 00121.021 Ravensdown

⁷⁰² Clause 10(2)(b)(i), Schedule 1, RMA – consequential to 00121.021 Ravensdown

⁷⁰³ 00211.006 LAC, 00210.006 Lane Hocking, 00118.007 Maryhill, 00014.007 Mt Cardrona Station, 00209.006 Universal Developments, 00121.021 Ravensdown, 00235.064 OWRUG; Clause 16(2), Schedule 1, RMA.

⁷⁰⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential to 00121.021 Ravensdown

⁷⁰⁵ Clause 16(2), Schedule 1, RMA

⁷⁰⁶ 00226.092 Kāi Tahu ki Otago

⁷⁰⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential to 00121.021 Ravensdown

⁷⁰⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential to 00121.021 Ravensdown

- (4) ~~anticipates anticipate~~⁷⁰⁹ or ~~responds respond~~⁷¹⁰ swiftly to, changes in activities, pressures, and trends.

IM-P5 – Managing environmental interconnections

~~In resource management decision-making,~~⁷¹¹ ~~manage the use and development~~ ~~Coordinate the management~~⁷¹² of interconnected *natural and physical resources* by recognising ~~and providing for~~:¹²

- (1) situations where the value and function of a *natural or physical resource* extends beyond the immediate, or directly adjacent, area of interest,
- (2) ~~the effects of activities on a natural or physical resource as a whole when that resource is managed as sub-units~~ situations where the effects of an activity extend to a different part of the environment,⁷¹³ and
- (3) the impacts of management of one *natural or physical resource* on the values of another, or on the *environment*.

IM-P6 – Acting on best available information Managing uncertainties⁷¹⁴

~~Avoid unreasonable delays in decision-making processes by using the best information available at the time, including but not limited to mātauraka Māori, local knowledge, and reliable partial data.~~

In resource management decision-making, manage uncertainties by using the best information available at the time, including scientific data and mātauraka Māori, and:

- (1) taking all practicable steps to reduce uncertainty, and:
 - (a) in the absence of complete and scientifically robust data, using information obtained from modelling, reliable partial data, and local knowledge, with preference for sources of information that provide the greatest level of certainty, and
 - (b) avoiding unreasonable delays in making decisions because of uncertainty about the quality or quantity of the information available, and
- (2) adopting a precautionary approach, including through use of adaptive management, towards activities whose effects are uncertain, unknown, or little understood, but potentially significantly adverse.⁷¹⁵

⁷⁰⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential to 00121.021 Ravensdown

⁷¹⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential to 00121.021 Ravensdown

⁷¹¹ Clause 16(2), Schedule 1, RMA

⁷¹² Clause 16(2), Schedule 1, RMA

⁷¹³ 00226.093 Kāi Tahu ki Otago

⁷¹⁴ 00226.094 Kāi Tahu ki Otago

⁷¹⁵ 00137.042 DOC, 00014.022 John Highton, 00239.038 Federated Farmers, 00235.065 OWRUG, 00233.023 Fonterra, 00406.005 Lauder Creek Farming, 00120.024 Yellow-eyed Penguin Trust, 00509.036 Wise Response, 00139.040 DCC, 00121.027 Ravensdown, 00301.015 Port Otago

IM-P7 – Cross boundary management

Coordinate the management of ~~Otago's~~⁷¹⁶ *natural and physical resources and the environment*⁷¹⁷ across jurisdictional boundaries and, whenever possible, between overlapping or related agency responsibilities.

IM-P8 – Effects of climate change impacts⁷¹⁸

Recognise and provide for ~~the effects of climate change processes and risks~~ by:⁷¹⁹

- (1)⁷²⁰ identifying the effects of climate change impacts⁷²¹ in Otago, including impacts from a te ao Māori the perspectives of Kāi Tahu as mana whenua,⁷²²
- (2) assessing how the impacts effects⁷²³ are likely to change over time, and
- (3) ~~anticipating~~ taking into account⁷²⁴ those changes in resource management processes and decisions.

IM-P9 – Community response to *climate change impacts*

~~By 2030 Otago's communities have established responses for adapting to the impacts of climate change, are adjusting their lifestyles to follow them, and are reducing their greenhouse gas emissions to achieve net-zero carbon emissions by 2050.~~⁷²⁵

IM-P10 – *Climate change adaptation and climate change mitigation*⁷²⁶

Identify and implement *climate change adaptation* and climate change mitigation⁷²⁷ methods for Otago that:

- (1) minimise the ~~effects of climate change processes or risks~~⁷²⁸ to existing activities on the environment,⁷²⁹
- (2) ~~prioritise avoiding the establishment of new activities in areas subject to risk from the effects of climate change, unless those activities reduce, or are resilient to, those risks, and~~⁷³⁰
- (3) provide Otago's communities, including Kāi Tahu, with the best chance to thrive, ~~even under the most extreme climate change scenarios, and~~⁷³¹

⁷¹⁶ Clause 16(2) Schedule 1 RMA

⁷¹⁷ 00231.036 Fish and Game

⁷¹⁸ 00509.044 Wise Response

⁷¹⁹ 00509.044 Wise Response

⁷²⁰ Clause 16(2), Schedule 1, RMA

⁷²¹ 00509.044 Wise Response

⁷²² 00226.096 Kāi Tahu ki Otago

⁷²³ 00509.044 Wise Response

⁷²⁴ 00239.039 Federated Farmers, 00139.033 DCC

⁷²⁵ 00213.011 Waitaki Irrigators, 00239.040 Federated Farmers

⁷²⁶ Clause 10(2)(b)(i), Schedule 1, RMA – Consequential amendment arising from 00509.015 Wise Response

⁷²⁷ Clause 10(2)(b)(i), Schedule 1, RMA – Consequential amendment arising from 00509.015 Wise Response

⁷²⁸ 00509.044 Wise Response

⁷²⁹ 00137.044 DOC, 00226.098 Kāi Tahu ki Otago

⁷³⁰ 00211.057 LAC, 00210.057 Lane Hocking, 00118.011 Maryhill

⁷³¹ 00509.039 Wise Response

(4) enhance environmental, social, economic, and cultural⁷³² resilience to the adverse effects of climate change, including⁷³³ by facilitating activities that reduce those effects.⁷³⁴

IM-P11—Enhancing environmental resilience to effects of climate change

Enhance environmental *resilience* to the adverse *effects* of *climate change* by facilitating activities that reduce human impacts on the *environment*.⁷³⁵

IM-P12 – Contravening *environmental bottom lines limits*⁷³⁶ for climate change mitigation

Where if⁷³⁷ a proposed activity provides or will provide enduring regionally or nationally significant climate change mitigation mitigation of climate change impacts,⁷³⁸ with commensurate benefits for the well-being of people and communities and the wider environment, decision makers may, at their discretion,⁷³⁹ allow non-compliance with an environmental bottom line limit⁷⁴⁰ set in, or resulting from,⁷⁴¹ any policy or method of this RPS only if they are satisfied that:

- (1) ~~the activity is designed and carried out to have the smallest possible environmental impact consistent with its purpose and functional needs,⁷⁴² and~~
- (2) ~~the activity is consistent and coordinated⁷⁴³ with other regional and national climate change mitigation activities, and~~
- (3) ~~adverse effects on the environment that cannot be are avoided, remedied, or mitigated so that they are minimised to the greatest extent practicable and any residual adverse effects are offset, or compensated for, and if an offset is not possible, in accordance with any specific criteria for using offsets or compensation, and ensuring that any offset is:~~
 - (a) ~~undertaken where it will result in the best ecological outcome,~~
 - (b) ~~close to the location of the activity, and~~
 - (c) ~~within the same ecological district or coastal marine biogeographic region,⁷⁴⁴~~
- (4) ~~the activity will not impede either the achievement of the objectives of this RPS or the objectives of regional policy statements in neighbouring regions, and⁷⁴⁵~~
- (5) ~~the activity will not contravene a bottom line set in⁷⁴⁶ a national policy statement or national environmental standard., and~~

⁷³² 00322.008 Fulton Hogan

⁷³³ 00307.011 CIAL

⁷³⁴ 00509.040 Wise Response, 00235.067 OWRUG

⁷³⁵ 00509.040 Wise Response

⁷³⁶ 00119.003 Blackthorn Lodge, 00231.009 Fish and Game, 00231.038 Fish and Game, 00306.025 Meridian, 00206.019 Trojan, 00411.030 Wayfare

⁷³⁷ Clause 16(2), Schedule 1, RMA

⁷³⁸ 00301.014 Port Otago

⁷³⁹ Clause 16(2), Schedule 1, RMA

⁷⁴⁰ 00231.009 Fish and Game

⁷⁴¹ 00306.025 Meridian

⁷⁴² 00306.025 Meridian, 00311.011 Trustpower

⁷⁴³ 00311.011 Trustpower

⁷⁴⁴ 00119.003 Blackthorn Lodge, 00206.019 Trojan, 00411.030 Wayfare, 00306.025 Meridian, 00311.011 Trustpower, 00318.009 Contact

⁷⁴⁵ 00311.011 Trustpower

⁷⁴⁶ 00231.009 Fish and Game

(6) it is demonstrated that there are no other reasonable alternatives to the activity proposed.⁷⁴⁷

IM-P13 – Managing cumulative effects

~~Otago’s environmental integrity, form, function, and resilience, and opportunities for future generations, are protected by recognising and specifically managing the cumulative effects of activities on natural and physical resources in plans and explicitly accounting for these effects in other resource management decisions.~~⁷⁴⁸

In resource management decision-making, recognise and manage the impact of cumulative effects on the form, functioning and resilience of Otago’s environment (including resilience to climate change) and the opportunities available for future generations.⁷⁴⁹

IM-P14 – Human impact Sustaining resource potential⁷⁵⁰

When preparing regional plans and district plans, preserve⁷⁵¹ opportunities for future generations by:

- (1) where necessary to achieve the objectives of this RPS,⁷⁵² ~~identifying environmental~~⁷⁵³ ~~limits to both growth and adverse effects of human activities~~⁷⁵⁴ beyond which the environment will be degraded,
- (2) requiring that activities are established in places, and carried out in ways, that are within those ~~environmental~~⁷⁵⁵ limits and are compatible with the natural capabilities and capacities of the resources they rely on, ~~and~~
- (3) regularly assessing and adjusting ~~environmental~~ limits and ~~thresholds for the way~~⁷⁵⁶ activities are managed⁷⁵⁷ over time in light of the actual and potential environmental impacts-, including those related to climate change, and⁷⁵⁸
- (4) providing for activities that reduce, mitigate, or avoid adverse effects on the environment.⁷⁵⁹

IM-P15 – Precautionary approach

~~Adopt a precautionary approach towards proposed activities whose effects are uncertain, unknown or little understood, but could be significantly adverse, particularly where the areas and values within Otago have not been identified in plans as required by this RPS.~~⁷⁶⁰

⁷⁴⁷ 00231.038 Fish and Game

⁷⁴⁸ 00235.070 OWRUG, 00121.026 Ravensdown

⁷⁴⁹ 00137.045 DOC, 00119.004 Blackthorn Lodge

⁷⁵⁰ Clause 16(2), Schedule 1, RMA

⁷⁵¹ 00235.071 OWRUG

⁷⁵² 00210.008 Lane Hocking

⁷⁵³ 00231.009 Fish and Game

⁷⁵⁴ 00235.071 OWRUG

⁷⁵⁵ 00231.009 Fish and Game

⁷⁵⁶ 00314.012 Transpower, 00118.014 Maryhill

⁷⁵⁷ 00314.012 Transpower, 00118.014 Maryhill

⁷⁵⁸ 00226.102 Kāi Tahu ki Otago

⁷⁵⁹ 00137.046 DOC

⁷⁶⁰ 00137.042 DOC, 00014.022 John Highton

Methods

IM-M1 – Regional plans⁷⁶¹ and district plans

Local authorities must prepare or amend and maintain their regional plans⁷⁶² and district plans to:

- (1) ~~establish, by December 2030, policy frameworks designed to achieve~~ ensure that regional plans and district plans contribute to achieving⁷⁶³ the objectives for Otago set out in IM-O1 to IM-O4,
- (2) ~~give effect to any response to climate change developed under this RPS, if applicable, include provisions to manage the effects, resources, and communities identified in accordance with IM-M3,~~⁷⁶⁴
- (3) ~~provide for activities that support climate change adaptation and climate change mitigation in accordance with IM-P10 seek to mitigate or adapt to the effects of climate change or reduce greenhouse gas emissions,~~⁷⁶⁵
- (4) ensure cumulative *effects* of activities on ~~natural and physical resources the environment~~⁷⁶⁶ are ~~accounted for in resource management decisions by recognising and managing such effects recognised and managed,~~⁷⁶⁷ including:
 - (a) the same *effect* occurring multiple times,
 - (b) different *effects* occurring at the same time,
 - (c) different *effects* occurring multiple times,
 - (d) one *effect* leading to different *effects* occurring over time,
 - (e) different *effects* occurring sequentially over time,
 - (f) *effects* occurring in the same place,
 - (g) *effects* occurring in different places,
 - (ga) effects occurring across regional boundaries,⁷⁶⁸
 - (h) *effects* that are spatially or temporally distant from their cause or causes, and,
 - (i) more than minor cumulative *effects* resulting from minor or transitory *effects*,
- (5) adopt a ki uta ki tai approach to resource management by establishing policy and implementation frameworks that treat Otago's *environments* as an integrated system, including collaboration between local authorities to achieve consistent management of resources or *effects* that cross jurisdictional boundaries, and

⁷⁶¹ Clause 16(2), Schedule 1, RMA

⁷⁶² Clause 16(2), Schedule 1, RMA

⁷⁶³ 00139.042 DCC, 00239.046 Federated Farmers

⁷⁶⁴ 00119.006 Blackthorn Lodge, 00509.044 Wise Response

⁷⁶⁵ 00139 DCC (uncoded submission point)

⁷⁶⁶ 00119.006 Blackthorn Lodge, 00206.023 Trojan, 00411.034 Wayfare, 00231.042 Fish and Game

⁷⁶⁷ 00239.046 Federated Farmers, 00119.006 Blackthorn Lodge, 00206.023 Trojan, 00411.034 Wayfare

⁷⁶⁸ 00226.104 Kāi Tahu ki Otago

- (6) ~~establish clear thresholds for, and limits on, activities that have the potential to adversely affect healthy ecosystem services and intrinsic values.~~ establish limits and manage activities in accordance with IM-P14.⁷⁶⁹

IM-M2 – Relationships

~~Starting immediately,~~ Local authorities must:⁷⁷⁰

- (1) partner with Kāi Tahu to ensure *mana whenua* involvement in resource management processes and decision-making,⁷⁷¹
- (2) work together and with other agencies (including local authorities in neighbouring regions)⁷⁷² to ensure enable⁷⁷³ consistent implementation of the objectives, policies and methods of this RPS where appropriate,⁷⁷⁴ and
- (3) consult with Otago’s communities to ensure policy frameworks adequately respond to the diverse facets of environmental, social, cultural, and economic well-being.

IM-M3 – Identification ~~of climate change impacts~~⁷⁷⁵ and community guidance

~~By December 2025,~~⁷⁷⁶ Otago Regional Council Local authorities⁷⁷⁷ must:

- (1) identify the specific types and locations of the effects of climate change impacts⁷⁷⁸ in Otago by undertaking a *climate change risk* assessment, including an assessment that incorporates a Kāi Tahu approach to *climate change risk* identification and evaluation, ~~and~~
 - (1A) identify natural and built resources vital to environmental (including indigenous biodiversity and ecosystems)⁷⁷⁹ and community resilience and well-being,⁷⁸⁰
 - (1B) identify vulnerable resources and communities and develop adaptation pathways for them where possible, and⁷⁸¹
- (2) develop guidance to support communities to be prepared and *resilient*.

IM-M4 – ~~Climate change response~~

~~By January 2027, local authorities (led by Otago Regional Council) must together, in partnership with Kāi Tahu and in consultation with Otago’s communities, develop climate change responses for the region that achieve climate change adaptation and mitigation, and that include:~~

⁷⁶⁹ 00231.042 Fish and Game

⁷⁷⁰ 00239.047 Federated Farmers

⁷⁷¹ 00226.105 Kāi Tahu ki Otago

⁷⁷² 00013.008 ECan

⁷⁷³ 00139.043 DCC

⁷⁷⁴ 00139.043 DCC

⁷⁷⁵ 00119.006 Blackthorn Lodge, 00509.044 Wise Response

⁷⁷⁶ 00139.002 DCC

⁷⁷⁷ 00139.044 DCC

⁷⁷⁸ Clause 10(2)(b)(i), Schedule 1, RMA – Consequential amendment arising from 00509.044 Wise Response

⁷⁷⁹ 00230.037 Forest and Bird

⁷⁸⁰ 00119.006 Blackthorn Lodge, 00509.044 Wise Response

⁷⁸¹ 00119.006 Blackthorn Lodge, 00509.044 Wise Response

- ~~(1) identifying natural and built resources vital to environmental and community *resilience* and well-being,~~
- ~~(2) identifying vulnerable resources and communities and developing adaptation pathways for them where possible, and~~
- ~~(3) developing plans and agreements for implementation.⁷⁸²~~

IM-M5 – Other methods

Local authorities should:

- (1) ~~at their next plan review or by December 2030, whichever is sooner,⁷⁸³ align (to the extent possible practicable)⁷⁸⁴ all strategies and management plans prepared under other legislation to contribute to the attainment of the long-term vision for Otago, and~~
- (2) facilitate community involvement in ~~realising~~ achieving the long-term vision for Otago stated in⁷⁸⁵ IM-O1 through non-regulatory means,
- (3) encourage changes to business practice that will enable businesses and communities⁷⁸⁶ to function in a net-zero carbon economy, and
- (4) advocate for and incentivise activities that reduce, mitigate, or eliminate risk of environmental degradation.

Explanation

IM-E1 – Explanation

The policies in this chapter provide direction on integrated management across the region, to achieve the revitalisation, *resilience* and safeguarding of Otago’s *environment* and ensure that it supports ~~ka takata~~ people⁷⁸⁷ and the community’s cultural, social, and economic well-being. The policies seek to apply a ki uta ki tai approach and ensure that the *effects* of *climate change* are understood and responded to across the region. Further, they are designed to ensure that environmental integrity, form, function, and *resilience*, including resilience to climate change,⁷⁸⁸ are at the centre of all resource management decision making and that changes are made where necessary to ensure the *environment’s* life-supporting capacity continues to support people’s health and well-being both now and into the future.

The policies in this chapter include direction for resolving issues when multiple Regional Policy Statement provisions need to be applied simultaneously. This direction reinforces the primacy of national legislation and regulation, as some provisions of National Policy Statements and National

⁷⁸² Clause 10(2)(b)(i), Schedule 1, RMA – Consequential amendment arising from 00119.006 Blackthorn Lodge, 00509.044 Wise Response, 00235.066 OWRUG

⁷⁸³ 00139.042 DCC, 00239.046 Federated Farmers

⁷⁸⁴ 00119.008 Blackthorn Lodge, 00206.026 Trojan, 00411.037 Wayfare

⁷⁸⁵ 00139.046 DCC

⁷⁸⁶ 00226.108 Kāi Tahu ki Otago

⁷⁸⁷ 00226.109 Kāi Tahu ki Otago

⁷⁸⁸ 00226.109 Kāi Tahu ki Otago

Environmental Standards are prescriptive enough that they do not need a regional interpretation and are only referred to in the RPS when necessary. Further, some direction in the ~~New Zealand Coastal Policy Statement 2010~~ NZCPS,⁷⁸⁹ such as in Policy 3, is considered appropriate to apply to the management of resources throughout Otago, rather than solely within the coastal environment.

Principal reasons

IM-PR1 – Principal reasons

Integrated management is at the core of the RMA-1991.⁷⁹⁰ The provisions in this chapter set out core facets of integration - the interconnections and interdependencies within the *environment*, involvement of *mana whenua* in resource management, the fundamental importance of environmental health to human well-being, and holistic assessment of human *effects* on the *environment*. They also address the *effects* of *climate change* as the key threat to environmental stability.

The provisions ~~seek to enshrine an explicit recognition and implementation of these facets into plan making and resource consenting processes.~~ They⁷⁹¹ set an expectation of integrated resource management that flows through to all other provisions of the RPS, and informs the limits ~~and thresholds~~⁷⁹² we set on human activities for protecting environmental health. It sets explicit expectations that local authorities will work with each other and with other agencies to ensure management approaches are clear, coordinated, and able to support Otago's communities into the future. This applies to plan making and resource consenting processes.⁷⁹³

Anticipated environmental results

- IM-AER1** Monitoring shows the limits ~~and thresholds~~⁷⁹⁴ set for human activities are adhered to and are resulting in environmental well-being and resilience in the natural environment.⁷⁹⁵
- IM-AER2** ~~Environmental well-being and r~~Resilience in the natural environment⁷⁹⁶ is resulting in sustainable social, cultural, and economic well-being for all communities including Kāi Tahu.⁷⁹⁷
- IM-AER3** Communities, including Kāi Tahu,⁷⁹⁸ are aware of the potential impacts of *climate change* and there are observable changes in community behaviour towards more sustainable lifestyles.

⁷⁸⁹ Clause 16(2), Schedule 1, RMA

⁷⁹⁰ Clause 16(2), Schedule 1, RMA

⁷⁹¹ 00236.041 Horticulture NZ, 00235.075 OWRUG

⁷⁹² 00231.009 Fish and Game

⁷⁹³ 00236.041 Horticulture NZ

⁷⁹⁴ 00231.009 Fish and Game

⁷⁹⁵ 00223.059 Ngāi Tahu ki Murihiku

⁷⁹⁶ 00223.060 Ngāi Tahu ki Murihiku

⁷⁹⁷ 00226.111 Kāi Tahu ki Otago

⁷⁹⁸ 00226.112 Kāi Tahu ki Otago

IM-AER4

Plan development and decision-making processes demonstrate improved awareness of the interdependencies and interconnectedness of *natural and physical resources* within the region, and across regional and jurisdictional boundaries.⁷⁹⁹

⁷⁹⁹ 00226.113 Kāi Tahu ki Otago

PART 3 – DOMAINS AND TOPICS

DOMAINS

AIR – Air

Objectives

AIR-O1 – Ambient air quality

Ambient air quality provides for the health and well-being of the people of Otago, *amenity values*⁸⁰⁰ and *mana whenua values*, and the life-supporting capacity of ecosystems.

AIR-O2 – Discharges to air

Human health, *amenity values*⁸⁰¹ and *mana whenua values* and the life-supporting capacity of ecosystems are protected from the localised⁸⁰² adverse *effects* of *discharges* to air.

Policies

AIR-P1 – Maintain ~~good~~ ambient air quality⁸⁰³

~~Good~~ Ambient air quality is, at a minimum,⁸⁰⁴ maintained across Otago by:

- (1) ensuring *discharges* to air comply with ambient air quality limits where those limits have been set, and
- (2) where limits have not been set, only allowing *discharges* to air if the adverse *effects* on ambient air quality are no more than minor.

AIR-P2 – Improve ~~poor~~ degraded⁸⁰⁵ ambient air quality

~~Poor~~ Degraded⁸⁰⁶ ambient air quality is improved across Otago by:

- (1) establishing, maintaining and enforcing plan provisions that set limits and timeframes for improving ambient air quality, including by managing the spatial distribution of activities and transport, and

⁸⁰⁰ 00226.114 Kāi Tahu ki Otago

⁸⁰¹ 00226.115 Kāi Tahu ki Otago

⁸⁰² 00121.030 Ravensdown

⁸⁰³ 00121.031 Ravensdown; 00213.026 Fonterra

⁸⁰⁴ 00121.031 Ravensdown; 00213.026 Fonterra

⁸⁰⁵ 00121.032 Ravensdown

⁸⁰⁶ 00121.032 Ravensdown

- (2) prioritising actions to reduce *PM₁₀* and *PM_{2.5}* concentrations in *polluted airsheds*, including:
- (a) phasing out existing domestic *solid fuel* burning appliances, and
 - (b) preventing any *discharges* from new domestic *solid fuel* burning appliances that do not comply with the standards set in the NESAQ.⁸⁰⁷

AIR-P3 – Providing for discharges to air

~~Provide for~~ Allow *discharges* to air that provided they⁸⁰⁸ do not adversely affect human health, amenity values, and⁸⁰⁹ *mana whenua* values and the life supporting capacity of ecosystems.

AIR-P4 – ~~Managing~~ Avoiding certain discharges

~~Avoid *discharges* to air that cause offensive, objectionable, noxious or dangerous effects.~~

Manage the adverse *effects* of *discharges* to air by:

- (1) avoiding noxious or dangerous *effects*,
- (2) ensuring *discharges* to air do not cause offensive or objectionable *effects*,
- (3) avoiding, remedying or mitigating other adverse *effects* from *discharges* to air, including but not limited to *discharges* arising from:
 - (a) outdoor burning of organic material,
 - (b) agricultural and fertiliser applications,
 - (c) *primary production* activities,
 - (d) activities that produce dust, and
 - (e) industrial and trade activities.⁸¹⁰

AIR-P5 – ~~Managing certain discharges~~

~~Manage the *effects* of *discharges* to air beyond the boundary of the property of origin from activities that include but are not limited to:~~

- (1) ~~outdoor burning of organic material,~~
- (2) ~~agricultural and fertiliser spraying,~~
- (3) ~~farming activities,~~
- (4) ~~activities that produce dust, and~~
- (5) ~~industrial and trade activities.⁸¹¹~~

⁸⁰⁷ RMA Clause 16(2)

⁸⁰⁸ 00121.033 Ravensdown

⁸⁰⁹ 00226.118 Kāi Tahu ki Otago

⁸¹⁰ 00233.030 Fonterra, 00022.014 Graymont, 00236.045 Horticulture NZ, 00236.045 Horticulture NZ, 00240.015 New Zealand Pork Industry, 00213.029 Fonterra, 00115.013 Oceana Gold, 00121.034 Ravensdown, 00121.035 Ravensdown

⁸¹¹ 00233.030 Fonterra, 00022.014 Graymont, 00236.045 Horticulture NZ, 00236.045 Horticulture NZ, 00240.015 New Zealand Pork Industry, 00213.029 Fonterra, 00115.013 Oceana Gold, 00121.034 Ravensdown, 00121.035 Ravensdown

AIR-P6 – Impacts on *mana whenua* values

~~Avoid~~ Ensure that *discharges* to air that do not⁸¹² adversely affect *mana whenua* values by having particular regard to values and areas of significance to *mana whenua*, including *wāhi tūpuna*, *wāhi tapu*, and *wāhi taoka*.⁸¹³

Methods

AIR-M1 – Review *airshed* boundaries

Prior to implementing AIR-M2, and ~~no later than 31 December 2022~~ within 12 months of the AIR chapter being made operative,⁸¹⁴ the Otago Regional Council must review existing *airshed* boundaries and apply to the Ministry for the Environment to gazette amended boundaries where *airsheds* do not account for:

- (1) current or anticipated areas of development,
- (2) weather patterns and geography, or
- (3) existing areas of degraded ~~poor~~⁸¹⁵ air quality.

AIR-M2 – Regional plans

No later than ~~31 December 2024~~ 30 June 2025,⁸¹⁶ Otago Regional Council must prepare or amend and maintain its *regional plans* to:

- (1A) set limits (including *ambient air quality standards*) to maintain ambient air quality in accordance with AIR-P1, and improve ambient air quality in accordance with AIR-P2,⁸¹⁷
 - (1) manage the adverse effects of discharges to air by avoiding noxious or dangerous effects and ensuring discharges to air do not cause offensive or objectionable effects, ~~avoid offensive, objectionable, noxious or dangerous discharges to air~~,⁸¹⁸
 - (2) include provisions to avoid, remedy or mitigate other ~~the~~ adverse effects from *discharges* to air beyond the boundary of the property of origin,⁸¹⁹
 - (3) ~~implement the prioritisation of~~ prioritise the actions set out in AIR-P2 to reduce *PM₁₀* and *PM_{2.5}* concentrations in *polluted airsheds*,⁸²⁰
 - (4) mitigate the adverse effects of *discharges* to air in areas adjacent to *polluted airsheds* where the *discharge* will adversely affect air quality in the *polluted airshed*, and
 - (5) ~~give effect to the Air Quality Strategy for Otago and any subsequent amendments or updates~~.⁸²¹

⁸¹² 00121.036 Ravensdown

⁸¹³ 00226.121 Kāi Tahu ki Otago and 00223.062 Ngāi Tahu ki Murihiku

⁸¹⁴ RMA Clause 16(2)

⁸¹⁵ 00138.020 Queenstown Lakes District Council

⁸¹⁶ RMA Clause 16(2)

⁸¹⁷ 00121.031 Ravendown, 00138.014 Queenstown Lakes District Council

⁸¹⁸ Consequential to 00213.029 Fonterra, 00115.013 Oceana Gold, 00121.034 Ravensdown

⁸¹⁹ 00121.035 Ravensdown

⁸²⁰ 00233.032 Fonterra

⁸²¹ 00121.037 Ravensdown, 00213.032 Fonterra

- (5) include measures to ensure that discharges to air do not adversely affect *mana whenua* values.⁸²²

AIR-M3 – Territorial authorities

~~No later than 31 December 2029, t~~Territorial⁸²³ authorities must prepare or amend and maintain their *district plans* to include provisions that direct an urban form that assists in achieving good air quality by:

- (1) ~~reducing encouraging or facilitating a reduced~~⁸²⁴ reliance on private non-electric⁸²⁵ motor vehicles and enabling the adoption of *active transport*, shared transport and *public transport* options to assist in achieving good air quality, and
- (2) managing the spatial distribution of activities.

AIR-M4 – Monitoring and reporting

Otago Regional Council must monitor and report no less frequently than annually on:

- (1) air quality in accordance with the NESAQ to identify changes in ambient air quality within *airsheds*, and
- (2) progress towards attainment of the *ambient air quality standards*.

AIR-M5 – Incentives and other mechanisms

In partnership with Kāi Tahu ki Otago and in⁸²⁶ collaboration with *territorial authorities*, ~~iw~~⁸²⁷ ~~authorities~~, key stakeholders and industry, Otago Regional Council must, on an on-going basis, use other mechanisms or incentives to assist with achieving the air quality objectives, including:

- (1) improving community awareness of air quality issues in Otago associated with home heating,
- (2) educating communities and promoting the use of alternative methods for home heating including the use of new technology (including low emission or ultra-low emission home heating appliances) and cleaner fuels or energy sources,
- (3) advocating, promoting and supporting upgrading Otago's housing stock and changes to the Building Act 2004 and Building Code to require houses to create and maintain warmth more efficiently and reduce reliance on non-compliant domestic *solid fuel* burning appliances as described in AIR-P2,
- (4) advocating to energy providers to improve the *resilience and reliability*⁸²⁸ of electricity *infrastructure* so alternative sources of heating are available and reliable,

⁸²² 00226.122 Kāi Tahu ki Otago, 00234.012 Te Rūnanga o Ngāi Tahu

⁸²³ 00139.002 DCC

⁸²⁴ 00239.056 Federated Farmers

⁸²⁵ 00411.038 Wayfare

⁸²⁶ 00226.125 Kāi Tahu ki Otago

⁸²⁷ 00226.125 Kāi Tahu ki Otago

⁸²⁸ 00306.026 Meridian

- (5) measures to encourage the use of *active transport*, shared transport and *public transport* over the use of private motor vehicles, and
- (6) providing financial incentives (such as funding schemes, subsidies or rates relief) and support to improve home heating efficiency and assist with the transition towards cleaner heating, improved energy efficiency and home insulation, including the replacement of *solid fuel* burners that do not comply with the NESAQ standards.

Explanation

AIR-E1 – Explanation

The policies in this chapter are designed to achieve and maintain good air quality for Otago by requiring improvements where air quality is poor, maintaining it where it is good. Managing air quality does not include emissions from *ships* which are managed under separate national regulation. The policies in this chapter focus on preventing further decline in air quality by preventing use of new domestic *solid fuel* burning appliances that do not comply with the NESAQ, and phasing out the use of existing domestic *solid fuel* burning appliances that are non-compliant. The policies also require the boundaries of *airsheds* be amended to accurately reflect current and anticipated areas of urban growth. This is required to ensure monitoring of ambient air quality is accurate and that all activities that contribute to poor ambient air quality within an *airshed* are subject to the same measures to improve ambient air quality. This policy framework also directs future reviews of the Regional Plan: Air Plan⁸²⁹ to manage the adverse *effects of discharges* to air.

~~In addition to the objectives and policies in this chapter, the air quality outcomes are also provided for in the objectives and policies listed within the following chapters of the RPS where they provide direction on the management of *environments* and activities that may affect air quality:~~

- ~~● IM – Integrated management~~
- ~~● EIT – Energy, *infrastructure* and transport~~
- ~~● UFD – Urban form and development⁸³⁰~~

Principal reasons

AIR-PR1

Clean air is vital for supporting a healthy population and *environment*. Air quality monitoring shows that for most of the year air quality in the Otago Region is very good. During winter months however, temperatures drop and emissions from home heating increase. This, coupled with the topography of some areas and cold, calm conditions, leads to poor winter air quality in many towns and cities across the region. At times, parts of Otago have some of the poorest air quality in New Zealand. This is intensifying through urban growth.

⁸²⁹ Clause 16(2), Schedule 1, RMA

⁸³⁰ 00120.006 Yellow-eyed Penguin Trust

The provisions in this chapter set out the framework for a review of the Air Plan and supports ORC's obligation to both observe and enforce the NESAQ. Implementation of the provisions in this chapter will occur primarily through *regional plans*⁸³¹ and *district plan* provisions, however a collaborative approach with central government, other *local authorities*, stakeholders, communities⁸³² and industry, and in partnership with Kāi Tahu as *mana whenua*,⁸³³ will support the achievement of the objectives over time.

Anticipated environmental results

AIR-AER1	Where air quality is <u>degraded</u> poor , ⁸³⁴ there is a decreasing trend in concentrations of <i>PM₁₀</i> and <i>PM_{2.5}</i> .
AIR-AER2	Otago has an urban form that takes into account the <i>effects</i> of activities, and any <i>discharges</i> to air they create, on Otago's air quality.
AIR-AER3	Homes have cleaner forms of heating and non-compliant burners are no longer in use.
AIR-AER4	There is a decrease in the number of complaints regarding offensive, objectionable, noxious or dangerous <i>discharges</i> into air.
AIR-AER5	Where air quality <u>complies with ambient air quality limits</u> is good ⁸³⁵ it is maintained.
AIR-AER6	Otago is compliant with NESAQ requirements.

⁸³¹ Clause 16(2), Schedule 1, RMA

⁸³² 00226.127 Kāi Tahu ki Otago

⁸³³ 00226.127 Kāi Tahu ki Otago

⁸³⁴ Consequential to 00121.032 Ravensdown

⁸³⁵ Consequential to 00121.031 Ravensdown, 00138.014 QLDC, 00213.026 Fonterra

CE – Coastal environment

Objectives

CE-O1A – Te Mauri o te Moana

The mauri, health and well-being of Otago's coastal water is protected, and restored where it is degraded, including through enhancing coastal water quality where it has deteriorated from its natural condition.⁸³⁶

CE-O1 – Safeguarding the coastal environment (Te Hauora o Te Tai o Arai Te Uru)⁸³⁷

The health,⁸³⁸ integrity, form, functioning and *resilience* of Otago's coastal environment is safeguarded so that:

- (1) ~~the mauri of coastal water is protected, and restored where it has degraded,~~⁸³⁹
- (2) *coastal water* quality supports healthy ecosystems, natural habitats, *water*-based recreational activities, existing activities, and customary uses, including practices associated with *mahika kai mahika kai*⁸⁴⁰ and kaimoana,
- (3) the dynamic and interdependent natural biological and physical processes in the coastal environment are maintained or enhanced,
- (4) the diversity of indigenous coastal flora and fauna is maintained, and areas of representative or significant indigenous biodiversity are protected, areas of biodiversity are protected,⁸⁴¹ and
- (5) *surf breaks* of national significance are protected,
- (6) the interconnectedness of wai māori and wai tai is protected,⁸⁴² and the *effects* of terrestrial and *fresh water* uses and activities on *coastal waters* and ecosystems, are recognised and understood, and⁸⁴³
- (7) the ongoing effects of climate change within the coastal environment are identified and planned for.⁸⁴⁴

⁸³⁶ 00226.131 Kāi Tahu Ki Otago

⁸³⁷ 00226.131 Kāi Tahu Ki Otago

⁸³⁸ 00226.131 Kāi Tahu Ki Otago

⁸³⁹ 00226.131 Kāi Tahu Ki Otago,

⁸⁴⁰ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁸⁴¹ 00137.049 DOC, 00230.046 Forest and Bird

⁸⁴² 00226.131 Kāi Tahu Ki Otago,

⁸⁴³ 00226.131 Kāi Tahu Ki Otago

⁸⁴⁴ 00226.131 Kāi Tahu Ki Otago, 00234.015 Te Rūnanga o Ngāi Tahu

CE-02 – Public access and recreation ~~Maintaining or enhancing highly valued areas of the coastal environment~~⁸⁴⁵

Public walking⁸⁴⁶ access, and recreation opportunities, ~~and highly valued natural features and landscapes~~⁸⁴⁷ in the coastal environment are maintained ~~or~~ and⁸⁴⁸ enhanced, and vehicle access is controlled.⁸⁴⁹

CE-03 – Natural character, features and landscapes

Areas of natural character, are preserved and⁸⁵⁰ natural features, ~~and~~ landscapes ~~and~~ (including seascapes)⁸⁵¹ within the coastal environment are protected from inappropriate activities, and restoration is encouraged where the values of these areas have been compromised.

CE-04 – ~~Kāi Tahu associations with Otago's coastal environment~~ Mana moana⁸⁵²

The enduring cultural ~~association~~ relationship of Kāi Tahu with Otago's coastal environment is recognised and provided for, and *mana whenua* are able to:

- (1) exercise their rakitirataka role, manaakitaka and their kaitiaki duty of care within the coastal environment, and
- (2) engage in customary fishing and other *mahika kai*.

CE-05 – Activities in the coastal environment

Activities in the coastal environment:

- (1) make efficient use of space occupied in the *coastal marine area*,
- (2) are of a scale, density and design compatible with their location,
- (3) are only provided for within appropriate locations and limits acknowledging that some activities have a *functional need* to be located in the coastal environment,⁸⁵³ and
- (4) maintain or enhance public access to and along the *coastal marine area*, including for customary uses, such as *mahika kai*,⁸⁵⁴ except where public access needs to be restricted for reasons of health and safety or ecological or cultural sensitivity.⁸⁵⁵

⁸⁴⁵ 00121.039 Ravensdown, 00230.047 Forest and Brid, 00239.057 Federated Farmers, 00306.027 Meridian Energy, 00124.015 Southern Inshore Fisheries

⁸⁴⁶ 00226.132 Kāi Tahu Ki Otago

⁸⁴⁷ 00121.039 Ravensdown, 00230.047 Forest and Brid, 00239.057 Federated Farmers, 00306.027 Meridian Energy, 00124.015 Southern Inshore Fisheries

⁸⁴⁸ 00226.132 Kāi Tahu ki Otago

⁸⁴⁹ 00226.132 Kāi Tahu Ki Otago

⁸⁵⁰ 00226.133 Kāi Tahu Ki Otago

⁸⁵¹ 00301.057 Port Otago

⁸⁵² 00226.134 Kāi Tahu Ki Otago

⁸⁵³ 00315.021 Aurora Energy

⁸⁵⁴ 00226.014, 00226.135 Kai Tahu ki Otago

⁸⁵⁵ 00234.017 Te Rūnanga o Ngāi Tahu

Policies

CE-P1A – Integrated management/ki uta ki tai

Implement an integrated approach to managing Otago’s coastal environment that:

- (1) recognises the interactions, ki uta ki tai, between the terrestrial *environment, fresh water, and the coastal marine area*, including the migration of fish species between *fresh water and coastal water*,
- (2) provides for the natural functioning of coastal processes at the physical interface between *land, fresh water, and the coastal water*,
- (3) ensures the *effects* of the use and development of *land and fresh water* maintain or enhance the health and well-being of the coastal environment, and
- (4) takes into account the ongoing *effects of climate change*.⁸⁵⁶

CE-P1 – Links with other chapters

Recognises that:

- ~~(1) coastal hazards must be identified in accordance with CE-P2(4) and managed in accordance with the HAZ-NH – Natural hazards section of this RPS;~~
- ~~(2) port activities must be managed in accordance with the TRAN – Transport section of this RPS; and~~
- ~~(3) historic heritage must be managed in accordance with the HCV – Historical and cultural values section of this RPS.⁸⁵⁷~~
- (1) the provisions of the ECO, EIT, and HAZ chapters apply within the coastal environment, except for the following provisions:
 - (a) ECO-P3 to ECO-P6 and associated methods,
 - (b) EIT-INF-P13 and associated methods,
 - (c) HAZ-NH-P1 to HAZ-NH- P4 and associated methods, and
- (2) the provisions within the following chapters of this RPS apply in addition to the provisions within this chapter:
 - (a) MW – Mana whenua
 - (b) IM – Integrated management,
 - (c) AIR – Air,
 - (d) LF – Land and freshwater,
 - (e) HCV – Heritage and historical values, and
 - (f) UFD – Urban form and development, and

⁸⁵⁶ 00226.136 Kai Tahu ki Otago

⁸⁵⁷ 00301.018 Port of Otago

(3) the provisions of the NFL – Natural features and landscapes chapter do not apply in the coastal environment.⁸⁵⁸

CE-P2 – Identification

Identify the following in the coastal environment:

- (1) the landward extent of the coastal environment, recognising that the coastal environment includes:
 - (a) the *coastal marine area*,
 - (b) islands within the *coastal marine area*,
 - (c) areas where coastal processes, influences or qualities are significant, including coastal *lakes*, lagoons, tidal estuaries, saltmarshes, coastal *wetlands*, and the margins of these,
 - (d) areas at risk from *coastal hazards* as identified in ~~CE-P2(4)~~ HAZ-NH-P1A,⁸⁵⁹
 - (e) coastal vegetation and the habitat of indigenous coastal species including migratory birds,
 - (f) elements and features that contribute to the natural character, landscape, visual qualities or *amenity values*,
 - (g) items of Kāi Tahu⁸⁶⁰ cultural association⁸⁶¹ and *historic heritage* in the *coastal marine area* or on the coast,
 - (h) inter-related coastal marine and terrestrial systems, including the intertidal zone, and
 - (i) physical resources and built facilities, including *infrastructure*, that have modified the coastal environment.
- (2) areas of *water quality* in the *coastal marine area* that are considered to have deteriorated so that:
 - (a) it is having a significant adverse effect on:
 - (i) the mauri of coastal water,
 - (ii) ecosystems, and natural habitats, or
 - (iii) water-based recreational activities, or
 - (b) is restricting existing uses, such as:
 - (i) customary fisheries, including mātaimai reserves and taiāpure,
 - (ii) cultural activities such as mahika kai, including harvesting of kaimoana, or
 - (iii) aquaculture, and shellfish gathering, and cultural activities such as mahika kai

⁸⁵⁸ 00301.018 Port of Otago

⁸⁵⁹ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00301.047 Port Otago

⁸⁶⁰ 00226.137 Kāi Tahu ki Otago

⁸⁶¹ 00226.137 Kāi Tahu ki Otago

and harvesting of kaimoana,⁸⁶²

- (3) areas of *coastal water* where *mana takata*⁸⁶³ *whenua* have a particular interest, including *wāhi tūpuna*,⁸⁶⁴ *mātaimai* and *taiapure*,⁸⁶⁵ and any aquaculture settlement areas gazetted under the Māori Commercial Aquaculture Claims Settlement Act 2004, and⁸⁶⁶
- ~~(4) areas that are potentially affected by coastal hazards (including tsunami), giving priority to the identification of areas at high risk of being affected, and~~
- (5) the nationally significant *surf breaks* at ~~Karitane~~ Karitāne,⁸⁶⁷ Papatowai, The Spit, and Whareakeake and any regionally significant *surf breaks*.

CE-P3 – Coastal water quality

~~Manage water quality in the coastal environment by: Coastal water quality is improved, where it is considered to have deteriorated to the extent described within CE-P1(2), and otherwise managed so that:~~⁸⁶⁸

- (1A) prioritising the restoration of coastal water quality where it is considered to have deteriorated to the extent described within CE-P2(2),⁸⁶⁹
- (1) maintaining or enhancing⁸⁷⁰ healthy coastal ecosystems, indigenous habitats provided by the coastal environment, indigenous vegetation and fauna,⁸⁷¹ and the migratory patterns of indigenous *coastal water* species are ~~maintained or enhanced~~,⁸⁷²
- (2) sustaining⁸⁷³ Kāi Tahu relationships with and customary uses of *coastal water* are ~~sustained~~,⁸⁷⁴
- (3) maintaining or enhancing⁸⁷⁵ recreation opportunities and existing uses of *coastal water*, ~~are maintained or enhanced, and~~⁸⁷⁶
- ~~(4) within identified areas where takata whenua have a particular interest, adverse effects on these areas and values are remedied or where remediation is not practicable, are mitigated.~~⁸⁷⁷
- (5) controlling⁸⁷⁸ activities outside the *coastal marine area* that have an *effect on coastal water quality*,⁸⁷⁹
- (6) maintaining or enhancing water quality within areas of coastal water identified in CE-P2(3) where mana whenua have a particular cultural interest, and⁸⁸⁰

⁸⁶² 00226.138 Kāi Tahu ki Otago

⁸⁶³ 00226.154 Kāi Tahu ki Otago

⁸⁶⁴ 00234.018 Te Runanga o Ngāi Tahu

⁸⁶⁵ 00234.018 Te Runanga o Ngāi Tahu

⁸⁶⁶ 00234.018 Te Rūnanga o Ngāi Tahu

⁸⁶⁷ 00226.024 Kāi Tahu ki Otago

⁸⁶⁸ 00226.138 Kāi Tahu Ki Otago, 00234.019 Te Rūnanga o Ngāi Tahu

⁸⁶⁹ 00226.014, 00226.138 Kāi Tahu Ki Otago, 00234.019 Te Rūnanga o Ngāi Tahu

⁸⁷⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.138 Kāi Tahu Ki Otago

⁸⁷¹ DOC 00137.054

⁸⁷² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.138 Kāi Tahu Ki Otago

⁸⁷³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.138 Kāi Tahu Ki Otago

⁸⁷⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.138 Kāi Tahu Ki Otago

⁸⁷⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.138 Kāi Tahu Ki Otago

⁸⁷⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.138 Kāi Tahu Ki Otago

⁸⁷⁷ 00226.138 Kāi Tahu Ki Otago, 00234.019 Te Rūnanga o Ngāi Tahu

⁸⁷⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.138 Kāi Tahu Ki Otago

⁸⁷⁹ 00230.053 Forest and Bird

⁸⁸⁰ 00226.138 Kāi Tahu Ki Otago, 00234.019 Te Rūnanga o Ngāi Tahu

(7) setting appropriate limits and targets⁸⁸¹ for *coastal water* quality, including for ecosystem health, habitats of taoka species, sediment, contact recreation and safe kaimoana gathering.⁸⁸²

CE-P4 – Natural character

Identify, preserve and restore the natural character of the coastal environment by:

- (1) identifying areas and values of high and outstanding natural character which may include matters such as:
 - (a) natural elements, processes and patterns,
 - (b) biophysical, ecological, geological and geomorphological aspects,
 - (c) natural landforms such as headlands, peninsulas, cliffs, dunes, *wetlands*, estuaries, reefs, *freshwater* springs and *surf breaks*,
 - (d) the natural movement of *water* and sediment,
 - (e) the natural darkness of the night sky,
 - (f) places or areas that are wild or scenic,
 - (g) a range of natural character from pristine to modified,
 - (h) experiential attributes, including the sounds and smell of the sea, and their context or setting,
- (2) avoiding adverse *effects* on natural character in areas identified as having outstanding natural character,
- (3) avoiding significant adverse *effects* and avoiding, remedying or mitigating other adverse *effects* on natural character outside the areas in (2) above, and
- ~~(4) encouraging de-reclamation of redundant reclaimed *land* where it would restore the natural character and resources of the *coastal marine area* and provide for more public open space, and⁸⁸³~~
- (5) promoting *activities* and ~~restoration~~⁸⁸⁴ projects that will restore or rehabilitate⁸⁸⁵ natural character in the coastal environment where it has been reduced or lost.

CE-P5 – Coastal indigenous *biodiversity*

Protect indigenous *biodiversity* in the coastal environment by:

- ~~(1) identifying and avoiding adverse *effects* on the following ecosystems, vegetation types and areas:~~
 - ~~(a) indigenous *taxa* that are listed as threatened or at risk in the New Zealand Threat~~

⁸⁸¹ 00226.138 Kāi Tahu ki Otago

⁸⁸² 00226.138 Kāi Tahu Ki Otago, 00234.019 Te Rūnanga o Ngāi Tahu

⁸⁸³ 00226.139 Kāi Tahu ki Otago

⁸⁸⁴ 00226.139 Kāi Tahu ki Otago

⁸⁸⁵ 00226.139 Kāi Tahu ki Otago

Classification System lists,

- ~~(b) taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened,~~
 - ~~(c) indigenous ecosystems and vegetation types in the coastal environment that are threatened or are naturally rare,~~
 - ~~(d) habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare,~~
 - ~~(e) areas containing nationally significant examples of indigenous community types, and~~
 - ~~(f) areas set aside for full or partial protection of indigenous biodiversity under other legislation, and~~
- ~~(2) identifying and avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects on the following ecosystems, vegetation types and areas:~~
- ~~(a) areas of predominantly indigenous vegetation in the coastal environment,~~
 - ~~(b) habitats in the coastal environment that are important during the vulnerable life stages of indigenous species,~~
 - ~~(c) indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable,~~
 - ~~(d) areas sensitive to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh,~~
 - ~~(e) habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes,~~
 - ~~(f) habitats, including areas and routes, important to migratory species, and~~
 - ~~(g) ecological corridors, and areas important for linking or maintaining biological values identified under this policy.⁸⁸⁶~~

CE-P6 – Natural features, and landscapes and (including seascapes)⁸⁸⁷

Protect natural features, and landscapes and (including seascapes)⁸⁸⁸ in the coastal environment by:

- (1) identifying their areas and values, at minimum by land typing, soil characterisation and landscape characterisation,⁸⁸⁹ in accordance with APP9,
- (2) avoiding adverse effects of activities on outstanding natural features, and landscapes and

⁸⁸⁶ Clause 10(2)(b)(i), schedule 1, RMA – CE-M2(3) moved to ECO-M2(3A) as a consequential amendment arising from moving coastal biodiversity provisions from CE to ECO in response to 00301.028 Port Otago

⁸⁸⁷ 00301.057 Port Otago

⁸⁸⁸ 00301.057 Port Otago

⁸⁸⁹ 00230.056 Forest & Bird, 00122.018 Sanford

(including seascapes),⁸⁹⁰

- (3) avoiding significant adverse *effects* and avoiding, remedying, or mitigating other adverse *effects* of activities on other natural features, ~~and~~ natural landscapes ~~and~~ (including seascapes),⁸⁹¹ and
- (4) promoting restoration or enhancement of natural features, ~~and~~ landscapes ~~and~~ (including seascapes)⁸⁹² where ~~they~~ the values of these areas⁸⁹³ have been reduced or lost.

CE-P7 – Surf breaks

Manage Otago’s nationally and regionally significant *surf breaks* so that:

- (1) nationally significant *surf breaks* are protected by avoiding adverse *effects* on the *surf breaks*, including on access to and use and enjoyment of them, and
- (2) the values of and access to regionally significant *surf breaks* are maintained.

CE-P8 – Public access

~~Maintain or enhance~~ Manage public walking and vehicle access to, ~~and~~ along and adjacent to the coastal marine area by ~~unless restricting public access is necessary:~~

- (1A) maintaining or enhancing public walking access,
- (1B) controlling vehicle access, and
- (1C) restricting public walking and vehicle access where necessary:
 - (a) to protect public health and safety,
 - (b) to protect *significant natural areas*,
 - (c) to protect dunes, estuaries and other sensitive natural areas or habitats,
 - (d) to protect areas or places of special or outstanding *historic heritage*,
 - (e) to protect places or areas of significance to *mana whenua*, including *wāhi tūpuna*, *wāhi tapu* and *wāhi taoka*,
 - (f) for defence purposes in accordance with the Defence Act 1990,
 - (g) for temporary activities or special events, or
 - (h) to ensure a level of security consistent with the operational requirements of a lawfully established activity.⁸⁹⁴
- (1) ~~to protect public health and safety,~~
- (2) ~~to protect areas of significant *indigenous vegetation* and significant habitats of indigenous~~

⁸⁹⁰ 00301.057 Port Otago

⁸⁹¹ 00301.057 Port Otago

⁸⁹² 00301.057 Port Otago

⁸⁹³ 00223.071 Ngāi Tahu ki Murihiku

⁸⁹⁴ 00226.143 Kāi Tahu Ki Otago, 00230.058 Forest and Bird

fauna,

- ~~(3) to protect dunes, estuaries and other sensitive natural areas or habitats,~~
- ~~(4) to protect places or areas containing *historic heritage* of regional or national significance,~~
- ~~(5) to protect places or areas of significance to *takata mana whenua*, including wāhi tapua, wāhi tapu and wāhi tūpuna,~~
- ~~(6) for defence purposes in accordance with the Defence Act 1990,~~
- ~~(7) for temporary activities or special events, or~~
- ~~(8) to ensure a level of security consistent with the operational requirements of a lawfully established activity.⁸⁹⁵~~

CE-P9 – Activities on *land* within the coastal environment

The strategic and co-ordinated use of *land* within the coastal environment is achieved by:

- (1) encouraging the consolidation of existing coastal settlements and *urban areas* where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth, avoiding sprawling or sporadic patterns of *subdivision*, use and development,⁸⁹⁶
- (2) considering the rate at which built development should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the values of the coastal environment,
- (2A) recognising and providing for the *functional needs and operational needs of infrastructure*,⁸⁹⁷
- (3) recognising the importance of the provision of *infrastructure*, and food production, and pastoral farming activities⁸⁹⁸ to the social, economic and cultural well-being of people and communities,
- (4) requiring development be set back from the *coastal marine area* and other *coastal water*, where practicable and reasonable, to protect the natural character, open space, public access and *amenity values* of the coastal environment, maintaining or enhancing public access to the coastal environment, and⁸⁹⁹
- (5) considering where activities that maintain the character of the existing built environment should be encouraged, and where activities resulting in a change in character would be acceptable, and
- (6) taking into account the ongoing *effects of climate change and coastal hazard risk*.⁹⁰⁰

⁸⁹⁵ 00226.143 Kāi Tahu Ki Otago, 00230.058 Forest and Bird

⁸⁹⁶ 00139.071 DCC

⁸⁹⁷ 00305.013, 00305.014, 00305.015 Waka Kotahi

⁸⁹⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential to 00021.002 Matakanui Gold Limited, 00016.009 Alluvium Limited and Stoney Creek Mining, 00017.007 Danny Walker and others, 00226.033 Kāi Tahu ki Otago

⁸⁹⁹ 00139.071 DCC

⁹⁰⁰ 00139.071 DCC

CE-P10 – Activities within the *coastal marine area*

Use and development in the *coastal marine area* must:

- (1) enable multiple uses of the *coastal marine area* wherever reasonable and practicable, and⁹⁰¹
- (2) maintain or improve the health,⁹⁰² integrity, form, function and *resilience* of the *coastal marine area*, or ~~and~~⁹⁰³
- (3) have a *functional need*⁹⁰⁴ or *operational need* to be located in the *coastal marine area*, or
- (4) have a public benefit or opportunity for public recreation that cannot practicably be located outside the *coastal marine area*.

CE-P11 – Aquaculture

Provide for the development and operation of *aquaculture activities* ~~within appropriate locations and limits~~ where this is in accordance with CE-P3 to CE-P12, taking into account:

- (1) the need for high quality *water* required for an *aquaculture activity*,
- (2) the need for *land-based* facilities and *infrastructure* required to support the operation of *aquaculture activities*, and
- (3) the potential social, economic and cultural benefits associated with the operation and development of *aquaculture activities*.

CE-P12 – Reclamation and de-reclamation⁹⁰⁵

Manage reclamation and de-reclamation by:⁹⁰⁶

(1A) ~~A~~avoiding⁹⁰⁷ *reclamation* in the *coastal marine area*, unless:

- (1a) *land* outside the *coastal marine area* is not available for the proposed activity,
- (2b) *the* activity to be established on the *reclamation* can only occur immediately adjacent to the *coastal marine area*,
- (3c) there are no practicable alternative methods of providing for the activity, ~~and~~
- (4d) the *reclamation* will provide significant regional or national benefit, and

(1B) encouraging de-reclamation of redundant reclaimed *land* where it would restore natural character, resources of the *coastal marine area*, and provide for more public open space.⁹⁰⁸

⁹⁰¹ 00226.145 Kāi Tahu ki Otago

⁹⁰² 00226.145 Kāi Tahu Ki Otago

⁹⁰³ 00315.025 Aurora Energy

⁹⁰⁴ Clause 16(2), Schedule 1, RMA

⁹⁰⁵ 00226.147 Kāi Tahu ki Otago

⁹⁰⁶ 00226.147 Kāi Tahu ki Otago

⁹⁰⁷ 00226.147 Kāi Tahu ki Otago

⁹⁰⁸ 00226.147 Kāi Tahu ki Otago

CE-P13 – Rakatirataka and kaitiakitaka ~~Kaitiakitaka~~⁹⁰⁹

Recognise and give practical effect to Kāi Tahu rakatirataka and provide for⁹¹⁰ the role of Kāi Tahu as kaitiaki of the coastal environment by:

- (1) facilitating partnership with, and actively⁹¹¹ involving *mana whenua* in decision making and management processes in respect of the coast,
- (2) identifying, protecting, and improving where degraded, sites, areas and values of importance to Kāi Tahu within the coastal environment, and managing these in accordance with tikaka,
- (3) providing for customary uses, including ~~mahika kai~~ *mahika kai*⁹¹² and the harvesting of kaimoana,
- (4) incorporating the impact of activities on customary fisheries, *mātaitai reserves and taiāpure*⁹¹³ in decision making, and
- (5) incorporating mātauraka Māori in the management and monitoring of activities in the coastal environment.

Methods

CE-M1A – *Mana whenua/mana moana* involvement

Otago Regional Council must partner with Kāi Tahu in coastal management by:

- (1) actively identifying and pursuing opportunities for *mana whenua* to be involved in coastal governance, including through use of available mechanisms such as transfers of functions (under section 33 of the RMA 1991) and supporting the establishment of *mātaitai reserves and taiāpure*,
- (2) implementing actions to foster the development of *mana whenua* capacity to contribute to the Council’s decision-making processes, including resourcing,
- (3) supporting *mana whenua* initiatives that contribute to maintaining or improving the health and well-being of *coastal water* and ecosystems, and
- (4) providing relevant information to *mana whenua* for the purposes of (1), (2), and (3).⁹¹⁴

CE-M1 – Identifying the coastal environment

Local authorities must:

- (1) ~~no later than 31 May 2023,~~⁹¹⁵ work collaboratively, including with *local authorities* in

⁹⁰⁹ 00226.148 Kāi Tahu ki Otago

⁹¹⁰ 00226.148 Kāi Tahu Ki Otago

⁹¹¹ 00226.148 Kāi Tahu Ki Otago

⁹¹² Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁹¹³ 00226.148 Kāi Tahu Ki Otago

⁹¹⁴ 00226.156 Kāi Tahu ki Otago

⁹¹⁵ Clause 16(2), Schedule 1, RMA

neighbouring regions,⁹¹⁶ to:

- (a) identify the landward extent of the coastal environment, in accordance with CE-P2(1),
- (b) map the landward extent of the coastal environment area in the relevant *regional plans*⁹¹⁷ and *district plans*.

CE-M2 – Identifying other areas

Local authorities must work collaboratively, with Kāi Tahu⁹¹⁸ and *local authorities* in neighbouring regions,⁹¹⁹ together to:

- (1) identify areas and values of high and outstanding natural character within their jurisdictions in accordance with CE-P4(1), map the areas and describe their values in the relevant *regional plans*⁹²⁰ and *district plans*, and identify their capacity to accommodate change through use or development while protecting the values that contribute to the natural character of the area being considered high or outstanding,
- (2) identify, at an appropriate scale,⁹²¹ areas and values of outstanding natural features, and landscapes ~~and~~ (including seascapes) (in the coastal environment) within their jurisdictions in accordance with CE-P6(1), map the areas and describe their values in the relevant *regional plans*⁹²² and *district plans*, and identify their capacity to accommodate change through use or development while protecting the values that contribute to the natural features, and landscapes ~~and~~ (including seascapes) being considered outstanding,
- ~~(3) identify areas and values of indigenous biodiversity within their jurisdictions in accordance with CE-P5, map the areas and describe their values in the relevant *regional plans*⁹²³ and *district plans*, and~~⁹²⁴
- (4) prioritise identification under (1) – (3) in areas that are:
 - ~~(a)~~—likely to face development or growth pressure over the life of this RPS, ~~or~~⁹²⁵
 - ~~(b)~~—likely to contain outstanding natural character areas, outstanding natural features or landscapes, and areas of significant⁹²⁶ indigenous biodiversity, including the areas in the table below.⁹²⁷

⁹¹⁶ 00013.009 ECan

⁹¹⁷ Clause 16(2), Schedule 1, RMA

⁹¹⁸ 00226.149 Kāi Tahu ki Otago

⁹¹⁹ 00013.010 ECan

⁹²⁰ Clause 16(2), Schedule 1, RMA

⁹²¹ 00122.018 Sanford

⁹²² Clause 16(2), Schedule 1, RMA

⁹²³ Clause 16(2), Schedule 1, RMA

⁹²⁴

Clause 10(2)(b)(i), schedule 1, RMA – CE-M2(3) moved to ECO-M2(3A) as a consequential amendment arising from moving coastal biodiversity provisions from CE to ECO in response to 00301.028 Port Otago

⁹²⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00301.025 Port Otago

⁹²⁶ 00226.152 Kāi Tahu ki Otago

⁹²⁷ 00301.025 Port Otago

Table 2—Areas likely to contain significant values

Oamaru Harbour Breakwater	Te Whakarekaiwi
Moeraki Beach	Papanui Inlet
Moeraki Peninsula	Hoopers Inlet
Shag Point & Shag River Estuary	Kaikorai Estuary
Stony Creek Estuary	Brighton
Pleasant River Estuary	Akatore Creek Estuary
Hawksbury Inlet	Tokomairiro Estuary
Waikouaiti River Estuary	Wangaloa
Karitane Headland	Clutha River Mata-au, Matau Branch
Puketeraki	Nugget Point
Blueskin Bay	Surat Bay
Orokonui Inlet	Catlins Lake Estuary
Mapoutahi	Jacks Bay
Purakanui Inlet	Waiheke Beach
Aramoana	Tahakopa Estuary
Otago Harbour Historic Walls	Oyster Bay
Otakou & Taiaroa Head	Tautuku Estuary
Pipikaretu Point	Waipati Estuary & Kinakina Island

CE-M3 – Regional plans

Otago Regional Council must prepare or amend and maintain its *regional plans* no later than 31 December 2028 to:

- (1) map areas of deteriorated *water* quality in the coastal environment, in accordance with CE-P2(2) and CE-P2(3),⁹²⁸
- (1A) identify, manage, and improve where degraded, areas of coastal water where *mana whenua* have a particular interest, including *wāhi tūpuna*, statutory acknowledgement areas, *tōpuni* and *nohoaka* identified in the NTCSA, and customary fisheries,⁹²⁹
- (1B) set *water* quality limits targets for coastal waters in accordance with CE-P3,⁹³⁰
- (2) map the areas and characteristics of, and access to, nationally *surf breaks of national significance*⁹³¹ and regionally significant *surf breaks*,
- (3) require development to be set back from the *coastal marine area* and other coastal water⁹³² where practicable to protect the natural character, open space, public access and *amenity values* of the coastal environment,
- (4) manage the *discharge of contaminants* into coastal water to achieve limits or targets for water quality⁹³³ by:
 - (a) using the smallest *mixing zone* necessary to achieve the required water quality standards only enabling the use of small *mixing zones*⁹³⁴ ~~before the water quality~~

⁹²⁸ 00226.153 Kāi Tahu ki Otago

⁹²⁹ 00226.153 Kāi Tahu ki Otago

⁹³⁰ 00226.153 Kāi Tahu ki Otago

⁹³¹ Clause 16(2), Schedule 1 RMA

⁹³² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00139.071 DCC

⁹³³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.153 Kāi Tahu ki Otago

⁹³⁴ 00139.076 DCC

~~standards need to be met~~⁹³⁵ in the *receiving environment* and minimising adverse *effects* on the life-supporting capacity of *water* within any *mixing zone*,

- (b) prohibiting any new ~~the~~⁹³⁶ *discharge* of untreated human *sewage* directly to *water* in the coastal environment,
- (bb) requiring the implementation of methods to progressively reduce the volume and frequency of existing *discharges* of untreated human *sewage* from reticulated *wastewater* systems in the event of a system failure or overloading the system, including by minimising *stormwater* inflows and infiltration into *wastewater* systems,⁹³⁷
- (bc) encouraging methods and actions to reduce *contaminant discharges* at source,⁹³⁸
- (c) prohibiting the *discharge* of treated human *sewage* directly to *water* in the coastal environment unless:
 - (i) there has been adequate consideration of alternative methods, sites and routes for undertaking the *discharge*, and
 - (ii) it can be demonstrated that the proposal has been informed by consultation with *tangata whenua* and the affected community, and
- (d) reducing the *discharge* of sediment by:
 - (i) requiring that *subdivision*, use, or development will not increase sedimentation of the *coastal marine area* or other *coastal water*,
 - (ii) controlling the impacts of vegetation removal on sedimentation including the impacts of harvesting *plantation forestry*, and
 - (iii) reducing sediment loadings in runoff and in *stormwater* systems through controls on *land* use activities, and
- (e) designing installing, operating and maintaining new reticulated *wastewater* systems to avoiding cross-contamination between ~~sewage~~ *wastewater* and *stormwater* systems where new systems are proposed and remedying cross-contamination where ~~they~~ it currently exists in established systems, and⁹³⁹
- (f) having particular regard to:
 - (i) the sensitivity of the *receiving environment*,
 - (ii) the nature of the *contaminants* to be *discharged*, the *contaminant* concentration thresholds not to be exceeded to achieve the required *water* quality in the *receiving environment*, and the risks if that concentration of *contaminants* is exceeded,
 - (iii) the capacity of the *receiving environment* to assimilate the *contaminants*, and
 - (iv) avoiding significant adverse *effects* on ecosystems and habitats after reasonable

⁹³⁵ 00139.076 DCC

⁹³⁶ 00139.076 DCC

⁹³⁷ 00139.076 DCC

⁹³⁸ 00510.020 Fuel Companies

⁹³⁹ 00139.076 DCC

mixing,

- (5) control the use and development of the *coastal marine area*, in order to:
- (a) preserve and restore the⁹⁴⁰ coastal water quality; and natural character; and protect⁹⁴¹ natural features; and landscapes ~~and~~ (including seascapes); wāhi tūpuna and indigenous *biodiversity* of the *coastal marine area* in accordance with CE-P3, CE-P4, CE-P5, and CE-P6 and HCV-WT-P2⁹⁴², and
 - (b) manage Otago's surf breaks of national significance ~~nationally~~⁹⁴³ and regionally significant *surf breaks* in accordance with CE-P7,
- (6) include provisions requiring the adoption of a precautionary approach to assessing the *effects* of activities in the coastal environment in accordance with IM-P156⁹⁴⁴ where:
- (a) there is scientific uncertainty, or
 - (b) there are potentially significant or irreversible adverse *effects*, or
 - (c) coastal resources are potentially vulnerable to the effects of climate change,⁹⁴⁵
- (7) identify areas that may be⁹⁴⁶ appropriate for aquaculture ~~and the forms and limits associated with providing for aquaculture that will enable achievement of objectives CE-O1 to CE-O5,~~⁹⁴⁷
- (8) provide for walking access to, ~~and along~~ and adjacent to⁹⁴⁸ the *coastal marine area* in accordance with Policy 19 of the NZCPS,
- (9) control vehicle access to, ~~and along~~ and adjacent to⁹⁴⁹ the *coastal marine area* in accordance with Policy 20 of the NZCPS,
- (10) manage reclamation and de-reclamation⁹⁵⁰ activities in accordance with CE-P12, and when *reclamation* is considered suitable in accordance with CE-P12, have particular regard to the matters listed in Policy 10(2) and (3) of the NZCPS,
- (11) require stock to be excluded from the *coastal marine area*, adjoining intertidal areas and ~~other~~ coastal water bodies⁹⁵¹ and riparian margins in the coastal environment, ~~and~~⁹⁵²
- (12) provide for and encourage activities undertaken for the primary purpose of enhancing coastal water quality, coastal habitats and ecosystems, customary fisheries, mahika kai and kaimoana activities, and⁹⁵³ restoring natural features; or landscapes ~~and~~ (including seascapes) in

⁹⁴⁰ 00226.153 Kāi Tahu ki Otago

⁹⁴¹ 00226.153 Kāi Tahu ki Otago

⁹⁴² 00226.153 Kāi Tahu ki Otago

⁹⁴³ Clause 16(2), Schedule 1, RMA

⁹⁴⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.042 DOC, 00014.022 John Highton

⁹⁴⁵ 00230.063 Forest and Bird

⁹⁴⁶ 00226.153 Kāi Tahu ki Otago

⁹⁴⁷ 00226.153 Kāi Tahu ki Otago

⁹⁴⁸ Consequential amendment to 00230.058 Forest and Bird

⁹⁴⁹ Consequential amendment to 00230.058 Forest and Bird

⁹⁵⁰ 00226.147 Kāi Tahu ki Otago

⁹⁵¹ Clause 16(2), Schedule 1, RMA

⁹⁵² 00234.022 Te Rūnanga o Ngāi Tahu

⁹⁵³ 00226.153 Kāi Tahu ki Otago

accordance with CE-P3,⁹⁵⁴ CE-P4, CE-P5, and⁹⁵⁵ CE-P6, and CE-P13⁹⁵⁶, and

- (13) identify and aquaculture settlement areas gazetted under the Māori Commercial Aquaculture Claims Settlement Act 2004.⁹⁵⁷

CE-M4 – District plans

Territorial authorities must prepare or amend and maintain their *district plans* to:

- (1) control the location, density and form of *subdivision* in the coastal environment (outside the *coastal marine area*),
- (2) control the location, scale and form of *buildings* and *structures* in the coastal environment (outside the *coastal marine area*),
- (3) control the location and scale of *earthworks*, mining,⁹⁵⁸ and vegetation planting, modification and removal in the coastal environment (outside the *coastal marine area*),
- (3A) achieve the integrated management of, and control over, land use activities which could cause direct or indirect effects on the coastal marine area,⁹⁵⁹ in accordance with CE-P1,⁹⁶⁰
- (4) require *resource consent* for uses of *land* on *reclamations* that have occurred after the date this RPS becomes operative,
- (5) provide for the establishment of *esplanade reserves* and *esplanade strips*,
- (6) include provisions requiring the adoption of a precautionary approach to assessing the *effects* of activities in the coastal environment in accordance with IM-P615⁹⁶¹ where:
 - (a) there is scientific uncertainty, or
 - (b) there are potentially significant or irreversible adverse *effects*, or
 - (c) coastal resources are potentially vulnerable to the effects of climate change.⁹⁶²
- (7) provide for walking access to, ~~and~~ along and adjacent to⁹⁶³ the *coastal marine area* in accordance with Policy 19 of the NZCPS,
- (8) control vehicle access to, ~~and~~ along and adjacent to⁹⁶⁴ the *coastal marine area* in accordance with Policy 20 of the NZCPS,
- (9) recognise *takata mana*⁹⁶⁵ *whenua* needs for *papakāika*, marae and associated developments within the coastal environment and make appropriate provision for them,

⁹⁵⁴ 00226.153 Kāi Tahu ki Otago

⁹⁵⁵ 00226.153 Kāi Tahu ki Otago

⁹⁵⁶ 00226.153 Kāi Tahu ki Otago

⁹⁵⁷ 00234.022 Te Rūnanga o Ngāi Tahu

⁹⁵⁸ 00226.154 Kāi Tahu ki Otago

⁹⁵⁹ 00137.059 DOC, 00226.154 Kāi Tahu ki Otago

⁹⁶⁰ 00226.154 Kāi Tahu ki Otago

⁹⁶¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.042 DOC, 00014.022 John Highton

⁹⁶² 00230.064 Forest and Bird

⁹⁶³ Consequential amendment to 00230.058 Forest and Bird

⁹⁶⁴ Consequential amendment to 00230.058 Forest and Bird

⁹⁶⁵ 00226.154 Kāi Tahu ki Otago

- (10) provide access to surf breaks of national significance nationally⁹⁶⁶ and regionally significant *surf breaks*, and
- (11) provide for and encourage activities undertaken for the primary purpose of enhancing coastal water quality, coastal habitats and ecosystems, customary fisheries and other mahika kai activities restoring natural character, features, or landscapes in accordance with CE-P1, CE-P3, CE-P4, and CE-P6 and CE-P13⁹⁶⁷.

CE-M5 – Other incentives and mechanisms

~~Local authorities are encouraged to~~ shall⁹⁶⁸ consider the use of other mechanisms or incentives to assist in achieving Policies CE-P2 to CE-P123,⁹⁶⁹ including:

- (1) identifying areas and opportunities within the coastal environment for restoration or rehabilitation,
- (2) identifying opportunities to enhance or restore public walking access in accordance with Policy 19(c) of the NZCPS,
- (3) promoting the removal of abandoned or redundant *structures* that have no heritage, amenity or reuse value,
- (4) funding assistance for restoration projects (for example, through Otago Regional Council's ECO Fund),
- (5) development or design guidelines (for example, colour palettes for *structures* in the coastal environment),
- (6) rating differentials for *land* that is protected due to its status as a high or outstanding natural character area,
- (7) education and advice,
- (8) research relevant to the *effects* of activities on:
 - (a) coastal network *infrastructure*,
 - (b) coastal values,
 - (c) *coastal hazards*,
 - (d) riparian vegetation cover or any *land* cover that contributes to supporting coastal values or mitigating *coastal hazards*, ~~or~~
 - (e) areas particularly sensitive to *land* use changes,
 - (f) coastal water quality, or⁹⁷⁰

⁹⁶⁶ Clause 16(2), Schedule 1, RMA

⁹⁶⁷ 00226.155 Kāi Tahu ki Otago

⁹⁶⁸ 00137.060 DOC

⁹⁶⁹ Clause 16(2), Schedule 1, RMA

⁹⁷⁰ 00226.155 Kai Tahu Ki Otago

- (g) coastal habitats and ecosystems,⁹⁷¹
- (9) facilitating the restoration, rehabilitation or creation of coastal habitats, particularly when it:
- (a) encourages the natural regeneration of indigenous species,
 - (b) buffers or links ecosystems, habitats and areas of significance that contribute to ecological corridors, or
 - (c) maintains or enhances the provision of indigenous ecosystem services, ~~and~~
 - (d) benefits *mahika kai* and kaimoana species or customary fisheries areas, or⁹⁷²
 - (e) will lead to the improvement of areas of deteriorated *water* quality, and⁹⁷³
- (10) bylaws controlling vehicle access to and along the *coastal marine area* in accordance with Policy 20 of the NZCPS.

CE-M6 – Monitoring

Otago Regional Council must:

- (1) establish a long-term monitoring programme for *coastal waters* and coastal ecosystems that incorporates cultural health monitoring,
- (2) record information (including monitoring data) about the state of *coastal waters* and coastal ecosystems and the challenges to their health and well-being,
- (3) regularly prepare reports on the matters in (1) and (2) and publish those reports, and
- (4) take action where the results of monitoring show that this is necessary to achieve the objectives of this policy statement.⁹⁷⁴

Explanation

CE-E1 – Explanation

The provisions in this chapter recognise that the coastal environment is a finite resource with a range of values that need to be preserved. The policies within the chapter are designed to protect the coastal environment from inappropriate activities. The coastal environment is also recognised as dynamic and the policies, in association with others in the ORPS, seek to prevent increasing *risks* to life, *infrastructure* and property.

The policies in this chapter require the identification and management of a range of values within the coastal environment. They also set out a number of environmental bottom lines that give effect to the requirements of the NZCPS. Provided these environmental bottom lines are achieved, the chapter also acknowledges that there are a range of activities including port activities, aquaculture, and

⁹⁷¹ 00226.155 Kāi Tahu ki Otago

⁹⁷² 00226.155 Kāi Tahu ki Otago

⁹⁷³ 00226.155 Kāi Tahu Ki Otago

⁹⁷⁴ 00226.157 Kāi Tahu Ki Otago

appropriately designed and located *subdivision*, use and development that can be undertaken within the coastal environment. The policies also provide specific direction on how activities in the coastal environment are to be undertaken. The ~~balance combination~~⁹⁷⁵ of protective and enabling policies within this chapter are designed to implement the objectives by requiring that activities in the coastal environment are undertaken in a manner that preserves or restores the values of the coastal environment.

Kāi Tahu tūpuna had an extensive knowledge of the coastal environment and weather patterns, passed from generation to generation. This knowledge continues to be held by whānau and hapū and is regarded as a taoka. The seasonal lifestyle of Kāi Tahu led to their dependence on the resources of the coast. This enduring relationship with the coastal environment, arising from long whakapapa associations and the use of tikaka to guide resource management practices, is manifested in the rakatirataka and *kaitiakitaka* responsibilities that Kāi Tahu hold as *mana whenua*.

Coastal waters can be influenced by activities which are undertaken beyond the coastal environment. This interconnectedness between coastal and *freshwater* environments means provisions contained within the LF – Land and *freshwater* chapter may also need to be considered to manage the coastal environment.⁹⁷⁶

Some of the policies in the NZCPS are highly prescriptive and will be most effectively implemented through *regional plans*⁹⁷⁷ and *district plans*. In those cases, the policies in this RPS have included additional region-specific context where that is possible, but have not sought to restate the content of NZCPS policies with the expectation that those policies will be implemented by the *regional plans*⁹⁷⁸ and *district plans*.

In addition to the policies in this chapter, the values of the coastal environment are recognised and provided for in ~~a number of other the following~~ chapters of the ORPS, ~~as set out in CE-P1. where they provide direction on the management of the coastal environment or activities within the coastal environment:~~

- ~~ECO – Ecosystems and indigenous *biodiversity*~~
- ~~LF – Land and *freshwater*~~
- ~~EIT – Energy, infrastructure and transport~~
- ~~HCV – Historical and cultural values~~
- ~~NFL – Natural features and landscapes~~
- ~~HAZ – Hazards and risks~~⁹⁷⁹

Principal reasons

CE-PR1 – Principal reasons

The coastal environment includes the *coastal marine area*, islands within the *coastal marine area* and the area landward of the line of mean high-water springs. The landward extent of the coastal

⁹⁷⁵ 00230.066 Forest and Bird

⁹⁷⁶ 00230.066 Forest and Bird

⁹⁷⁷ Clause 16(2), Schedule 1, RMA

⁹⁷⁸ Clause 16(2), Schedule 1, RMA

⁹⁷⁹ 00301.027 Port Otago, 00230.066 Forest and Bird

environment is determined by the natural and physical elements, features and processes set out in Policy 1(2) of the NZCPS. The importance of the coastal environment is reflected in the statutory resource management framework, particularly as identified in sections 6 and 7 of the RMA ~~1991~~⁹⁸⁰ and as set out in the NZCPS.

A number of activities occur within or affect the coastal environment including urban development, recreational activities, transport *infrastructure*, port activities, *infrastructure*, energy generation and transmission, food production and other farming activities, *plantation forestry*, *rural industry* and *mineral* extraction. These activities can be important contributors to the existing and future health and well-being of communities. However, poorly located or managed activities can have adverse *effects* that compromise the values of the coastal environment such as natural character, biophysical processes, *water quality*, *surf breaks*, indigenous *biodiversity* and natural landscapes.

The coastal environment is highly valued by Kāi Tahu *mana whenua*, with a number of areas in the coastal environment recognised in statutory acknowledgments in the NTCSA ~~1998~~⁹⁸¹. The marine environment is a moving force, a reminder of the power of Takaroa. The *coastal waters* and processes were integral to the way of life *tūpuna* enjoyed, and the coastal environment supports significant ~~māhika kai~~ *māhika kai*⁹⁸²/kaimoana resources and *wāhi tūpuna*. This environment was traditionally important for settlement and travel and continues to provide for settlement and ~~māhika kai~~ *māhika kai*⁹⁸³ and fisheries resources. Kaimoana is essential to coastal iwi and hapū relationships with the environment and in particular as part of the tikaka of food gathering and as indicators of the health of coastal environments.

The *coastal waters* are a *receiving environment* for *freshwater*, *gravels*, *sediment* and *contaminants* from the terrestrial landscape - of particular concern are the significant *discharges* of sediments, transported by *rivers* and waterways, that have a smothering effect on the benthic systems of the coastal area, including the important kelp beds. The interconnection of the *land* and sea environments is central to the *ki uta ki tai* ('mountains to the sea') philosophy. This interconnection requires careful consideration in managing the *effects* of *land* use activities.

Other chapters of the Regional Policy Statement are also relevant for managing the coastal environment as land-based activities can have a significant *effect* on the health of the marine environment. Sediment, *contaminants* and litter that are carried by waterways or pipes into the sea affect *water* quality and the ecological health of the coastal environment.

Implementation of the provisions in this chapter will occur primarily through *regional plans*⁹⁸⁴ and *district plan* provisions, however *local authorities* may also choose to adopt additional non-regulatory methods to support the achievement of the objectives.

⁹⁸⁰ Clause 16(2), Schedule 1, RMA

⁹⁸¹ Clause 16(2), Schedule 1, RMA

⁹⁸² Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁹⁸³ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁹⁸⁴ Clause 16(2), Schedule 1, RMA

Anticipated environmental results

CE-AER1	The values of the coastal environment are not adversely affected or lost because of inappropriate uses of the <i>natural and physical resources</i> in the coastal environment.
CE-AER2	There is no reduction in the extent of identified areas of high and outstanding natural character in the coastal environment.
CE-AER3	Areas where natural character has been reduced or lost are restored.
CE-AER4	There is an improvement in the quality of <i>water</i> in areas identified as having deteriorated <i>water</i> quality.
CE-AER5	The quality of <i>coastal water</i> supports healthy coastal ecosystems and provides for contact recreation and customary uses.
CE-AER6	New building and development in the coastal environment is consistent with the character of the area and avoids <u>increasing the</u> or <u>minimises</u> ⁹⁸⁵ <i>risks</i> from <i>natural hazards</i> to people and communities.
CE-AER7	The public have improved access to, along, and adjacent to the <i>coastal marine area</i> .
CE-AER 8	<u>The mauri of the coastal environment is protected, and restored where it has been degraded.</u> ⁹⁸⁶
CE-AER 9	<u>Customary uses, including practices associated with <i>mahika kai</i> and <i>kaimoana</i>, are supported, and <i>mana whenua</i> exercise their kaitiaki role within the coastal environment.</u> ⁹⁸⁷

⁹⁸⁵ 00239.067 Federated Farmers

⁹⁸⁶ 00234.014 Ngāi Tahu ki Murihiku

⁹⁸⁷ 00234.014 Ngāi Tahu ki Murihiku

LF – Land and freshwater

LF-WAI – Te Mana o te Wai

Objectives

LF-WAI-O1 – Te Mana o te Wai

The mauri of Otago’s *water bodies* and their health and well-being is protected, and restored where it is *degraded*, and the management of *land* and *water* recognises and reflects that:

- (1) *water* is the foundation and source of all life – na te wai ko te hauora o ngā mea katoa,
- (2) there is an integral kinship relationship between *water* and Kāi Tahu whānui, and this relationship endures through time, connecting past, present and future,
- (3) each *water body* has a unique whakapapa and characteristics,
- (4) *fresh water, and land, and coastal water*⁹⁸⁸ have a connectedness that supports and perpetuates life, and
- (4A) protecting the health and well-being of *water* protects the wider *environment*,⁹⁸⁹
- (5) Kāi Tahu exercise rakatirataka, manaakitaka and their *kaitiakitaka* duty of care and attention over wai and all the life it supports, and
- (6) all people and communities have a responsibility to exercise stewardship, care, and respect in the management of *fresh water*.⁹⁹⁰

Policies

LF-WAI-P1 – Prioritisation

In all decision-making affecting management of⁹⁹¹ *fresh water* in Otago, prioritise:

- (1) first, the health and well-being of *water bodies* and *freshwater* ecosystems, (te hauora o te wai) and the contribution of this to⁹⁹² the health and well-being of the *environment* (te hauora o te taiao), and together with⁹⁹³ the exercise of *mana whenua* to uphold these,⁹⁹⁴

⁹⁸⁸ FPI019.003 Fonterra, FPI032.014 Te Rūnanga o Ngāi Tahu, FPI030.015 Kāi Tahu ki Otago, FPI044.005 DOC, FPI042.08 Ngāi Tahu ki Murihiku

⁹⁸⁹ FPI043.051 OWRUG, FPI019.003 Fonterra

⁹⁹⁰ FPI019.003 Fonterra, FPI037.012 Fish and Game, FPI032.014 Te Rūnanga o Ngāi Tahu, FPI030.015 Kāi Tahu ki Otago, FPI044.005 DOC

⁹⁹¹ FPI024.016 DairyNZ, FPI027.016 Contact, FPI019.004 Fonterra, FPI012.003 Minister for the Environment, FPI017.004 Ravensdown, FPI021.002 Ballance

⁹⁹² FPI030.016 Kāi Tahu ki Otago

⁹⁹³ FPI017.004 Ravensdown, FPI021.002 Ballance

⁹⁹⁴ In matters of mana, the associated spiritual and cultural responsibilities connect natural resources and *mana whenua* in a kinship relationship that is reciprocal and stems from the time of creation.

- (2) second, health and well-being⁹⁹⁵ needs of people, (te hauora o te tangata),⁹⁹⁶ interacting with *water* through ingestion (such as *drinking water* and consuming ~~harvested~~ resources harvested from the *water body*)⁹⁹⁷ and immersive activities (such as harvesting resources and ~~bathing~~ primary contact),⁹⁹⁸ and
- (3) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

LF-WAI-P2 – Mana whakahaere

Recognise and give practical effect to Kāi Tahu rakatirataka in respect of *fresh water* by:

- (1) facilitating partnership with, and the active involvement of, *mana whenua* in *freshwater* management and decision-making processes,
- (2) sustaining the environmental, social, cultural and economic relationships of Kāi Tahu with *water bodies*,
- (3) providing for a range of customary uses, including ~~mahika kai~~ *mahika kai*,⁹⁹⁹ specific to each *water body*, and
- (4) incorporating mātauraka into decision making, management and monitoring processes, and
- (5) managing wai and its connections with whenua in a holistic and interconnected way – ki uta ki tai.¹⁰⁰⁰

LF-WAI-P3 – Integrated management/ki uta ki tai

Manage the use of *freshwater* and *land*, ~~in accordance with tikanga and kawa~~, using an integrated approach that is consistent with tikaka and kawa,¹⁰⁰¹ that:

- (1) sustains and, to the greatest extent practicable, restores or improves:¹⁰⁰²
 - (a) ~~recognises and sustains~~¹⁰⁰³ the natural¹⁰⁰⁴ connections and interactions between *water bodies* (large and small, surface and ground, fresh and coastal, permanently flowing, intermittent and ephemeral),
 - (~~2~~b) ~~sustains and, wherever possible, restores~~¹⁰⁰⁵ the natural¹⁰⁰⁶ connections and interactions between *land* and *water*, from the mountains to the sea,

⁹⁹⁵ FPI016.011 Meridian

⁹⁹⁶ FPI017.004 Ravensdown

⁹⁹⁷ FPI030.016 Kāi Tahu ki Otago, FPI017.004 Ravensdown, FPI045.006 Forest and Bird

⁹⁹⁸ FPI017.004 Ravensdown

⁹⁹⁹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

¹⁰⁰⁰ 00234.026 Te Rūnanga o Ngāi Tahu

¹⁰⁰¹ 00235.080 OWRUG, FS00226.362 Kāi Tahu ki Otago, FS00234.164 Te Rūnanga o Ngāi Tahu

¹⁰⁰² 00306.032 Meridian

¹⁰⁰³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00306.032 Meridian

¹⁰⁰⁴ 00026.161 Moutere Station

¹⁰⁰⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00306.032 Meridian

¹⁰⁰⁶ 00026.161 Moutere Station

- (3c) ~~sustains and, wherever possible, restores~~¹⁰⁰⁷ the habitats of ~~māhika kai~~ *māhika kai*¹⁰⁰⁸ and indigenous species, including taoka species associated with the ~~water body~~ *bodies*,¹⁰⁰⁹
- (4) manages the *effects* of the use and development of *land* to maintain or enhance the health and well-being of *freshwater*, ~~and coastal water and associated ecosystems~~,¹⁰¹⁰
- (5) encourages the coordination and sequencing of regional or urban growth to ensure it is sustainable,
- (6) has regard to foreseeable *climate change risks* and the potential effects of *climate change* on *water bodies*, including on their natural functioning,¹⁰¹¹ ~~and~~
- (7) has regard to cumulative *effects*, and
- (8)¹⁰¹² ~~the need to apply~~ applies¹⁰¹³ a precautionary approach where there is limited available information or uncertainty about potential adverse *effects*,¹⁰¹⁴ in accordance with IM-P6.¹⁰¹⁵

LF-WAI-P4 – Giving effect to *Te Mana o te Wai*

All persons exercising functions and powers under this regional policy statement and all persons who use, develop or protect resources to which this regional policy statement applies must recognise that LF-WAI-O1, LF-WAI-P1, LF-WAI-P2 and LF-WAI-P3 are fundamental to upholding *Te Mana o te Wai*, and must be given effect to when making decisions affecting *freshwater*, including when interpreting and applying the provisions of the LF chapter.

Methods

LF-WAI-M1 – ~~Mana whenua involvement~~ Kāi Tahu rakatirataka¹⁰¹⁶

Otago Regional Council must partner with Kāi Tahu in *freshwater* management by:

- (1) implementing the actions in MW-M3 and MW-M4,
- (2) actively identifying and pursuing opportunities for *mana whenua* to be involved in *freshwater* governance, including through use of available mechanisms such as transfers of functions (under section 33 of the RMA ~~1991~~)¹⁰¹⁷ and supporting the establishment of *freshwater* mātaimai,
- (3) implementing actions to foster the development of *mana whenua* capacity to contribute to the Council’s decision-making processes, including resourcing,
- (4) supporting *mana whenua* initiatives that contribute to maintaining or improving the health and well-being of *water bodies*, ~~and~~

¹⁰⁰⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00306.032 Meridian

¹⁰⁰⁸ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

¹⁰⁰⁹ 00226.161 Kāi Tahu ki Otago, 00234.027 Te Rūnanga o Ngāi Tahu

¹⁰¹⁰ 00226.161 Kāi Tahu ki Otago, 00234.027 Te Rūnanga o Ngāi Tahu

¹⁰¹¹ 00226.161 Kāi Tahu ki Otago, 00234.027 Te Rūnanga o Ngāi Tahu

¹⁰¹² 00231.047 Fish and Game

¹⁰¹³ 00231.047 Fish and Game

¹⁰¹⁴ 00239.072 Federated Farmers, 00022.016 Graymont, 00409.005 Ballance

¹⁰¹⁵ 00022.016 Graymont, 00409.005 Ballance

¹⁰¹⁶ 00226.163 Kāi Tahu ki Otago

¹⁰¹⁷ Clause 16(2), Schedule 1, RMA

- (5) providing relevant information to *mana whenua* for the purposes of (1), (2), (3) and (4), and
- (6) developing a kaupapa Kāi Tahu monitoring programme and facilitating the use of mātauraka to inform freshwater management decision-making processes, methods and outcomes, in combination with environmental science.¹⁰¹⁸

LF-WAI-M2 – Other methods

In addition to method LF-WAI-M1, the methods in the LF-VM, LF-FW, and LF-LS sections are also applicable.

Explanation

LF-WAI-E1 – Explanation

Water is a central element in Kāi Tahu creation traditions. It was present very early in the whakapapa of the world: in the beginning there was total darkness, followed by the emergence of light and a great void of nothingness. In time Maku mated with Mahoronuiatea which resulted in great expanses of *water*, then Papatūānuku Papatūānuku¹⁰¹⁹ and Takaroa met and had children after which Takaroa took a long absence. Papatūānuku Papatūānuku¹⁰²⁰ met Rakinui and they had many children who conspired to force their parents' coupled bodies apart to let the light in. They were also responsible for creating many of the elements that constitute our world today – the mountains, *rivers*, forests and seas, and all fish, bird and animal life. To Kāi Tahu, the¹⁰²¹ whakapapa and spiritual source of *water* and *land* are connected, and *water bodies* are the central unifying feature that connects our landscapes together. The spiritual essence of *water* derives from the atua and the life it exudes is a reflection of the atua.

To Kāi Tahu, the¹⁰²² whakapapa of *mana whenua* and *water* are also integrally connected. There is a close kinship relationship, and *mana whenua* and the wai cannot be separated. The tūpuna relationship with *water*, and the different uses made of the *water*, provide a daily reminder of greater powers – of both the atua and tūpuna. This relationship continues into the present and future and is central to the identity of Kāi Tahu. The mana of wai is sourced from the time of creation and the work of kā Atua, invoking a reciprocal relationship with *mana whenua* based in kawa, tikaka and respect for *water's* life-giving powers and its sanctity.

The kinship connection engenders a range of rights and responsibilities for *mana whenua*, including rakatirataka rights and the responsibility of *kaitiakitaka*. *Kaitiakitaka* encompasses a high duty to uphold and maintain the mauri (life-force)¹⁰²³ of the wai. If the mauri is degraded it has an impact not only on the mana of the wai but also on the kinship relationship and on *mana whenua*. The mauri expresses mana and connection, which can only be defined by *mana whenua*. Recognising rakatirataka enables *mana whenua* to enjoy their rights over *water bodies* and fulfil their responsibilities to care for the wai and the communities it sustains.

¹⁰¹⁸ 00223.081 Ngāi Tahu ki Murihiku

¹⁰¹⁹ 00226.024 Ngāi Tahu ki Murihiku

¹⁰²⁰ 00226.024 Ngāi Tahu ki Murihiku

¹⁰²¹ 00226.165 Kāi Tahu ki Otago

¹⁰²² 00226.165 Kāi Tahu ki Otago

¹⁰²³ 00239.192 Federated Farmers; 00236.111 Horticulture NZ; 00140.003 Waitaki DC

The condition of *water* is seen as a reflection of the condition of the people - when the wai is healthy, so are the people. Kawa and tikaka have been developed over the generations, based on customs and values associated with the Māori world view that span the generations, ~~recognising and honouring~~ Giving effect to te mana-Te Mana o te wai Wai and upholding upholds the mauri of the wai and is consistent with this value base.¹⁰²⁴

To Kāi Tahu, Each each¹⁰²⁵ *water body* is unique. This is a reflection of its unique whakapapa and characteristics, and it means that each *water body* has different needs. Management and use must recognise and reflect this.

The concept of Te Mana o te Wai aligns closely with the Kāi Tahu approach to freshwater management, but it is not confined to Kāi Tahu.¹⁰²⁶ Water is valued by the community.¹⁰²⁷ The life-giving qualities of freshwater support the health and well-being of the whole community and all people have a shared responsibility to respect and care for the health and well-being of freshwater bodies.¹⁰²⁸ Access to water, within limits (in relation to water),¹⁰²⁹ is an important contributor achieving social, cultural and economic well-being within Otago.¹⁰³⁰

Principal reasons

LF-WAI-PR1 – Principal reasons

In accordance with the NPSFM, councils are required to implement a framework for managing *freshwater* that gives effect to *Te Mana o te Wai*. This places the mauri (life-force) of the *water* at the forefront of decision making, recognising that¹⁰³¹ te hauora o te wai (the health of the *water*) is the first priority, and supports te hauora o te taiao (the health of the environment) and te hauora o te takata (the health of the people). It is only after the health of the *water* and the health of the people¹⁰³² is sustained that *water* can be used for economic purposes. When water is available for use, different uses may be prioritised in different FMUs or rohe depending on the values identified by communities and the environmental outcomes seeking to be achieved.¹⁰³³ Giving effect to *Te Mana o te Wai* requires actively involving *takata mana*¹⁰³⁴ *whenua* in *freshwater* planning and management.

The NZCPS also recognises the interconnectedness of *land* and *water*. It notes inland activities can have a significant impact on *coastal water* quality which, in many areas around New Zealand, is in decline. This is a consequence of point and diffuse sources of contamination which can have environmental, social, cultural and economic implications. For example, poor *water* quality adversely *effects* aquatic life and opportunities for ~~mahika kai~~ *mahika kai*¹⁰³⁵ gathering and recreational uses such as swimming and kayaking.

¹⁰²⁴ 00235.082 OWRUG

¹⁰²⁵ 00226.165 Kāi Tahu ki Otago

¹⁰²⁶ 00226.165 Kāi Tahu ki Otago

¹⁰²⁷ 00235.082 OWRUG

¹⁰²⁸ 00226.165 Kāi Tahu ki Otago

¹⁰²⁹ 00231.009 Fish and Game

¹⁰³⁰ 00235.082 OWRUG

¹⁰³¹ FPI030.017 Kāi Tahu ki Otago, FPI027.017 Contact

¹⁰³² FPI027.017 Contact

¹⁰³³ FPI001.007 Dunedin City Council, FPI033.001 Fulton Hogan

¹⁰³⁴ FPI030.017 Kāi Tahu ki Otago, FPI032.016 Te Rūnanga o Ngāi Tahu

¹⁰³⁵ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

Anticipated environmental results

LF-WAI-AER2	The mauri of Otago's <i>water bodies</i> and their health and well-being is protected. <u>The mauri of Otago's water bodies and the health and well-being of <i>water bodies</i> and <i>freshwater</i> ecosystems is protected, and restored where degraded.</u> ¹⁰³⁶
LF-WAI-AER1	Kāi Tahu are actively involved in the management of <i>freshwater</i> and able to effectively exercise their <i>rakatirataka</i> , <i>manaakitaka</i> and <i>kaitiakitaka</i> .

¹⁰³⁶ FPI026.021 Federated Farmers, FPI043.058 OWRUG, FPI024.018 DairyNZ, FPI019.005 Fonterra

LF-VM – Visions and management LF-FW – Fresh water

Note to readers: As a result of reporting officer recommendations, this chapter combines the LF-VM and LF-FW provisions as notified. The numbering in this section reflects the notified numbering of the provisions so that it is clear that the provision has been moved rather than introduced as ‘new’. The numbering will be corrected at the end of the hearing process.

Objectives

LF-FW-O1A – Visions set for each FMU and rohe

In each FMU and rohe in Otago and within the timeframes specified in the *freshwater* visions in LF-VM-O2 to LF-VM-O6:

- (1) healthy *freshwater* and estuarine ecosystems support healthy populations of indigenous species (including non-diadromous galaxiids and Canterbury mudfish) and plentiful *mahika kai* that are safe for consumption,
- (2) the interconnection of *land, freshwater* (including springs, *groundwater*, ephemeral *water bodies, wetlands, rivers, and lakes*) and *coastal water* is recognised,
- (3) indigenous species migrate easily within and between catchments,
- (4) the natural form, function and character of *water bodies* reflects their natural characteristics and natural behaviours to the greatest extent practicable,
- (5) the ongoing relationship of Kāi Tahu with *wāhi tūpuna*, including access to and use of *water bodies*, is sustained,
- (6) the health of the *water* supports the health of people and their connections with *water bodies*,
- (7) innovative and sustainable *land* and *water* management practices:
 - (a) support pastoral, arable, and horticultural production and the continued social, economic, and cultural well-being of Otago’s people and communities, and
 - (b) improve the resilience of communities to the *effects of climate change*, and
- (8) direct *discharges of wastewater* to *water bodies* are phased out to the greatest extent practicable.¹⁰³⁷

LF-VM-O2 – Clutha Mata-au FMU vision

In the Clutha Mata-au FMU, and in addition to the matters in LF-FW-O1A.¹⁰³⁸

- (1) management of the FMU recognises that:
 - (a) the Clutha Mata-au is a single connected system ki uta ki tai, and

¹⁰³⁷ FPI044.007 DOC, FPI037.014 Fish and Game, FPI030.019 Kāi Tahu ki Otago, FPI045.008 Forest and Bird

¹⁰³⁸ Clause 10(2)(b)(ii), Schedule 1, RMA – consequential amendment arising from introducing LF-FW-O1A

(b) the source of the wai is pure, coming directly from ~~Tawhirimatea~~ Tāwhirimātea¹⁰³⁹ to the top of the mauka and into the awa,

~~(1A) sustainable abstraction occurs from *lakes, river* main stems or *groundwater* in preference to tributaries,¹⁰⁴⁰~~

~~(2) *fresh water* is managed in accordance with the LF-WAI objectives and policies,¹⁰⁴¹~~

~~(3) the ongoing relationship of Kāi Tahu with *wāhi tūpuna* is sustained,¹⁰⁴²~~

~~(4) *water bodies* support thriving *mahika kai* and Kāi Tahu whānui have access to *mahika kai*,¹⁰⁴³~~

~~(5) indigenous species migrate easily and as naturally as possible along and within the *river* system,¹⁰⁴⁴~~

~~(6) the national significance of the Clutha hydro-electricity generation scheme is recognised and its operation, maintenance, and upgrading is provided for,¹⁰⁴⁵~~

~~(6A) *water bodies* support a range of outdoor recreation opportunities,¹⁰⁴⁶~~

~~(7) in addition to (1) to (6) above:¹⁰⁴⁷~~

~~(a) in the Upper Lakes rohe, the high quality *waters* of the *lakes* and their tributaries are protected, and if degraded are improved,¹⁰⁴⁸ recognising the significance of the purity of these *waters* to Kāi Tahu and to the wider community,~~

~~(b) in the Dunstan, Manuherekiā and Roxburgh rohe:¹⁰⁴⁹~~

~~(i) flows in *water bodies* sustain and, wherever possible, restore the natural form and function of main stems and tributaries to support Kāi Tahu values and practices, and~~

~~(ii) innovative and sustainable *land* and *water* management practices support food production in the area and reduce discharges of nutrients and other *contaminants* to *water bodies* so that they are safe for human contact, and~~

~~(iii) sustainable abstraction occurs from main stems or *groundwater* in preference to tributaries,~~

~~(7A) in the Lower Clutha rohe:¹⁰⁴⁹~~

~~(i) there is no further modification of the shape and behaviour of the *water bodies* and opportunities to restore the natural form and function of *water bodies* are promoted wherever possible, and¹⁰⁵⁰~~

¹⁰³⁹ FPI027.019 Contact

¹⁰⁴⁰ FPI030.020 Kāi Tahu ki Otago

¹⁰⁴¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁴² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁴³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁴⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁴⁵ FPI027.019 Contact

¹⁰⁴⁶ FPI038.008 NZSki, FPI039.010 Realnz

¹⁰⁴⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁴⁸ FPI027.019 Contact

¹⁰⁴⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁵⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

- ~~(ii) the ecosystem connections between *freshwater, wetlands* and the coastal environment are preserved and, wherever possible, restored,¹⁰⁵¹~~
- ~~(iii) *land* management practices reduce discharges of nutrients and other *contaminants to water bodies* so that they are safe for human contact, and¹⁰⁵²~~
- ~~(iv) there are no direct *discharges of wastewater to water bodies*, and¹⁰⁵³~~

(8) the outcomes sought in ~~(7)~~¹⁰⁵⁴ are to be achieved within the following timeframes:

- (a) by 2030 in the Upper Lakes rohe,
- (b) by 2045 in the Dunstan, and Roxburgh ~~and Lower Clutha~~ rohe, and¹⁰⁵⁵
- (c) by 2050 in the Manuherekia and Lower Clutha rohe.¹⁰⁵⁶

LF-VM-03 – North Otago FMU vision

By 2050 in the North Otago FMU, and in addition to the matters in LF-FW-O1A.¹⁰⁵⁷

- ~~(1) fresh *water* is managed in accordance with the LF-WAI objectives and policies, while recognising that the Waitaki River is influenced in part by catchment areas within the Canterbury region the Waitaki River is managed holistically, ki uta ki tai, despite its catchments spanning the Canterbury and Otago regions,¹⁰⁵⁸~~
- ~~(1B) the national significance of the Waitaki hydroelectricity generation scheme is recognised,¹⁰⁵⁹~~
- ~~(2) the ongoing relationship of Kāi Tahu with *wāhi tūpuna* is sustained and Kāi Tahu maintain their connection with and use of the *water bodies*;¹⁰⁶⁰~~
- (3) healthy riparian margins, *wetlands*, estuaries and lagoons support thriving ~~*mahika kai*, indigenous habitats and¹⁰⁶¹ the health of¹⁰⁶²~~ downstream coastal ecosystems,
- ~~(4) indigenous species can migrate easily and as naturally as possible to and from the coastal environment,¹⁰⁶³~~
- ~~(5) *land* management practices reduce *discharges* of nutrients and other *contaminants to water bodies* so that they are safe for human contact, and¹⁰⁶⁴~~
- ~~(6) innovative and sustainable *land* and *water* management practices support food production in the area and improve resilience to the *effects of climate change*.¹⁰⁶⁵~~

¹⁰⁵¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁵² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁵³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁵⁴ Clause 16(2), Schedule 1, RMA

¹⁰⁵⁵ FPI024.019 DairyNZ

¹⁰⁵⁶ FPI024.019 DairyNZ

¹⁰⁵⁷ Clause 10(2)(b)(ii), Schedule 1, RMA – consequential amendment arising from introducing LF-FW-O1A

¹⁰⁵⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI033.001 Fulton Hogan

¹⁰⁵⁹ FPI016.013 Meridian

¹⁰⁶⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁶¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁶² Clause 16(2), Schedule 1, RMA

¹⁰⁶³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁶⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁶⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

LF-VM-O4 – ~~Taiari Taiari~~¹⁰⁶⁶ FMU vision

By 2050 in the ~~Taiari Taiari~~¹⁰⁶⁷ FMU, and in addition to the matters in LF-FW-O1A:¹⁰⁶⁸

- ~~(1) — fresh water is managed in accordance with the LF-WAI objectives and policies,~~¹⁰⁶⁹
- ~~(2) — the ongoing relationship of Kāi Tahu with wāhi tūpuna is sustained,~~¹⁰⁷⁰
- (3) healthy wetlands are restored in¹⁰⁷¹ the upper and lower catchment *wetland* complexes, including the Waipori/Waihola Wetlands Waipōuri/Waihola wetland complex,¹⁰⁷² Tunaheketa/Lake Taiari, scroll plain, Upper Taiari wetland complex,¹⁰⁷³ and connected¹⁰⁷⁴ tussock areas are protected,¹⁰⁷⁵ restored or enhanced where they have been degraded or lost,¹⁰⁷⁶
- (4) the gravel *bed* of the lower ~~Taiari Taiari~~¹⁰⁷⁷ is restored and sedimentation of the ~~Waipori Waipōuri/Waihola~~¹⁰⁷⁸ wetland¹⁰⁷⁹ complex is reduced,
- (4A) the national significance of the Waipōuri hydro-electricity generation scheme, and the regional significance of the Deep Stream and Paerau/Patearoa hydro-electricity generation schemes, is recognised and their operation, maintenance, and upgrading is provided for, and¹⁰⁸⁰
- (5) creative ecological approaches contribute to reduced occurrence of didymo.
- ~~(6) — water bodies support healthy populations of galaxiid species,~~
- ~~(7) — there are no direct discharges of wastewater to water bodies, and~~¹⁰⁸¹
- ~~(8) — innovative and sustainable land and water management practices support food production in the area and improve resilience to the effects of climate change.~~¹⁰⁸²

LF-VM-O5 – Dunedin & Coast FMU vision

By 2040 in the Dunedin & Coast FMU, and in addition to the matters in LF-FW-O1A:¹⁰⁸³

- ~~(1) — fresh water is managed in accordance with the LF-WAI objectives and policies,~~¹⁰⁸⁴
- ~~(2) — the ongoing relationship of Kāi Tahu with wāhi tūpuna is sustained,~~¹⁰⁸⁵

¹⁰⁶⁶ FPI030.049 Kāi Tahu ki Otago

¹⁰⁶⁷ FPI030.049 Kāi Tahu ki Otago

¹⁰⁶⁸ Clause 10(2)(b)(ii), Schedule 1, RMA – consequential amendment arising from introducing LF-FW-O1A

¹⁰⁶⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁷⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁷¹ FPI025.020 Beef + Lamb and DINZ

¹⁰⁷² FPI030.022 Kāi Tahu ki Otago

¹⁰⁷³ FPI044.011 DOC

¹⁰⁷⁴ FPI022.005 Manawa Energy

¹⁰⁷⁵ Uncoded submission point - Kāi Tahu ki Otago submission, para 3.8

¹⁰⁷⁶ FPI025.020 Beef + Lamb and DINZ

¹⁰⁷⁷ FPI030.049 Kāi Tahu ki Otago

¹⁰⁷⁸ FPI030.049 Kāi Tahu ki Otago

¹⁰⁷⁹ FPI030.022 Kāi Tahu ki Otago

¹⁰⁸⁰ FPI022.005 Manawa

¹⁰⁸¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁸² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁸³ Clause 10(2)(b)(ii), Schedule 1, RMA – consequential amendment arising from introducing LF-FW-O1A

¹⁰⁸⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁸⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

- (3) healthy riparian margins, wetlands, estuaries, and lagoons and coastal waters¹⁰⁸⁶ support the health of thriving mahika kai and downstream coastal ecosystems, and indigenous species can migrate easily and as naturally as possible to and from these areas,¹⁰⁸⁷
- ~~(4) there is no further modification of the shape and behaviour of the water bodies and opportunities to restore the natural form and function of water bodies are promoted wherever possible, and~~¹⁰⁸⁸
- ~~(5) discharges of contaminants from urban environments are reduced so that water bodies are safe for human contact.~~¹⁰⁸⁹

LF-VM-O6 – Catlins FMU vision

By ~~2030~~ 2035¹⁰⁹⁰ in the Catlins FMU, and in addition to the matters in LF-FW-O1A.¹⁰⁹¹

- ~~(1) fresh water is managed in accordance with the LF WAI objectives and policies,~~¹⁰⁹²
- ~~(2) the ongoing relationship of Kāi Tahu with wāhi tūpuna is sustained,~~¹⁰⁹³
- ~~(3) water bodies support thriving mahika kai and access of Kāi Tahu whānui to mahika kai,~~¹⁰⁹⁴
- (4) the high degree of naturalness of the water bodies¹⁰⁹⁵ and ecosystem connections between the forests, freshwater and coastal environment are preserved, and
- ~~(5) water bodies and their catchment areas support the health and well-being of coastal water, ecosystems and indigenous species, including downstream kaimoana, and~~¹⁰⁹⁶
- (6) healthy, clear and clean water supports opportunities for recreation and sustainable food production for future generations.

LF-VM-O7 – Integrated management

~~Land and water management apply the ethic of ki uta ki tai and are managed as integrated natural resources, recognising the connections and interactions between fresh water, land and the coastal environment, and between surface water, groundwater and coastal water.~~¹⁰⁹⁷

LF-FW-O9 – Natural wetlands

Otago's natural wetlands are protected or restored so that:

- (1) mahika kai and other mana whenua values are sustained and enhanced now and for future generations,

¹⁰⁸⁶ FPI001.012 DCC

¹⁰⁸⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁸⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁸⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁹⁰ FPI029.001 Otago Regional Council

¹⁰⁹¹ Clause 10(2)(b)(ii), Schedule 1, RMA – consequential amendment arising from introducing LF-FW-O1A

¹⁰⁹² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁹³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁹⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁹⁵ FPI030.024 Kāi Tahu ki Otago

¹⁰⁹⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI044.007 DOC and others

¹⁰⁹⁷ 00121.056 Ravensdown

- (2) there is no net¹⁰⁹⁸ decrease, and preferably an increase,¹⁰⁹⁹ in the range extent¹¹⁰⁰ and diversity of indigenous ecosystem types and habitats in *natural wetlands*,
- (3) there is no reduction and, where degraded, there is an improvement¹¹⁰¹ in their wetland¹¹⁰² ecosystem health, hydrological functioning, *amenity values*, extent or *water quality*, ~~and if degraded they are improved~~, and¹¹⁰³
- (4) their flood attenuation and water storage¹¹⁰⁴ capacity is maintained or improved.¹¹⁰⁵

Policies

LF-VM-P5 – Freshwater Management Units (FMUs) and rohe

Otago's *freshwater* resources are managed through the following *freshwater management units* or rohe which:

- (1) have coastal boundaries that follow either mean high water springs or, where this crosses a water body, the inner limit of the territorial sea, and¹¹⁰⁶
- (2) are shown on MAP1:

Table 3 – Freshwater Management Units and rohe

Freshwater Management Unit	Rohe
Clutha Mata-au	Upper Lakes Dunstan Manuherekia Roxburgh Lower Clutha
Taieri-Taiari ¹¹⁰⁷	n/a
North Otago	n/a
Dunedin & Coast	n/a
Catlins	n/a

LF-VM-P6 – Relationship between FMUs and rohe

Where rohe have been defined within FMUs:

- (1) *environmental outcomes* must be developed for the FMU within which the rohe is located,

¹⁰⁹⁸ FPI033.003 Fulton Hogan

¹⁰⁹⁹ FPI035.012 Wise Response

¹¹⁰⁰ FPI030.029 Kāi Tahu ki Otago, FPI021.004 Ballance, FPI025.027 Beef + Lamb and DINZ

¹¹⁰¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI033.003 Fulton Hogan

¹¹⁰² FPI033.003 Fulton Hogan

¹¹⁰³ FPI033.003 Fulton Hogan

¹¹⁰⁴ FPI030.029 Kāi Tahu ki Otago

¹¹⁰⁵ FPI035.012 Wise Response

¹¹⁰⁶ FPI030.025 Kāi Tahu ki Otago

¹¹⁰⁷ FPI030.049 Kāi Tahu ki Otago

- (2) if any additional rohe-specific environmental outcomes are included for rohe, those environmental outcomes:¹¹⁰⁸
- (a) must¹¹⁰⁹ set target *attribute* states that are no less stringent than the parent *FMU environmental outcomes* if the same *attributes* are adopted in both the rohe and the *FMU*, and
 - (b) may include additional *attributes* and target *attribute* states provided that any additional *environmental outcomes* give effect to the *environmental outcomes* for the *FMU*,
- (3) limits and action plans to achieve environmental outcomes, including by achieving target attribute states,¹¹¹⁰ may be developed for the *FMU* or the rohe or a combination of both,
- (4) any *limit* or action plan developed to apply within a rohe:
- (a) prevails over any *limit* or action plan developed for the *FMU* for the same *attribute*, unless explicitly stated to the contrary, and
 - (b) must be no less stringent than any limit or action plan¹¹¹¹ set for the parent *FMU* for the same *attribute*, and
 - (c) must not conflict with any limit set or action plan developed¹¹¹² for the underlying parent¹¹¹³ *FMU* for *attributes* that are not the same, and
- (5) the term “no less stringent” in this policy applies to *attribute states* (numeric and narrative) and any other metrics and timeframes (if applicable).

LF-VM-P6A – Transitions over time

Provide for ambitious and reasonable transitions in the use of *land* and *water* to achieve the long-term visions by:

- (1) recognising that changes to practices and activities will need to occur over time; and
- (2) managing the adverse impacts of implementing these changes on people and communities, including by phasing implementation of new requirements and building on actions undertaken by catchment and other community groups, and
- (3) enabling innovation and the development of new practices.

LF-FW-P7 - Fresh water

Environmental outcomes, attribute states (including target attribute states), environmental flows and levels,¹¹¹⁴ and limits ensure that:

¹¹⁰⁸ FPI021.004 Ballance

¹¹⁰⁹ FPI030.026 Kāi Tahu ki Otago

¹¹¹⁰ FPI021.004 Ballance

¹¹¹¹ FPI021.004 Ballance

¹¹¹² FPI021.004 Ballance

¹¹¹³ Clause 16(2), Schedule 1, RMA

¹¹¹⁴ FPI030.030 Kāi Tahu ki Otago, FPI017.010 Ravensdown, FPI021.005 Ballance, FPI027.026 Contact

- (1) the health and well-being of *water bodies* and *freshwater ecosystems*¹¹¹⁵ is maintained or, if *degraded*, improved,
- (2) the habitats of indigenous species ~~associated with *water bodies*~~ with life stages dependent on *water bodies*¹¹¹⁶ are protected and sustained,¹¹¹⁷ ~~including by providing for fish passage,~~
- (2A) the habitats of trout and salmon are protected insofar as this is consistent with (2),¹¹¹⁸
- (2B) fish passage is provided for, except where it is desirable to prevent the passage of some fish species in order to protect desired fish species, their life stages, or their habitats,¹¹¹⁹
- (3) *specified rivers and lakes* are suitable for primary contact within the following timeframes:
 - (a) by 2030, 90% of *rivers* and 98% of *lakes*, and
 - (b) by 2040, 95% of *rivers* and 100% of *lakes*, and
- (4) resources harvested from *water bodies* including¹¹²⁰ *mahika kai* and *drinking water* are safe for human consumption.⁷
- ~~(5) existing *over-allocation* is phased out and future *over-allocation* is avoided, and~~¹¹²¹
- ~~(6) *fresh water* is allocated within environmental *limits* and used efficiently.~~¹¹²²

LF-FW-P7A – Water allocation and use¹¹²³

Within *limits* and in accordance with any relevant environmental flows and levels, the benefits of using *fresh water* are recognised and *over-allocation* is either phased out or avoided by:

- (1) managing *over-allocation* as set out in LF-FW-M6,¹¹²⁴
- (2) allocating *fresh water* efficiently to support the social, economic, and cultural well-being of people and communities, including for:
 - (a) community drinking water supplies,
 - (b) *renewable electricity generation,*
 - (c) *mana whenua* needs and aspirations, and¹¹²⁵
 - (d) *land-based primary production,*
- (3) ensuring that no more *fresh water* is abstracted than is necessary for its intended use,
- (4) ensuring that the efficiency of *freshwater* abstraction, storage, and conveyancing *infrastructure* is improved,

¹¹¹⁵ FPI037.019 Fish and Game

¹¹¹⁶ FPI027.026 Contact, FPI021.005 Ballance

¹¹¹⁷ FPI030.030 Kāi Tahu ki Otago, FPI027.026 Contact

¹¹¹⁸ FPI037.019 Fish and Game

¹¹¹⁹ FPI022.006 Manawa

¹¹²⁰ FPI037.018 Fish and Game

¹¹²¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from including LF-FW-P7A

¹¹²² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from including LF-FW-P7A

¹¹²³ FPI025.028 Beef + Lamb and DINZ, FPI045.016 Forest and Bird, FPI043.065 OWRUG, FPI009.008 COWA, FPI047.023 Horticulture NZ, FPI022.006 Manawa Energy, FPI027.026 Contact, FPI023.010 Moutere Station

¹¹²⁴ Clause 16(2), Schedule 1, RMA

¹¹²⁵ FPI030.019 Kāi Tahu ki Otago

- (5) enabling the harvesting and storage of *fresh water* to meet increasing demand for *water*, to manage *water* scarcity conditions and to provide resilience to the *effects of climate change*, and
- (6) providing for spatial and temporal sharing of allocated *fresh water* between uses and users where feasible.¹¹²⁶

LF-FW-P8 – Identifying *natural inland*¹¹²⁷ *wetlands*

By 3 September 2030, ~~identify~~ identify¹¹²⁸ and map *natural inland*¹¹²⁹ *wetlands* that are:

- (1) 0.05 hectares or greater in extent, or
- (2) of a type that is naturally less than 0.05 hectares in extent (such as an ephemeral *wetland*) and known to contain *threatened species*.

LF-FW-P9 – Protecting *natural wetlands*

Protect *natural wetlands* by:

- (1) in the coastal environment, managing them in accordance with the NZCPS in addition to (2) or (3) below,
- (2) except as provided for by (3), managing activities to ensure they maintain or enhance the ecosystem health, indigenous biodiversity values, and hydrological functioning of *natural wetlands*,¹¹³⁰
- (3) for *natural inland wetlands*,¹¹³¹ implementing clause 3.22(1) to (3) of the NPSFM, except that when managing the adverse *effects* of an activity on *indigenous biodiversity* other than the development, operation, maintenance, and upgrade of *renewable electricity generation and electricity transmission network infrastructure*, the *effects management hierarchy (in relation to indigenous biodiversity)* or ECO-P6A applies instead of the *effects management hierarchy (in relation to natural inland wetlands and rivers)*.¹¹³²

Protect *natural wetlands* by:

- (1) avoiding a reduction in their values or extent unless:
 - (a) the *loss of values* or extent arises from:
 - (i) the customary harvest of food or resources undertaken in accordance with tikaka Māori,
 - (ii) restoration activities,
 - (iii) scientific research,
 - (iv) the sustainable harvest of sphagnum moss,

¹¹²⁶ FPI043.065 OWRUG, FPI009.008 COWA, FPI047.023 Horticulture NZ, FPI027.026 Contact, FPI022.006 Manawa Energy

¹¹²⁷ Clause 16(2), Schedule 1, RMA

¹¹²⁸ 00230.088 Forest and Bird

¹¹²⁹ Clause 16(2), Schedule 1, RMA

¹¹³⁰ FPI030.031 Kāi Tahu ki Otago

¹¹³¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from including definition of ‘natural inland wetland’

¹¹³² FPI001.019 DCC, FPI026.031 Federated Farmers, FPI027.027 Contact

- ~~(v) — the construction or maintenance of *wetland utility structures*,~~
- ~~(vi) — the maintenance of operation of *specific infrastructure*, or *other infrastructure*,~~
- ~~(vii) — *natural hazard works*, or~~

~~(b) — the Regional Council is satisfied that:~~

- ~~(i) — the activity is necessary for the construction or upgrade of *specified infrastructure*,~~
- ~~(ii) — the *specified infrastructure* will provide significant national or regional benefits,~~
- ~~(iii) — there is a *functional need* for the *specified infrastructure* in that location,~~
- ~~(iv) — the *effects* of the activity on indigenous *biodiversity* are managed by applying either ECO-P3 or ECO-P6 (whichever is applicable), and~~
- ~~(v) — the other *effects* of the activity (excluding those managed under (1)(b)(iv)) are managed by applying the *effects management hierarchy*, and~~

~~(2) — not granting resource consents for activities under (1)(b) unless the Regional Council is satisfied that:~~

- ~~(a) — the application demonstrates how each step of the *effects management hierarchies* in (1)(b)(iv) and (1)(b)(v) will be applied to the *loss of values* or extent of the *natural wetland*, and~~
- ~~(b) — any consent is granted subject to conditions that apply the *effects management hierarchies* in (1)(b)(iv) and (1)(b)(v).~~

LF-FW-P10 – Restoring *natural wetlands*

Improve the ecosystem health, hydrological functioning, ~~water quality~~¹¹³³ and extent of *natural wetlands* that have been degraded or lost by requiring, ~~where possible~~ to the greatest extent practicable:¹¹³⁴

- (1) an increase in the extent and quality condition¹¹³⁵ of habitat for indigenous species,
- (2) the restoration of hydrological processes,
- (3) control of pest species and vegetation clearance, and
- (4) the exclusion of stock.

LF-FW-P11 – ~~Identifying~~ Otago's outstanding water bodies¹¹³⁶

Otago's *outstanding water bodies* are:

- (1) the Kawarau River and tributaries described in the Water Conservation (Kawarau) Order 1997,
- (2) Lake Wanaka and the outflow and tributaries described in the Lake Wanaka Preservation Act 1973, and

¹¹³³ FPI024.030 DairyNZ

¹¹³⁴ FPI045.018 Forest and Bird, FPI025.043 Beef + Lamb and DINZ, FPI035.015 Wise Response, FPI020.017 Silver Fern Farms, FPI022.008 Manawa Energy

¹¹³⁵ FPI046.012 QLDC

¹¹³⁶ Clause 16(2), Schedule 1, RMA

- (3) ~~any *water bodies* identified as being wholly or partly within an outstanding natural feature or landscape in accordance with NFL-P1, and~~¹¹³⁷
- (4) any other *water bodies* identified in accordance with APP1.

LF-FW-P12 – ~~Protecting~~ Identifying and managing¹¹³⁸ *outstanding water bodies*

The significant and outstanding values of ~~*outstanding water bodies*~~ are:

- (1) ~~identified in the relevant *regional and district plans*, and~~
- (2) ~~protected by avoiding adverse *effects* on those values.~~¹¹³⁹

Identify *outstanding water bodies* and their significant and outstanding values in the relevant *regional plans and district plans* and protect those values.¹¹⁴⁰

LF-FW-P13 – Preserving natural character and instream values¹¹⁴¹

Preserve the natural character and instream values¹¹⁴² of *lakes and rivers* and the natural character of¹¹⁴³ their *beds* and margins by:

- (1) avoiding the *loss of values* or extent of a *river*, unless:
- (a) there is a *functional need* for the activity in that location, and
 - (b) the *effects* of the activity are managed by applying:
 - (i) for *effects* on indigenous *biodiversity*, either ECO-P3 or the *effects management hierarchy (in relation to indigenous biodiversity)* in¹¹⁴⁴ ECO-P6 (whichever is applicable), and
 - (ii) for other *effects* (excluding those managed under (1)(b)(i)),¹¹⁴⁵ the *effects management hierarchy (in relation to natural wetlands and rivers)* in LF-FW-P13A,¹¹⁴⁶
- (2) not granting *resource consent* for activities in (1) unless ~~Otago Regional Council~~ the consent authority¹¹⁴⁷ is satisfied that:
- (a) the application demonstrates how each step of the *effects management hierarchies hierarchy (in relation to indigenous biodiversity)*¹¹⁴⁸ in (1)(b)(i) and the *effects*

¹¹³⁷ 00237.037 Beef + Lamb and DINZ, 00239.087 Federated Farmers

¹¹³⁸ Clause 16(2), Schedule 1, RMA

¹¹³⁹ 00230.091 Forest and Bird

¹¹⁴⁰ 00230.091 Forest and Bird, 00119.011 Blackthorn Lodge, 00206.033 Trojan, 00411.045 Wayfare,

¹¹⁴¹ 00231.058 Fish and Game

¹¹⁴² 00231.058 Fish and Game

¹¹⁴³ Clause 10(2)(b)(i), Schedule 1, RMA - consequential amendment arising from 00231.058 Fish and Game

¹¹⁴⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00315.014 Aurora Energy, 00235.125 OWRUG, 00511.012 PowerNet, 00320.012 Network Waitaki

¹¹⁴⁵ Clause 16(2), Schedule 1, RMA

¹¹⁴⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00315.014 Aurora Energy, 00235.125 OWRUG, 00511.012 PowerNet, 00320.012 Network Waitaki

¹¹⁴⁷ 00137.074 DOC

¹¹⁴⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00315.014 Aurora Energy, 00235.125 OWRUG, 00511.012 PowerNet, 00320.012 Network Waitaki

management hierarchy (in relation to natural wetlands and rivers) in (1)(b)(ii)¹¹⁴⁹ will be applied to the *loss of values* or extent of the *river*, and

- (b) any consent is granted subject to conditions that apply the *effects management hierarchies hierarchy (in relation to indigenous biodiversity)*¹¹⁵⁰ in (1)(b)(i) and the *effects management hierarchy (in relation to natural wetlands and rivers) in (1)(b)(ii)*¹¹⁵¹ in respect of any *loss of values* or extent of the *river*,¹¹⁵²
 - (c) if aquatic offsetting or aquatic compensation is applied, the applicant has complied with principles 1 to 6 in Appendix 6 and 7 of the NPSFM, and has had regard to the remaining principles in Appendix 6 and 7 of the NPSFM, as appropriate, and
 - (d) if aquatic offsetting or aquatic compensation is applied, any consent granted is subject to conditions that will ensure that the offsetting or compensation will be maintained and managed over time to achieve the conservation outcomes,¹¹⁵³
- (3) establishing environmental flow and level regimes and *water* quality standards that support the health and well-being of the *water body*,
 - (4) ~~wherever possible to the greatest extent practicable,~~¹¹⁵⁴ sustaining the form and function of a *water body* that reflects its natural behaviours,
 - (5) recognising and implementing the restrictions in Water Conservation Orders,
 - (6) preventing the impounding or control of the level of Lake Wanaka,
 - (7) preventing modification that would permanently¹¹⁵⁵ reduce the braided character of a *river*, and
 - (8) controlling the use of *water* and *land* that would adversely affect the natural character of the *water body*, and
 - (9) maintaining or enhancing the values of riparian margins to support habitat and biodiversity and reduce ~~sedimentation of~~ contaminant loss to¹¹⁵⁶ *water bodies*.¹¹⁵⁷

LF-FW-P13A – Effects management hierarchy (in relation to natural inland¹¹⁵⁸ wetlands and rivers)¹¹⁵⁹

¹¹⁴⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00315.014 Aurora Energy, 00235.125 OWRUG, 00511.012 PowerNet, 00320.012 Network Waitaki

¹¹⁵⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00315.014 Aurora Energy, 00235.125 OWRUG, 00511.012 PowerNet, 00320.012 Network Waitaki

¹¹⁵¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00315.014 Aurora Energy, 00235.125 OWRUG, 00511.012 PowerNet, 00320.012 Network Waitaki

¹¹⁵² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00119.010 Blackthorn, 00206.031 Trojan, 00411.043 Wayfare

¹¹⁵³ 00230.005 Forest and Bird

¹¹⁵⁴ 00318.015 Contact

¹¹⁵⁵ 00206.034 Trojan, 00411.046 Wayfare, 00119.012 Blackthorn Lodge

¹¹⁵⁶ Clause 16(2), Schedule 1, RMA

¹¹⁵⁷ 00226.187 Kāi Tahu ki Otago

¹¹⁵⁸ Clause 16(2), Schedule 1, RMA

¹¹⁵⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00315.014 Aurora Energy, 00235.125 OWRUG, 00511.012 PowerNet, 00320.012 Network Waitaki

The *effects management hierarchy* (in relation to *natural inland¹¹⁶⁰ wetlands and rivers*) referred to in LF-FW-P9 and LF-FW-P13 is the approach to managing adverse *effects* of activities that requires that:

- (1) adverse *effects* are avoided where practicable, then¹¹⁶¹
- (2) where adverse *effects* cannot be avoided, they are minimised where practicable, then¹¹⁶²
- (3) where adverse *effects* cannot be minimised, they are remedied where practicable, then¹¹⁶³
- (4) where more than minor residual adverse *effects* cannot be avoided, minimised, or remedied, *aquatic offsetting* is provided where possible, then¹¹⁶⁴
- (5) if *aquatic offsetting* of more than minor residual adverse *effects* is not possible, *aquatic compensation* is provided, and then¹¹⁶⁵
- (6) if *aquatic compensation* is not appropriate, the activity itself is avoided.

LF-FW-P14 – Restoring natural character and instream values¹¹⁶⁶

Where the natural character or instream values¹¹⁶⁷ of lakes and rivers and or the natural character of¹¹⁶⁸ their margins has been reduced or lost, promote actions that:

- (1) restore a form and function that reflect the natural behaviours of the *water body*,
- (2) improve *water* quality or quantity where it is *degraded*,
- (3) increase the presence, *resilience* and abundance of indigenous flora and fauna, including by providing for fish passage within *river* systems and, where necessary and appropriate, creating fish barriers to prevent incursions from undesirable species,¹¹⁶⁹
- (4) improve *water body* margins by naturalising bank contours and establishing *indigenous vegetation* and habitat, and
- (5) restore ~~water pathways and~~¹¹⁷⁰ natural connectivity between and within¹¹⁷¹ water systems.

LF-FW-P15 - ~~Stormwater and wastewater¹¹⁷² discharges~~

Minimise the adverse *effects* of direct and indirect *discharges* of ~~stormwater and wastewater¹¹⁷³~~ to *fresh water* by:

¹¹⁶⁰ Clause 16(2), Schedule 1, RMA

¹¹⁶¹ Clause 16(2), Schedule 1, RMA.

¹¹⁶² Clause 16(2), Schedule 1, RMA.

¹¹⁶³ Clause 16(2), Schedule 1, RMA.

¹¹⁶⁴ Clause 16(2), Schedule 1, RMA.

¹¹⁶⁵ Clause 16(2), Schedule 1, RMA.

¹¹⁶⁶ 00230.093 Forest and Bird, 00231.059 Fish and Game

¹¹⁶⁷ 00230.093 Forest and Bird, 00231.059 Fish and Game

¹¹⁶⁸ Clause 19(1)(b)(i), Schedule 1, RMA - consequential amendment arising from 00230.093 Forest and Bird, 00231.059 Fish and Game

¹¹⁶⁹ 00223.088 Ngāi Tahu ki Murihiku

¹¹⁷⁰ Clause 16(2), Schedule 1, RMA

¹¹⁷¹ 00509.080 Wise Response

¹¹⁷² FPI044.019 DOC

¹¹⁷³ FPI044.019 DOC

(1) ~~except as required by LF-VM-O2 and LF-VM-O4, preferring discharges of wastewater to land over discharges to water, unless adverse effects associated with a discharge to land are greater than a discharge to water, and~~¹¹⁷⁴

(2) requiring:

~~(a) all sewage, industrial or trade waste to be discharged into a reticulated wastewater system, where one is available,~~¹¹⁷⁵

~~(ab) integrated catchment management plans for management of stormwater in urban areas,~~¹¹⁷⁶

(b) all *stormwater* to be discharged into a reticulated system, where one is made available by the operator of the reticulated system, unless alternative treatment and disposal methods will result in the same or¹¹⁷⁷ improved outcomes for *fresh water*,¹¹⁷⁸

(c) implementation of methods to progressively reduce unintentional stormwater inflows to the frequency and volume of wet weather overflows and minimise the likelihood of dry weather overflows occurring for reticulated stormwater and wastewater systems,¹¹⁷⁹

~~(d) on-site wastewater systems to be designed and operated in accordance with best practice standards,~~¹¹⁸⁰

(e) that any stormwater and wastewater discharges do not prevent water bodies from¹¹⁸¹ meeting any applicable water quality standards set for *FMUs* and/or *rohe*, and

(f) the use of water sensitive urban¹¹⁸² design techniques ~~to avoid or mitigate the potential adverse effects of contaminants on receiving water bodies from the subdivision, use or development of land,~~¹¹⁸³ wherever practicable, and

(3) promoting the reticulation of *stormwater and wastewater*¹¹⁸⁴ in *urban areas* where appropriate, and¹¹⁸⁵

(4) promoting source control as a method for reducing contaminants in discharges and the use of good practice guidelines for managing stormwater.¹¹⁸⁶

LF-FW-P16 – Discharges containing animal effluent, sewage, and industrial and trade waste¹¹⁸⁷

¹¹⁷⁴ FPI001.021 DCC, FPI017.022 Ravensdown

¹¹⁷⁵ FPI001.021 DCC, FPI017.022 Ravensdown, FPI030.033 Kāi Tahu ki Otago

¹¹⁷⁶ FPI030.033 Kāi Tahu ki Otago

¹¹⁷⁷ FPI013.003 Transpower

¹¹⁷⁸ FPI001.021 DCC, FPI017.022 Ravensdown

¹¹⁷⁹ FPI001.024 DCC

¹¹⁸⁰ FPI019.009 Fonterra, FPI017.022 Ravensdown

¹¹⁸¹ FPI001.021 DCC, FPI017.022 Ravensdown

¹¹⁸² FPI017.022 Ravensdown

¹¹⁸³ Out of scope recommendation in accordance with clause 49(2)(a)

¹¹⁸⁴ FPI019.009 Fonterra, FPI017.022 Ravensdown

¹¹⁸⁵ FPI046.013 QLDC

¹¹⁸⁶ FPI001.021 DCC, FPI017.022 Ravensdown, FPI030.033 Kāi Tahu ki Otago

¹¹⁸⁷ FPI019.009 Fonterra, FPI017.011 Ravensdown, FPI030.033 Kāi Tahu ki Otago

Minimise the adverse effects of direct and indirect discharges containing animal effluent, sewage, and industrial and trade waste to fresh water by:

(1) phasing out existing discharges containing sewage or industrial and trade waste directly to water to the greatest extent possible,

(2) requiring:

(a) new discharges containing sewage or industrial and trade waste to be to land,

(b) discharges of animal effluent from land-based primary production to be to land,¹¹⁸⁸

(c) that all discharges containing sewage or industrial and trade waste are discharged into a reticulated wastewater system, where one is made available by its owner, unless alternative treatment and disposal methods will result in improved outcomes for fresh water,

(d) implementation of methods to progressively reduce the frequency and volume of wet weather overflows and minimise the likelihood of dry weather overflows occurring from reticulated wastewater systems,

(e) on-site wastewater systems and animal effluent systems to be designed and operated in accordance with best practice standards,

(f) that any discharges do not prevent water bodies from meeting any applicable water quality standards set for FMUs and/or rohe,

(3) to the greatest extent practicable, requiring the reticulation of wastewater in urban areas, and

(4) promoting source control as a method for reducing contaminants in discharges.

Methods

LF-VM-M3 – Community involvement

Otago Regional Council must work with Kāi Tahu and¹¹⁸⁹ communities to achieve the objectives and policies in this chapter, including by:

(1) engaging with Kāi Tahu,¹¹⁹⁰ communities and stakeholders¹¹⁹¹ to identify values and¹¹⁹² environmental outcomes for Otago's FMUs and rohe and the methods to achieve those outcomes,

(2) encouraging community stewardship of water resources and programmes to address freshwater issues at a local catchment level, including through catchment groups,¹¹⁹³

¹¹⁸⁸ FPI001.021 DCC

¹¹⁸⁹ 00226.175 Kāi Tahu ki Otago

¹¹⁹⁰ 00226.175 Kāi Tahu ki Otago

¹¹⁹¹ 00139.096 DCC

¹¹⁹² 00237.031 Beef + Lamb and DINZ

¹¹⁹³ 00014.052 John Highton, 00235.089 OWRUG

- (3) supporting community initiatives, industry-led guidelines, codes of practice and environmental accords¹¹⁹⁴ that contribute to maintaining or improving the health and well-being of *water bodies*, and
- ~~(4) supporting industry-led guidelines, codes of practice and environmental accords where these would contribute to achieving the objectives of this RPS.~~¹¹⁹⁵

LF-VM-M4 – Other methods

In addition to method LF-VM-M3, the methods in the LF-WAI, LF-FW, and LF-LS sections are also applicable.

LF-FW-M5 – Outstanding water bodies

No later than 31 December 2023, Otago Regional Council must:

- (1) undertake a review based on existing information and develop a list of *water bodies* likely to contain outstanding values, including those *water bodies* listed in ~~LF-VM-P6~~ LF-FW-P11,¹¹⁹⁶
- (2) identify the outstanding values of those *water bodies* (if any) in accordance with APP1,
- (3) consult with the public and relevant local authorities¹¹⁹⁷ during the identification process,
- (4) map *outstanding water bodies* and identify their outstanding and significant values in the relevant *regional plan(s)*, and
- (5) include provisions in *regional plans* ~~that protect to avoid the adverse effects of activities on~~¹¹⁹⁸ the significant and outstanding values of *outstanding water bodies*.

LF-FW-M6 – Regional plans

Otago Regional Council must publicly notify a Land and Water *Regional Plan* no later than ~~31 December 2023~~ 30 June 2024¹¹⁹⁹ and, after it is made operative, maintain that *regional plan* to:

- (1A) implement the required steps in the NOF process in accordance with the NPSFM,¹²⁰⁰
- ~~(1) identify the compulsory and, if relevant, other values for each *Freshwater Management Unit*,~~¹²⁰¹
- ~~(2) state *environmental outcomes* as objectives in accordance with clause 3.9 of the NPSFM,~~¹²⁰²
- (3) identify *water bodies* that are *over-allocated* in terms of either their *water quality or quantity* and the methods and timeframes for phasing out that *over-allocation* (including through *environmental flows and levels and limits*) within the timeframes required to achieve the relevant *freshwater vision*,¹²⁰⁴

¹¹⁹⁴ 00231.051 Fish and Game

¹¹⁹⁵ 00231.051 Fish and Game

¹¹⁹⁶ 00013.012 ECan, 00213.020 Waitaki Irrigators

¹¹⁹⁷ 00013.012 ECan

¹¹⁹⁸ 00230.091 Forest and Bird, 00119.011 Blackthorn Lodge, 00206.033 Trojan, 00411.045 Wayfare,

¹¹⁹⁹ Clause 16(2), Schedule 1, RMA

¹²⁰⁰ FPI025.030 Beef + Lamb and DINZ

¹²⁰¹ FPI025.030 Beef + Lamb and DINZ

¹²⁰² FPI025.030 Beef + Lamb and DINZ

¹²⁰³ FPI001.028 DCC

¹²⁰⁴ FPI012.007 Minister for the Environment

~~(4) include environmental flow and level regimes for *water bodies* (including *groundwater*) that give effect to *Te Mana o te Wai* and provide for:~~

- ~~(a) the behaviours of the *water body* including a base flow or level that provides for variability,~~
- ~~(b) healthy and resilient mahika kai,~~
- ~~(c) the needs of indigenous fauna, including taoka species, and aquatic species associated with the *water body*,~~
- ~~(d) the hydrological connection with other *water bodies*, estuaries and coastal margins,~~
- ~~(e) the traditional and contemporary relationship of Kāi Tahu to the *water body*, and~~
- ~~(f) community *drinking water* supplies, and¹²⁰⁵~~

~~(5A) provide for the allocation and use of *fresh water* in accordance with LF-FW-P7A,¹²⁰⁶~~

~~(5) include *limits on resource use* that:~~

- ~~(a) differentiate between types of uses, including *drinking water*, and social, cultural and economic uses, in order to provide long term certainty in relation to those uses of available *water*,~~
- ~~(b) for *water bodies* that have been identified as *over-allocated*, provide methods and timeframes for phasing out that *over-allocation*,~~
- ~~(c) control the *effects* of existing and potential future development on the ability of the *water body* to meet, or continue to meet, *environmental outcomes*,~~
- ~~(d) manage the adverse *effects* on *water bodies* that can arise from the use and development of *land*, and¹²⁰⁷~~

~~(6) provide for the off-stream storage of surface *water* where storage will:~~

- ~~(a) support *Te Mana o te Wai*,~~
- ~~(b) give effect to the objectives and policies of the LF chapter of this RPS, and~~
- ~~(c) not prevent a surface *water body* from achieving identified *environmental outcomes* and remaining within any *limits on resource use*, and¹²⁰⁸~~

~~(7) identify and manage *natural wetlands* in accordance with LF-FW-P7, LF-FW-P8 and¹²⁰⁹ LF-FW-P9 and LF-FW-P10¹²¹⁰ while recognising that some activities in and around *natural wetlands* are managed under the NESF and the NESPF,¹²¹¹ and~~

¹²⁰⁵ FPI025.030 Beef + Lamb and DINZ

¹²⁰⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from including LF-FW-P7A

¹²⁰⁷ FPI025.030 Beef + Lamb and DINZ

¹²⁰⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from including new clause (5A) and new policy LF-FW-P7A

¹²⁰⁹ Clause 16(2), Schedule 1, RMA

¹²¹⁰ FPI035.017 Wise Response

¹²¹¹ FPI014.003 Rayonier Matariki

- (8) manage the adverse *effects of stormwater* and ~~wastewater~~ discharges containing animal effluent, sewage, or industrial and trade waste in accordance with LF-FW-P15 and LF-FW-P16, and.¹²¹²
- (9) recognise and respond to Kāi Tahu cultural and spiritual concerns about mixing of water between different catchments.

LF-FW-M7 – District plans

Territorial authorities must prepare or amend and maintain their *district plans* ~~no later than 31 December 2026~~¹²¹³ to:

- (1) map *outstanding water bodies* and identify their outstanding and significant values using the information gathered by Otago Regional Council in LF-FW-M5, and
- (2) include provisions to ~~avoid the adverse effects of activities on~~ protect¹²¹⁴ the significant and outstanding values of *outstanding water bodies*,
- (2A) include provisions to preserve the natural character of lakes and rivers and their margins from the adverse effects of land use and development and activities on the surface of water,¹²¹⁵
- (3) require, wherever practicable, the adoption of water sensitive ~~urban~~¹²¹⁶ design techniques when managing the *subdivision*, use or development of *land*, and
- (4) reduce the adverse *effects of stormwater discharges* by managing the *subdivision*, use and development of *land* to:
 - (a) minimise the peak volume of *stormwater* needing off-site disposal and the load of *contaminants* carried by it,
 - (b) minimise adverse *effects on fresh water and coastal water* as the ultimate receiving environments, and the capacity of the *stormwater* network,
 - (c) encourage on-site storage of rainfall to detain peak *stormwater* flows, and
 - (d) promote the use of permeable surfaces.

LF-FW-M8 – Action plans

Otago Regional Council:

- (1) must prepare an action plan for achieving any target *attribute* states for *attributes* described in Appendix 2B of the NPSFM,
- (2) may prepare an action plan for achieving any target *attribute* states for *attributes* described in Appendix 2A of the NPSFM, and
- (2A) may prepare an action plan for any other purpose set out in the NPSFM, and¹²¹⁷

¹²¹² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from FPI019.009 Fonterra, FPI017.011 Ravensdown, FPI030.033 Kāi Tahu ki Otago

¹²¹³ FPI001.002 DCC

¹²¹⁴ FPI047.026 Horticulture NZ

¹²¹⁵ FPI030.035 Kāi Tahu ki Otago, FPI044.021 DOC

¹²¹⁶ Clause 16(2), Schedule 1, RMA

¹²¹⁷ FPI034.007 The Fuel Companies

- (3) must prepare any action plan in accordance with clause 3.15 of the NPSFM.

LF-FW-M8AA – Integrated catchment management¹²¹⁸

Otago Regional Council may:

- (1) develop and implement an integrated catchment management programme for the region, and
- (2) work in partnership with mana whenua and in collaboration with communities to develop catchment action plans that:
- (a) collate and build on existing work in the catchments,
- (b) incorporate science and mātauraka Māori, and
- (c) identify and target effective environmental management actions.

LF-FW-M8A – Identifying and managing species interactions between trout and salmon and indigenous species

- (1) When making decisions that might affect the interactions between trout and salmon and indigenous species, *local authorities* will have particular regard to the recommendations of the Department of Conservation, the Fish and Game Council for the relevant area, Kāi Tahu, and the matters set out in LF-FW-M8A(2)(a) to (c), and
- (2) Otago Regional Council will work with the Department of Conservation, the relevant Fish and Game Council and Kāi Tahu to:
- (a) describe the habitats required to provide for the protection of indigenous species for the purposes of 2(a), (b), and (c),
- (b) identify areas where the protection of the habitat of trout and salmon, including fish passage, will be consistent with the protection of the habitat of indigenous species and areas where it will not be consistent,
- (c) for areas identified in (b), develop provisions for any relevant action plans(s) prepared under the NPSFM, including for fish passage, that will at minimum:
- (i) determine information needs to manage the species,
- (ii) set short-, medium- and long-term objectives for the species involved,
- (iii) identify appropriate management actions that will achieve the objectives determined in (ii), including measures to manage the adverse effects of trout and salmon on indigenous species where appropriate, and
- (iv) consider the use of a range of tools, including those in the Conservation Act 1987 and the Freshwater Fisheries Regulations 1983, as appropriate.¹²¹⁹

LF-FW-M9 – Monitoring

Otago Regional Council, for every *FMU*, must:

- (1) establish a long-term monitoring programme that incorporates cultural health monitoring,

¹²¹⁸ FPI043.061 Federated Farmers, FPI043.061 OWRUG

¹²¹⁹ 00231.003 Fish and Game

- (2) record information (including monitoring data) about the state of *water bodies* and *freshwater ecosystems* and the challenges to their health and well-being, ~~and~~¹²²⁰
- (3) regularly prepare reports on the matters in (1) and (2) and publish those reports in accordance with clause 3.30 of the NPSFM, and¹²²¹
- (4) where the results of monitoring show the objectives of this regional policy statement are not being met, take the necessary action to achieve the objectives.¹²²²

LF-FW-M10 – Other methods

In addition to methods LF-FW-M5 to LF-FW-M9, the methods in the LF-WAI, LF-VM and LF-LS sections are also applicable.

Explanation

LF-VM-E2 – Explanation

This section of the LF chapter outlines how the Council will manage *fresh water* within the region. To give effect to *Te Mana o te Wai*, the *freshwater* visions, and the policies set out the actions required in the development of *regional plan* provisions to implement the NPSFM. [Note to reader: originally LF-FW-E3 para 1]

Implementing the NPSFM requires Council to identify *Freshwater Management Units (FMUs)* that include all *freshwater bodies* within the region. Policy LF-VM-P5 identifies Otago's five *FMUs*: Clutha Mata-au *FMU*, Taieri *FMU*, North Otago *FMU*, Dunedin & Coast *FMU* and Catlins *FMU*. The Clutha Mata-au *FMU* is divided into five sub-*FMUs* known as 'rohe'. Policy LF-VM-P6 sets out the relationship between *FMUs* and rohe which, broadly, requires rohe provisions to be no less stringent than the parent *FMU* provisions. This is to avoid any potential for rohe to set lower standards than others which would affect the ability of the *FMU* to achieve its stated outcomes.

The outcomes sought for *natural wetlands* are implemented by requiring identification, protection and restoration. The first two policies reflect the requirements of the NPSFM for identification and protection but apply that direction to all *natural wetlands*, rather than only inland natural wetlands (those outside the *coastal marine area*) as the NPSFM directs. This reflects the views of *takata mana*¹²²³ *whenua* and the community that *fresh* and *coastal water*, including *wetlands*, should be managed holistically and in a consistent way. While the NPSFM requires promotion of the restoration of natural inland wetlands, the policies in this section take a stronger stance, requiring improvement where *natural wetlands* have been *degraded* or lost. This is because of the importance of restoration to Kāi Tahu and in recognition of the historic loss of *wetlands* in Otago and the indigenous biodiversity and hydrological values of wetland systems.¹²²⁴ [Note to reader: originally LF-FW-E3 para 2]

The policies respond to the NPSFM by identifying a number of *outstanding water bodies* in Otago that have previously been identified for their significance through other processes. Additional *water bodies* can be identified if they are wholly or partly within an outstanding natural feature or landscape or if

¹²²⁰ Clause 16(2) Schedule 1, RMA

¹²²¹ Clause 16(2) Schedule 1, RMA

¹²²² 00226.194 Kāi Tahu ki Otago

¹²²³ 00226.196 Kāi Tahu ki Otago

¹²²⁴ 00226.196 Kāi Tahu ki Otago

they meet the criteria in APP1 which lists the types of values which may be considered outstanding: cultural and spiritual, ecology, landscape, natural character, recreation and physical. The significant values of *outstanding water bodies* are to be identified and protected from adverse effects. [Note to reader: originally LF-FW-E3 para 3]

Preserving the natural character of *lakes* and *rivers*, and their *beds* and margins, is a matter of national importance under section 6 of the RMA 1991. The policies in this section set out how this is to occur in Otago, reflecting the relevant direction from the NPSFM but also a range of additional matters that are important in Otago, such as recognising existing Water Conservation Orders, the Lake Wanaka Act 1973 and the particular character of braided *rivers*. Natural character has been reduced or lost in some *lakes* or *rivers*, so the policies require promoting actions that will restore or otherwise improve natural character. [Note to reader: originally LF-FW-E3 para 4]

The impact of *discharges of stormwater* and *wastewater* on *freshwater bodies* is a significant issue for *mana whenua* and has contributed to *water* quality issues in some *water bodies*. The policies set out a range of actions to be implemented in order to improve the quality of these *discharges* and reduce their adverse effects on receiving environments.

Principal reasons

LF-VM-PR2 – Principal reasons

To support the implementation of the NPSFM, the Council is required to develop long-term visions for *fresh water* across the Otago region. *Fresh water* visions for each *FMU* and *rohe* have been developed through engagement with Kāi Tahu and communities. They set out the long-term goals for the *water bodies* (including *groundwater*) and *freshwater* ecosystems in the region that reflect the history of, and environmental pressures on, the *FMU* or *rohe*. They also establish ambitious but reasonable timeframes for achieving these goals. The Council must assess whether each *FMU* or *rohe* can provide for its long-term vision, or whether improvement to the health and well-being of *water bodies* (including *groundwater*) and *freshwater* ecosystems is required to achieve the visions. The result of that assessment will then inform the development of *regional plan* provisions in the *FMU*, including *environmental outcomes*, *attribute states*, *target attribute states* and *limits (in relation to freshwater)*.¹²²⁵

Otago's *water bodies* are significant features of the region and play an important role in Kāi Tahu beliefs and traditions. They support people and communities to provide for their social, economic, and cultural well-being.¹²²⁶ A growing population combined with increased *land* use intensification has heightened demand for *water*, and increasing nutrient and sediment contamination impacts *water* quality. The legacy of Otago's historical mining privileges, coupled with contemporary urban and rural¹²²⁷ *land* uses, contribute to ongoing *water* quality and quantity issues in some *water bodies*, with significant cultural effects. [Note to reader: originally LF-FW-PR3 para 1]

This section of the LF chapter contains more specific direction on managing *fresh water* to give effect to *Te Mana o te Wai* and contributes to achieving the long-term *freshwater* visions for each *FMU* and

¹²²⁵ 00231.009 Fish and Game

¹²²⁶ FPI009.010 COWA

¹²²⁷ FPI030.038 Kāi Tahu ki Otago

~~rohe.~~ It also¹²²⁸ reflects key direction in the NPSFM for managing the health and well-being of *fresh water*, including *wetlands* and *rivers* in particular, and matters of national importance under section 6 of the RMA 1991. The provisions in this section will underpin the development of the Council's *regional plans* and provide a foundation for implementing the requirements of the NPSFM, including the development of *environmental outcomes*, *attribute states*, *target attribute states* and *limits*. [Note to reader: originally LF-FW-PR3 para 2]

Anticipated environmental outcomes

LF-VM-AER3	The <i>freshwater</i> visions in this section underpin Otago's planning framework <u>implement <i>Te Mana o Te Wai</i> according to the particular characteristics of FMUs and rohe</u> ¹²²⁹ and the outcomes they seek are achieved within the timeframes specified.
LF-FW-AER4	<i>Fresh water</i> is allocated within limits that contribute to achieving specified <i>environmental outcomes</i> for <i>water bodies</i> within timeframes set out in <i>regional plans</i> that are no less stringent than the timeframes in the LF-VM section of this chapter.
LF-FW-AER5	<i>Specified rivers</i> and <i>lakes</i> are suitable for primary contact within the timeframes set out in LF-FW-P7.
LF-FW-AER6	<i>Degraded water</i> quality is improved so that it meets specified <i>environmental outcomes</i> within timeframes set out in <i>regional plans</i> that are no less stringent than the timeframes in the LF-VM section of this chapter.
LF-FW-AER7	<i>Water</i> in Otago's aquifers is suitable for human consumption, unless that <i>water</i> is naturally unsuitable for consumption.
LF-FW-AER8	Where <i>water</i> is not <i>degraded</i> , there is no reduction in <i>water</i> quality.
LF-FW-AER9	<u>Direct discharges of wastewater to water</u> are phased out to the <u>greatest extent practicable and the</u> The ¹²³⁰ frequency of <i>wastewater</i> overflows is reduced.
LF-FW-AER10	The quality of <i>stormwater discharges</i> from existing <i>urban areas</i> is improved.
LF-FW-AER11	There is no reduction <u>an improvement</u> ¹²³¹ in the extent or <u>quality condition</u> ¹²³² of Otago's <i>natural wetlands</i> .
LF-FW-AER11A	<u>The economic, social, and cultural well-being of communities is sustained.</u> ¹²³³

¹²²⁸ FPI030.038 Kāi Tahu ki Otago

¹²²⁹ 00223.087 Ngāi Tahu ki Murihiku

¹²³⁰ FPI032.026 Te Rūnanga o Ngāi Tahu, FPI030.040 Kāi Tahu ki Otago

¹²³¹ FPI020.027 Silver Fern Farms

¹²³² FPI046.023 QLDC

¹²³³ FPI043.054 OWRUG

~~LF FW – Fresh water~~

Note to readers: *As a result of reporting officer recommendations, the provisions of this chapter have been moved into the previous chapter (notified LF-VM)*

LF-LS – Land and soil

Note to readers: As a result of reporting officer recommendations, the following provisions have been moved to the LF-LS chapter:

- UFD-O4 – Development in rural areas
- UFD-P7 – Rural areas
- UFD-P8 – Rural lifestyle and rural residential zones
- UFD-M2(8) and (9)
- UFD-E1 – Explanation (third paragraph)
- UFD-PR1 – Principal reasons (sixth paragraph)

The notified numbering of UFD-O4, UFD-P7, and UFD-P7 has been retained in the LF-LS chapter as an interim measure so that it is easier to link submission points to provisions. The numbering of both chapters will be updated and made chronological following a final decision by Council.

Objectives

LF-LS-O11 – Land and soil

The life supporting capacity of Otago’s soil resources is safeguarded and the availability and productive capacity of *highly productive land* for *primary production* is maintained now and for future generations.

Otago’s land and soil resources support healthy habitats for indigenous species and ecosystems.¹²³⁴

LF-LS-O12 – Use, development, and protection of land

The use of *land* in Otago maintains soil quality and contributes to achieving *environmental outcomes* for *fresh water*.

The use, development, and protection of *land* and soil:

- (1) safeguards the life-supporting capacity of soil,
- (2) contributes to achieving *environmental outcomes* for *fresh water*, and
- (3) recognises the role of these resources in providing for the social, economic, and cultural well-being of Otago’s people and communities.¹²³⁵

UFD-O4 – Development in *rural areas*¹²³⁶

Development in Otago’s *rural areas* occurs in a way that:

- (1) — avoids impacts on significant values and features identified in this RPS,¹²³⁷
- (2) — avoids as the first priority, land and soils identified as highly productive by LF-LS P19 unless there is an *operational need* for the development to be located in *rural areas*,¹²³⁸

¹²³⁴ 00411.006 Wayfare, 00137.084 DOC

¹²³⁵ 00236.096 Horticulture NZ, 00239.197 Federated Farmers, 00115.034 Oceana Gold

¹²³⁶ 00236.096 Horticulture NZ, 00237.063 Beef + Lamb and DINZ

¹²³⁷ 00137.154 DOC, 00226.310 Kāi Tahu ki Otago

¹²³⁸ 00139.001, 00139.253 DCC

- (3) ~~only provides for urban expansion, rural lifestyle and rural residential development and the establishment of *sensitive activities*, in locations identified through strategic planning or zoned within *district plans* as suitable for such development; and~~¹²³⁹
- (4) ~~outside of areas identified in (3);~~¹²⁴⁰ maintains and enhances provides for the ongoing use of rural areas for primary production and rural industry, and¹²⁴¹
- (4A) ~~does not compromise the *natural and physical resources* that support the~~¹²⁴² productive capacity,¹²⁴³ ~~rural character,~~¹²⁴⁴ and long-term viability of *primary production* the rural sector¹²⁴⁵ and rural communities.

Policies

LF-LS-P16A – Managing pests¹²⁴⁶

Reduce the impact of *pests*, including *wilding conifers*, by:

- (1) avoiding *afforestation* and *replanting of plantation forests* with *wilding conifer* species listed in APP5 within:
- (a) areas identified as outstanding natural features, outstanding natural landscapes, or *significant natural areas*, and
- (b) buffer zones adjacent to the areas listed in (a) where it is necessary to protect those areas,
- (2) outside *plantation forests*, avoiding the planting of *wilding conifer* species listed in APP5 and any other *pest* plants in a way that is consistent with the Otago Pest Management Plan 2019-2029,
- (3) enabling the control of *pests on land*, and
- (4) supporting initiatives to control *pests* and limit their further spread.

LF-LS-P16 – Integrated management Maintaining soil quality¹²⁴⁷

~~Recognise that maintaining~~ Maintain soil quality ~~requires the integrated management of~~ by managing both¹²⁴⁸ land and freshwater resources, including the interconnections between soil health, vegetative cover and *water* quality and quantity.

LF-LS-P17 – Soil values

¹²³⁹ 00211.045, 00211.048 & 00211.049 LAC, 00210.045, 00210.048 & 00210.049 Lane Hocking, 00209.045, 00209.048 & 00209.049 Universal Developments, 00118.066 Maryhill Ltd, 00014.066 Mt Cardrona Station, 00139.001, 00139.253 DCC

¹²⁴⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00139.001, 00139.253 DCC

¹²⁴¹ 00322.038 Fulton Hogan, 00410.007 Rural Contractors NZ (in part)

¹²⁴² 00236.099 Horticulture NZ

¹²⁴³ 00236.005 Horticulture NZ

¹²⁴⁴ 00139.262 DCC, 00211.050 LAC, 00210.050 Lane Hocking, 00118.066 Maryhill Limited, 00014.066 Mt Cardrona Station, 00209.050 Universal Developments

¹²⁴⁵ 00322.038 Fulton Hogan, 00230.144 Forest and Bird

¹²⁴⁶ 00411.006 Wayfare, 00137.084 DOC

¹²⁴⁷ 00226.201 Kāi Tahu ki Otago, 00121.0062 Ravensdown

¹²⁴⁸ 00226.201 Kāi Tahu ki Otago, 00121.0062 Ravensdown

Maintain the mauri, health and productive potential of soils by managing the use and development of *land* in a way that is suited to the natural soil characteristics and that sustains healthy:

- (1) soil biological activity and *biodiversity*,
- (2) soil structure, and
- (3) soil fertility.

LF-LS-P18 – Soil erosion

Minimise soil erosion, and the associated risk of sedimentation in water bodies, resulting from *land* use activities by:

- (2) maintaining vegetative cover on erosion-prone *land*, and
- (1) where vegetation removal is necessary or there is no vegetative cover,¹²⁴⁹ implementing effective management practices to retain topsoil ~~in-situ~~¹²⁵⁰ and minimise the potential for soil to be *discharged* to *water bodies*, including by controlling the timing, duration, scale and location of soil exposure, and
- (3) promoting activities that enhance soil retention.

LF-LS-P20 – Land use change

Promote changes in *land* use or *land* management practices that support and¹²⁵¹ improve:

- (1) the sustainability and efficiency of *water* use,
- (2) *resilience* to the impacts of *climate change*, ~~or~~
- (3) the health and quality of soil, or
- (4) water quality.¹²⁵²

LF-LS-P21 – Land use and fresh water

~~Achieve the improvement or maintenance of *fresh water* quantity, or quality~~ The health and well-being of *water bodies* is maintained¹²⁵³ or, if degraded, improved¹²⁵⁴ to meet *environmental outcomes* set for *Freshwater Management Units* and/or rohe by:

- (1) reducing or otherwise managing the adverse effects of¹²⁵⁵ direct and indirect *discharges* of *contaminants* to *water* from the use and development of *land*, ~~and~~
- (2) managing *land* uses that may have adverse *effects* on the flow of *water* in surface *water bodies* or the recharge of *groundwater*, and
- (2A) recognising the drylands nature of much of Otago and the resulting low *water* availability, and

¹²⁴⁹ FPI017.013 Ravensdown

¹²⁵⁰ FPI027.036 Contact

¹²⁵¹ 00223.096 Ngāi Tahu ki Murihiku

¹²⁵² 00409.015 Ballance

¹²⁵³ 00121.066 Ravensdown

¹²⁵⁴ 00226.206 Kāi Tahu ki Otago

¹²⁵⁵ FPI029.037 Contact, FPI017.014 Ravensdown, FPI021.006 Ballance

(3) maintaining or, where degraded, enhancing the values of riparian margins.¹²⁵⁶

LF-LS-P19 – Rural land and ~~highly~~¹²⁵⁷ *productive land*

~~Maintain~~ Protect¹²⁵⁸ the availability of rural land¹²⁵⁹ and the *productive capacity* of *highly productive land* by:

- (1) identifying *highly productive land* based on the following criteria:
 - ~~(a) — the capability and versatility of the *land* to support primary production based on the Land Use Capability classification system,~~
 - ~~(b) — the suitability of the climate for primary production, particularly crop production, and~~
 - ~~(c) — the size and cohesiveness of the area of *land* for use for primary production, and~~
 - (d) land must be identified as *highly productive land* if:
 - (i) it is in a general rural zone or rural production zone, and
 - (ii) it is predominantly *LUC 1, 2, or 3 land*, and
 - (iii) it forms a large and geographically cohesive area,
 - (e) land may be identified as *highly productive land* if:
 - (i) it is in a general rural zone or rural production zone, and
 - (ii) it is not *LUC 1, 2, or 3 land*, and
 - (iii) it is or has the potential to be highly productive for *land-based primary production* in Otago, having regard to the soil type, the physical characteristics of the land and soil, and the climate, and
 - (f) land must not be identified as *highly productive land* if it was *identified for future urban development* on or before 17 October 2022, and¹²⁶⁰
- (2) prioritising the use of *highly productive land* for *land-based primary production* in accordance with the NPSHPL ahead of other *land* uses, and¹²⁶¹
- (2A) until clause 3.5(1) of the NPSHPL has been implemented, protecting land that is suitable for horticulture or viticulture from uses that are not *land-based primary production* or *rural industry*.¹²⁶²
- ~~(3) — managing urban development in rural areas, including rural lifestyle and rural residential areas, in accordance with UFD-P4, UFD-P7 and UFD-P8.~~¹²⁶³

UFD-P7 – Rural areas

¹²⁵⁶ FPI029.037 Contact, FPI017.014 Ravensdown, FPI044.022 DOC

¹²⁵⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00236.004 Horticulture NZ

¹²⁵⁸ 00236.005 Horticulture NZ

¹²⁵⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00236.004 Horticulture NZ

¹²⁶⁰ 00101.044 Tōitu Te Whenua

¹²⁶¹ 00413.004 New Zealand Cherry Corp, 00414.002 Infinity Investment Group

¹²⁶² 00236.004 Horticulture NZ

¹²⁶³ Clause 10(2)(b)(i) – consequential amendment arising from 00101.044 Tōitu Te Whenua

The management of development in¹²⁶⁴ *rural areas*:

- ~~(1) provides for the maintenance and, wherever possible, enhancement of important features and values identified by this RPS,¹²⁶⁵~~
- ~~(2) outside areas identified in (1),¹²⁶⁶ maintains the *productive capacity*, amenity and character of¹²⁶⁷ *rural areas*, as places where people live, work and recreate and where a range of activities and services are required to support these rural functions, and provide for social and economic wellbeing within rural communities and the wider region,¹²⁶⁸~~
- ~~(3) enables prioritises¹²⁶⁹ *land-based*¹²⁷⁰ *primary production* particularly on land or soils identified as¹²⁷¹ *on highly productive land*¹²⁷² in accordance with the NPS-HPLLF-LS-P19,¹²⁷³~~
- ~~(4) facilitates provides for¹²⁷⁴ *primary production*,¹²⁷⁵ *rural industry* and supporting activities, and recognises:
 - ~~(a) the importance of *mineral* and aggregate resources for the social and economic wellbeing of Otago's communities, including the provision of *infrastructure*, and~~
 - ~~(b) that mining and aggregate activities can only be located where those resources are present,¹²⁷⁶ and~~~~
- ~~(5) directs rural residential and rural lifestyle development to areas zoned for that purpose in accordance with UFD-P8,¹²⁷⁷~~
- ~~(6) restricts the establishment of residential *non-rural* activities, *sensitive activities*, and *non-rural businesses*¹²⁷⁸ which could adversely affect, including by way of *reverse sensitivity* or *fragmentation*, the *productive capacity of highly productive land*, or *existing or anticipated*¹²⁷⁹~~

¹²⁶⁴ Responds to submissions seeking that management of rural areas more broadly is not contained in this chapter, by aligning it more closely with UFD-O4 and therefore making it more clearly limited to 'development'. e.g. 00240.033 New Zealand Pork Industry Board, 00239.172 Federated Farmers, 00236.096 Horticulture New Zealand

¹²⁶⁵ 00226.318 Kāi Tahu ki Otago, 00139.262 DCC, 00411.135 Wayfare, 00206.072 Trojan

¹²⁶⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.318 Kāi Tahu ki Otago, 00139.262 DCC, 00411.135 Wayfare, 00206.072 Trojan

¹²⁶⁷ 00139.262 Dunedin City Council, 00211.050 LAC Properties Trustees Limited, 00210.050 Lane Hocking, 00118.066 Maryhill Limited, 00014.066 Mt Cardrona Station, 00209.05 Universal Development Limited

¹²⁶⁸ 00235.152 OWRUG, 00015.032 Oceana Gold

¹²⁶⁹ 00226.318 Horticulture NZ, Kai Tahu ki Otago, 00015.032 Oceana Gold, 00235.152 OWRUG, 00410.009 Rural Contractors NZ, 00016.024 Alluvium and Stoney Creek

¹²⁷⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00021.002 Matakanui Gold Limited, 00016.009 Alluvium Limited and Stoney Creek Mining, 00017.007 Danny Walker and others, 00226.033 Kāi Tahu ki Otago, 00223.094 Ngāi Tahu ki Murihiku

¹²⁷¹ 00236.102 Horticulture NZ, 00226.318 Kai Tahu ki Otago, 00015.032 Oceana Gold, 00235.152 OWRUG, 00410.009 Rural Contractors NZ, 00016.024 Alluvium and Stoney Creek

¹²⁷² 00236.102 Horticulture NZ, 00226.318 Kai Tahu ki Otago, 00015.032 Oceana Gold, 00235.152 OWRUG, 00410.009 Rural Contractors NZ, 00016.024 Alluvium and Stoney Creek

¹²⁷³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.318 Kai Tahu ki Otago, 00235.153 OWRUG

¹²⁷⁴ 00236.102 Horticulture New Zealand

¹²⁷⁵ 00226.310 Kāi Tahu ki Otago, and General Themes Section, in response to 00235.008 OWRUG and consequential to amendment to subclause 2

¹²⁷⁶ 00115.007 Oceana Gold

¹²⁷⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00025.004 Boxer Hills Trust, 00023.005 Waterfall Park Developments Limited

¹²⁷⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00213.009 Fonterra Co-operative Group Limited.

¹²⁷⁹ 0015.032 Oceana Gold

primary production and rural industry activities, unless those activities are undertaken in accordance with MW-P4¹²⁸⁰ or the NPSHPL.¹²⁸¹ ~~and~~

- (7) ~~otherwise limits the establishment of residential activities, sensitive activities, and non-rural businesses to those that can demonstrate an operational need to be located in rural areas.¹²⁸²~~

UFD-P8 – Rural lifestyle ~~and rural residential zones~~¹²⁸³ development¹²⁸⁴

The establishment, development or expansion of rural lifestyle ~~and rural residential~~¹²⁸⁵ zones development¹²⁸⁶ only occurs where:

- (1) ~~the land is adjacent to existing or planned urban areas and ready access to employment and services is available,¹²⁸⁷~~
- (2) ~~despite the direction in (1), also it¹²⁸⁸~~ avoids land identified for future urban development in a relevant plan or land reasonably likely to be required for its future urban development potential, where the rural lifestyle or rural residential development would foreclose or reduce efficient realisation of that urban development potential,
- (3) ~~it¹²⁸⁹~~ minimises impacts on existing or anticipated primary production, rural industry and other rural activities¹²⁹⁰ ~~rural production potential, amenity values¹²⁹¹ and avoids¹²⁹²~~ the potential for reverse sensitivity effects to arise in adjoining rural production zones¹²⁹³,
- (4) ~~it¹²⁹⁴~~ avoids, ~~as the first priority,~~ highly productive land identified in accordance with LF-LS-P16 except as provided for in the NPS-HPL,¹²⁹⁵
- (5) the suitability of the area to accommodate the proposed development is demonstrated, including

¹²⁸⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00139.264 Dunedin City Council

¹²⁸¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00014.031 Mt Cardrona Station, 00209.01 Universal Developments, 00210.012 Lane Hocking, 00211.01 LAC Properties

¹²⁸² 00208.011 AgResearch Ltd, 00414.005 Infinity Investment Group Holdings Ltd, 00413.007 NZ Cherry Corp, 00410.009 Rural Contractors NZ.

¹²⁸³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

¹²⁸⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00025.004 Boxer Hills Trust, 00023.005 Waterfall Park Developments Limited

¹²⁸⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

¹²⁸⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00025.004 Boxer Hills Trust, 00023.005 Waterfall Park Developments Limited

¹²⁸⁷ 00025.004 Boxer Hills Trust, 00023.005 Waterfall Park Developments Limited

¹²⁸⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from Boxer Hills Trust, 00023.005 Waterfall Park Developments Limited

¹²⁸⁹ Clause 16(2), Schedule 1, RMA

¹²⁹⁰ 00236.103 Horticulture NZ, 00208.012 AgResearch, 00235.153 OWRUG, 00410.010 Rural Contractors NZ

¹²⁹¹ 00211.050 LAC Properties Trustees Limited, 00210.050 Lane Hocking, 00118.066 Maryhill Limited, 00014.066 Mt Cardrona Station, 00209.05 Universal Development Limited

¹²⁹² 00322.042 Fulton Hogan Limited, 00236.103 Horticulture New Zealand, 00235.153 OWRUG, 00221.016 Silver Fern Farms

¹²⁹³ 00236.103 Horticulture NZ, 00208.012 AgResearch, 00235.153 OWRUG, 00410.010 Rural Contractors NZ

¹²⁹⁴ Clause 16(2), Schedule 1, RMA

¹²⁹⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00014.031 Mt Cardrona Station, 00209.01 Universal Developments, 00210.012 Lane Hocking, 00211.01 LAC Properties.

- (a) capacity for servicing by existing or planned *development infrastructure* (including self-servicing requirements),
 - (b) particular regard is given to the individual and cumulative impacts of ~~domestic~~¹²⁹⁶ *water supply, wastewater disposal, and stormwater management* including self-servicing, on the receiving or supplying *environment* and impacts on capacity of *development infrastructure*, if provided, to meet other planned *urban area* demand, and
 - (c) likely future demands or implications for publicly funded services including emergency services¹²⁹⁷ and additional infrastructure, and
- ~~(6) provides for the maintenance and wherever possible, enhancement, of important features and values identified by this RPS.~~¹²⁹⁸

LF-LS-P22 – Public access

Provide for public access to and along *lakes* and *rivers* by:

- (1) maintaining existing public access,
- (2) seeking opportunities to enhance public access, including access¹²⁹⁹ by *mana whenua* in their role as kaitiaki and for gathering of ~~māhika kai~~ māhika kai¹³⁰⁰, and
- (3) encouraging landowners to ~~only avoid~~ restricting access ~~where~~ unless¹³⁰¹ it is necessary to protect:¹³⁰²
 - (a) ~~public~~¹³⁰³ health and safety,
 - (b) *significant natural areas*,
 - (c) areas of outstanding natural character,
 - (d) outstanding natural features and landscapes,
 - (e) places or areas with special or outstanding *historic heritage* values, ~~or~~
 - (f) places or areas of significance to ~~takata whenua~~ Kāi Tahu, including wāhi taoka,¹³⁰⁴ *wāhi tapu* and *wāhi tūpuna*;
 - (g) establishing vegetation, or¹³⁰⁵
 - (h) a level of security consistent with the operational requirements of a lawfully established activity.¹³⁰⁶

¹²⁹⁶ 00219.019 FENZ

¹²⁹⁷ 00219.018 FENZ

¹²⁹⁸ 00226.319 Kāi Tahu ki Otago, 00411.087 Wayfare

¹²⁹⁹ 00226.206 Kāi Tahu ki Otago

¹³⁰⁰ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

¹³⁰¹ 00231.065 Fish and Game

¹³⁰² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendments arising from 00314.028 Transpower

¹³⁰³ 00239.094 Federated Farmers

¹³⁰⁴ 00226.207 Kāi Tahu ki Otago

¹³⁰⁵ 00206.041 Trojan, 00411.053 Wayfare

¹³⁰⁶ 00237.047 Beef + Lamb and DINZ

Methods

LF-LS-M11A – Identification of *highly productive land*¹³⁰⁷

- (1) In collaboration with *territorial authorities* and in consultation with *mana whenua*, Otago Regional Council must identify *highly productive land* in Otago in accordance with LF-LS-P19(1), and
- (2) Otago Regional Council must include maps of the *highly productive land* identified in accordance with (1) in the Regional Policy Statement by 17 October 2025.

LF-LS-M11 – Regional plans

Otago Regional Council must publicly notify a Land and Water *Regional Plan* no later than ~~31 December 2023~~ 30 June 2024¹³⁰⁸ and then, when it is made operative, maintain that *regional plan* to:

- (1) manage *land* uses that may affect the ability of *environmental outcomes* for *water* quality to be achieved by requiring:
 - (a) the development and implementation of *certified freshwater farm plans*, ~~as required by the RMA and any regulations,~~¹³⁰⁹
 - (b) the adoption of practices that avoid or minimise ~~reduce~~¹³¹⁰ the *risk* of sediment and nutrient loss to *water*, including by minimising the area and duration of exposed soil, using buffers, and actively managing critical source areas,
 - (c) effective management of effluent storage and applications systems, and
 - (d) *earthworks* activities to implement effective sediment and erosion control practices and setbacks from *water bodies* to reduce the *risk* of sediment loss to *water*, and
- (2) provide for changes in *land* use that improve the sustainable and efficient ~~allocation and use of fresh water~~ and that reduce water demand where there is existing over-allocation, and¹³¹¹
- (2A) enable the discharge of contaminants to land for pest control, and¹³¹²
- (3) implement policies LF-LS-P16 to LF-LF-P22.

LF-LS-M12 – District plans

Territorial authorities must prepare or amend and maintain their *district plans* no later than 31 December 2026 to:

- (1) manage *land* use change by:
 - (aa) avoiding the planting of pest plants in accordance with LF-LS-P16A,¹³¹³

¹³⁰⁷ 00201.018 CODC, 00201.019 CODC, 00206.040 Trojan, 00235.110 OWRUG

¹³⁰⁸ Clause 16(2), Schedule 1, RMA

¹³⁰⁹ FPI037.022 Fish & Game, FPI030.043 Kāi Tahu ki Otago

¹³¹⁰ FPI037.022 Fish and Game

¹³¹¹ FPI030.043 Kāi Tahu ki Otago

¹³¹² FPI044.023 DOC

¹³¹³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00411.006 Wayfare, 00137.084 DOC (insertion of new LF-LS-P16A)

- (a) controlling the establishment of new or any spatial extension of existing *plantation forestry activities or permanent forestry activities*¹³¹⁴ where necessary to give effect to an objective developed under the NPSFM, and
- (b) minimising the removal of *montane*¹³¹⁵ tall tussock grasslands, to recognise their ability to capture and hold precipitation,¹³¹⁶
- (2) provide for and ~~encourage~~ promote¹³¹⁷ the creation and enhancement of vegetated riparian margins and constructed *wetlands*, and maintain these where they already exist, ~~and~~
- (3) facilitate public access to and along¹³¹⁸ *lakes* and *rivers* by:
 - (a) requiring the establishment of *esplanade reserves* and *esplanade strips*, and
 - (b) promoting the use of legal *roads*, including paper *roads*, and any other means of public access rights,¹³¹⁹ that connect with *esplanade reserves* and *esplanade strips*, ~~and~~
- (4) maintain the availability and productive capacity¹³²⁰ of *highly productive land* identified and mapped under LF-LS-M11A¹³²¹ in accordance with LF-LS-P19, and¹³²²
- (8) manage development in *rural areas* in accordance with UFD-P7,¹³²³
- (9) manage ~~rural residential and rural lifestyle activities~~ development¹³²⁴ in ~~rural areas~~¹³²⁵ in accordance with UFD-P8.¹³²⁶

LF-LS-M13 – Management of *beds* and riparian margins

Local authorities must prepare or amend and maintain their *regional plans*¹³²⁷ and *district plans* to manage the condition of the *bed* and banks of *water bodies*, riparian margins and associated *lands*, including vegetative cover, to:

- (1) maintain or enhance¹³²⁸ existing indigenous¹³²⁹ *biodiversity* values,
- (2) increase the presence, *resilience* and abundance of indigenous flora and fauna, particularly taoka species, including by providing for wetlands and¹³³⁰ *biodiversity* corridors within *river* systems, and requiring riparian buffers that are sufficient to maintain indigenous *biodiversity*,

¹³¹⁴ 00226.209 Kāi Tahu ki Otago,

¹³¹⁵ Clause 16(2), Schedule 1, RMA

¹³¹⁶ 00509.092 Wise Response

¹³¹⁷ 00509.092 Wise Response

¹³¹⁸ 00206.042 Trojan, 00411.054 Wayfare, 00231.097 Fish and Game

¹³¹⁹ 00206.042 Trojan, 00411.054 Wayfare, 00231.067 Fish and Game

¹³²⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00014.031 Mt Cardrona Station, 00209.01 Universal Developments, 00210.012 Lane Hocking, 00211.01 LAC

¹³²¹ Clause 16(2), Schedule 1, RMA

¹³²² 00140.023 Waitaki DC

¹³²³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00236.096 Horticulture NZ, 00237.063 Beef + Lamb and DINZ

¹³²⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ

¹³²⁵ 00206.074 Trojan, 00411.136 Wayfare

¹³²⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00236.096 Horticulture NZ, 00237.063 Beef + Lamb and DINZ

¹³²⁷ Clause 16(2), Schedule 1, RMA

¹³²⁸ 00509.093 Wise Response

¹³²⁹ 00137.079 DOC

¹³³⁰ 00509.093 Wise Response

- (3) support improvement in the functioning of catchment processes where these have been adversely affected by changes in margins and connected *lands* over time, and
- (4) reduce unnatural sedimentation of *water bodies*.

LF-LS-M14 – Other methods

In addition to methods LF-LS-M11 to LF-LS-M13, the methods in the LF-WAI, LF-VM and LF-FW sections are also applicable.

Explanation

LF-LS-E4 – Explanation

The policies in this section of the LF chapter seek to maintain the health of Otago’s soils, reduce the impacts of pests¹³³¹ and manage *land* uses as part of an integrated approach to sustaining soil and *water* health and maintaining the productive capacity of rural land. The connections and interactions between these resources require a holistic approach to management.

~~Managing soil resources, in particular, cannot be undertaken in isolation.~~ The policies require managing the use and development of *land* and *fresh water* to maintain soil values, recognising that soil can be valued for more than its productive use and those values should be maintained. Soil erosion is problematic ~~for~~ and has adverse impacts on both soil and *water* health. The policies provide direction ~~on~~ for managing erosion resulting from *land* use activities to, ~~primarily, retain~~ ensure soil is retained and to prevent its discharge to water.¹³³²

In addition, this chapter seeks to manage development in Otago’s rural areas, maintain the character and amenity values of Otago’s rural areas, ~~including by facilitating the use of the natural and physical resources that to~~¹³³³ support the viability of the rural sector. ~~Otago’s rural and urban areas also contain significant natural, cultural and historic values as identified by other parts of this RPS. In all cases while facilitating urban development and managing rural productive activities these values must also be identified, maintained and, wherever possible, enhanced.~~¹³³⁴ This approach includes direction on different types of development within *rural areas*, ~~managing the expansion and location of urban areas, and including~~¹³³⁵ rural lifestyle and rural residential¹³³⁶ development, ~~and directing that growth be enabled in urban areas to minimise the need for development to occur within rural areas,~~¹³³⁷ other than what is needed to facilitate rural community and rural productive activities.¹³³⁸ These provisions

¹³³¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00411.006 Wayfare, 00137.084 DOC (insertion of new LF-LS-P16A)

¹³³² 00226.212 Kāi Tahu ki Otago

¹³³³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendments arising from 00240.033 New Zealand Pork Industry Board, 00239.172 Federated Farmers, 00236.096 Horticulture New Zealand, 00211.050 LAC Properties Trustees Limited, 00210.050 Lane Hocking, 00118.066 Maryhill Limited, 00014.066 Mt Cardrona Station, 00209.05 Universal Development Limited

¹³³⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.151 Director General of Conservation, 00226.307 Kāi Tahu ki Otago.

¹³³⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00236.096 Horticulture NZ, 00237.063 Beef + Lamb and DINZ

¹³³⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

¹³³⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00236.096 Horticulture NZ, 00237.063 Beef + Lamb and DINZ

¹³³⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00236.096 Horticulture NZ, 00237.063 Beef + Lamb and DINZ

work closely with those in the UFD chapter, which include direction on managing the impacts of urban growth on rural areas.¹³³⁹

Highly productive land is land used for land-based primary production ~~primary production~~¹³⁴⁰ that provides economic and employment benefits. Providing for and managing such *land* types is essential to ensure its sustainability. The policies seek to identify and prioritise *land* used for productive purposes managing urban encroachment into rural *environments* where appropriate.

Responding to *climate change* and achieving *freshwater* visions is likely to require changes in *land* uses and *land* management practices in parts of Otago. This is recognised in the policies which seek to promote changes in *land* use or management that improve efficient and sustainable¹³⁴¹ use of *water*, *resilience* to *climate change* and, the health and quality of soil, and water quality.¹³⁴² The policies also require reducing *discharges* to *water* from the use and development of *land* and managing *land* uses that are unsupportive of *environmental outcomes* for *fresh water* as identified by each *FMU*.

Maintaining public access to and along *lakes* and *rivers* is a matter of national importance under section 6 of the RMA ~~1991.~~¹³⁴³ The policies in this section seek to maintain existing public access opportunities¹³⁴⁴ and where appropriate promote enhanced¹³⁴⁵ public access to and along *lakes* and *rivers*. Circumstances which restrict public access are set out where, for example, public¹³⁴⁶ health and safety is at *risk* or valued parts of the *environment* may be compromised.

Principal reasons

LF-LS-PR4 – Principal reasons

Pests, including *wilding conifers*, pose a range of threats to Otago’s environment. While the regional pest management plan is the primary tool for controlling *pests* under the Biosecurity Act 1993, it is important that the management of land works alongside that tool to reduce the impacts of *pests*.¹³⁴⁷

Population growth and *land* use intensification in urban and rural *environments* has increased demand for *land* and soil resources. It has also impacted on the quality of our *water*, increasing contamination such as by nutrients and sediment and harming ecosystems. In Otago, historical and contemporary *land* uses have *degraded* some *water bodies*, both in terms of their quantity and quality, leading to adverse *effects* on the mauri of *water* and the diversity and abundance of ~~maihika kai~~ *maihika kai*¹³⁴⁸ resources.

¹³³⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00236.096 Horticulture NZ, 00237.063 Beef + Lamb and DINZ

¹³⁴⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00021.002 Matakanui Gold Limited, 00016.009 Alluvium Limited and Stoney Creek Mining, 00017.007 Danny Walker and others, 00226.033 Kāi Tahu ki Otago, 00223.094 Ngāi Tahu ki Murihiku

¹³⁴¹ 00226.212 Kāi Tahu ki Otago

¹³⁴² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00409.015 Ballance

¹³⁴³ Clause 16(2), Schedule 1, RMA

¹³⁴⁴ 00226.212 Kāi Tahu ki Otago

¹³⁴⁵ 00226.212 Kāi Tahu ki Otago

¹³⁴⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00239.094 Federated Farmers

¹³⁴⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00411.006 Wayfare, 00137.084 DOC (insertion of new LF-LS-P16A)

¹³⁴⁸ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

Soil health is vital to wider ecological health, human health, and economic *resilience*. Otago has a rich and long history of varied forms of land-based primary production ~~primary production~~¹³⁴⁹ on a wide range of soil types and in variable climatic conditions. Otago's highest quality soils (in terms of suitability for land-based primary production ~~primary production~~)¹³⁵⁰ are mainly on the Taieri Plain, North Otago downlands, South Otago lowlands, parts of Central Otago and the Strath Taieri, and along some *river* margins. Their extent is limited and use of these soils can be constrained by external factors such as economics, erosion, natural and human induced hazards, animal, and plant *pests*.

Managing *land* uses is a critical component of implementing the NPSFM due to the *effects* of *land* use on the health and well-being of *water*. This chapter assists the Council to recognise and provide for the connections and interactions between Otago's *land* and *fresh water*, while managing the use and development of this *land*, and its *effects* on *fresh water*.

~~Rural areas are attractive as residential living areas, and for other non-rural activities. However, they contain areas, activities and resources critical for rural production. There is pressure from non-rural activities and rural lifestyle development to locate within the rural area, but these activities that can be impacted by sensitive to primary production or rural industry and can adversely affect rural production activities¹³⁵¹. Non-urban areas also contain a wide range of other values that can be negatively impacted by the impacts of rural residential and other activities, that do not have a functional need to be in rural areas.¹³⁵² The provisions in this chapter focus on managing where rural living opportunities and other non-rural activities are provided for, so that¹³⁵³ the potential effects of development on the rural character,¹³⁵⁴ productive potential and the wide range of environmental values, features and resources that rural areas also contain are appropriately managed.¹³⁵⁵ The supply of rural lifestyle opportunities to meet demand should be directed to suitably located and zoned areas to minimise impacts on values in rural areas. In designing and planning for rural residential and rural¹³⁵⁶ lifestyle development, local authorities will need to be aware of the potential future constraints on future urban expansion and development, including the cumulative impacts of infrastructure servicing irrespective of whether this is onsite, community or through connections to urban reticulated schemes.~~

Riparian areas, in particular, play a key role in supporting the water quality and ecosystem values of water bodies, and it is important that this role is maintained.¹³⁵⁷

¹³⁴⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00021.002 Matakanui Gold Limited, 00016.009 Alluvium Limited and Stoney Creek Mining, 00017.007 Danny Walker and others, 00226.033 Kāi Tahu ki Otago, 00223.094 Ngāi Tahu ki Murihiku

¹³⁵⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00021.002 Matakanui Gold Limited, 00016.009 Alluvium Limited and Stoney Creek Mining, 00017.007 Danny Walker and others, 00226.033 Kāi Tahu ki Otago, 00223.094 Ngāi Tahu ki Murihiku

¹³⁵¹ 00236.106 Horticulture New Zealand

¹³⁵² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from changes recommended to UFD-P7 and UFD-P8.

¹³⁵³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from changes recommended to UFD-P7 and UFD-P8.

¹³⁵⁴ 00211.050 LAC Properties Trustees Limited, 00210.050 Lane Hocking, 00118.066 Maryhill Limited, 00014.066 Mt Cardrona Station, 00209.05 Universal Development Limited

¹³⁵⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from changes recommended to UFD-P7 and UFD-P8.

¹³⁵⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

¹³⁵⁷ 00226.213 Kāi Tahu ki Otago

Anticipated environmental results

LF-LS-AER12A	The area of <i>land</i> vegetated by <i>wilding conifers</i> is reduced. ¹³⁵⁸
LF-LS-AER12B	The extent and distribution of <i>pests</i> does not increase. ¹³⁵⁹
LF-LS-AER12	The life-supporting capacity of soil is maintained or improved throughout Otago.
LF-LS-AER13	The availability and capability of Otago's <i>highly productive land</i> is maintained.
LF-LS-AER14	The use of <i>land</i> supports the achievement of <i>environmental outcomes</i> and objectives in Otago's <i>FMUs</i> and rohe.
UFD-AER11	All new rural residential or rural ¹³⁶⁰ lifestyle development occurs within areas zoned <u>appropriate</u> for this use. ¹³⁶¹
LF-LS-AER15	The establishment of activities within <i>rural areas</i> does not result in adverse <u>effects on activities functionally dependent on rural resources and rural surroundings</u> . ¹³⁶²

¹³⁵⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00411.006 Wayfare, 00137.084 DOC (insertion of new LF-LS-P16A)

¹³⁵⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00411.006 Wayfare, 00137.084 DOC (insertion of new LF-LS-P16A)

¹³⁶⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

¹³⁶¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00025.004 Boxer Hills Trust, 00023.005 Waterfall Park Developments Limited

¹³⁶² 00237.064 Beef & Lamb, 00236.107 Horticulture NZ, 00239.180 Federated Farmers

ECO – Ecosystems and indigenous *biodiversity*

Objectives

ECO-O1 – Indigenous *biodiversity*

Otago's indigenous *biodiversity* is healthy and thriving and any net¹³⁶³ decline in quality condition,¹³⁶⁴ quantity and diversity is halted.

ECO-O2 – Restoring ~~or~~ and¹³⁶⁵ enhancing

Restoration and¹³⁶⁶ enhancement activities result in a A¹³⁶⁷ net increase in the extent and occupancy¹³⁶⁸ of Otago's indigenous *biodiversity* ~~results from restoration or enhancement~~.¹³⁶⁹

ECO-O3 – *Kaitiakitaka*¹³⁷⁰ and stewardship

Mana whenua are able to exercise their role ~~recognised~~¹³⁷¹ as kaitiaki of Otago's indigenous *biodiversity*, and Otago's communities are recognised as stewards, who are responsible for:

- (1) te hauora o te koiora (the health of indigenous *biodiversity*), te hauora o te taoka (the health of species and ecosystems that are taoka), and te hauora o te taiao (the health of the wider *environment*), while
- (2) providing for te hauora o te takata (the health of the people).

Policies

ECO-P1 – *Kaitiakitaka*

~~Recognise the role of~~ Enable¹³⁷² Kāi Tahu to exercise their role¹³⁷³ as kaitiaki of Otago's indigenous *biodiversity* by:

- (1) involving Kāi Tahu in the management of indigenous *biodiversity*, ~~and~~
- (1A) working with Kāi Tahu to identify ~~the identification of~~¹³⁷⁴ *indigenous species* and ecosystems that are taoka,

¹³⁶³ 00024.010 City Forests Limited

¹³⁶⁴ 00306.042 Meridian

¹³⁶⁵ 00226.215 Kāi Tahu ki Otago

¹³⁶⁶ 00226.215 Kāi Tahu ki Otago

¹³⁶⁷ 00322.026 Fulton Hogan Limited

¹³⁶⁸ 00223.099 Ngāi Tahu ki Murihiku, 00226.215 Kāi Tahu ki Otago

¹³⁶⁹ 00322.026 Fulton Hogan

¹³⁷⁰ 00234.031 Te Rūnanga o Ngāi Tahu

¹³⁷¹ 00226.216 Kāi Tahu ki Otago, 00234.031 Te Rūnanga o Ngāi Tahu

¹³⁷² 00226.217 Kāi Tahu ki Otago

¹³⁷³ 00226.217 Kāi Tahu ki Otago

¹³⁷⁴ 00226.217 Kāi Tahu ki Otago

- (2) incorporating the use of mātauraka Māori in the management and monitoring of indigenous *biodiversity*, and
- (3) ~~providing for~~ facilitating¹³⁷⁵ access to and use of indigenous biodiversity by Kāi Tahu, including *mahika kai*,¹³⁷⁶ according to tikaka.

ECO-P2 – Identifying *significant natural areas* and taoka

Identify and map:¹³⁷⁷

- (1) the areas and indigenous biodiversity¹³⁷⁸ values of *significant natural areas* in accordance with APP2, and
- (2) where appropriate,¹³⁷⁹ *indigenous species* and ecosystems that are taoka, including those identified by *mana whenua* as requiring protection,¹³⁸⁰ in accordance with ECO-M3.

ECO-P3 – Protecting *significant natural areas* and taoka

Outside the coastal environment, and ~~E~~except¹³⁸¹ as provided for by ECO-P4 and ECO-P5,¹³⁸² protect *significant natural areas* and *indigenous species* and ecosystems that are taoka by:

- (1) first¹³⁸³ avoiding adverse *effects* that result in:
 - (a) any reduction of the area or indigenous biodiversity¹³⁸⁴ values identified and mapped under ECO-P2(1),¹³⁸⁵ (even if those values are not themselves significant but contribute to an area being identified as a *significant natural area*)¹³⁸⁶ ~~identified under ECO-P2(1)~~¹³⁸⁷, or
 - (b) any loss of Kāi Tahu taoka¹³⁸⁸ values identified by *mana whenua* as requiring protection¹³⁸⁹ under ECO-P2(2),¹³⁹⁰ and
- (2) after (1), applying the biodiversity effects management hierarchy (in relation to indigenous biodiversity)¹³⁹¹ in ECO-P6 to areas and values other than those covered by ECO-P3(1),¹³⁹² and

¹³⁷⁵ 00239.099 Federated Farmers

¹³⁷⁶ 00226.0038 Kāi Tahu ki Otago

¹³⁷⁷ 00020.018 Rayonier Matariki

¹³⁷⁸ 00226.218 Kāi Tahu ki Otago, 00230.101 Forest and Bird

¹³⁷⁹ 00226.218 Kāi Tahu ki Otago

¹³⁸⁰ 00239.100 Federated Farmers

¹³⁸¹ Clause (10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00301.028 Port Otago

¹³⁸² 00315.037 Aurora Energy, 00115.021 Oceana Gold (New Zealand) Ltd

¹³⁸³ 00223.100 Ngāi Tahu ki Murihiku

¹³⁸⁴ 00226.219 Kāi Tahu ki Otago

¹³⁸⁵ 00230.102 Forest and Bird

¹³⁸⁶ 00230.102 Forest and Bird

¹³⁸⁷ 00230.102 Forest and Bird

¹³⁸⁸ 00139.129 DCC

¹³⁸⁹ Consequential change to 00239.100 Federated Farmers

¹³⁹⁰ 00138.033 QLDC

¹³⁹¹ 00016.013 Alluvium and Stoney Creek, 0017.011 Danny Walker and Others, 00321.022 Te Waihanga, 00137.009 DOC

¹³⁹² Consequential change to 00239.100 Federated Farmers

- (3) prior to *significant natural areas* and *indigenous species* and ecosystems that are taoka being identified and mapped¹³⁹³ in accordance with ECO-P2, adopt a precautionary approach towards activities in accordance with ~~IM-P15~~IM-P6(2).¹³⁹⁴

ECO-P4 – Provision for new activities

Outside the coastal environment, ~~M~~maintain¹³⁹⁵ Otago’s indigenous *biodiversity* by following the sequential steps in the *effects management hierarchy (in relation to indigenous biodiversity)*¹³⁹⁶ set out in ECO-P6 when making decisions on plans, applications for *resource consent* or notices of requirement for the following activities in *significant natural areas* or where they may adversely affect *indigenous species* and ecosystems that are taoka that have been identified by *mana whenua* as requiring protection:¹³⁹⁷

- (1) the development, operation, maintenance¹³⁹⁸ or upgrade of *nationally significant infrastructure*¹³⁹⁹ and *regionally significant infrastructure* that has a *functional need*¹⁴⁰⁰ or *operational need* to locate within the relevant *significant natural area(s)* or where they may adversely affect indigenous species or ecosystems that are taoka,
- (1A) the development, operation and maintenance of *mineral* extraction activities that provide a significant national public benefit that could not otherwise be achieved within New Zealand and that have a *functional need* or *operational need* to locate within the relevant *significant natural area(s)* or where they may adversely affect *indigenous species* or ecosystems that are taoka,¹⁴⁰¹
- (1B) the development, operation and maintenance of aggregate extraction activities that provide a significant national or regional benefit that could not otherwise be achieved within New Zealand and that have a *functional need* or *operational need* to locate within the relevant *significant natural area(s)* or where they may adversely affect *indigenous species* or ecosystems that are taoka,¹⁴⁰²
- (2) the development of *papakāika*, marae and ancillary facilities associated with customary activities on Native reserves and *Māori land*,¹⁴⁰³
- (2A) the sustainable use of *mahika kai*¹⁴⁰⁴ and kaimoana (seafood) by *mana whenua*,¹⁴⁰⁵
- (3) the use of Native reserves and *Māori land* in a way that will make a significant contribution¹⁴⁰⁶ to enable *mana whenua* to maintain their connection to their whenua and enhancing the¹⁴⁰⁷ social, cultural or economic well-being, of *takata whenua*,¹⁴⁰⁸

¹³⁹³ 00020.018 Rayonier Matariki

¹³⁹⁴ 00139.040 DCC, 00121.027 Ravensdown

¹³⁹⁵ Clause (10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00301.028 Port Otago

¹³⁹⁶ 00016.013 Alluvium and Stoney Creek, 0017.011 Danny Walker and Others, 00321.022 Te Waihanga, 00137.009 DOC

¹³⁹⁷ Consequential change to 00239.100 Federated Farmers

¹³⁹⁸ 00311.022 Trustpower Limited

¹³⁹⁹ 00314.001 Transpower

¹⁴⁰⁰ 00315.046 Aurora Energy, 00138.116 QLDC

¹⁴⁰¹ 00115.022 Oceana Gold (New Zealand) Ltd

¹⁴⁰² 00115.022 Oceana Gold (New Zealand) Ltd

¹⁴⁰³ 00234.009 Te Rūnanga o Ngāi Tahu, 00226.053 Kāi Tahu ki Otago, 00010.002 Cain whanau

¹⁴⁰⁴ 00226.0038 Kāi Tahu ki Otago

¹⁴⁰⁵ 00226.220 Kāi Tahu ki Otago

¹⁴⁰⁶ 00234.032 Te Rūnanga o Ngāi Tahu

¹⁴⁰⁷ 00234.032 Te Rūnanga o Ngāi Tahu

¹⁴⁰⁸ 00234.032 Te Rūnanga o Ngāi Tahu

- (4) activities that are for the purpose of protecting, restoring or enhancing a *significant natural area* or indigenous species or ecosystems that are taoka, or
- (5) activities that are for the purpose of addressing a severe and or¹⁴⁰⁹ immediate risk to public health or safety.

ECO-P5 – Existing activities in *significant natural areas*

Except as provided for by ECO-P4, provide for existing activities within *significant natural areas* and that may adversely affect indigenous species and ecosystems that are taoka, if:

- (1) ~~the continuation of an existing activity will not lead to the loss (including through cumulative loss) of extent or degradation of the ecological integrity of any *significant natural area* or indigenous species or ecosystems that are taoka, and~~
- (2) ~~the adverse effects of an existing activity are no greater in character, spatial extent, intensity or scale than they were before this RPS became operative.~~¹⁴¹⁰

ECO-P6 – Maintaining indigenous *biodiversity*

Outside the coastal environment, ~~M~~maintain¹⁴¹¹ Otago’s indigenous *biodiversity* (excluding the coastal environment and¹⁴¹² areas managed protected¹⁴¹³ under ECO-P3) by applying the following *biodiversity effects management hierarchy (in relation to indigenous biodiversity)*¹⁴¹⁴ in decision-making on applications for *resource consent, plan change*¹⁴¹⁵ and notices of requirement:

- (1) avoid adverse *effects* as the first priority,
- (2) where adverse *effects* demonstrably cannot be completely avoided, they are remedied,
- (3) where adverse *effects* demonstrably cannot be completely avoided or remedied, they are mitigated,
- (4) where there are more than minor¹⁴¹⁶ residual adverse *effects* after avoidance, remediation, and mitigation, then the residual adverse *effects* are offset in accordance with APP3, and
- (5) if *biodiversity* offsetting of more than minor¹⁴¹⁷ residual adverse *effects* is not possible, then:
 - (a) ~~the~~ those¹⁴¹⁸ residual adverse *effects* are compensated for in accordance with APP4, and
 - (b) if ~~the~~ those¹⁴¹⁹ residual adverse *effects* cannot be compensated for in accordance with APP4, the activity is avoided.

¹⁴⁰⁹ 00139.130 DCC

¹⁴¹⁰ 00315.037 Aurora Energy, 00115.021 Oceana Gold (New Zealand) Ltd

¹⁴¹¹ Clause (10)(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00301.028 Port Otago

¹⁴¹² Clause 10(2)(b)(i) - Consequential amendment arising from 00226.223 Kāi Tahu ki Otago

¹⁴¹³ 00230.105 Forest and Bird

¹⁴¹⁴ 00016.013 Alluvium and Stoney Creek, 0017.011 Danny Walker and Others, 00321.022 Te Waihanga

¹⁴¹⁵ 00138.036 Queenstown Lakes District Council

¹⁴¹⁶ 00307.014 Christchurch International Airport Limited (CIAL)

¹⁴¹⁷ 00307.014 Christchurch International Airport Limited (CIAL)

¹⁴¹⁸ 00307.014 Christchurch International Airport Limited (CIAL)

¹⁴¹⁹ 00307.014 Christchurch International Airport Limited (CIAL)

~~ECO-P7 – Coastal indigenous *biodiversity*~~

~~Coastal indigenous *biodiversity* is managed by CE-P5, and implementation of CE-P5 also contributes to achieving ECO-O1.~~

CE-P5 – Coastal indigenous *biodiversity*

Protect indigenous *biodiversity* in the coastal environment by:

- (1) identifying and avoiding adverse *effects* on the following ecosystems, vegetation types and areas:
 - (a) indigenous *taxa* that are listed as threatened or at risk in the New Zealand Threat Classification System lists,
 - (b) *taxa* that are listed by the International Union for Conservation of Nature and Natural Resources as threatened,
 - (c) indigenous ecosystems and vegetation types in the coastal environment that are threatened or are *naturally rare*,
 - (d) habitats of indigenous species where the species are at the limit of their natural range, or are *naturally rare*,
 - (e) areas containing nationally significant examples of indigenous community types, and
 - (f) areas set aside for full or partial protection of indigenous *biodiversity* under other legislation, and
- (2) identifying and avoiding significant adverse *effects* and avoiding, remedying or mitigating other adverse *effects* on the following ecosystems, vegetation types and areas:
 - (a) areas of predominantly *indigenous vegetation* in the coastal environment,
 - (b) habitats in the coastal environment that are important during the vulnerable life stages of indigenous species,
 - (c) indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable,
 - (d) areas sensitive to modification, including estuaries, lagoons, coastal *wetlands*, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh,
 - (e) habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes,
 - (f) habitats, including areas and routes, important to migratory species, and
 - (g) ecological corridors, and areas important for linking or maintaining biological values identified under this policy.
 - (h) *significant natural areas* identified in accordance with APP2 that are not included

in (1) above, and¹⁴²⁰

- (i) indigenous species and ecosystems identified as taoka in accordance with ECO-M3 that are not included in (1) above.¹⁴²¹

ECO-P8 – Restoration and Enhancement¹⁴²²

The *intrinsic values*,¹⁴²³ extent, *occupancy*¹⁴²⁴ and condition of Otago’s indigenous *biodiversity* is increased by:

- (1) restoring and enhancing habitat for *indigenous species*, including taoka and *mahika kai*¹⁴²⁵ species,
- (2) improving the health and *resilience* of indigenous *biodiversity*, including ecosystems, species, ~~important~~¹⁴²⁶ ecosystem function, and *intrinsic values*, and
- (3) buffering or linking ecosystems, habitats and ecological corridors, *ki uta ki tai*.¹⁴²⁷

ECO-P9 – Wilding conifers

~~Reduce the impact of *wilding conifers* on indigenous *biodiversity* by:~~

- ~~(1) — avoiding *afforestation* and *replanting* of *plantation forests* with *wilding conifer* species listed in APP5 within:
 - ~~(a) — areas identified as *significant natural areas*, and~~
 - ~~(b) — buffer zones adjacent to *significant natural areas* where it is necessary to protect the *significant natural area*, and~~~~
- ~~(2) — supporting initiatives to control existing *wilding conifers* and limit their further spread.~~¹⁴²⁸

ECO-P10 – ~~Integrated management~~ Co-ordinated approach¹⁴²⁹

~~Implement an *integrated* and~~¹⁴³⁰ co-ordinated approach to managing Otago’s ecosystems and indigenous *biodiversity* that:

- (1) ensures any permitted or controlled activity in a *regional plan*¹⁴³¹ or *district plan* rule does not compromise the achievement of ECO-O1,

¹⁴²⁰ 00137.055 DOC, 00120.042 Yellow-eyed Penguin Society

¹⁴²¹ 00137.055 DOC, 00120.042 Yellow-eyed Penguin Society

¹⁴²² 00226.224 Kāi Tahu ki Otago

¹⁴²³ 00138.037 QLDC

¹⁴²⁴ 00223.099 Ngāi Tahu ki Murihiku, 00226.215 Kāi Tahu ki Otago

¹⁴²⁵ 00226.0038 Kāi Tahu ki Otago

¹⁴²⁶ 00137.091 DOC

¹⁴²⁷ 00138.037 QLDC

¹⁴²⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from including new LF-LS-P16A in response to 00411.006 Wayfare, 00137.084 DOC

¹⁴²⁹ 00226.226 Kāi Tahu ki Otago

¹⁴³⁰ 00226.226 Kāi Tahu ki Otago

¹⁴³¹ Clause 16(2), Schedule 1, RMA

- (2) recognises the interactions *ki uta ki tai* (from the mountains to the sea) between the terrestrial *environment, fresh water, and the coastal marine area*, including:
- (a) the migration of fish species between *fresh and coastal waters*, and¹⁴³²
- (b) the effects of land-use activities on coastal biodiversity and ecosystems,¹⁴³³
- (2A) acknowledges that *climate change* will affect indigenous *biodiversity*, and manages activities which exacerbate the *effects of climate change*,¹⁴³⁴
- (3) promotes collaboration between individuals and agencies with *biodiversity* responsibilities,
- (4) supports the various statutory and non-statutory approaches adopted to manage indigenous *biodiversity*,
- (5) recognises the critical role of people and communities in actively managing the remaining indigenous *biodiversity* occurring on private *land*, and
- (6) adopts regulatory and non-regulatory regional *pest* management programmes.

Methods

ECO-M1 – Statement of responsibilities

In accordance with section 62(1)(i)(iii) of the RMA 1991, the *local authorities* responsible for the control of *land* use to maintain indigenous *biological diversity* are:

- (1) the Regional Council and *territorial authorities* are responsible for specifying objectives, policies and methods in *regional and district plans* for managing the margins of *wetlands, rivers and lakes*,
- (2) the Regional Council is responsible for specifying objectives, policies and methods in *regional plans*:
- (a) in the *coastal marine area*,
- (b) in *wetlands, lakes and rivers*, and
- (c) in, on or under the *beds of rivers and lakes*,
- (3) in addition to (1), *territorial authorities* are responsible for specifying objectives, policies and methods in *district plans* outside of the areas listed in (2) above if they are not managed by the Regional Council under (4), and
- (4) the Regional Council may be responsible for specifying objectives, policies and methods in *regional plans* outside of the areas listed (1) above if:
- (a) the Regional Council reaches agreement with the relevant *territorial authority or territorial authorities*, and

¹⁴³² 00226.226 Kāi Tahu ki Otago

¹⁴³³ 00226.226 Kāi Tahu ki Otago

¹⁴³⁴ 00234.033 Te Rūnanga o Ngāi Tahu

- (b) if applicable, a transfer of powers in accordance with section 33 of the RMA 1991 occurs from the relevant *territorial authority* or *territorial authorities* to the Regional Council.

ECO-M2 – Identification of *significant natural areas*

Local authorities must:

- (1) in accordance with the statement of responsibilities in ECO-M1, identify the areas and indigenous biodiversity¹⁴³⁵ values of *significant natural areas* as required by ECO-P2, and
- (2) map and verify¹⁴³⁶ the areas and include the indigenous biodiversity¹⁴³⁷ values identified under (1) in the relevant *regional plans*¹⁴³⁸ and *district plans*, no later than 31 December 2030,¹⁴³⁹
- (3A) identify areas and values of indigenous *biodiversity* within their jurisdictions in accordance with CE-P5, map the areas and describe their values in the relevant *regional plans*¹⁴⁴⁰ and *district plans*, and¹⁴⁴¹
- (3) recognise that indigenous *biodiversity* spans jurisdictional boundaries by:
 - (a) working collaboratively to ensure the areas identified by different *local authorities* are not artificially fragmented when identifying *significant natural areas* that span jurisdictional boundaries, and
 - (b) ensuring that indigenous *biodiversity* is managed in accordance with this RPS,
- (4) until *significant natural areas* are identified and mapped in accordance with (1) and (2),¹⁴⁴² require ecological assessments to be provided with applications for *resource consent*, plan change¹⁴⁴³ and notices of requirement that identify whether affected areas are *significant natural areas* in accordance with APP2, and¹⁴⁴⁴
- (5) in the following areas, prioritise identification under (1) ~~no later than 31 December 2025~~.¹⁴⁴⁵
 - (a) intermontane basins that contain *indigenous vegetation* and habitats,
 - (b) areas of dryland shrubs,
 - (c) braided *rivers*, including the Makarora, Mātukituki and Lower Waitaki Rivers,
 - (d) areas of montane tall tussock grasslands, and
 - (e) limestone habitats.

¹⁴³⁵ 00226.228 Kāi Tahu ki Otago

¹⁴³⁶ 00020.018 Rayonier Matariki

¹⁴³⁷ 00226.228 Kāi Tahu ki Otago

¹⁴³⁸ Clause 16(2), Schedule 1, RMA

¹⁴³⁹ 00139.036 DCC

¹⁴⁴⁰ Clause 16(2), Schedule 1, RMA

¹⁴⁴¹ Clause 10(2)(b)(i), schedule 1, RMA – CE-M2(3) moved to ECO-M2(3A) as a consequential amendment arising from moving coastal biodiversity provisions from CE to ECO in response to 00301.028 Port Otago

¹⁴⁴² 00311.014 Queenstown Airport

¹⁴⁴³ Consequential change to 00138.036 Queenstown Lakes District Council

¹⁴⁴⁴ Clause 16(2), Schedule 1, RMA

¹⁴⁴⁵ 00139.002 DCC

ECO-M3 – Identification of taoka

Local authorities must:

- (1) work together with *mana whenua* to agree a process for:
 - (a) identifying *indigenous species* and ecosystems that are taoka, including those identified by *mana whenua* as requiring protection, and how they are valued with reference to *mātauraka Māori*,¹⁴⁴⁶
 - (b) describing the taoka identified in (1)(a),
 - (c) mapping or describing the location of the taoka identified in (1)(a), and
 - (d) describing the values of each taoka identified in (1)(a), and
- (2) notwithstanding (1), recognise that *mana whenua* have the right to choose not to identify taoka and to choose the level of detail at which identified taoka, or their location or values, are described, and
- (3) to the extent agreed by *mana whenua*, amend their *regional* and *district plans* to include matters (1)(b) to (1)(d) above.

ECO-M4 – Regional plans

Otago Regional Council must prepare or amend and maintain its *regional plans* to:

- (1) if the requirements of ECO-P3 and to¹⁴⁴⁷ ECO-P6 can be met, provide for the use of *lakes* and *rivers* and their *beds*, including:
 - (a) activities undertaken for the purposes of *pest* control or maintaining or enhancing the habitats of indigenous fauna, and
 - (b) the maintenance and use of existing structures that are lawfully established¹⁴⁴⁸ (including *infrastructure*), and
 - (c) *infrastructure* that has a functional need¹⁴⁴⁹ or *operational need* to be sited or operated in a particular location,
- (1A) manage the clearance or modification of *indigenous vegetation*, while allowing for *mahika kai*¹⁴⁵⁰ and *kaimoana* (seafood) activities,¹⁴⁵¹
- (2) require:
 - (a) *resource consent* applications to include information that demonstrates that the sequential steps in the *effects management hierarchy (in relation to indigenous biodiversity)*¹⁴⁵² in ECO-P6 have been followed, and

¹⁴⁴⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00239.100 Federated Farmers

¹⁴⁴⁷ Clause 16(2), Schedule 1, RMA

¹⁴⁴⁸ 00230.113 Forest and Bird

¹⁴⁴⁹ 00315.046 Aurora Energy, 00138.116 QLDC

¹⁴⁵⁰ 00226.0038 Kāi Tahu ki Otago

¹⁴⁵¹ 00226.230 Kāi Tahu ki Otago / Aukaha

¹⁴⁵² 00016.013 Alluvium and Stoney Creek, 0017.011 Danny Walker and Others, 00321.022 Te Waihanga, 00137.009 DOC

- (b) that consents are not granted if the sequential steps in the *effects management hierarchy (in relation to indigenous biodiversity)*¹⁴⁵³ in ECO-P6 have not been followed, and
- (3) provide for activities undertaken for the purpose of restoring or enhancing the habitats of indigenous fauna.

ECO-M5 – District plans

Territorial authorities must prepare or amend and maintain their *district plans* to:

- (1) if the requirements of ECO-P3 ~~and to~~¹⁴⁵⁴ ECO-P6 are met, provide for the use of *land* and the surface of *water bodies* including:
 - (a) activities undertaken for the purposes of *pest* control or maintaining or enhancing the habitats of indigenous fauna, and
 - (b) the maintenance and use of existing *structures* (including *infrastructure*), and
 - (c) *infrastructure* that has a *functional* or *operational need* to be sited or operated in a particular location,
- (2) ~~control~~ *manage*¹⁴⁵⁵ the clearance or modification of *indigenous vegetation*, while allowing for *mahika kai*¹⁴⁵⁶ activities,¹⁴⁵⁷
- (3) promote the establishment of *esplanade reserves* and *esplanade strips*, particularly where they would support ecological corridors, buffering or connectivity between *significant natural areas*, or access to *mahika kai*,¹⁴⁵⁸
- (4) require:
 - (a) *resource consent* applications to include information that demonstrates that the sequential steps in the *effects management hierarchy (in relation to indigenous biodiversity)*¹⁴⁵⁹ in ECO-P6 have been followed, and
 - (b) that consents are not granted if the sequential steps in the *effects management hierarchy (in relation to indigenous biodiversity)*¹⁴⁶⁰ in ECO-P6 have not been followed, and
- (5) provide for activities undertaken for the purpose of restoring or enhancing the habitats of indigenous fauna, and
- ~~(6) prohibit the planting of *wilding conifer* species listed in APP5 within areas identified as *significant natural areas*.~~¹⁴⁶¹

¹⁴⁵³ 00016.013 Alluvium and Stoney Creek, 0017.011 Danny Walker and Others, 00321.022 Te Waihanga, 00137.009 DOC

¹⁴⁵⁴ Clause 16(2), Schedule 1, RMA

¹⁴⁵⁵ Clause 16(2), Schedule 1, RMA

¹⁴⁵⁶ 00226.0038 Kāi Tahu ki Otago

¹⁴⁵⁷ 00226.231 Kāi Tahu ki Otago

¹⁴⁵⁸ 00226.231 Kāi Tahu ki Otago, 00226.0038 Kāi Tahu ki Otago

¹⁴⁵⁹ 00016.013 Alluvium and Stoney Creek, 0017.011 Danny Walker and Others, 00321.022 Te Waihanga, 00137.009 DOC

¹⁴⁶⁰ 00016.013 Alluvium and Stoney Creek, 0017.011 Danny Walker and Others, 00321.022 Te Waihanga, 00137.009 DOC

¹⁴⁶¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00411.006 Wayfare, 00137.084 DOC (insertion of new LF-LS-P16A)

(7) require buffer zones adjacent to *significant natural areas* where it is necessary to protect the *significant natural area*.¹⁴⁶²

ECO-M6 – Engagement

Local authorities, when implementing the policies in this chapter, will:

- (1) work collaboratively with other *local authorities* to adopt an integrated approach to managing Otago’s *biodiversity* across administrative boundaries,
- (2) engage with individuals (including landowners and *land* occupiers), community groups, government agencies and other organisations with a role or an interest in *biodiversity* management, and
- (3) consult directly with landowners and *land* occupiers whose properties potentially contain or are part of *significant natural areas*.

ECO-M7A — Kāi Tahu kaitiakitaka

Local authorities must partner with Kāi Tahu in the management of *indigenous biodiversity* to the extent desired by *mana whenua*, including by:

- (1) actively supporting the role of *mana whenua* as kaitiaki,
- (2) facilitating opportunities for *mana whenua* to be involved in resource management (including decision making),
- (3) enabling the *mahika kai* practices of *mana whenua* in accordance with tikaka,
- (4) working with *mana whenua* to determine appropriate management approaches for *indigenous biodiversity* within native reserves and *Māori land*,
- (5) supporting *mana whenua* initiatives that contribute to restoring or enhancing te hauora o te koiora (the health of *indigenous biodiversity*),
- (6) where appropriate, incorporating Kāi Tahu *mātauraka* and tikaka in *indigenous biodiversity* management and monitoring, and
- (7) providing relevant information to *mana whenua* for the purposes of *indigenous biodiversity* management and monitoring.¹⁴⁶³

ECO-M7 – Monitoring

Local authorities will:

- (1) establish long-term monitoring programmes for areas identified under ~~ECO-P1~~ECO-P2¹⁴⁶⁴ that measure the net loss and gain of *indigenous biodiversity*,

¹⁴⁶² 00140.026 Waitaki DC

¹⁴⁶³ 00226.232 Kāi Tahu ki Otago

¹⁴⁶⁴ 00137.095 DOC, 00226.233 Kāi Tahu ki Otago

- (2) record information (including data) over time¹⁴⁶⁵ about the state of species, vegetation types and ecosystems, including mahika kai¹⁴⁶⁶ species and ecosystems,¹⁴⁶⁷
- (3) to the extent possible, use mātauraka Māori and tikaka Māori monitoring methods, as well as scientific monitoring methods, and
- (4) regularly report on matters in (1) and (2) and publish these reports.

ECO-M8 – Other incentives and mechanisms

Local authorities are encouraged to consider the use of other mechanisms or incentives to assist in achieving Policies ECO-P1 to ECO-P10, including:

- (1) providing information and guidance on the maintenance, restoration and enhancement of indigenous ecosystems and¹⁴⁶⁸ habitats, taoka and mahika kai¹⁴⁶⁹ species and ecosystems,¹⁴⁷⁰
- (2) funding assistance for restoration projects (for example, through Otago Regional Council’s ECO Fund),
- (3) supporting the control of *pest* plants and animals, including through the provision of advice and education and implementing regulatory programmes such as the Regional Pest Management Plan,
- (4) financial incentives,
- (5) covenants to protect areas of indigenous biodiversity land,¹⁴⁷¹ including through the QEII National Trust,
- (6) advocating for a collaborative approach between central and local government to fund indigenous *biodiversity* maintenance and enhancement, and
- (7) gathering information on indigenous ecosystems, and¹⁴⁷² habitats, and taoka and mahika kai¹⁴⁷³ species and ecosystems,¹⁴⁷⁴ including outside *significant natural areas*.

Explanation

ECO-E1 – Explanation

The first policy in this chapter outlines how the kaitiaki role of Kāi Tahu will be recognised in Otago. The policies which follow then set out a management regime for identifying *significant natural areas* and *indigenous species* and ecosystems that are taoka and protecting them by avoiding particular adverse *effects* on them. The policies recognise that these restrictions may be unduly restrictive for

¹⁴⁶⁵ 00226.233 Kāi Tahu ki Otago

¹⁴⁶⁶ 00226.038 Kāi Tahu ki Otago

¹⁴⁶⁷ 00226.233 Kāi Tahu ki Otago

¹⁴⁶⁸ 00226.234 Kāi Tahu ki Otago

¹⁴⁶⁹ 00226.038 Kāi Tahu ki Otago

¹⁴⁷⁰ 00226.234 Kāi Tahu ki Otago

¹⁴⁷¹ 00230.117 Forest and Bird

¹⁴⁷² 00226.234 Kāi Tahu ki Otago

¹⁴⁷³ 00226.038 Kāi Tahu ki Otago

¹⁴⁷⁴ 00226.234 Kāi Tahu ki Otago

some activities within *significant natural areas*, including existing activities already established. To maintain ecosystems and indigenous *biodiversity*, the policies set out mandatory and sequential steps in an *effects management hierarchy* to be implemented through decision making, including providing for *biodiversity* offsetting and compensation if certain criteria are met. The policies also require protecting coastal indigenous biodiversity in accordance with the NZCPS.¹⁴⁷⁵

~~Although the objectives of this chapter apply within the coastal environment, the specific management approach for *biodiversity* is contained in the CE – Coastal environment chapter.~~¹⁴⁷⁶ Given the *biodiversity* loss that has occurred in Otago historically, restoration or enhancement will play a part in achieving the objectives of this chapter and these activities are promoted.

~~*Wilding conifers* are a particular issue for *biodiversity* in Otago. Although *plantation forestry* is managed under the NESPF, the NESPF allows plan rules to be more stringent if they recognise and provide for the protection of *significant natural areas*. The policies adopt this direction by requiring *district and regional plans* to prevent *afforestation* within *significant natural areas* and establish buffer zones where they are necessary to protect *significant natural areas*.~~¹⁴⁷⁷

The policies recognise that managing ecosystems and indigenous *biodiversity* requires co-ordination across different areas and types of resources, as well as across organisations, communities and individual landowners. This articulates the stewardship role of all people and communities in Otago in respect of indigenous *biodiversity*.

Principal reasons

ECO-PR1 – Principal reasons

The health of New Zealand's *biodiversity* has declined significantly since the arrival of humans and remains under significant pressure. ~~Mahika kai~~ *Mahika kai*¹⁴⁷⁸ and taoka species, including their abundance, have been damaged or lost through resource use, *land* use change and development in Otago. The provisions in this chapter seek to address this loss and pressure through providing direction on how indigenous *biodiversity* is to be managed.

The provisions in this chapter assist in maintaining, protecting and restoring indigenous *biodiversity* by:

- stating the outcomes sought for ecosystems and indigenous *biodiversity* in Otago,
- requiring identification and protection of *significant natural areas*, ~~and indigenous species~~ and ecosystems that are taoka, and coastal indigenous biodiversity, and¹⁴⁷⁹
- directing how indigenous *biodiversity* is to be maintained.

¹⁴⁷⁵ Clause 10(2)(b)(i), schedule 1, RMA – CE-M2(3) moved to ECO-M2(3A) as a consequential amendment arising from moving coastal biodiversity provisions from CE to ECO in response to 00301.028 Port Otago

¹⁴⁷⁶ Clause 10(2)(b)(i), schedule 1, RMA – CE-M2(3) moved to ECO-M2(3A) as a consequential amendment arising from moving coastal biodiversity provisions from CE to ECO in response to 00301.028 Port Otago

¹⁴⁷⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00411.006 Wayfare, 00137.084 DOC (insertion of new LF-LS-P16A)

¹⁴⁷⁸ 00226.0038 Kāi Tahu ki Otago

¹⁴⁷⁹ Clause 10(2)(b)(i), schedule 1, RMA – CE-M2(3) moved to ECO-M2(3A) as a consequential amendment arising from moving coastal biodiversity provisions from CE to ECO in response to 00301.028 Port Otago

This chapter will assist with achieving the outcomes sought by *Te Mana o te Taiao – Aotearoa New Zealand Biodiversity Strategy 2020*. Implementation of the provisions in this chapter will occur primarily through *regional* and *district plan* provisions, however *local authorities* may also choose to adopt additional non-regulatory methods to support the achievement of the objectives.

Anticipated environmental results

- ECO-AER1** There is no further decline in the condition quality,¹⁴⁸⁰ quantity or diversity of Otago’s indigenous *biodiversity*.
- ECO-AER2** The condition quality,¹⁴⁸¹ quantity and diversity of indigenous *biodiversity* within Otago improves over the life of this Regional Policy Statement.
- ECO-AER3** Kāi Tahu are involved in the management of indigenous *biodiversity* and able to effectively exercise their *kaitiakitaka*.
- ~~**ECO-AER4** Within *significant natural areas*, the area of *land* vegetated by *wilding conifers* is reduced.~~¹⁴⁸²

¹⁴⁸⁰ Consequential amendment to 00306.042 Meridian

¹⁴⁸¹ Consequential amendment to 00306.042 Meridian

¹⁴⁸² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00411.006 Wayfare, 00137.084 DOC (insertion of new LF-LS-P16A)

EIT – Energy, infrastructure and transport

Note to readers: As notified, the order of this chapter was EIT-EN, EIT-INF, EIT-TRAN. As a result of recommendations made by the reporting officer through supplementary evidence, the order is now EIT-INF, EIT-EN, EIT-TRAN. The notified numbering has been retained as an interim measure while the hearing on these provisions occurs so that it is easier to link submission points to provisions. The numbering of this chapter will be made chronological following a final decision by Council.

EIT-INF – Infrastructure¹⁴⁸³

Objectives

EIT-INF-04 – Provision of infrastructure

Effective, efficient and *resilient infrastructure, nationally significant infrastructure and regionally significant infrastructure*¹⁴⁸⁴ enables the people and communities of Otago to provide for their social and cultural well-being, their health and safety, and supports sustainable economic development and growth in ~~within~~ the region¹⁴⁸⁵ ~~within environmental limits.~~¹⁴⁸⁶

EIT-INF-05 – Integration

Development of ~~nationally and regionally significant~~¹⁴⁸⁷ *nationally significant infrastructure and regionally significant infrastructure*¹⁴⁸⁸ as well as *land use change*, occurs in a co-ordinated manner to ~~avoid or~~¹⁴⁸⁹ minimise adverse *effects* on the *environment* and increase efficiency in the delivery, operation and use of the *infrastructure*.

~~EIT-INF-06 – Long term planning for electricity transmission infrastructure~~

~~Long term investment in, and planning for, electricity transmission infrastructure and its integration with land use, is sustained.~~¹⁴⁹⁰

Policies

EIT-INF-P10 – Recognising resource requirements

Decision making on the allocation or use of *natural and physical resources* must take into account the *functional needs and operational*¹⁴⁹¹ *needs* of *nationally significant infrastructure*¹⁴⁹² and *regionally significant infrastructure*.

¹⁴⁸³ Clause 16(2), Schedule 1, RMA

¹⁴⁸⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00313.020 Queenstown Airport

¹⁴⁸⁵ 00239.124 Federated Farmers

¹⁴⁸⁶ 00231.009 Fish and Game, 00315.043 Aurora Energy

¹⁴⁸⁷ 00239.125 Federated Farmers, 00235.114 OWRUG

¹⁴⁸⁸ Clause 16(2), Schedule 1, RMA

¹⁴⁸⁹ 00239.125 00230.128 Forest and Bird

¹⁴⁹⁰ Moved to EIT-EN – clause 16(2), Schedule 1, RMA.

¹⁴⁹¹ 00315.046 Aurora Energy, 00138.116 QLDC

¹⁴⁹² 00314.001 Transpower

EIT-INF-P11 – Operation and maintenance

Except as provided for by ECO – P4, allow for the operation and maintenance of existing *nationally significant infrastructure*¹⁴⁹³ and *regionally significant infrastructure* while:

- (1) avoiding, as the first priority, significant adverse *effects* on the *environment*, and
- (2) if avoidance is not practicable, and for other adverse *effects*, minimising adverse *effects*.

EIT-INF-P12 – Upgrades and development

Provide for upgrades to existing, and development of new¹⁴⁹⁴ infrastructure, ~~*nationally or regionally significant infrastructure*~~¹⁴⁹⁵ while ensuring that:

- (1) ~~*infrastructure*~~ it¹⁴⁹⁶ is designed and located, as far as practicable, to maintain functionality during and after *natural hazard* events,
 - (1A) it is resilient to the current and future *effects* of sea level rise and *climate change*,¹⁴⁹⁷
- (2) it is, as far as practicable, co-ordinated with long-term *land* use planning, and
- (3) ~~increases efficiency in~~¹⁴⁹⁸ the its¹⁴⁹⁹ delivery, operation or use of the *infrastructure* is efficient.¹⁵⁰⁰

EIT-INF-P13 – Locating and managing *effects of infrastructure, nationally significant infrastructure and regionally significant infrastructure*¹⁵⁰¹ outside the coastal environment¹⁵⁰²

When providing for new *infrastructure, nationally significant infrastructure, and regionally significant infrastructure*¹⁵⁰³ outside the coastal environment:

- (1) avoid, as the first priority, locating *infrastructure* in all of the following:
 - (a) *significant natural areas*,
 - (b) outstanding natural features and landscapes,
 - (c) *natural wetlands*,
 - (d) *outstanding water bodies*,
 - (e) areas of high or outstanding natural character,
 - (f) areas or places of ~~significant or outstanding~~¹⁵⁰⁴ *historic heritage*,

¹⁴⁹³ 00314.001 Transpower

¹⁴⁹⁴ 00139.164 DCC

¹⁴⁹⁵ Clause 16(2), Schedule 1, RMA

¹⁴⁹⁶ 00315.048 Aurora Energy

¹⁴⁹⁷ 00226.006 Kāi Tahu ki Otago

¹⁴⁹⁸ 00315.048 Aurora Energy

¹⁴⁹⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00315.048 Aurora Energy (re Clause 1 amendment)

¹⁵⁰⁰ 00315.048 Aurora Energy

¹⁵⁰¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00313.020 Queenstown Airport

¹⁵⁰² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.107 DOC, 00301.042 Port Otago, 00226.241 Kāi Tahu ki Otago, 00223.108 Ngāi Tahu ki Murihiku, 00301.040 Port Otago

¹⁵⁰³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00313.020 Queenstown Airport

¹⁵⁰⁴ Clause 16(2), Schedule 1, RMA

- (g)¹⁵⁰⁵ wāhi tūpuna wāhi tapu, wāhi taoka,¹⁵⁰⁶ and areas with protected customary rights, and
- (h) areas of high recreational and¹⁵⁰⁷ high amenity value highly valued natural features and landscapes,¹⁵⁰⁸ and
- (2) if it is not possible demonstrably practicable¹⁵⁰⁹ to avoid locating in the areas listed in (1) above because of the functional needs¹⁵¹⁰ or operational needs of the infrastructure, nationally significant infrastructure and regionally significant infrastructure¹⁵¹¹ manage adverse effects as follows:
- (a) for nationally significant infrastructure¹⁵¹² or regionally significant infrastructure:
- (i) in significant natural areas, in accordance with ECO-P4,
- (ii) in natural wetlands, in accordance with the relevant provisions in the NESF,
- (iii) in outstanding water bodies, in accordance with ~~LF-P12~~ LF-FW-P9 and LF-FW-P13(1) and (2),¹⁵¹³
- (iiia) in relation to wāhi tūpuna, in accordance with HCV-WT-P2¹⁵¹⁴
- (iv) in other areas listed in EIT-INF-P13(1) above, minimise the adverse effects of the infrastructure on the values that contribute to the area's importance, and¹⁵¹⁵
- (b) for all infrastructure that is not nationally significant infrastructure¹⁵¹⁶ or regionally significant infrastructure,¹⁵¹⁷ avoid adverse effects on the values that contribute to the area's outstanding nature or significance.

EIT-INF-P13A – Managing the effects of infrastructure, nationally significant infrastructure and regionally significant infrastructure within the coastal environment

When managing the effects of infrastructure, nationally significant infrastructure and regionally significant infrastructure within the coastal environment the provisions of the CE – Coastal environment chapter apply.¹⁵¹⁸

EIT-INF-P14 – Decision making considerations

When considering proposals to develop or upgrade *infrastructure*:

- (1) require consideration of alternative sites, methods and designs if adverse effects are potentially significant or irreversible, and

¹⁵⁰⁵ Clause 16(2), Schedule 1, RMA

¹⁵⁰⁶ 00226.241 Kāi Tahu ki Otago

¹⁵⁰⁷ 00311.047 Trustpower

¹⁵⁰⁸ 00138.119 QLDC

¹⁵⁰⁹ 00321.057 New Zealand Infrastructure Commission, 00313.020 Queenstown Airport

¹⁵¹⁰ Clause 16(2), Schedule 1, RMA

¹⁵¹¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00313.020 Queenstown Airport

¹⁵¹² Clause 16(2), Schedule 1, RMA

¹⁵¹³ 00305.023 Waka Kotahi

¹⁵¹⁴ 00226.241 Kāi Tahu ki Otago

¹⁵¹⁵ Clause 16(2), Schedule 1, RMA

¹⁵¹⁶ Clause 16(2), Schedule 1, RMA

¹⁵¹⁷ Clause 16(2), Schedule 1, RMA

¹⁵¹⁸ 00137.107 DOC, 00301.042 Port Otago, 00226.241 Kāi Tahu ki Otago, 00223.108 Ngāi Tahu ki Murihiku, 00301.040 Port Otago

(1A) require consideration of the current and future effects of sea level rise and climate change,¹⁵¹⁹ and

(2) utilise the opportunity of substantial upgrades of infrastructure to reduce adverse effects that result from the existing infrastructure, including on sensitive activities.

EIT-INF-P15 – Protecting nationally significant infrastructure¹⁵²⁰ ~~or~~ and¹⁵²¹ regionally significant infrastructure

~~Seek to avoid the establishment of activities that may result in reverse sensitivity effects on nationally or regionally significant infrastructure, and/or where they may compromise the functional or operational needs of nationally or regionally significant infrastructure.~~

Protect the efficient and effective operation of nationally significant infrastructure and regionally significant infrastructure by:

(1) avoiding activities, to the extent reasonably possible,¹⁵²² that may give rise to an adverse effect on the functional needs or operational needs of nationally significant infrastructure or regionally significant infrastructure,

(2) avoiding activities, to the extent reasonably possible,¹⁵²³ that may result in reverse sensitivity effects on nationally significant infrastructure or regionally significant infrastructure, and

(3) avoiding activities and development that foreclose an opportunity to adapt, upgrade or extend existing nationally significant infrastructure or regionally significant infrastructure to meet future demand.¹⁵²⁴

EIT-INF-P16 – Providing for electricity transmission and the National Grid

~~Maintain a secure and sustainable electricity supply in Otago by:~~

~~(1) providing for development of, and upgrades to, the electricity transmission network and requiring, as far as practicable, its integration with land use,~~

~~(2) considering the requirements of and constraints on the functional or operational needs of the electricity transmission network,~~

~~(3) providing for the efficient and effective development, operation, maintenance, and upgrading of the National Grid,~~

~~(4) enabling the reasonable operation, maintenance and minor upgrade requirements of established electricity transmission assets, and~~

~~(5) minimising the adverse effects of the electricity transmission network on urban amenity, and avoiding adverse effects on town centres, areas of high amenity or recreational value and existing sensitive activities.¹⁵²⁵~~

¹⁵¹⁹ 00226.006 Kāi Tahu ki Otago

¹⁵²⁰ Clause 16(2), Schedule 1, RMA

¹⁵²¹ Clause 16(2), Schedule 1, RMA

¹⁵²² 00236.079 Horticulture NZ

¹⁵²³ 00236.079 Horticulture NZ

¹⁵²⁴ 00313.022 Queenstown Airport

¹⁵²⁵ Moved to EIT-EN – Clause 16(2), Schedule 1, RMA

EIT-INF-P17 – Urban growth and infrastructure

Provide for *development infrastructure* and *additional infrastructure* required to service existing, planned and expected urban growth demands in the short, medium and long term, taking in account UFD-P1 to UFD-P10.

Methods

EIT-INF-M4 – Regional plans

Otago Regional Council must prepare or amend and maintain its *regional plans* to:

- (1) manage the adverse *effects of infrastructure* activities, including, where appropriate, identifying activities that qualify as minor upgrades,¹⁵²⁶ that:
 - (a) are in the *beds of lakes and rivers*, or
 - (b) are in the *coastal marine area*, or
 - (c) involve the taking, use, damming or diversion of *water* or,
 - (d) involve the *discharge of water or contaminants*, and
- (2) require the prioritisation of sites for *infrastructure* where adverse *effects* on highly valued *natural and physical resources* and *mana whenua* values can be avoided or, at the very least, minimised.

EIT-INF-M5 – District plans

Territorial authorities must prepare or amend and maintain their *district plans* to:

- (1) require a strategic approach to the integration of *land use* and *nationally significant infrastructure*¹⁵²⁷ or *regionally significant infrastructure*,
- ~~(2) enable planning for the electricity transmission network and *National Grid* to achieve efficient distribution of electricity,~~¹⁵²⁸
- ~~(3) map the electricity transmission network, and in relation to the *National Grid*, identify a buffer corridor within which *sensitive activities* shall generally not be allowed, and~~¹⁵²⁹
- (4) manage the *subdivision*, use and development of *land* to ensure *nationally significant infrastructure*¹⁵³⁰ or *regionally significant infrastructure* can develop to meet increased demand,
- (5) manage the adverse *effects* of developing, operating, maintaining, or upgrading *nationally significant infrastructure*¹⁵³¹ or *regionally significant infrastructure*, including, where appropriate, identifying activities that qualify as minor upgrades,¹⁵³² that are on:
 - (a) the surface of *rivers and lakes* and on *land* outside the *coastal marine area*, and

¹⁵²⁶ 00139.164 DCC, 00305.043 Waka Kotahi

¹⁵²⁷ Clause 16(2), Schedule 1, RMA

¹⁵²⁸ Moved to EIT-EN-M2(6) – Clause 16(2), Schedule 1, RMA

¹⁵²⁹ Moved to EIT-EN-M2(7) – Clause 16(2), Schedule 1, RMA

¹⁵³⁰ Clause 16(2), Schedule 1, RMA

¹⁵³¹ Clause 16(2), Schedule 1, RMA

¹⁵³² 00139.164 DCC, 00305.043 Waka Kotahi

- (b) the *beds of lakes and rivers*,
- (6) ensure that development is avoided where:
 - (a) it cannot be adequately served with *infrastructure*,
 - (b) it utilises *infrastructure* capacity for other planned development, or
 - (c) the required upgrading of *infrastructure* is not funded, and
- (7) require the prioritisation of sites for *infrastructure, nationally significant infrastructure and regionally significant infrastructure* where adverse effects on those matters are¹⁵³³ addressed by EIT-INF-P13¹⁵³⁴ and EIT-INF-P13A¹⁵³⁵ on highly valued *natural and physical resources* and *mana whenua* values can be avoided or, at the very least, minimised.¹⁵³⁶

EIT-INF-M6 – Advocacy

Local authorities ~~should~~ must¹⁵³⁷:

- (1) ~~advocate for the upgrading or replacement of existing nationally or regionally significant infrastructure if the operation of infrastructure results in significant adverse effects, and~~¹⁵³⁸
- (2) ~~work proactively with infrastructure providers to co-ordinate the upgrading or development of nationally significant infrastructure~~¹⁵³⁹ or *regionally significant infrastructure* to support co-location or concurrent construction to reduce adverse effects.

Explanation

EIT-INF-E2 – Explanation

The policies in this section recognise the critical importance of *infrastructure* to communities and provide for the continued operation of existing *infrastructure* and the development of upgraded or new *infrastructure* where adverse effects are managed. As many assets rely on particular resource requirements or specific locations, decisions on allocating *natural and physical resources* shall make provision for the *functional needs*¹⁵⁴⁰ or *operational needs* of *nationally significant infrastructure*¹⁵⁴¹ and *regionally significant infrastructure*. For *infrastructure* in the coastal environment, the provisions of the CE – Coastal environment chapter are also applicable to ensure the NZCPS is given effect.

Given the potential magnitude of adverse effects associated with this *infrastructure*, consideration is required of the ability to remedy or mitigate unavoidable adverse effects, alternative options and offsetting or compensation.

¹⁵³³ Clause 16(2), Schedule 1, RMA

¹⁵³⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.107 DOC, 00301.042 Port Otago, 00226.241 Kāi Tahu ki Otago, 00223.108 Ngāi Tahu ki Murihiku, 00301.040 Port Otago

¹⁵³⁵ Clause 10(2)(b)(i), Schedule 1, RMA – 00137.107 DOC, 00301.042 Port Otago, 00226.241 Kāi Tahu ki Otago, 00223.108 Ngāi Tahu ki Murihiku, 00301.040 Port Otago

¹⁵³⁶ 00139.171 DCC

¹⁵³⁷ 00139.172 DCC

¹⁵³⁸ 00311.051 Trustpower, 00305.054 Waka Kotahi

¹⁵³⁹ Clause 16(2), Schedule 1, RMA

¹⁵⁴⁰ Clause 16(2), Schedule 1, RMA

¹⁵⁴¹ 00314.001 Transpower

To ensure *infrastructure* is planned for, and used efficiently, the provisions require that the benefits of existing *nationally significant infrastructure*¹⁵⁴² and *regionally significant infrastructure* are maximised, and *infrastructure* provision is undertaken in a co-ordinated manner. The policies also seek to manage the potential adverse *effects* of other activities on *nationally significant infrastructure*¹⁵⁴³ and *regionally significant infrastructure* to ensure the ability to operate these assets is not compromised.

Principal reasons

EIT-INF-PR2 – Principal reasons

Infrastructure is fundamental to the health and safety of communities, and their social and economic well-being and functioning. The nature of *infrastructure* means there are typically operational and functional constraints which dictate where and how these activities operate to properly serve local communities. These types of assets also tend to require significant investment, although some have at times been subject to under-investment.

The scale and type of activities involved in the development, operation, maintenance, and upgrading of *infrastructure* are such that adverse *effects* on the *environment* are likely and, at times, significant. Efforts are required to reduce impacts from *infrastructure*, by avoiding its location in areas that are important to Otago, particularly where alternatives are available. If it is necessary to locate in those areas, then it is necessary that the values that make those areas important are protected. There are instances however, when residual *effects* cannot be avoided, in which case *effects* should be remedied or mitigated and offsetting or compensation may be necessary if it meets any criteria set. Given the potential for adverse *effects*, it is important that *local authorities* monitor and enforce the standards set in plans and on *resource consents* and designations.

The policies in this chapter give effect to the NPSREG, NPSET, NPSFM and NPSUD and recognise *infrastructure* that has benefits for the wider Otago region and nationally. Implementation of the provisions will occur through the *regional plan*¹⁵⁴⁴ and *district plan* provisions.

Anticipated environmental results

- | | |
|---------------------|--|
| EIT-INF-AER5 | <i>Infrastructure</i> provides safe, effective and efficient services to the Otago community. |
| EIT-INF-AER6 | The provision of <i>infrastructure</i> is co-ordinated and integrated to service growth efficiently. |
| EIT-INF-AER7 | <i>Nationally <u>significant infrastructure</u></i> ¹⁵⁴⁵ and <i>regionally significant infrastructure</i> is protected from <i>reverse sensitivity effects</i> caused by incompatible activities. |
| EIT-INF-AER8 | The adverse <i>effects</i> associated with <i>nationally and regionally significant infrastructure</i> <i>infrastructure</i> are <u>avoided or</u> ¹⁵⁴⁶ minimised. |

¹⁵⁴² 00314.001 Transpower

¹⁵⁴³ Clause 16(2), Schedule 1, RMA

¹⁵⁴⁴ Clause 16(2), Schedule 1, RMA

¹⁵⁴⁵ 00314.001 Transpower

¹⁵⁴⁶ 00223.113 Ngāi Tahu ki Murihiku

EIT-EN – Energy

Note to readers: As a result of recommendations made by the reporting officer through supplementary evidence, some provisions in this chapter have been re-ordered and others have been moved from other chapters. The notified numbering has been retained as an interim measure while the hearing on these provisions occurs so that it is easier for submission points to be read alongside the chapter. The numbering of this chapter will be made chronological following a final decision by Council.

Objectives

EIT-EN-O1 – Energy and social and economic well-being

Otago’s communities and economy are supported by ~~renewable energy generation~~ renewable energy¹⁵⁴⁷ within the region that is safe, secure, and *resilient*.

EIT-EN-O3 – Energy use

Subdivision and Development¹⁵⁴⁸ is located and designed to facilitate the efficient use of energy and to reduce demand if possible, minimising the contribution that Otago makes to total *greenhouse gas* emissions.

EIT-EN-O2A – Greenhouse gas emissions and renewable energy targets

Renewable energy in Otago¹⁵⁴⁹ supports the overall reduction in New Zealand *greenhouse gas* emissions and achieving the national target for emissions reduction.¹⁵⁵⁰

EIT-EN-O2 – Renewable electricity generation

The generation capacity of *renewable electricity generation activities* in Otago:

- (1) is protected and¹⁵⁵¹ maintained, and if practicable maximised, ~~within environmental limits,~~¹⁵⁵² and
- (2) contributes to meeting New Zealand’s national target for *renewable electricity generation*.

EIT-INF-O6 – Long-term planning for ~~electricity transmission~~ the National Grid¹⁵⁵³ and distribution¹⁵⁵⁴ *infrastructure*¹⁵⁵⁵

Long-term investment in, and planning for, electricity transmission and distribution¹⁵⁵⁶ *infrastructure* and its integration with *land* use, is sustained.¹⁵⁵⁷

¹⁵⁴⁷ Clause 16(2), Schedule 1, RMA

¹⁵⁴⁸ 00139.144 DCC

¹⁵⁴⁹ Clause 16(2), Schedule 1, RMA

¹⁵⁵⁰ 00318.024 Contact, 00311.031 Trustpower, 00311.039 Trustpower, 00321.040 Te Waihangā

¹⁵⁵¹ 00318.024 Contact

¹⁵⁵² 00231.009 Fish and Game, 00318.024 Contact

¹⁵⁵³ 00236.080 Horticulture NZ

¹⁵⁵⁴ 00315.045 Aurora Energy

¹⁵⁵⁵ Moved from EIT-INF – Clause 16(2), Schedule 1, RMA

¹⁵⁵⁶ 00315.045 Aurora Energy

¹⁵⁵⁷ Moved from EIT-INF – Clause 16(2), Schedule 1, RMA.

Policies

EIT-EN-P9 – Energy conservation and efficiency

Development ~~supports energy conservation and efficiency by is designed, including through roading, lot size, dimensions, layout, and orientation so that energy use is efficient, energy waste is minimised, and solar gain is optimised~~ designing subdivisions to maximise solar access and locating development to minimise, as far as practicable, transportation costs, car dependency and greenhouse gas emissions.¹⁵⁵⁸

EIT-EN-P5 – Non-renewable energy generation

Avoid the development of non-renewable energy generation activities in Otago, unless no other renewable energy alternatives exist,¹⁵⁵⁹ and facilitate the replacement of non-renewable energy sources, including the use of fossil fuels, in energy generation.

EIT-EN-P1 – Operation and maintenance

The operation and maintenance of existing *renewable electricity generation activities* is provided for while minimising its adverse *effects*.

EIT-EN-P2 – Recognising *renewable electricity generation activities* in decision making

Decisions on the allocation and use of *natural and physical resources*, including the use of *fresh water* and development of *land*:

- (1) recognise the national significance of *renewable electricity generation activities*, including the¹⁵⁶⁰ national, regional and local benefits of ~~existing~~¹⁵⁶¹ *renewable electricity generation activities*,
- (2) ~~take into account~~ have particular regard to¹⁵⁶² the ~~need to at least~~¹⁵⁶³ maintain maintenance of¹⁵⁶⁴ current *renewable electricity generation capacity*,¹⁵⁶⁵ and
- (3) recognise that the attainment of increases in *renewable electricity generation capacity* will require significant development of *renewable electricity generation activities*.

EIT-EN-P3 – Development and upgrade of renewable electricity generation activities

The security of renewable electricity supply is maintained or improved in Otago through appropriate provision for the development or upgrading of *renewable electricity generation activities* and diversification of the type or location of *renewable*¹⁵⁶⁶ *electricity generation activities*.

EIT-EN-P4 – Identifying new sites or resources

¹⁵⁵⁸ 00139.154 DCC

¹⁵⁵⁹ 00121.072 Ravensdown, 00239.118 Federated Farmers, 00411.061 Wayfare

¹⁵⁶⁰ 00306.054 Meridian

¹⁵⁶¹ 00137.100 DCC

¹⁵⁶² 00306.054 Meridian

¹⁵⁶³ 00318.026 Contact

¹⁵⁶⁴ 00318.026 Contact

¹⁵⁶⁵ 00306.054 Meridian, 00311.034 Trustpower, 00321.043 Te Waihanga

¹⁵⁶⁶ Clause 16(2), Schedule 1, RMA

Provide for activities associated with the investigation, identification and assessment of potential sites and energy sources for *renewable electricity generation* and, when selecting a site for new *renewable electricity generation*, prioritise those where adverse *effects* on highly valued *natural and physical resources* and *mana whenua* values can be avoided or, at the very least, minimised.

EIT-EN-P6 – Managing effects

Manage the adverse *effects* of *renewable electricity generation activities* by:

- (1) applying EIT-INF-P13,
- (2) having particular¹⁵⁶⁷ regard to:
 - (a) the *functional need* to locate *renewable electricity generation activities* where resources are available,
 - (b) the *operational need* to locate where it is possible to connect to the *National Grid* or *electricity sub-transmission infrastructure*, and
 - (c) the extent and magnitude of adverse *effects* on the *environment* and the degree to which unavoidable adverse *effects* can be remedied or mitigated, or residual adverse *effects* are offset or compensated for; and
- (3) requiring consideration of alternative sites, methods and designs, and offsetting or compensation measures (in accordance with any specific requirements for their use in this RPS), where adverse *effects* are potentially significant or irreversible.

EIT-EN-P7 – Reverse sensitivity

Activities that may result in *reverse sensitivity effects* on consented or existing *renewable electricity generation activities*¹⁵⁶⁸ or compromise the operation or maintenance of *renewable electricity generation activities* are, as the first priority, prevented from establishing and only if that is not reasonably practicable, managed so that *reverse sensitivity effects* are minimised.

EIT-EN-P8 – Small and community scale distributed electricity generation

Provide for *small and community scale distributed electricity generation* activities that increase the local community's *resilience* and security of energy supply.

EIT-INF-P16 – Providing for ~~electricity transmission and~~¹⁵⁶⁹ the *National Grid*

Maintain a secure and sustainable electricity supply in Otago by:

(1A) applying EIT-INF-P13,¹⁵⁷⁰

- (1) providing for development of, and upgrades to, the ~~electricity transmission network~~ *National Grid* and requiring, as far as practicable, its integration with *land* use,

¹⁵⁶⁷ 00306.057 Meridian

¹⁵⁶⁸ 00239.119 Federated Farmers, 00306.058 Meridian

¹⁵⁶⁹ 00236.080 Horticulture NZ

¹⁵⁷⁰ Clause 16(2), Schedule 1, RMA

- (2) considering the requirements of and constraints on the *functional needs*¹⁵⁷¹ or *operational needs* of the *National Grid*,
- (3) providing for the efficient and effective development, operation, maintenance, and upgrading of the *National Grid*,
- (4) enabling the reasonable operation, maintenance and minor upgrade requirements of established *National Grid* assets, and
- (5) minimising the adverse *effects* of the *National Grid* on urban amenity, and avoiding adverse *effects* on town centres, areas of significance to *mana whenua* such as *wāhi tūpuna*,¹⁵⁷² areas of high amenity or recreational value and existing *sensitive activities*.¹⁵⁷³

EIT-EN-P10 – Providing for electricity distribution

Recognise and provide for electricity distribution *infrastructure*, by all of the following:

- (1) recognising the *functional needs* of electricity distribution activities,
- (2) restricting the establishment of activities that may result in *reverse sensitivity effects*,
- (3) avoiding, remedying or mitigating adverse *effects* from other activities on the *functional needs* of that *infrastructure*,
- (4) minimising adverse *effects* of new and upgraded electricity distribution *infrastructure* on existing *land uses*, and
- (5) identifying *significant electricity distribution infrastructure* and managing *effects* of potentially incompatible activities through methods such as corridors.¹⁵⁷⁴

Methods

EIT-EN-M1 – Regional plans

Otago Regional Council must prepare or amend and maintain its *regional plans* to:

- (1) provide for activities associated with the investigation, identification and assessment of potential sites and energy sources for *renewable electricity generation*,
- (2) require the prioritisation of sites for new *renewable electricity generation activities* where adverse *effects* on highly valued *natural and physical resources* and *mana whenua* values can be avoided or, at the very least, minimised,
- (3) manage the adverse *effects* of developing or upgrading *renewable electricity generation activities*, including identifying activities that qualify as minor upgrades,¹⁵⁷⁵ that:
 - (a) are within the *beds* of *lakes* and *rivers* and the *coastal marine area*, or

¹⁵⁷¹ Clause 16(2), Schedule 1, RMA

¹⁵⁷² 00226.243 Kāi Tahu ki Otago

¹⁵⁷³ Moved from EIT-INF – Clause 16(2), Schedule 1, RMA.

¹⁵⁷⁴ 00315.058 Aurora Energy, 00320.026 Network Waitaki and 00511.026 PowerNet

¹⁵⁷⁵ 00139.164 DCC, 00305.043 Waka Kotahi

- (b) involve the taking, use, damming or diversion of *water* and *discharge of water or contaminants*,
- (4) provide for the operation and maintenance of existing *renewable electricity generation activities*, including their *natural and physical resource* requirements, ~~within the~~¹⁵⁷⁶ ~~environmental limits~~,¹⁵⁷⁷ and
- (5) restrict the establishment of activities that may adversely affect the efficient functioning of *renewable electricity generation activities infrastructure*¹⁵⁷⁸ (including impacts on generation capacity).

EIT-EN-M2 – District plans

Territorial authorities must prepare or amend and maintain their *district plans* to:

- (1) provide for activities associated with the investigation, identification and assessment of potential sites and energy sources for *renewable electricity generation*,
- (2) require the prioritisation of sites for new *renewable electricity generation activities* where adverse *effects* on highly valued *natural and physical resources* and *mana whenua* values can be avoided or, at the very least, minimised,
- (3) manage the adverse *effects* of developing or upgrading *renewable electricity generation activities* and ~~electricity transmission~~ *National Grid*¹⁵⁷⁹ *infrastructure*, including identifying activities that qualify as minor upgrades,¹⁵⁸⁰ that:
 - (a) are on the surface of *rivers* and *lakes* and on *land* outside the *coastal marine area*, or
 - (b) the *beds* of *lakes* and *rivers*,
- (4) provide for the continued operation and maintenance of *renewable electricity generation activities* on the surface of *rivers* and *lakes* and on *land* outside the *coastal marine area* and the *beds* of *lakes* and *rivers*,
- (5) restrict the establishment or occurrence of activities that may adversely affect the efficient functioning of *renewable electricity generation infrastructure*,
- (5A) enable planning for *National Grid*,¹⁵⁸¹
- (5B) map the *National Grid*, and identify a buffer corridor within which *sensitive activities* shall generally not be allowed,¹⁵⁸²
- (5C) map *significant electricity distribution infrastructure* and, where necessary, provide controls on activities to ensure that the *functional needs* of the *significant electricity distribution infrastructure* are not compromised,¹⁵⁸³

¹⁵⁷⁶ 00223.106 Ngāi Tahu ki Murihiku

¹⁵⁷⁷ 00231.009 Fish and Game, 00306.061 Meridian

¹⁵⁷⁸ 00306.061 Meridian

¹⁵⁷⁹ 00236.080 Horticulture NZ

¹⁵⁸⁰ 00139.164 DCC, 00305.043 Waka Kotahi

¹⁵⁸¹ 00314.040 Transpower; Moved from EIT-INF-M5(2) – Clause 16(2), Schedule 1, RMA

¹⁵⁸² Moved from EIT-INF-M5(3) – Clause 16(2), Schedule 1, RMA

¹⁵⁸³ 00315.058 Aurora Energy, 00320.026 Network Waitaki and 00511.026 PowerNet

- (5D) where necessary, establishing controls for *buildings, structures* and other activities adjacent to *electricity infrastructure*, to ensure the *functional needs* of that *infrastructure* are not compromised based on NZECP34:2001 Electrical Code of Practice for Electrical Safe Distances and the Electricity (Hazards from Trees) Regulations 2003 (prepared under the Electricity Act 1992),¹⁵⁸⁴
- (6) require the design of *subdivision* development to optimise solar gain, including through roading, lot size, dimensions, layout and orientation, and
- (7) require the design of transport *infrastructure* to provides¹⁵⁸⁵ for multi-modal transport options in urban and rural *lifestyle areas* ~~residential locations.~~¹⁵⁸⁶

EIT-EN-M3 – Education and information

- (1) *Local authorities* must provide education and information to improve energy efficiency and provide for the adoption of renewable energy sources, including:
- (a) ways to increase ~~measures for increased~~¹⁵⁸⁷ energy efficiency and energy conservation, and
 - (b) opportunities for *small and community scale distributed electricity generation*.
- (2) *Territorial authorities* must provide information on design techniques to optimise solar gain, including through roading, lot size, dimensions, layout, and orientation.

Explanation

EIT-EN-E1 – Explanation

The policies in this section are designed to set a clear preference for *renewable electricity generation activities* contributing to meeting New Zealand’s national target for *renewable electricity generation*. *Renewable electricity generation* is a matter of national importance and a key component in responding to *climate change* and energy demands. Increasing energy security will assist with ensuring that communities have options for clean heat and electricity for health and wellbeing services.¹⁵⁸⁸

Renewable electricity generation activities are promoted by providing for the investigation, operation and maintenance of these sites and ensuring that decisions on allocating natural resources and the use of *land*, for example, recognise the benefits of *renewable electricity generation activities* arising from maintaining or increasing generation capacity. It is noted that *renewable electricity generation activities* will come within the definition of *infrastructure*, and that provisions relating to *infrastructure* also apply.

The potential magnitude of adverse *effects* and *functional needs*¹⁵⁸⁹ and *operational needs* associated with *renewable electricity generation activities* is recognised by requiring consideration of those needs, and the extent to which unavoidable *effects* can be remedied or mitigated. Where residual

¹⁵⁸⁴ 00315.058 Aurora Energy, 00320.026 Network Waitaki and 00511.026 PowerNet

¹⁵⁸⁵ 00139.156 DCC

¹⁵⁸⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

¹⁵⁸⁷ 00139.157 DCC

¹⁵⁸⁸ 00311.042 Trustpower

¹⁵⁸⁹ Clause 16(2), Schedule 1, RMA

adverse *effects* remain, consideration is given to proposals to offset these, or compensate for them. Increasing energy security will assist with ensuring that communities have options for clean heat.

To ensure the on-going functionality of *renewable electricity generation*¹⁵⁹⁰ assets and to maximise their benefits, *reverse sensitivity effects* or activities that may compromise the operation or maintenance of *renewable electricity generation activities* are to be avoided or their impacts minimised.

The policies also seek that energy use is efficient and energy *waste* is reduced, which will have consequential *effects* on minimising Otago's contribution to the nation's *greenhouse gas* emissions.

In addition, the policies also contain relevant considerations for the transmission of electricity, both in terms of the *National Grid, significant electricity distribution infrastructure* and other electricity transmission and distribution activities.¹⁵⁹¹

Principal reasons

EIT-EN-PR1 – Principal reasons

Energy is a basic requirement of life in Otago. It enables communities to provide for their well-being, and health and safety, and is essential to the regional economy. Everyday life is significantly affected when energy supply is disrupted. Therefore, ensuring the security of energy supplies that meet demand is crucial. The ability of existing energy generation activities to continue operating is dependent on access to resources such as *water* in hydro *lakes* and the operator's ability to maintain existing *infrastructure*.

Otago is fortunate to have several existing *renewable electricity generation* sites and potential to increase *renewable electricity generation*. The benefits of *renewable electricity generation* include reducing *greenhouse gas* emissions, dependence on imported energy and greater supply security. These benefits are afforded to Otago communities and nationally as exported energy is significant for other regions. Because of this, providing for new *renewable electricity generation* opportunities to meet increasing energy demand is necessary. Additionally, addressing inefficiencies in energy use can ensure that existing *infrastructure* is better utilised to reduce the need for new generation sites.

Renewable electricity generation facilities can cause significant adverse *effects* on the *environment* because of their *functional need* to locate in particular areas. These areas are where resources are available, for example *water* for hydro-electricity generation, but they may also contain other significant values such as outstanding natural features or landscapes, significant *indigenous vegetation* or sites of significance to *mana whenua* values. In some situations, it may not be possible to avoid adverse *effects* on these significant values after considering alternative sites or design options. In these circumstances the *effects* should be remedied or mitigated, and consideration should be given to whether those *effects* that cannot be avoided are offset or compensated.

In relation to the *National Grid* and *significant electricity distribution infrastructure*¹⁵⁹² (which are both a subset of *infrastructure*), specific provision is made which recognises some of the operational and

¹⁵⁹⁰ 00306.063 Meridian

¹⁵⁹¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from moving some policies from EIT-INF to EIT-EN.

¹⁵⁹² Clause 10(2)(b)(i), Schedule 1, RMA

functional constraints for conveying electricity,¹⁵⁹³ as well as addressing matters that are required to be given effect to by the NPSET.¹⁵⁹⁴

The provisions in this chapter assist in giving effect to the NPSREG, NPSET¹⁵⁹⁵ and NPSFM and implementing section 7(j) of the RMA ~~1991~~.¹⁵⁹⁶ Implementation of the provisions will occur primarily through *regional plans*¹⁵⁹⁷ and *district plan* provisions but regional, city and district councils also have a role in providing education and information to the community.

Anticipated environmental results

- EIT-EN-AER1** The proportion of electricity generated by *renewable energy generation activities* (including ~~small and community scale electricity generation~~ *small and community scale distributed electricity generation*)¹⁵⁹⁸ in Otago increases over time.
- EIT-EN-AER2** Energy use in Otago becomes more efficient over time and security of supply is maintained.
- EIT-EN-AER3** The adverse *effects* associated with *renewable energy generation activities* are minimised.
- EIT-EN-AER4** The proportion of *greenhouse gas* emissions per capita from energy generation reduces over time.

EIT-TRAN – Transport¹⁵⁹⁹

Objectives

EIT-TRAN-O7 – Effective, efficient, and safe transport

Otago has an integrated air, *land* and sea water-based¹⁶⁰⁰ transport network that:

- (1) is effective, efficient and safe,
- (2) connects communities and their activities within Otago, with other regions, and internationally, and
- (3) is resilient to natural hazards and the effects of climate change, and the changing needs of communities.¹⁶⁰¹

EIT-TRAN-O8 – Transport system

¹⁵⁹³ Clause 10(2)(b)(i), Schedule 1, RMA

¹⁵⁹⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from moving some policies from EIT-INF to EIT-EN.

¹⁵⁹⁵ Clause 16(2), Schedule 1, RMA

¹⁵⁹⁶ Clause 16(2), Schedule 1, RMA

¹⁵⁹⁷ Clause 16(2), Schedule 1, RMA

¹⁵⁹⁸ Clause 16(2), Schedule 1, RMA

¹⁵⁹⁹ Clause 16(2), Schedule 1, RMA

¹⁶⁰⁰ 00411.065 Wayfare

¹⁶⁰¹ 00307.024 CIAL

The transport system within Otago supports the movement of people, goods and services, is integrated with *land* use, provides a choice of transport modes and is adaptable to changes in demand.

EIT-TRAN-09 – Effects of the transport system

The contribution of transport to Otago’s *greenhouse gas* emissions is reduced and communities are less reliant on fossil fuels for transportation.

EIT-TRAN-010 – Commercial port activities

~~Commercial port activities operate safely and efficiently, and within environmental limits.~~¹⁶⁰²

Policies

EIT-TRAN-P18 – Integration of the transport system

The transport system contributes to the social, cultural and economic well-being of the people and communities¹⁶⁰³ of Otago through:

- (1) integration with *land* use activities and across transport modes, and
- (2) provision of transport *infrastructure* that enables safe and¹⁶⁰⁴ efficient¹⁶⁰⁵ service delivery in response to demand ~~as demand requires.~~¹⁶⁰⁶

EIT-TRAN-P19 – Transport system design

Resilience and adaptability of the transport system supports efficient networks for the transport of people and goods that are sustained, ~~and improved,~~ and responsive to growth¹⁶⁰⁷ by:

- (1) promoting a consolidated urban form that integrates *land* use activities with the transport system,
- (2) placing a high priority on *active transport* and *public transport* and their integration into the design of development and transport networks, and
- (3) encouraging regional connectivity, including to key visitor destinations, and¹⁶⁰⁸ improved access to public spaces, including the *coastal marine area, lakes and rivers*.

EIT-TRAN-P20 – Public transport

~~Plans and proposals for m~~Maintenance and development of the transport system ~~enhance~~ enhances¹⁶⁰⁹ the uptake of *public transport* by:

¹⁶⁰² 00231.009 Fish and Game, 00301.043 Port Otago

¹⁶⁰³ 00239.134 Federated Farmers

¹⁶⁰⁴ 00305.046 Waka Kotahi

¹⁶⁰⁵ 00239.134 Federated Farmers

¹⁶⁰⁶ 00305.046 Waka Kotahi

¹⁶⁰⁷ 00138.130 QLDC

¹⁶⁰⁸ 00206.052 Trojan, 00411.066 Wayfare

¹⁶⁰⁹ 00305.048 Waka Kotahi

- (1) ~~providing~~ promoting¹⁶¹⁰ safe and reliable alternatives to low occupancy¹⁶¹¹ private vehicle transport use,¹⁶¹²
- (2) including measures to ensure pedestrian and cyclist safety and amenity, and
- (3) taking into consideration the accessibility needs of the community.

EIT-TRAN-P21 – Operation of the transport system

The efficient and effective operation of the transport system is maintained by:

- (1) ~~avoiding or mitigating~~¹⁶¹³ adverse *effects* of activities on the functioning of the transport system,
- (2) avoiding the impacts of incompatible activities, to the extent reasonably possible,¹⁶¹⁴ including those that may result in *reverse sensitivity effects*,
- (3) avoiding development that forecloses an opportunity to adapt, upgrade or develop the transport system to meet future transport demand,
- (4) promoting the development and use of transport hubs that enable an efficient transfer of goods for transport and distribution across different freight and people transport modes,
- (5) promoting methods that provide more efficient use of, or reduce reliance on, private motor vehicles, including ridesharing, park and ride facilities, bus hubs, bicycle facilities,¹⁶¹⁵ demand management and alternative transport modes, and
- (6) encouraging a shift to using renewable energy sources.

EIT-TRAN-P22 – Sustainable transportation

Enable the development of sustainable transport networks that enhance the uptake of new technologies and reduce reliance on fossil fuels ~~are developed~~ throughout Otago.¹⁶¹⁶

EIT-TRAN-P23 – Commercial port activities

Recognise the national and regional significance of ~~the commercial port activities associated with the ports at Port Chalmers and Dunedin (respectively)~~¹⁶¹⁷ by:

- (1) ~~within environmental limits as set out in Policies CE-P3 to CE-P12,~~ providing for the efficient and safe operation of ~~these the~~¹⁶¹⁸ ports and efficient connections with other transport modes where this is in accordance with the provisions in CE-P3 to CE-P12,¹⁶¹⁹
- (2) ~~within the environmental limits set out in Policies CE-P3 to CE-P12,~~ providing for the development of the ports' capacity for national and international shipping in and adjacent to

¹⁶¹⁰ 00139.182 DCC

¹⁶¹¹ 00139.182 DCC

¹⁶¹² 00139.182 DCC

¹⁶¹³ 00139.183 DCC

¹⁶¹⁴ 00139.183 DCC

¹⁶¹⁵ 00139.183 DCC

¹⁶¹⁶ 00139.184 DCC

¹⁶¹⁷ Clause 16(2), Schedule 1, RMA

¹⁶¹⁸ Clause 16(2), Schedule 1, RMA

¹⁶¹⁹ 00137.121 DOC

existing port activities where this is in accordance with the provisions in CE-P3 to CE-P12,¹⁶²⁰
and

- (3) ensuring that development in the coastal environment does not adversely affect the efficient and safe operation of these ports, or their connections with other transport modes, and
- (3A) only allowing activities that are contrary to other policies in this policy statement where the activities have a minor or transitory adverse effect on protected values and:
 - (a) are essential for the efficient and safe operation of the ports, or
 - (b) are essential for effective connections with other transport modes.¹⁶²¹

Methods

EIT-TRAN-M7 – Regional plans

Otago Regional Council must prepare or amend and maintain its *regional plans* to:

- (1) provide for the development, operation, maintenance, or upgrade of the transport system that:
 - (a) is within the *beds of lakes and rivers* or the *coastal marine area*, or
 - (b) involves the taking, use, damming or diversion of *water* and *discharge of water and contaminants*,
- (2) ~~manage the adverse effects of infrastructure activities that:~~
 - ~~(a) provide for the establishment of transport infrastructure that supports modes of transport that are not reliant on fossil fuels, and~~¹⁶²²
 - ~~(b) include policies and methods that provide for the commercial port activities associated with the operations at Otago Harbour and the ports at Port Chalmers and Dunedin,~~¹⁶²³
and
- (3) ~~within environmental limits,~~¹⁶²⁴ facilitate the safe and efficient operation and development of *commercial port activities at Port Chalmers and Dunedin*. This includes including¹⁶²⁵ previously approved *resource consents* for the following activities in the coastal development area mapped in MAP2:
 - (a) dredging of Otago lower ~~harbour~~ harbour¹⁶²⁶ (to 17.5m for entrance channel, and 14.5m through to Port Chalmers),
 - (b) dredging of Otago upper harbour to 10.5m,
 - (c) management of upper and lower harbour navigation beacons,

¹⁶²⁰ 00137.121 DOC

¹⁶²¹ 00301.044 Port Otago

¹⁶²² 00301.045 Port Otago

¹⁶²³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00301.044 Port Otago

¹⁶²⁴ 00231.009 Fish and Game, 00301.045 Port Otago

¹⁶²⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00301.044 Port Otago

¹⁶²⁶ Clause 16(2), Schedule 1, RMA

- (d) *discharge* of dredging spoil to the disposal grounds at Heyward Point, Aramoana, Shelley Beach, and ~~AO-AO~~,¹⁶²⁷ and
- (e) placement and use of scientific buoys.

EIT-TRAN-M8 – District plans

Territorial authorities must prepare or amend and maintain their *district plans* to:

- (1) require a strategic approach to the integration of the transport system with *land* uses and between modes,
- (2) require high trip generating activities in urban areas¹⁶²⁸ to be integrated with *public transport* services and provide for safe pedestrian and cycling access,
- (3) include *subdivision* and transport¹⁶²⁹ *infrastructure* design standards that to¹⁶³⁰ ~~minimise private vehicle use, facilitate the use of travel modes other than private vehicles,~~¹⁶³¹ enable *public transport* networks to operate, access for emergency services,¹⁶³² and recognise the accessibility needs of the community, including the mobility impaired, the elderly and children,
- (4) restrict or prevent the establishment or expansion of activities adjacent to transport *infrastructure* that may compromise the operation or safety of the transport system,
- (5) provide for the establishment of transport *infrastructure* that supports modes of transport that are not reliant on fossil fuels, and
- (6) include policies and methods that provide for *commercial port activities* ~~associated with the operations at Otago Harbour and the ports at Port Chalmers and Dunedin~~¹⁶³³ and avoid encroachment of activities which give rise to reverse sensitivity effects.¹⁶³⁴

EIT-TRAN-M9 – Regional Land Transport Plan

Otago Regional Council will take into account the objectives, provisions and methods of this chapter in preparing its Regional Land Transport Plan and Regional Public Transport Plan.

Explanation

EIT-TRAN-E3 – Explanation

The policies in this section seek to ensure that transport *infrastructure* is well designed and functions effectively, including providing for accessibility for different modes and purposes. This includes managing potential *effects* of other activities on the transport system and ensuring strategic decision making in the provision of transport *infrastructure* to best provide for connectivity. The policies also recognise the contribution of the transport system to emissions and provide for networks that seek to adopt technologies which reduce the adverse *effects* on the *environment* arising from fuel usage.

¹⁶²⁷ 00137.007 DCC

¹⁶²⁸ 00206.053 Trojan

¹⁶²⁹ 00138.134 QLDC

¹⁶³⁰ Clause 16(2), Schedule 1, RMA

¹⁶³¹ 00139.187 DCC

¹⁶³² 00219.008 FENZ

¹⁶³³ Clause 16(2), Schedule 1, RMA

¹⁶³⁴ 00510.047 The Oil Companies

In relation to *commercial port activities* taking place within the coastal environment, the provisions of the CE – Coastal Environment chapter also apply.

Principal reasons

EIT-TRAN-PR3 – Principal reasons

The transport system is critical for connecting people and communities and transporting goods, the effective functioning of Otago’s economy and the well-being of Otago’s community. The transport network can, however, have adverse *effects* on the *environment* and impact on community well-being. If there is sufficient demand, integration and the necessary *infrastructure*, modal choices can be provided and by giving preference to modes with lower environmental *effects*, the adverse impacts of the transport system can be reduced. However, as large parts of the Otago region are rural, reliance on private vehicles will remain the preferred, or the only practical, transport option for many people. This should not exclude the potential for improvements in modal choice or accessibility for a range of abilities and sectors of the community. Planning for transport *infrastructure* should be co-ordinated with urban and commercial growth and development to enable the transport system to effectively serve local communities and avoid reducing the efficiency of existing *infrastructure*.

Anticipated environmental results

EIT-TRAN-AER9	<i>Structure planning and district plans</i> make explicit provision for all modes of transport.
EIT-TRAN-AER10	The number of people participating in <i>active transport</i> increases.
EIT-TRAN-AER11	The number of <i>dwellings</i> per hectare in areas accessible to <i>public transport</i> increases over the life of this RPS.
EIT-TRAN-AER12	<i>Public transport</i> patronage increases and congestion levels decrease ¹⁶³⁵ over the life of this RPS.
EIT-TRAN-AER13	<i>Greenhouse gas</i> emissions arising from the transport system reduce over time from increased <i>active transport</i> , shared travel and <i>public transport</i> patronage, <u>increased use of rail for freight</u> , ¹⁶³⁶ and reduced reliance on fossil fuels.
EIT-TRAN-AER14	The transport of people, goods and services within Otago is achieved in a timely manner and at costs comparable to other regions.

¹⁶³⁵ 00139.189 DCC

¹⁶³⁶ 00139.190 DCC

HAZ – Hazards and Risks

HAZ-NH – Natural hazards

Objective

HAZ-NH-O1 – Natural hazards

Levels of risk Risks¹⁶³⁷ to people, communities and property from natural hazards within Otago are maintained where they are acceptable, and managed to ensure they¹⁶³⁸ do not exceed a tolerable level.

HAZ-NH-O2 – Adaptation¹⁶³⁹

Otago's people, ~~property and~~ communities, and ~~property~~¹⁶⁴⁰ are prepared for and able to adapt to the effects of natural hazards, including natural hazard risks that are exacerbated by¹⁶⁴¹ climate change.

Policies

HAZ-NH-P1A – Identifying areas subject to coastal hazards

Identify areas that are potentially affected by coastal hazards (including tsunami), giving priority to the identification of areas at high risk of being affected.¹⁶⁴²

HAZ-NH-P1 – Identifying areas subject to natural hazards

For hazards not identified in accordance with HAZ-NH-P1A,¹⁶⁴³ Using the best available information,¹⁶⁴⁴ identify areas where natural hazards may adversely affect Otago's people, communities and property, by assessing:

- (1) the hazard type and characteristics,
- (2) multiple and cascading hazards, where present,
- (3) any cumulative effects,
- (4) any effects of climate change,
- (5) the likelihood of different hazard scenarios occurring using the best available information,¹⁶⁴⁵ and
- (6) any other exacerbating factors.

¹⁶³⁷ 00138.145 QLDC

¹⁶³⁸ 00138.142 QLDC

¹⁶³⁹ 00138.143 QLDC

¹⁶⁴⁰ 00139.194 DCC

¹⁶⁴¹ 00321.073 Te Waihanga

¹⁶⁴² 00301.047 Port Otago

¹⁶⁴³ 00301.047 Port Otago

¹⁶⁴⁴ 00139.194 DCC

¹⁶⁴⁵ 00139.194 DCC

HAZ-NH-P2 – Risk assessments

Within areas identified under HAZ-NH-P1 as being subject to *natural hazards*, Assess¹⁶⁴⁶ the level of¹⁶⁴⁷ *natural hazard risk* as significant, tolerable, or acceptable¹⁶⁴⁸ by determining a range of *natural hazard* event scenarios and their potential consequences in accordance with the criteria set out within APP6.

HAZ-NH-P3 – New activities

Once the level of *natural hazard risk* associated with an activity has been determined in accordance with HAZ-NH-P2, manage new activities to achieve the following outcomes:

- (1) ~~significant when the *natural hazard risks* are avoided is significant, the activity is avoided,~~¹⁶⁴⁹
- (2) when the *natural hazard risk* is tolerable, manage the level of *risk* so that it does not become significant exceed tolerable,¹⁶⁵⁰ and
- (3) when the *natural hazard risk* is acceptable, maintain the level of *risk*.

HAZ-NH-P4 – Existing *natural hazard risk activities*¹⁶⁵¹

In areas identified under HAZ-NH-P1 as subject to *natural hazards*,¹⁶⁵² Reduce existing *natural hazard risk* to a tolerable or acceptable level¹⁶⁵³ by:

- (1) encouraging activities that reduce *risk*, or reduce community *vulnerability*,
- ~~(2) restricting activities that increase *risk*, or increase community *vulnerability*,~~¹⁶⁵⁴
- (3) managing existing ~~land uses~~ activities¹⁶⁵⁵ within areas of significant *risk* to people, and communities and property,¹⁶⁵⁶
- (4) encouraging design that facilitates:
 - ~~(a) recovery from *natural hazard* events, or~~¹⁶⁵⁷
 - (b) relocation to areas of acceptable *risk*, or
 - (c) reduction of *risk*,
- (5) relocating *lifeline utilities*, and facilities for essential and emergency services, away from areas of significant *risk*, where appropriate and practicable, and
- (6) enabling development, upgrade, maintenance and operation of *lifeline utilities* and facilities for essential and emergency services.

¹⁶⁴⁶ 00236.085 Horticulture NZ

¹⁶⁴⁷ 00138.145 QLDC

¹⁶⁴⁸ 0138.145 QLDC

¹⁶⁴⁹ 00314.044 Transpower

¹⁶⁵⁰ 00138.148 QLDC

¹⁶⁵¹ 00138.149 QLDC

¹⁶⁵² 00301.047 Port Otago

¹⁶⁵³ 00138.149 QLDC

¹⁶⁵⁴ 00321.077 Te Waihanga

¹⁶⁵⁵ 00022.022 Graymont NZ

¹⁶⁵⁶ 00138.149 QLDC

¹⁶⁵⁷ 00138.149 QLDC

HAZ-NH-P5 – Precautionary approach to *natural hazard risk*

Where the *natural hazard risk*, either individually or cumulatively, is uncertain or unknown, but potentially significant or irreversible, apply a precautionary approach to identifying, assessing and managing that *risk* by adopting an avoidance or adaptive management response to ~~diminish the *risk* and uncertainty.~~¹⁶⁵⁸

HAZ-NH-P6 – Protecting features and systems that provide hazard mitigation

Protect the ability of¹⁶⁵⁹ natural or modified features and systems ~~that contribute~~¹⁶⁶⁰ to mitigate ~~mitigating~~¹⁶⁶¹ the *effects of natural hazards and climate change*.

HAZ-NH-P7 – Mitigating *natural hazards*

Prioritise *risk* management approaches that reduce the need for *hard protection structures* or similar engineering interventions, and provide for *hard protection structures* only when:

- ~~(1) *hard protection structures* are essential to manage *risk* to a level the community is able to tolerate,~~¹⁶⁶²
- (1A) the following apply:¹⁶⁶³
 - (2a) there are no reasonable alternatives that ~~result in reducing~~ manage or reduce the *risk exposure to a level the community is able to tolerate,¹⁶⁶⁴*
 - (3b) *hard protection structures* would not result in ~~an~~ a more than minor increase in *risk* to people, communities and property, including displacement of *risk* off-site,
 - (4c) the adverse *effects* of the *hard protection structures* can be adequately managed, and
 - (5d) the mitigation is viable in the reasonably foreseeable long term or provides time for future adaptation methods to be implemented, or
- (6) the *hard protection structure* protects a *lifeline utility*, or a facility for essential or emergency services.

HAZ-NH-P8 – *Lifeline utilities* and facilities for essential or emergency services

Locate, ~~relocate,~~¹⁶⁶⁵ and design *lifeline utilities* and facilities for essential or emergency services to:

- (1) maintain their ability to function to the fullest extent possible, during and after *natural hazard* events, and
- (2) take into account their operational co-dependence with other *lifeline utilities* and essential services to ensure their effective operation.

¹⁶⁵⁸ 00138.150 QLDC

¹⁶⁵⁹ 00139.199 DCC

¹⁶⁶⁰ 00139.199 DCC

¹⁶⁶¹ 00139.199 DCC

¹⁶⁶² 00301.050 Port Otago

¹⁶⁶³ Clause 16(2), Schedule 1, RMA

¹⁶⁶⁴ 00137.130 DOC

¹⁶⁶⁵ 00138.149 QLDC

HAZ-NH-P9 – Protection of hazard mitigation measures, lifeline utilities, and essential or emergency services¹⁶⁶⁶

Protect the *functional needs and operational*¹⁶⁶⁷ *needs* of hazard mitigation measures, *lifeline utilities*, and essential or emergency services, including by:

- (1) avoiding significant adverse *effects* on those measures, utilities or services,
- (2) avoiding, and only where avoidance is not practicable, remedying or mitigating other adverse *effects* on those measures, utilities or services,
- (3) maintaining access to those measures, utilities or services for maintenance and operational purposes, and
- (4) restricting the establishment of other activities that may result in *reverse sensitivity effects* on those measures, utilities or services.

HAZ-NH-P10 – Coastal hazards

~~In addition to HAZ-NH-P1 to HAZ-NH-P9 above,~~ On any land that is potentially affected by coastal hazards over at least the next 100 years:

- (1) avoid increasing the *risk* of social, environmental and economic harm from *coastal hazards*,
- (2) ensure no *land* use change or redevelopment occurs that would increase the *risk* to people and communities from that *coastal hazard*,
- (3) encourage *land* use change or redevelopment that reduces the *risk* from that *coastal hazard*,
and
- (4) ensure decision making about the nature, scale and location of activities considers the ability of Otago's people and communities to adapt to, or mitigate the *effects* of, sea level rise and *climate change*,
and
- (5) apply HAZ-NH-P5 to HAZ-NH-P9.¹⁶⁶⁸

~~HAZ-NH-P11 – Kaitiaki decision making~~

~~Recognise and provide for the role of Kāi Tahu as kaitiaki over *wāhi tūpuna*, Māori reserves and freehold land that is susceptible to *natural hazards* by involving *mana whenua* in decision making and management processes.~~¹⁶⁶⁹

HAZ-NH-P11 Kāi Tahu rakatirataka

Recognise and provide for the rakatirataka of Kāi Tahu by:

- (1) enabling *mana whenua* to lead approaches on the management of *natural hazard risks* affecting native reserves and *Māori land*, and

¹⁶⁶⁶ 00139.202 DCC

¹⁶⁶⁷ 00313.026 Queenstown Airport

¹⁶⁶⁸ Clause 16(2), Schedule 1, RMA

¹⁶⁶⁹ 00310.011 The Telecommunications Companies

- (2) including Kāi Tahu in decision-making on the management of *natural hazard risks* affecting the values of *wāhi tūpuna*.¹⁶⁷⁰

Methods

HAZ-NH-M1 – Statement of responsibilities

In accordance with section 62(1)(i)(i) of the RMA ~~1991~~,¹⁶⁷¹ the responsibilities for the control of *land* use to avoid or mitigate *natural hazards* or any group of hazards are as follows:

- (1) the Regional Council and *territorial authorities* are both responsible for specifying objectives, policies and methods in *regional plans*¹⁶⁷² and *district plans* for managing *land* subject to *natural hazard risk*,
- (2) the Regional Council is responsible for:
 - (a) specifying objectives, policies and methods in *regional plans*:
 - (i) in the *coastal marine area*,
 - (ii) in *wetlands, lakes and rivers*, ~~and~~
 - (iii) in, on or under the *beds of rivers and lakes*, and
 - (iv) on land in relation to risk reduction,¹⁶⁷³
 - (b) identifying areas in the region subject to *natural hazards* and describing their characteristics as required by Policy HAZ-NH-P1, mapping the extent of those areas in the relevant *regional plan(s)* and including those maps on a *natural hazard register* or database,
 - (c) ~~in the coastal environment~~, identifying the *coastal hazards* as required by ~~CE-P2(3)(4)~~¹⁶⁷⁴ HAZ-NH-P1A¹⁶⁷⁵ in accordance with Policy 24 of the NZCPS, mapping the extent of those areas in the relevant *regional plan(s)* and including those maps on a *natural hazard register* or database, and
 - (d) continually monitoring *natural hazard risk* to understand how levels of *natural hazard risk* change overtime, and where required, update the *natural hazard mapping areas identified in 2(b) and (c) above*.¹⁶⁷⁶
- (3) *territorial authorities* are responsible for:¹⁶⁷⁷
 - (a) specifying objectives, policies and methods in *district plans* for *land* outside of the areas listed in (2)(a), and
 - (b) mapping or identifying via the *natural hazard register* or database, areas identified in 2(a), (b) and (c) above subject to *natural hazards* and describing the characteristics ~~and~~

¹⁶⁷⁰ 00226.048 Kāi Tahu ki Otago

¹⁶⁷¹ Clause 16(2), Schedule 1, RMA

¹⁶⁷² Clause 16(2), Schedule 1, RMA

¹⁶⁷³ 00138.155 QLDC

¹⁶⁷⁴ 00137.135 DOC

¹⁶⁷⁵ 00301.047 Port Otago

¹⁶⁷⁶ 00138.160 QLDC

¹⁶⁷⁷ Clause 16(2), Schedule 1, RMA

~~the extent~~¹⁶⁷⁸ of those areas in the relevant *district plan(s)*.

HAZ-NH-M2 – Local authorities

Local authorities must work collaboratively to:¹⁶⁷⁹

- (1) assess the level of *natural hazard risk* in their region or district in accordance with HAZ-NH-P2 and APP6, including by:
 - (a) consulting with communities, stakeholders and ~~partners~~ Kāi Tahu,¹⁶⁸⁰ including with local authorities in neighbouring regions¹⁶⁸¹ regarding risk levels thresholds, ~~and~~
 - (b) developing a Risk Table in accordance with Step 3 of APP6 at a district or community scale, and
 - (c) identifying areas of significant risk within five years of the HAZ-NH chapter being made operative,¹⁶⁸²
- (2) continue to undertake research on the identification of *natural hazard risk* and amend *natural hazard* registers, databases, *regional plans*¹⁶⁸³ and/or *district plans* as required,
- (3) investigate options for reducing the level of *natural hazard risk* within areas of existing development to a tolerable or lower level, including by managing existing use rights under Sections 10 and 20A of the RMA,
- (4) prepare or amend and maintain their *regional plans*¹⁶⁸⁴ or *district plans* to take into account the *effects of climate change* by:
 - (a) using the best relevant *climate change* data and projections to 2115,
 - (b) taking a precautionary approach when assessing and managing the *effects of climate change* where there is scientific uncertainty and potentially significant or irreversible *effects*,
 - (c) providing for activities that assist to reduce or mitigate the *effects of climate change*, and
 - (d) encouraging system *resilience*.

HAZ-NH-M3 – Regional plans

Otago Regional Council must prepare or amend and maintain its *regional plans* to:

- (1) manage activities in the *coastal marine area, beds of lakes and rivers, and wetlands* to achieve policies HAZ-NH-P23¹⁶⁸⁵ to HAZ-NH-P6, ~~and APP6~~ and the outcomes of the Risk Table established within HAZ-NH-M2(1)¹⁶⁸⁶,
- (2) include *natural hazard risk*¹⁶⁸⁷ reduction measures, such as removing or restricting existing

¹⁶⁷⁸ 00138.155 QLDC

¹⁶⁷⁹ 00138.156 QLDC

¹⁶⁸⁰ 00226.258 Kāi Tahu ki Otago

¹⁶⁸¹ 00013.015 ECan

¹⁶⁸² 00236.088 Horticulture NZ

¹⁶⁸³ Clause 16(2), Schedule 1, RMA

¹⁶⁸⁴ Clause 16(2), Schedule 1, RMA

¹⁶⁸⁵ 00138.158 QLDC

¹⁶⁸⁶ 00119.021 Blackthorn Lodge

¹⁶⁸⁷ 00138.157 QLDC

- land* uses, where there is significant *risk* to people or property,
- (3) protect natural or modified features and systems that provide mitigation from the adverse *effects* of *natural hazards* in accordance with HAZ-NH-P6,
 - (4) provide for *hard protection structures* in accordance with HAZ-NH-P7,
 - (5) provide for the *functional needs* of hazard mitigation measures, *lifeline utilities*, and essential or emergency services in accordance with HAZ-NH-P8 and HAZ-NH-P9,
 - (6) include provisions that require decision makers to apply the precautionary approach set out in HAZ-NH-P5 when considering applications for *resource consent* for activities that will change the use of *land* and thereby increase the *risk* from *natural hazards* within areas subject to *natural hazard risk* that is uncertain or unknown, but potentially significant or irreversible, and
 - (7) require a *natural hazard risk* assessment commensurate with the level of *risk* from the proposed activity¹⁶⁸⁸ be undertaken where an activity requires a *resource consent* to change the use of *land* ~~which will increase the risk from natural hazards with~~¹⁶⁸⁹ in areas subject to *natural hazards*, and where the *resource consent* is lodged prior to the *natural hazard risk* assessment required by HAZ-NH-M2(1) being completed, included in the *regional plan* and made operative,¹⁶⁹⁰ the *natural hazard risk* assessment must include:
 - (a) an assessment of the level of *natural hazard risk* associated with the proposal in accordance with APP6, and
 - (b) an assessment demonstrating how the proposal will achieve the outcomes set out in Policies HAZ-NH-P3 and HAZ-NH-P4, and
 - (8) not require a *natural hazard risk* assessment in accordance with APP6 for *resource consent* applications, once the *natural hazard risk* assessment required by HAZ-NH-M2(1) has been completed, included in the relevant *regional plan* and made operative, unless otherwise expressly required by the relevant *regional plan*.¹⁶⁹¹

HAZ-NH-M4 – District plans

Territorial authorities must prepare or amend and maintain their *district plans* to:

- (1) achieve policies HAZ-NH-P2~~3~~¹⁶⁹² to HAZ-NH-P6, and APP6 and incorporate the outcomes of the Risk Table established within HAZ-NH-M2(1),¹⁶⁹³ on *land* outside the *coastal marine area*, *beds* of *lakes* and *rivers*, and *wetlands* by managing the location, scale and density of activities that are ~~may be~~¹⁶⁹⁴ subject to *natural hazard risk*,
- ~~(2) require implementation of *natural hazard risk* reduction measures, including to existing activities in accordance with HAZ-NH-P4,~~¹⁶⁹⁵
- (3) protect the role of natural or modified features and systems that provide mitigation from the

¹⁶⁸⁸ 00236.089 Horticulture NZ

¹⁶⁸⁹ 00138.158 QLDC

¹⁶⁹⁰ 00301.052 Port Otago

¹⁶⁹¹ 00301.052 Port Otago

¹⁶⁹² 00119.021 Blackthorn Lodge

¹⁶⁹³ 00138.158 QLDC

¹⁶⁹⁴ 00206.059 Trojan

¹⁶⁹⁵ 00138.158 QLDC

- adverse *effects of natural hazards* in accordance with HAZ-NH-P6,
- (4) provide for *hard protection structures* in accordance with HAZ-NH-P7,
 - (5) provide for the *functional needs* of hazard mitigation measures, *lifeline utilities*, and essential or emergency services in accordance with HAZ-NH-P8 and HAZ-NH-P9,
 - (6) include provisions that require decision makers to apply the precautionary approach set out in HAZ-NH-P5 when considering applications for *resource consent* for activities that will change the use of *land* and which may increase the *risk from natural hazards* within areas subject to *natural hazard risk* that is uncertain or unknown, but potentially significant or irreversible, and
 - (7) require a *natural hazard risk* assessment commensurate with the level of risk from the proposed activity¹⁶⁹⁶ be undertaken where an activity requires a plan change or *resource consent* to change the use of *land* ~~which will increase the risk from natural hazards with~~¹⁶⁹⁷ in areas subject to *natural hazards*, and where the application is lodged prior to the *natural hazard risk* assessment required by HAZ-NH-M2(1) being completed, included in the district plan and made operative,¹⁶⁹⁸ the *natural hazard risk* assessment must include:
 - (a) an assessment of the level of *natural hazard risk* associated with the proposal in accordance with APP6, and
 - (b) an assessment demonstrating how the proposal will achieve the outcomes set out in Policies HAZ-NH-P3 and HAZ-NH-P4-, and
 - (8) not require a *natural hazard risk* assessment in accordance with APP6 for *resource consent* applications, once the *natural hazard risk* assessment required by HAZ-NH-M2(1) has been completed, included in the relevant *district plan* and made operative, unless otherwise expressly required by the relevant *district plan*.¹⁶⁹⁹

HAZ-NH-M5 – Other incentives and mechanisms

Local authorities are encouraged to consider the use of other mechanisms or incentives to assist in achieving Policies HAZ-NH-P1 to HAZ-NH-P11, including but not limited to:¹⁷⁰⁰

- (1) preparing *natural hazard* strategies or other similar documents to assist in the management and reduction of *natural hazard risk* and adaptation to, and mitigation of, the *effects of climate change*,
- (2) developing community relevant responses to the impacts of *natural hazards* and *climate change*, in collaboration with key stakeholders and affected community,
- (3) undertaking research in collaboration with other *local authorities* and other stakeholders as appropriate, into *natural hazards* and *climate change* in Otago, and
- (4) providing information and guidance on:
 - (a) management approaches to the avoidance or mitigation of *natural hazards*,

¹⁶⁹⁶ 00236.090 Horticulture NZ

¹⁶⁹⁷ 00138.158 QLDC

¹⁶⁹⁸ 00301.047 Port Otago

¹⁶⁹⁹ 00301.047 Port Otago

¹⁷⁰⁰ 00219.005 FENZ

- (b) ways to adapt to and mitigate the *effects of climate change*, and
- (c) the benefits of natural features and systems in mitigating *natural hazards*.

Explanation

HAZ-NH-E1 – Explanation

The policies in this chapter are designed to reduce the level of *natural hazard risk* within the region through sound preparation, investigation and planning. These provisions take a risk-based approach, taking into consideration the likelihood of the hazard and the *vulnerability* of people, communities, and the *environment*. The approach ensures consistent planning by applying the same framework irrespective of the type of *natural hazard* that may exist. It allows for the full range of *risk* mitigation measures (regulatory and non-regulatory) to be taken into account in determining the level of *risk* that exists at a particular locality.

Once the level of *risk* has been established, following consultation with communities, stakeholders and partners,¹⁷⁰¹ the provisions direct that district plans¹⁷⁰² and regional plans require activities to be undertaken in a manner that results in the *natural hazard risk* to people, the community and property being tolerable or lower. Where a *natural hazard risk* to people, the community and property cannot be reduced to a tolerable level, the activity must be avoided. The provisions require that the same risk-based approach is taken when considering the management of existing development, by ensuring that the *risk* associated with existing development is tolerable or lower.

The provisions also set direction on *natural hazard* management methods such as use of the precautionary approach, protecting natural features and systems that provide hazard mitigation, the use of *hard protection structures*, and the location and design of *lifeline utilities* and facilities for essential or emergency services. These provisions are designed to reduce the level of *natural hazard risk* within the region.

Principal reasons¹⁷⁰³

HAZ-NH-PR1 – Principal reasons

The Otago region is exposed to a wide variety of *natural hazards* that impact on people, property, *infrastructure* and the wider *environment*. Given the wide variety of landscapes that make up the Otago region, the *natural hazards* threats range from coastal erosion and flooding in the lowland coastal areas of the region to alluvial fan deposition, landslip, fire, earthquakes, rock fall, and *river* breaches in the alpine areas of the region. The *effects of natural hazards* vary in terms of both their likelihood and consequence. Some *natural hazards*, such as flooding, may occur relatively frequently and may damage property and disrupt people's lives and economic, social and cultural activities, whereas *natural hazards* such as tsunami occur infrequently, but when they do occur, they pose serious risk to life.

¹⁷⁰¹ 00119.023 Blackthorn Lodge

¹⁷⁰² Clause 16(2), Schedule 1, RMA

¹⁷⁰³ Clause 16(2), Schedule 1, RMA

The negative *effects* of *natural hazards* are generally best managed by avoiding development in areas that are known to be subject to *natural hazards*. However,¹⁷⁰⁴ ¶The majority of the region is subject to some form of hazards *risk*, to a greater or lesser extent. While avoidance of *natural hazard risk*¹⁷⁰⁵ may be the preferred option in many cases, in other situations mitigating the *effects* of *natural hazards* to tolerable levels will be a feasible option to ensure the health, safety and well-being of the community. The changing nature of *natural hazards risk* due to *climate change* means that planning provisions need to be able to adapt to a future *natural hazards environment*.

Consultation with communities, stakeholders and partners is essential to an understanding of risk tolerance. Preparing natural hazard risk assessments requires consultation with these groups.¹⁷⁰⁶ Communities need consistent guidance on sea level rise, extreme weather events, and all other adverse *effects* of *climate change* if they are to appropriately manage those *effects*. *Climate change* is resulting in rising sea levels and is increasing the frequency and severity of climate related *natural hazards* including flooding, wind events, fires, landslips, erosion and drought. *Stormwater* systems may not be able to cope with heavier rainfall. Other *effects* of *climate change* include changing distributions of plants and animals, and consequential *effects*, such as the risk of saltwater intrusion into *groundwater* as a result of sea level rise in combination with increased *groundwater* abstraction, and *groundwater* ponding. There may be other adverse *effects* from *climate change* that are not yet known. A precautionary approach is required where there is scientific uncertainty. The *effects* of *climate change* will result in social, environmental and economic costs. It is prudent that these changes are planned for now, so that the impacts can be reduced.

~~In addition to the objectives and policies in this chapter, the management of *natural hazards* are also recognised and provided for in the following chapters of this RPS:~~

- ~~IM – Integrated management~~
- ~~CE – Coastal environment~~
- ~~EIT – Energy, infrastructure and transport~~
- ~~UFD – Urban form and development~~¹⁷⁰⁷

Anticipated environmental results

HAZ-NH-AER1	The location and design of new developments and natural resource use reduces community exposure to the adverse <i>effects</i> of <i>natural hazards</i> events and processes.
HAZ-NH-AER2	No developments proceed that have a significant level of <i>risk</i> .
HAZ-NH-AER3	The level of <i>risk</i> associated with new development does not exceed a tolerable level.
HAZ-NH-AER4	Where existing development is subject to <i>risks</i> from <i>natural hazards</i> , the level of <i>risk</i> is reduced to a tolerable level.

¹⁷⁰⁴ 00119.024 Blackthorn Lodge

¹⁷⁰⁵ 00119.024 Blackthorn Lodge

¹⁷⁰⁶ 00119.024 Blackthorn Lodge

¹⁷⁰⁷ 00120.006 Yellow-eyed Penguin Trust

HAZ-NH-AERS The impact on life, people, communities and¹⁷⁰⁸ property, *lifeline utilities*, and essential services from *natural hazards* and *climate change* is managed to a tolerable or acceptable level.¹⁷⁰⁹

HAZ-CL – Contaminated land

Objectives

HAZ-CL-O3 – Contaminated land

Contaminated land and waste materials are managed to protect human health, Kāi Tahu ~~mana~~ *whenua*¹⁷¹⁰ values and the *environment* in Otago.

Policies

HAZ-CL-P13 – Identifying contaminated land

Identify sites of known or potentially *contaminated land* in Otago ~~using the Ministry for the Environment's Hazardous Activities and Industries List~~.¹⁷¹¹

HAZ-CL-P14 – Managing contaminated land

~~Actively m~~Manage¹⁷¹² contaminated or potentially *contaminated land* so that it does not pose an unacceptable *risk* to people and the *environment*, by:

- (1) assessing and, if required,¹⁷¹³ monitoring *contaminant* levels and environmental *risks*,
- (2) protecting human health in accordance with regulatory requirements,
- (3) avoiding, as the first priority, and only where avoidance is not practicable, mitigating or remediating, adverse *effects* of the *contaminants* on the *environment*, ~~and~~
- (4) requiring closed *landfills* to be managed in accordance with a closure plan that sets out monitoring requirements and, where necessary, any remedial actions required to address ongoing *risks*, ~~and~~
- (5) prioritising the identification and management of closed *landfills* and *contaminated land* at risk from the *effects* of *climate change*.¹⁷¹⁴

HAZ-CL-P15 – New contaminated land

Avoid the creation of new *contaminated land* or, where this is not practicable, minimise to the greatest extent practicable¹⁷¹⁵ adverse *effects* on the *environment* and ~~mana~~ *whenua* Kāi Tahu¹⁷¹⁶ values.

¹⁷⁰⁸ 00239.144 Federated Farmers

¹⁷⁰⁹ 00138.163 QLDC

¹⁷¹⁰ 00226.264 Kāi Tahu ki Otago

¹⁷¹¹ 00510.060 The Fuel Companies

¹⁷¹² 00510.061 The Fuel Companies

¹⁷¹³ 00510.061 The Fuel Companies

¹⁷¹⁴ 00223.119 Ngāi Tahu ki Murihiku

¹⁷¹⁵ 00313.027 Queenstown Airport

¹⁷¹⁶ 00226.267 Kāi Tahu ki Otago

HAZ-CL-P16 – *Waste minimisation responses*

Apply the principles of the *waste* management hierarchy (reduce, reuse, recycle, recover, residual *waste* management) to the management of all *waste* streams.

HAZ-CL-P17 – *Disposal of waste materials*

Provide for the development and operation of facilities and services for the storage, recycling, recovery and treatment of *waste* materials but only for the disposal of *waste* materials if those materials cannot be recycled, recovered or treated for re-use.

HAZ-CL-P18 – *Waste facilities and services*

When providing for the development of facilities and services for the storage, recycling, recovery, treatment and disposal of *waste* materials:

- (1) avoid adverse *effects* on the health and safety of people,
- (2) to the greatest extent practicable,¹⁷¹⁷ minimise the potential for adverse *effects* on the *environment* to occur,
- (3) minimise *risk* associated with *natural hazard* events, and
- (4) restrict the establishment of activities that may result in *reverse sensitivity effects* near *waste* management facilities and services.

Methods

HAZ-CL-M6 – *Regional plans*

Otago Regional Council must:

- (1) in accordance with HAZ-CL-P13, maintain a register or database of sites of known or potentially contaminated land in Otago ~~sites where hazardous activities and industries are or have been located in Otago~~,¹⁷¹⁸
- (2) prepare or amend and maintain its *regional plans* to:
 - (a) in accordance with HAZ-CL-P14 and HAZ-CL-P15 manage the *effects* of the use of *contaminated land* on:
 - (i) the quality of air, *water* and *land*; and
 - (ii) the *coastal marine area*, and the *beds* of *rivers, lakes* and other *water bodies*,
 - (b) require *waste* disposal facilities to be designed, constructed and operated in accordance with best industry practice, and
 - (c) require *waste* disposal facilities to monitor, record and report on the quantity and composition of *waste* being deposited to *landfill*.

HAZ-CL-M7 – *District plans*

¹⁷¹⁷ 00226.270 Kāi Tahu ki Otago, 00230.140 Forest and Bird

¹⁷¹⁸ 00236.093 Horticulture NZ

Territorial authorities must prepare or amend and maintain their *district plans* to provide for the development of facilities and services for the storage, recycling, recovery, treatment and disposal of *waste* while achieving the outcomes listed in HAZ-CL-P14 to HAZ-CL-P16.

HAZ-CL-M8 – Waste management and minimisation plans

Local authorities must develop *waste* management and minimisation plans in accordance with the Waste Minimisation Act 2008.

HAZ-CL-M8A – Prioritisation and action plans

Otago Regional Council and territorial authorities, in consultation with Kāi Tahu and the community, must together:

- (1) identify closed *landfills* and *contaminated land* at risk from the effects of *climate change*,
- (2) assess the *risk* and the potential *effects* of release of *contaminants*,
- (3) develop and implement action plans to avoid release of *contaminants* from the identified closed *landfills* and *contaminated land*, prioritising sites at greatest *risk*, and
- (4) review sites and their level of *risk* every five years.¹⁷¹⁹

HAZ-CL-M9 – Other incentives and mechanisms

Local authorities may:

- (1) encourage the application of the *waste* management hierarchy by:
 - (a) giving preference to reducing *waste* generated,
 - (b) reusing *waste*,
 - (c) recycling *waste*,
 - (d) recovering resources from *waste*, and
 - (e) only disposing residual *waste* to a disposal facility,
- (2) provide information and guidance on *waste* minimisation and management, and
- (3) advocate for:
 - (a) the implementation of the *waste* hierarchy throughout the region, and
 - (b) the development of *infrastructure* and services to provide for recycling and disposal services across the region.

Explanation

HAZ-CL-E2 – Explanation

The policies in this chapter are designed to ensure that *contaminated land* and *waste* materials do not harm human health or the *environment*. To achieve this, areas of known or potentially *contaminated land* are to be identified. Once sites are identified, the protection of human health is managed by the

¹⁷¹⁹ 00223.119 Ngāi Tahu ki Murihiku.

~~National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2012 (NESCS)~~ NESCS.¹⁷²⁰ It is the role of *regional plans* to minimise the adverse *effects* of the *contaminants* on the *environment* by avoiding the creation of new *contaminated land* and minimising the adverse *effects* of *waste* material on the *environment*. The provisions within this chapter also encourage the application of the *waste* management hierarchy.

Principal reasons

HAZ-CL-PR2 – Principal reasons

Resources need to be carefully used to minimise the material disposed of as *waste*. *Waste* materials and hazardous substances need to be carefully managed to avoid creating environmental problems or adversely affecting human health.

In order to protect people and the *environment* from the adverse *effects* of *contaminated land*, the first task is to identify *land* that could be contaminated. The Ministry for the Environment’s Hazardous Activities and Industries List (HAIL) is a list of activities and industries that may have involved the use of hazardous substances. Such use of hazardous substances may have resulted in *land* becoming contaminated. Once known or potentially *contaminated land* has been identified, assessments can be made to determine the nature or existence of contamination.

The ~~National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2012 (NESCS)~~ NESCS¹⁷²¹ sets out a nationally consistent set of planning controls and soil *contaminant* values. It applies to assessing and managing the actual or potential adverse *effects* of *contaminants* in soil on human health when undertaking *subdivision*, *land* use change, *earthworks*, soil sampling or removing the underground portions of any fuel storage or dispensing systems. The NESCS does not apply to assessing and managing the actual or potential adverse *effects* of *contaminants* on other receptors, including ecology, *water* quality or *amenity values*. Therefore, it is the role of the *regional plans* to manage these adverse *effects*.

The *waste* management hierarchy is an internationally recognised management model for the reduction of residual *waste*. The *waste* management hierarchy can be applied to all *waste* streams. When making decisions about a *land* use or activity, it is possible to include methods that will reduce *waste* over the lifetime of that *land* use or activity.

Anticipated environmental results

HAZ-CL-AER6 The *environment*, people and communities are not harmed by *waste* materials.

HAZ-CL-AER7 The *waste* hierarchy is implemented, resulting in less *waste* requiring disposal and a reduction of the environmental *effects* generated from *waste*.

¹⁷²⁰ Clause 16(2), Schedule 1, RMA

¹⁷²¹ Clause 16(2), Schedule 1, RMA

HCV – Historical and cultural values

HCV-WT – *Wāhi tūpuna*

Objectives

HCV-WT-O1 – Kāi Tahu ~~cultural landscapes~~ *wāhi tūpuna*¹⁷²²

Wāhi tūpuna and their associated cultural values are identified and protected.

HCV-WT-O2 – Rakatirataka

The rakatirataka of *mana whenua* over *wāhi tūpuna* is recognised, and *mana whenua* are able to exercise ~~kaitiakitaka~~ their role as kaitiaki¹⁷²³ within these areas.

Policies

HCV-WT-P1 – Recognise and identify *wāhi tūpuna*

Sustain the enduring Kāi Tahu relationships ~~relationship~~ with *wāhi tūpuna* ~~are sustained~~,¹⁷²⁴ including by:

- (1) enabling Kāi Tahu to identify ~~identifying~~¹⁷²⁵ as *wāhi tūpuna* any sites and areas of significance to *mana whenua*, along with the cultural values that contribute to each *wāhi tūpuna* being significant,
- (2) recognising the rakatirataka of *mana whenua* over *wāhi tūpuna* and providing for their ability to exercise ~~kaitiakitaka~~ their role as kaitiaki¹⁷²⁶ within these areas,
- (3) recognising and providing for connections and associations between different *wāhi tūpuna*, and
- (4) recognising and using traditional place names.

HCV-WT-P2 – Management of *wāhi tūpuna*

Wāhi tūpuna are protected by:

- (1) avoiding significant adverse *effects* on the cultural values ~~associated with~~ of¹⁷²⁷ identified *wāhi tūpuna*,
- (1A) avoiding, as the first priority, other adverse *effects* on the cultural values of identified *wāhi tūpuna*,¹⁷²⁸

¹⁷²² 00226.275 Kāi Tahu ki Otago; 00234.034 Te Rūnanga o Ngāi Tahu

¹⁷²³ 00226.276 Kāi Tahu ki Otago; 00234.035 Te Rūnanga o Ngāi Tahu

¹⁷²⁴ 00226.277 Kāi Tahu ki Otago

¹⁷²⁵ 00226.277 Kāi Tahu ki Otago

¹⁷²⁶ 00226.277 Kāi Tahu ki Otago

¹⁷²⁷ 00226.278 Kāi Tahu ki Otago

¹⁷²⁸ 00137.142 DOC

- (2) where other¹⁷²⁹ adverse *effects* demonstrably cannot be completely avoided, then either¹⁷³⁰ remedying or mitigating adverse *effects* in a manner that maintains the values of the *wāhi tūpuna*,
- (3) managing identified *wāhi tūpuna* in accordance with tikaka Māori, and¹⁷³¹
- ~~(4) avoiding any activities that may be considered inappropriate in *wāhi tūpuna* as identified by Kāi Tahu, and¹⁷³²~~
- (5) encouraging the enhancement of access to *wāhi tūpuna* to the extent compatible with the particular *wāhi tūpuna*.

Methods

HCV-WT-M3 – ~~Collaboration Treaty partnership~~¹⁷³³ with Kāi Tahu¹⁷³⁴

~~Local authorities must include Kāi Tahu in all decision making concerning protection of the values of *wāhi tūpuna* sites and areas and collaborate with Kāi Tahu to:~~

- (1) ~~include Kāi Tahu in all decision-making concerning identification and protection of *wāhi tūpuna* sites and areas and the values that contribute to their significance, and identify and protect places, areas or landscapes of cultural, spiritual or traditional significance to them,~~
- ~~(2) identify and protect the values that contribute to their significance, and¹⁷³⁵~~
- (3) collaborate with Kāi Tahu to¹⁷³⁶ share information relevant to Kāi Tahu interests.

HCV-WT-M1 – Identification

Local authorities must:

- (1) enable Kāi Tahu to identify, in accordance with tikaka,¹⁷³⁷ *wāhi tūpuna* sites, areas and values, using the guide set out in APP7,
- ~~(2) identify *wāhi tūpuna* using the guide set out in APP7, ¹⁷³⁸~~
- (3) recognise that *wāhi tūpuna* span jurisdictional boundaries and work together to ensure the identification process under (1) enables *wāhi tūpuna* sites, areas and values to be treated uniformly across district boundaries, and
- (4) identify, ~~map, describe~~ record using methods determined by *mana whenua* (which may include mapping)¹⁷³⁹ and protect the sites,¹⁷⁴⁰ areas and values identified under (1) in the relevant

¹⁷²⁹ 00226.278 Kāi Tahu ki Otago

¹⁷³⁰ 00226.278 Kāi Tahu ki Otago

¹⁷³¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00315.069 Aurora Energy Limited

¹⁷³² 00315.069 Aurora Energy Limited

¹⁷³³ 00226.281 Kāi Tahu ki Otago

¹⁷³⁴ Note that this method is deliberately out of order – it has been proposed to be moved from third position in the methods to first by the reporting officer.

¹⁷³⁵ 00226.281 Kāi Tahu ki Otago

¹⁷³⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.281 Kāi Tahu ki Otago

¹⁷³⁷ 00223.121 Ngāi Tahu ki Murihiku

¹⁷³⁸ 00226.279 Kāi Tahu ki Otago

¹⁷³⁹ 00223.121 Ngāi Tahu ki Murihiku

¹⁷⁴⁰ Clause 16(2), Schedule 1, RMA

~~regional plans¹⁷⁴¹ and district plans or, if a site is a sensitive cultural site, use alert layers to advise of sensitive cultural sites without disclosure in plans~~

HCV-WT-M2 – Regional plans¹⁷⁴² and district plans

~~Local authorities must prepare or amend and maintain their regional plans¹⁷⁴³ and district plans to include methods that are in accordance with tikaka to:~~

- ~~(1) control manage¹⁷⁴⁴ activities in, or adjacent to¹⁷⁴⁵ affecting,¹⁷⁴⁶ wāhi tūpuna sites and areas,~~
- ~~(2) require cultural impact assessments where activities have the potential to adversely affect values of¹⁷⁴⁷ wāhi tūpuna and Kāi Tahu have identified the need for an assessment,¹⁷⁴⁸~~
- ~~(3) require including¹⁷⁴⁹ conditions on resource consents or designations to provide buffers or setbacks between protect¹⁷⁵⁰ wāhi tūpuna and from¹⁷⁵¹ incompatible activities,~~
- ~~(4) require including¹⁷⁵² accidental discovery protocols as conditions an advice note¹⁷⁵³ on resource consents or designations for activities that may unearth archaeological sites, in accordance with APP11,¹⁷⁵⁴ and~~
- ~~(5) maintain existing access to identified wāhi tūpuna sites and areas and promote improved access where practicable.~~

Explanation

HCV-WT-E1 – Explanation

Providing for wāhi tūpuna plays a role in recognising the resource management principles in sections 6(e), 7(a) and 8 of the RMA. The policies in this chapter recognise the cultural and contemporary significance of wāhi tūpuna to Kāi Tahu and acknowledge that the identification of wāhi tūpuna and the associated values can only be undertaken by Kāi Tahu.

Wāhi tūpuna can be impacted by a range of activities, requiring a range of different management responses. The policies in this chapter are designed to achieve active protection of wāhi tūpuna from inappropriate subdivision, use and development. The policies recognise the significance of wāhi tūpuna to Kāi Tahu, and enable the relationship of Kāi Tahu with their culture and traditions by acknowledging that the identification of wāhi tūpuna and the associated values can only be undertaken by Kāi Tahu, then protecting or managing those sites or areas to ensure that activities do not have any significant adverse effects on the values of associated with¹⁷⁵⁵ the identified wāhi tūpuna.

¹⁷⁴¹ Clause 16(2), Schedule 1, RMA

¹⁷⁴² Clause 16(2), Schedule 1, RMA

¹⁷⁴³ Clause 16(2), Schedule 1, RMA

¹⁷⁴⁴ 00239.152 Federated Farmers

¹⁷⁴⁵ 00239.152 Federated Farmers

¹⁷⁴⁶ 00223.122 Ngāi Tahu ki Murihiku

¹⁷⁴⁷ 00226.280 Kāi Tahu ki Otago

¹⁷⁴⁸ 00223.122 Ngāi Tahu ki Murihiku

¹⁷⁴⁹ 00226.280 Kāi Tahu ki Otago

¹⁷⁵⁰ 00239.152 Federated Farmers

¹⁷⁵¹ 00239.152 Federated Farmers

¹⁷⁵² 00239.152 Federated Farmers

¹⁷⁵³ 00123.007 Heritage NZ

¹⁷⁵⁴ Consequential amendment to APP11: 00123.007, Heritage NZ

¹⁷⁵⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.278 Kāi Tahu ki Otago

The policies also direct that the management of activities within or adjacent to affecting wāhi tūpuna must occur in a culturally appropriate manner accordance with tikaka.¹⁷⁵⁶

Principal reasons

HCV-WT-PR1 – Principal reasons

Wāhi tūpuna are landscapes that embody the customary and contemporary relationship of Kāi Tahu and their culture and traditions with Otago. The sites and resources used by Kāi Tahu are spread throughout Otago, reflecting the relationship of Kāi Tahu with the *land, coastal waters* and wai Māori. *Wāhi tūpuna* have significant cultural value to Kāi Tahu.

The provisions in this chapter play a role in recognising the resource management principles in assist in implementing¹⁷⁵⁷ sections 6(e), 7(a) and 8¹⁷⁵⁸ of the RMA 1991¹⁷⁵⁹ and the NZCPS, as well as providing for the principles of te Tiriti o Waitangi,¹⁷⁶⁰ by requiring:

- the identification of *wāhi tūpuna* in consultation with by Kāi Tahu in accordance with tikaka Māori,¹⁷⁶¹
- the protection of *wāhi tūpuna* from inappropriate *subdivision*, use and development, and
- specified actions on the part of Otago's *local authorities* in managing activities that may impact *wāhi tūpuna*.

Implementation of the provisions in this chapter will occur primarily through *regional plan*¹⁷⁶² and *district plan* provisions, however *local authorities* may also choose to adopt additional non-regulatory methods to support the achievement of the objectives.

Anticipated environmental results

HCV-WT-AER1 *Wāhi tūpuna* areas and sites ~~The areas and places of *wāhi tūpuna*~~¹⁷⁶³ are identified in the relevant *regional plans*¹⁷⁶⁴ and *district plans* using mechanisms deemed appropriate by Kāi Tahu.¹⁷⁶⁵

HCV-WT-AER2 *Wāhi tūpuna* and their values are maintained protected¹⁷⁶⁶ and improved where their values have been degraded by human activities.¹⁷⁶⁷

¹⁷⁵⁶ 00226.282 Kāi Tahu ki Otago; 00223.123 Ngāi Tahu ki Murihiku

¹⁷⁵⁷ Clause 10(2)(b)(i), Schedule 1, RMA – Consequential amendment arising from 00226.282 Kāi Tahu ki Otago; 00223.123 Ngāi Tahu ki Murihiku

¹⁷⁵⁸ Clause 10(2)(b)(i), Schedule 1, RMA – Consequential amendment arising from 00226.282 Kāi Tahu ki Otago; 00223.123 Ngāi Tahu ki Murihiku

¹⁷⁵⁹ Clause 16(2), Schedule 1, RMA

¹⁷⁶⁰ 00101.052 Toitū Te Whenua

¹⁷⁶¹ 00226.283 Kāi Tahu ki Otago

¹⁷⁶² Clause 16(2), Schedule 1, RMA

¹⁷⁶³ 00239.156 Federated Farmers; 00226.284 Kāi Tahu ki Otago

¹⁷⁶⁴ Clause 16(2), Schedule 1, RMA

¹⁷⁶⁵ 00101.053 Toitū Te Whenua

¹⁷⁶⁶ 00226.285 Kāi Tahu ki Otago

¹⁷⁶⁷ 00223.124 Ngāi Tahu ki Murihiku

HCV-HH – *Historic heritage*

Objective

HCV-HH-O3 – *Historic heritage resources*

Otago's unique *historic heritage* contributes to the region's character, sense of identity, and social, cultural and economic well-being, and is ~~preserved~~ protected¹⁷⁶⁸ for future generations and people's understanding and appreciation of it is enhanced.¹⁷⁶⁹

Policies

HCV-HH-P3 – *Recognising historic heritage*

Recognise that Otago's *historic heritage* includes:

- (1) Māori cultural and historic heritage values and places and areas,¹⁷⁷⁰
- (2) archaeological sites,
- (3) residential and commercial buildings,
- (4) pastoral sites,
- (5) surveying equipment, communications and transport, including roads, bridges, railway infrastructure¹⁷⁷¹ and routes,
- (6) industrial *historic heritage*, including mills, quarries, limekilns, grain stores, water supply infrastructure and brickworks,¹⁷⁷²
- (7) gold, limestone¹⁷⁷³ and other mining systems and settlements,
- (8) dredge and shipwrecks, and coastal structures and buildings, including breakwaters, jetties, and lighthouses,¹⁷⁷⁴
- (9) ruins,
- (10) coastal *historic heritage*, particularly Kāi Tahu occupation sites and those associated with early European activities such as whaling,
- (11) memorials and cemeteries,¹⁷⁷⁵ ~~and~~
- (12) ~~trees and vegetation, and~~¹⁷⁷⁶
- (13) military structures or remains,¹⁷⁷⁷

¹⁷⁶⁸ 00139.239, DCC

¹⁷⁶⁹ 00139.239, DCC

¹⁷⁷⁰ 00239.158 Federated Farmers; 00226.287 Kāi Tahu ki Otago, 00140.029 Waitaki DC

¹⁷⁷¹ 00140.029 Waitaki DC

¹⁷⁷² 00140.029 Waitaki DC

¹⁷⁷³ 00140.029 Waitaki DC

¹⁷⁷⁴ 00140.029 Waitaki DC

¹⁷⁷⁵ 00140.029 Waitaki DC

¹⁷⁷⁶ 00239.158 Federated Farmers

¹⁷⁷⁷ 00140.029 Waitaki DC

and any historic place within the meaning under section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.¹⁷⁷⁸

HCV-HH-P4 – Identifying *historic heritage*

Identify the places and areas of *historic heritage* in Otago in accordance with APP8 and categorise them as:

- (1) places and areas with special or outstanding *historic heritage* values or qualities, or
- (2) places and areas with *historic heritage* values or qualities.

HCV-HH-P5 – Managing *historic heritage*

Protect *historic heritage* by:

- (1) requiring the use of accidental discovery protocols in accordance with APP11,¹⁷⁷⁹
- (2) avoiding adverse effects on areas or places with special or outstanding *historic heritage* values or qualities, except in the circumstances where HCV-HH-P7 applies,¹⁷⁸⁰
- ~~(3) and for other areas or places with *historic heritage* values or qualities.~~¹⁷⁸¹
 - (a) avoiding significant adverse *effects* on areas or places with *historic heritage* values or qualities,
 - (4b) avoiding, as the first priority, other adverse *effects* on areas or places with *historic heritage* values or qualities,¹⁷⁸²
- ~~(5) and where it is demonstrated that adverse *effects* demonstrably cannot be completely avoided, they are remedied or mitigated, remedying or mitigating them and~~¹⁷⁸³
- (6) recognising that for *infrastructure*, EIT-INF-P13 applies instead of HCV-HH-P5(1) to ~~(5)~~.¹⁷⁸⁴

HCV-HH-P6 – Enhancing *historic heritage*

Enhance places and areas of *historic heritage* ~~wherever possible~~ to the greatest extent practicable¹⁷⁸⁵ through the implementation of plan provisions, decisions on applications for *resource consent* and notices of requirement and non-regulatory methods.

HCV-HH-P7 – Integration of *historic heritage*

Maintain *historic heritage* values through the integration of *historic heritage* values into new activities and the adaptive reuse or upgrade of *historic heritage* places and areas.

¹⁷⁷⁸ 00137.143 Director General of Conservation

¹⁷⁷⁹ Consequential amendment to APP11: 00123.007, Heritage NZ

¹⁷⁸⁰ 00137.145 DOC

¹⁷⁸¹ 00226.289 Kāi Tahu ki Otago

¹⁷⁸² 00226.289 Kāi Tahu ki Otago

¹⁷⁸³ 00226.289 Kāi Tahu ki Otago; 00139.234 DCC

¹⁷⁸⁴ Consequential amendment to 00226.289 Kāi Tahu ki Otago

¹⁷⁸⁵ 00311.056 Manawa Energy (formerly Trustpower Ltd)

Methods

HCV-HH-M4 – Regional plans

Otago Regional Council must prepare or amend and maintain its *regional plans* to:

- (1) identify places and areas with *historic heritage* in accordance with HCV-HH-P4 that are located in the *beds of lakes and rivers, wetlands* and the *coastal marine area*,
- (2) control the following where they may adversely affect *historic heritage*:
 - (a) the character, location, scale and form of *structures* in the *beds of lakes and rivers, wetlands* and in the *coastal marine area*,
 - (b) *indigenous vegetation* removal in the *beds of lakes and rivers, wetlands* and the *coastal marine area*,
 - (c) *earthworks*, deposition and disturbance to and in the *beds of lakes and rivers* and in the *coastal marine area*,
 - (d) *discharges* to air,
 - (e) taking, use, damming and diversion of, and *discharges* to, *water*, and
 - (f) the disturbance, demolition or alteration of physical elements or *structures* of *historic heritage* in the *beds of lakes and rivers* and in the *coastal marine area*,
- (2A) enable Kāi Tahu to identify places and areas with *historic heritage* values for *mana whenua* in accordance with HCV-HH-P4 that are located outside the *beds of lakes and rivers, wetlands* and the *coastal marine area*.¹⁷⁸⁶
- (3) include implementation methods to protect *historic heritage* that are in accordance with HCV-HH-P5 and may also include:
 - (a) assessment criteria, development standards or thresholds to control the scale, intensity, form and location of activities (including for the purposes of controlling cumulative adverse *effects*), and
 - (b) conditions on *resource consents* to provide buffers or setbacks between *historic heritage* places or areas and other incompatible activity, and
- (4) require the use of accidental discovery protocols as conditions on *resource consents* for *earthworks* or other activities that may encounter archaeological features, in accordance with APP11.¹⁷⁸⁷

HCV-HH-M5 – District Plans

Territorial authorities must prepare or amend and maintain their *district plans* to the extent necessary to:

- (1) identify places and areas with *historic heritage* in accordance with HCV-HH-P4 that are located outside the *beds of lakes and rivers, wetlands* and the *coastal marine area*,
- (2) control the following where they may adversely affect *historic heritage*:

¹⁷⁸⁶ 00226.293 Kāi Tahu ki Otago

¹⁷⁸⁷ Consequential amendment to APP11: 00123.007, Heritage NZ

- (a) the location, intensity and form of *subdivision*,
 - (b) the character, location, scale and form of activities (including *structures*) outside the *beds of lakes and rivers* and the *coastal marine area*,
 - (c) the location and scale of *earthworks* and *indigenous vegetation* removal outside the *beds of lakes and rivers* and the *coastal marine area*,
 - (d) the disturbance, demolition or alteration of physical elements or *structures* with special or outstanding *historic heritage* value or qualities outside the *coastal marine area*, *beds of lakes and rivers*,
- (2A) enable Kāi Tahu to identify places and areas with *historic heritage* values for *mana whenua* in accordance with HCV-HH-P4 that are located outside the *beds of lakes and rivers*, *wetlands* and the *coastal marine area*.¹⁷⁸⁸
- (3) include implementation methods to protect *historic heritage* places and areas required by HCV-HH-P5, and may also include:
 - (a) assessment criteria, development standards or thresholds to control the scale, intensity, form and location of activities (including for the purposes of controlling cumulative adverse *effects*),
 - (b) conditions on *resource consents* and designations to provide buffers or setbacks between *historic heritage* places or areas and other incompatible activity,
 - (c) accidental discovery protocols as conditions on *resource consents* for *earthworks* or other activities that may unearth archaeological features,
 - (d) providing for activities seeking to retain *historic heritage* places, areas or landscapes, including adaptive reuse, maintenance and seismic strengthening,
 - (e) including heritage alert layers in plans to inform the public about areas where there is a high probability of the presence of heritage values, particularly archaeological values, and
 - (4) require the use of accidental discovery protocols as conditions on *resource consents* and designations for *earthworks* or other activities that may unearth archaeological features.

HCV-HH-M6 – Incentives and education

Local authorities are encouraged to use other mechanisms or incentives to assist in achieving *Policies*¹⁷⁸⁹ HCV-HH-P3 to HCV-HH-P7, including:

- (1) promoting public awareness of *historic heritage* values through providing information and education, and
- (2) rates differentials and *resource consent* fee waivers for activities that involve the retention of historic places or areas.
- (3) enabling Kāi Tahu to interpret places and areas with *historic heritage* values for *mana whenua*.¹⁷⁹⁰

¹⁷⁸⁸ 00226.293 Kāi Tahu ki Otago

¹⁷⁸⁹ Clause 16(2), Schedule 1, RMA

¹⁷⁹⁰ 00226.294 Kāi Tahu ki Otago

Explanation

HCV-HH-E2 – Explanation

The policies in this section are designed to ensure that Otago's unique *historic heritage* continues to contribute to the region's character, sense of identity, and social and economic well-being by requiring places and areas of significant *historic heritage* to be identified using regionally consistent methodology, then protecting or managing those sites or areas in particular ways to ensure that other¹⁷⁹¹ activities do not detract from the region's special character and sense of identity. This also includes enhancing places and areas of *historic heritage* by encouraging the integration of *historic heritage* values into new activities and enabling the adaptive reuse or upgrade of *historic heritage* places in certain circumstances.

Principal reasons

HCV-HH-PR2 – Principal reasons

Otago is a region rich in *historic heritage*, with a diversity of significant cultural and *historic heritage* places and areas that contribute to its special character and identity. *Historic heritage* encompasses historic sites, *structures*, places, and areas; *archaeological sites*; sites of significance to Māori (including wāhi tapu and wāhi taoka sites)¹⁷⁹² and the broader surroundings and landscape in which they are situated. The heritage resources in Otago are reflective of the history that helped to shape the region, and is representative of the different cultures, industries and institutions that contributed to its development. Historic landscapes in the coastal environment are specifically recognised in Policy 17 of the NZCPS.

The provisions in this chapter assist in implementing section 6(f) of the RMA 1991¹⁷⁹³ and the NZCPS by requiring:

- the identification of places and areas with *historic heritage* values and qualities and places and areas with special or outstanding *historic heritage* values and qualities using clear criteria and methodology that is regionally consistent,
- the protection of *historic heritage* from inappropriate *subdivision*, use and development,
- the enhancement of *historic heritage* through the integration of *historic heritage* values into new activities and enabling the adaptive reuse or upgrade of *historic heritage* places and areas in certain circumstances, and
- specified actions on the part of Otago's *local authorities* in managing *historic heritage*.

Implementation of the provisions in this chapter will occur primarily through *regional plan*¹⁷⁹⁴ and *district plan* provisions, however *local authorities* may also choose to adopt additional non-regulatory methods to support the achievement of the objectives.

¹⁷⁹¹ 00226.295 Kāi Tahu ki Otago

¹⁷⁹² 00226.296 Kāi Tahu ki Otago

¹⁷⁹³ Clause 16(2), Schedule 1, RMA

¹⁷⁹⁴ Clause 16(2), Schedule 1, RMA

Anticipated environmental results

- HCV-HH-AER3** Heritage resources that make a significant contribution towards Otago's *historic heritage* are identified and protected.
- HCV-HH-AER4** The number, type, extent and distribution of *historic heritage* sites and places with special or outstanding values or qualities are maintained.
- HCV-HH-AER5** Otago's existing built *historic heritage* is maintained, enhanced and integrated through efficient use, or adaptive reuse, where appropriate.

NFL – Natural features and landscapes

Advice note: Pursuant to CE-P1 the provisions within this chapter do not apply in the coastal environment.¹⁷⁹⁵

Objectives

NFL-O1 – Outstanding and *highly valued natural features and landscapes*

The areas and values of Otago’s outstanding and *highly valued natural features and landscapes* are identified, and the use and development of Otago’s *natural and physical resources* results in:

- (1) the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development,¹⁷⁹⁶ and
- (2) the maintenance or enhancement of *highly valued natural features and landscapes*.

Policies

NFL-P1 – Identification

Identify the areas and values of outstanding and *highly valued natural features and landscapes*, in accordance with APP9.¹⁷⁹⁷

In order to manage outstanding and *highly valued natural features and landscapes*, identify:

- ~~(1) the areas and values of outstanding and *highly valued natural features and landscapes* in accordance with APP9, and~~
- ~~(2) the capacity of those natural features and landscapes to accommodate use or development while protecting the values that contribute to the natural feature and landscape being considered outstanding or highly valued.~~

NFL-P2 – Protection of outstanding natural features and landscapes

Protect outstanding natural features and landscapes from inappropriate subdivision, use and development¹⁷⁹⁸ by:

- ~~(1A) avoiding exceeding the landscape capacity of the natural feature or landscape,~~¹⁷⁹⁹
- (1) maintaining ~~avoiding adverse effects on~~¹⁸⁰⁰ the values (even if those values are not themselves outstanding) that contribute to the natural feature or landscape being considered outstanding, and

¹⁷⁹⁵ 00301.054 Port Otago

¹⁷⁹⁶ 00411.076 Wayfare, 00206.062 Trojan, and 00311.059 Trustpower

¹⁷⁹⁷ 00014.065 Mt Cardrona Station

¹⁷⁹⁸ 00301.054 Port Otago

¹⁷⁹⁹ 00014.063 Mt Cardona Station

¹⁸⁰⁰ 00014.063 Mt Cardona Station

- (2) avoiding, remedying or mitigating other adverse *effects*.
- (3) managing the adverse *effects* of *infrastructure* on the values of outstanding natural features and landscapes in accordance with EIT-INF-P13.¹⁸⁰¹

NFL-P3 – Maintenance of *highly valued natural features and landscapes*

Maintain or enhance *highly valued natural features and landscapes* by:

- (1) avoiding significant adverse *effects* on the values of the natural feature or landscape, ~~and~~
- (2) avoiding, remedying or mitigating other adverse *effects*, ~~and~~
- (3) managing the adverse *effects* of *infrastructure* on the values of *highly valued natural features and landscapes* in accordance with EIT-INF-P13.¹⁸⁰²

NFL-P4 – Restoration

Promote restoration of the areas and values of outstanding and *highly valued natural features and landscapes* where those areas or natural¹⁸⁰³ values have been reduced or lost.

~~**NFL-P5 – *Wilding conifers***~~

~~Reduce the impact of *wilding conifers* on outstanding and *highly valued natural features and landscapes* by:~~

- ~~(1) — avoiding *afforestation* and *replanting of plantation forests* with *wilding conifer* species listed in APP5 within:

 - ~~(a) — areas identified as outstanding natural features or landscapes, and~~
 - ~~(b) — buffer zones adjacent to outstanding natural features and landscapes where it is necessary to protect the outstanding natural feature or landscape, and~~~~
- ~~(2) — supporting initiatives to control existing *wilding conifers* and limit their further spread.~~¹⁸⁰⁴

NFL-P6 – Coastal features and landscapes

Natural features and landscapes located within the coastal environment are managed by CE-P6 ~~and implementation of CE-P6 also contributes to achieving NFL-O1.~~¹⁸⁰⁵

Methods

NFL-M1 – Identification

Territorial authorities must:

¹⁸⁰¹ 00315.073, 00315.074, 00315.075, 00315.076 Aurora Energy

¹⁸⁰² 00139.243 DCC

¹⁸⁰³ 00206.066 Trojan

¹⁸⁰⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00411.006 Wayfare, 00137.084 DOC (insertion of new LF-LS-P16A)

¹⁸⁰⁵ 000306.074 Meridian; 00321.036, 00321.037 Te Waihangā; 00310.014 Telecommunication Companies

- (1) include in their *district plans* a map or maps and a statement of the values of the areas of outstanding and *highly valued natural features and landscapes* in accordance with NFL-P1,
- (2) in areas likely to face development or growth pressure,¹⁸⁰⁶ include in their *district plans* a statement of the capacity of outstanding and *highly valued natural features and landscapes* to accommodate use or development while protecting the values that contribute to the natural feature and landscape being considered outstanding or maintaining the values that contribute to the natural feature and landscape being highly valued, ~~change in use and development without their values being materially compromised or lost,~~ in accordance with NFL-P1,¹⁸⁰⁷
- (2A) collaborate with Kāi Tahu to identify the areas, values, and capacity of outstanding natural features and landscapes, and highly valued natural features and landscapes of significance for Kāi Tahu in accordance with tikaka, and record and apply appropriate management responses as determined by mana whenua,¹⁸⁰⁸
- (3) recognise that natural features and landscapes may span jurisdictional boundaries and work together, including with the Regional Council and adjoining Regional Councils,¹⁸⁰⁹ to identify areas under (1) to ensure that the identification of natural features and landscapes are treated uniformly across district boundaries and, where appropriate, regional boundaries,¹⁸¹⁰ and
- (4) prioritise identification under (1) in areas that are likely to contain outstanding natural features or landscapes and are likely to face development or growth pressure over the life of this RPS.

NFL-M2 – Regional plans

Otago Regional Council must prepare or amend and maintain its *regional plans* to:

- (1) control the *use* and development of *water bodies, the beds of rivers and lakes, and wetlands* in order to protect outstanding natural features and landscapes in accordance with NFL-P2, and maintain and enhance *highly valued natural features or landscapes* in accordance with NFL-P3, and
- (2) provide for and encourage activities undertaken for the primary purpose of restoring *highly valued natural features or landscapes* in accordance with NFL-P4.

NFL-M3 – District plans

Territorial authorities must prepare or amend and maintain their *district plans* to:

- (1) control the *subdivision, use* and development of *land* and the use of the surface of *water bodies* in order to protect outstanding natural features or landscapes in accordance with NFL-P2, and maintain and enhance *highly valued natural features or landscapes* in accordance with NFL-P3, and
- (2) provide for and encourage activities undertaken for the primary purpose of restoring *highly valued natural features or landscapes* in accordance with NFL-P4, ~~and~~

¹⁸⁰⁶ 00014.065 Mt Cardrona Station

¹⁸⁰⁷ 00014.065 Mt Cardrona Station

¹⁸⁰⁸ 00223.128 Ngāi Tahu ki Murihiku

¹⁸⁰⁹ 00013.016 ECan

¹⁸¹⁰ 00013.016 ECan

~~(3) — manage *wilding conifer* spread in accordance with NFL-P5.~~¹⁸¹¹

NFL-M4 – Other incentives and mechanisms

Local authorities are encouraged to consider the use of other mechanisms or incentives to assist in achieving the outcomes sought by the policies in this chapter, including:

- (1) funding assistance for restoration projects (for example, through the Regional Council’s ECO Fund),
- (2) purchase of *land* that forms part of a natural feature or landscape,
- (3) development or design guidelines (for example, colour palettes for *structures* in or on natural features or landscapes),
- (4) rates relief for *land* that is protected due to its status as an outstanding natural feature or landscape,
- (5) education and advice,
- (6) waiver or reduction of processing fees for activities where the primary purpose is to enhance the values of *highly valued natural features or landscapes*, and
- (7) advocating for a collaborative approach between central and local government to fund and carry out *wilding conifer* control.

Explanation

NFL-E1 – Explanation

The policies in this chapter are designed to require outstanding and *highly valued natural features and landscapes* to be identified using regionally consistent attributes, then managing activities to either protect outstanding natural features and landscapes in accordance with section 6(b) of the RMA ~~1991~~¹⁸¹² or maintain *highly valued natural features or landscapes* in accordance with section 7 of the RMA ~~1991~~.¹⁸¹³ This distinction recognises that these areas have values with differing degrees of significance and that, generally, those classified as ‘highly valued’ will have greater capacity to accommodate *land* use change and development without values being adversely affected. ~~The policies seek to control the impact of *wilding conifers* which are a particular threat to Otago’s natural features and landscapes, in a way that recognises the regulations in the NESPF.~~¹⁸¹⁴

¹⁸¹¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00411.006 Wayfare, 00137.084 DOC (insertion of new LF-LS-P16A)

¹⁸¹² Clause 16(2), Schedule 1, RMA

¹⁸¹³ Clause 16(2), Schedule 1, RMA

¹⁸¹⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00411.006 Wayfare, 00137.084 DOC (insertion of new LF-LS-P16A)

Principal reasons

NFL-PR1 – Principal reasons

Natural features include resources that are the result of natural processes, particularly those reflecting a particular geology, topography, geomorphology, hydrology, ecology, or other physical attribute that creates a natural feature or combination of natural features. Landscapes include the natural and physical attributes of *land* together with air and *water*, which change over time and which is made known by people’s evolving perceptions and associations. Natural features and landscapes also have significant cultural value to Kāi Tahu. There are many sites of significance across Otago, reflecting the relationship of Kāi Tahu with the *land*, *water* and sea.

The provisions in this chapter assist in protecting Otago’s outstanding and *highly valued natural features and landscapes* by requiring:

- the identification of outstanding and *highly valued natural features and landscapes* using regionally consistent criteria,
- the protection of outstanding natural features and landscapes and maintenance of *highly valued natural features and landscapes*, and
- ~~an ongoing reduction in the impact of *wilding conifers* on natural features and landscapes, and~~¹⁸¹⁵
- specified actions on the part of Otago’s *local authorities* in managing natural features and landscapes.

Implementation of the provisions in this chapter will occur primarily through *regional plan*¹⁸¹⁶ and *district plan* provisions, however *local authorities* may also choose to adopt additional non-regulatory methods to support the achievement of the objectives.

Anticipated environmental results

NFL-AER1	The number, type, extent and distribution of identified outstanding and <i>highly valued natural features and landscapes</i> are maintained over the life of this RPS.
NFL-AER2	The values of outstanding and <i>highly valued natural features and landscapes</i> are not reduced or lost.
NFL-AER3	Within areas identified as outstanding or <i>highly valued natural features or landscapes</i>, the area of <i>land</i> vegetated by <i>wilding conifers</i> is reduced over the life of this RPS. ¹⁸¹⁷

¹⁸¹⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00411.006 Wayfare, 00137.084 DOC (insertion of new LF-LS-P16A)

¹⁸¹⁶ Clause 16(2), Schedule 1, RMA

¹⁸¹⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00411.006 Wayfare, 00137.084 DOC (insertion of new LF-LS-P16A)

UFD – Urban form and development

Note to readers: As a result of reporting officer recommendations, the following provisions have been moved to the LF-LS chapter:

- UFD-O4 – Development in rural areas
- UFD-P7 – Rural areas
- UFD-P8 – Rural lifestyle and rural residential zones
- UFD-M2(8) and (9)
- UFD-E1 – Explanation (third paragraph)
- UFD-PR1 – Principal reasons (sixth paragraph)

The notified numbering of UFD-O4, UFD-P7, and UFD-P7 has been retained in the LF-LS chapter as an interim measure so that it is easier to link submission points to provisions. The numbering of both chapters will be updated and made chronological following a final decision by Council.

Objectives

UFD-O1 – ~~Form and function~~ Development¹⁸¹⁸ of urban areas

The development and change form and functioning of Otago's urban areas occurs in a strategic and coordinated way, which.¹⁸¹⁹

- (1) ~~reflects accommodates~~ the diverse and changing needs and preferences of Otago's people and communities, now and in the future, and¹⁸²⁰
- (2) ~~maintains or enhances the significant values and features identified in this RPS, and the character and resources of each urban area.~~¹⁸²¹ integrates effectively with surrounding urban areas and rural areas.¹⁸²²
- (2A) results in a consolidated, well-connected and well-designed urban form which is integrated with infrastructure, and¹⁸²³
- (2B) supports climate change adaptation and climate change mitigation.¹⁸²⁴

UFD-O2 – ~~Development of urban areas~~

The ~~development and change of Otago's urban areas:~~

- (1) ~~improves housing choice, quality, and affordability,~~
- (2) ~~allows business and other non-residential activities to meet the needs of communities in appropriate locations,~~

¹⁸¹⁸ 00211.045 LAC, 00210.045 Lane Hocking, 00209.045 Universal Developments, 00139.001, 00139.250 & 00139.251 DCC

¹⁸¹⁹ 00211.045 LAC, 00210.045 Lane Hocking, 00209.045 Universal Developments, 00139.250 & 00139.251 DCC

¹⁸²⁰ 00321.084 New Zealand Infrastructure Commission, 00139.250 & 00139.251 DCC

¹⁸²¹ 00137.151 DOC, 00226.307 Kāi Tahu ki Otago 00321.084 New Zealand Infrastructure Commission, 00139.250 & 00139.251 DCC

¹⁸²² 00139.001, 00139.250 & 00139.251 DCC

¹⁸²³ 00211.045 LAC, 00210.045 Lane Hocking, 00209.045 Universal Developments, 00139.250 & 00139.251 DCC

¹⁸²⁴ 00139.001, 00139.250 DCC, 00136.010 Minister for the Environment

- ~~(3) — respects and wherever possible enhances the area’s history, setting, and natural and built environment,~~
- ~~(4) — delivers good urban design outcomes, and improves liveability,~~
- ~~(5) — improves connectivity within urban areas, particularly by active transport and public transport,~~
- ~~(6) — minimises conflict between incompatible activities,~~
- ~~(7) — manages the exposure of risk from natural hazards in accordance with the HAZ-NH – Natural hazards section of this RPS,~~
- ~~(8) — results in sustainable and efficient use of water, energy, land, and infrastructure,~~
- ~~(9) — achieves integration of land use with existing and planned development infrastructure and additional infrastructure and facilitates the safe and efficient ongoing use of regionally significant infrastructure,~~
- ~~(10) — achieves consolidated, well designed and located, and sustainable development in and around existing urban areas as the primary focus for accommodating the region’s urban growth and change, and~~
- ~~(11) — is guided by the input and involvement of mana whenua.¹⁸²⁵~~

UFD-O3 – Strategic planning

Strategic planning is undertaken in advance of significant development, expansion or redevelopment of *urban areas* to ensure that

- ~~(1) — there is sufficient development capacity supported by integrated infrastructure provision for Otago’s housing and business needs in the short, medium and long term,~~
- ~~(2) — development is located, designed and delivered in a way and at a rate that recognises and provides for locationally relevant regionally significant features and values identified by this RPS, and~~
- ~~(3) — the involvement of mana whenua is facilitated, and their values and aspirations are provided for.¹⁸²⁶~~

UFD-O4 – Development in rural areas

Development in Otago’s *rural areas* occurs in a way that:

- ~~(1) — avoids impacts on significant values and features identified in this RPS,~~
- ~~(2) — avoids as the first priority, land and soils identified as highly productive by LF-LS-P19 unless there is an operational need for the development to be located in rural areas,~~
- ~~(3) — only provides for urban expansion, rural lifestyle and rural residential development and the establishment of sensitive activities, in locations identified through strategic planning or zoned within district plans as suitable for such development; and~~

¹⁸²⁵ 00139.001, 00139.251 DCC

¹⁸²⁶ 00139.252 DCC

~~(4) outside of areas identified in (3), maintains and enhances the *natural and physical resources* that support the productive capacity, rural character, and long term viability of the rural sector and rural communities.¹⁸²⁷~~

UFD-O5 – Urban development and *climate change*

~~The impacts of *climate change* are responded to in the development and change of Otago’s *urban areas* so that:~~

- ~~(1) the contributions of current communities and future generations to *climate change* impacts are reduced,~~
- ~~(2) community resilience increases,~~
- ~~(3) adaptation to the *effects of climate change* is facilitated,~~
- ~~(4) energy use is minimised, and energy efficiency improves, and~~
- ~~(5) establishment and use of *small and community scale distributed electricity generation* is enabled.¹⁸²⁸~~

Policies

UFD-P1 – Strategic planning

Strategic planning processes, undertaken at an appropriate scale and detail, precede urban growth and development and:

- (1) identify how housing choice, quality, and affordability will be improved,¹⁸²⁹
- (1A) ensure integration of *land use* and *infrastructure*, including how, where and when necessary *development infrastructure* and *additional infrastructure* will be provided, and by whom,
- (2) demonstrate at least sufficient *development capacity* supported by integrated *infrastructure* provision for Otago’s housing and business needs in the short, medium and long term,
- (3) maximise current and future opportunities for increasing *resilience* and *reducing contributions of communities to climate change*,¹⁸³⁰ and facilitating¹⁸³¹ adaptation to changing demand, needs, preferences and *climate change*,
- ~~(4) minimise *risks* from and improve resilience to *natural hazards*, including those exacerbated by *climate change*, while not increasing *risk* for other development,~~¹⁸³²
- (5) indicate how connectivity will be improved and connections will be provided within *urban areas*,

¹⁸²⁷ Shifted into LF-LS chapter (00236.096 Horticulture NZ, 00239.197 Federated Farmers, 00237.045 and 00237.063 Beef + Lamb and DINZ)

¹⁸²⁸ 00139.254 DCC

¹⁸²⁹ Shifted from UFD-O2. Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00139.001, 00139.250, 00139.251 DCC

¹⁸³⁰ 00226.312 Kāi Tahu ki Otago

¹⁸³¹ Clause 16(2), Schedule 1, RMA

¹⁸³² 00139.001 DCC

- (6) provide opportunities for iwi, hapū and whānau involvement in planning processes, including in decision making, to ensure provision is made for their needs and aspirations, and cultural practices and values,
- (7) facilitate involvement of the current community and respond to the reasonably foreseeable needs of future communities, and
- ~~(8) identify, maintain and where possible, enhance important features and values identified by this RPS.~~¹⁸³³
- (8A) identify areas of potential conflict between incompatible activities and sets out the methods by which these are to be resolved.¹⁸³⁴

UFD-P2 – Sufficiency of *development capacity*

Ensure that at least Sufficient¹⁸³⁵ ~~urban area~~ housing and business *development capacity* is provided in *urban areas*, including any required ~~competitiveness margin~~, is provided in the short, medium and long term, including by:¹⁸³⁶

- ~~(1) undertaking strategic planning in accordance with UFD-P1~~
- ~~(2) identifying areas for urban intensification in accordance with UFD-P3,~~
- ~~(3) identifying areas for urban expansion in accordance with UFD-P4,~~
- ~~(4) providing for commercial and *industrial activities* in accordance with UFD-P5 and UFD-P6~~¹⁸³⁷
- (5) responding to any demonstrated insufficiency in housing or business *development capacity* by increasing *development capacity* or providing more *development infrastructure* as required, as soon as practicable,
- (5A) being responsive to plan changes that demonstrate compliance with UFD-P10,¹⁸³⁸ and
- (6) requiring Tier 2 *urban environments* to meet, at least, the relevant housing bottom lines in APP10.

UFD-P3 – Urban intensification

~~Within *urban areas* Manage~~ intensification in *urban areas*, so that as a minimum is enabled where it:¹⁸³⁹

- (1) contributes to establishing or maintaining the qualities of a *well-functioning urban environment*,
- (2) is well-served by existing or planned *development infrastructure* and *additional infrastructure*,

¹⁸³³ 00226.312 Kāi Tahu ki Otago

¹⁸³⁴ 00306.077 Meridian, 00322.039 Fulton Hogan, 00313.031 Queenstown Airport, 00235.150 OWRUG, 00236.100 Horticulture NZ, 00239.176 Federated Farmers, 00204.005 Daisy Link

¹⁸³⁵ 00211.047 LAC, 00210.046 Lane Hocking, 00118.066 Maryhill Ltd, 00014.066 Mt Cardrona Station, 00209.046 Universal Developments, 00139.001 DCC

¹⁸³⁶ 00139.001 DCC

¹⁸³⁷ 00139.256 DCC

¹⁸³⁸ 00204.005 Daisy Link

¹⁸³⁹ 00139.257 DCC

- (3) enables heights and densities that¹⁸⁴⁰ meets the greater of demonstrated demand for housing and/or business use or the level of accessibility provided for by existing or planned *active transport* or *public transport*, and
- ~~(4) addresses an identified shortfall for housing or business space, in accordance with UFD-P2,¹⁸⁴⁴~~
- (5) addresses issues of concern to iwi and hapū, including those identified in any relevant iwi planning documents, ~~and~~
- ~~(6) manages adverse effects on values or resources identified by this RPS that require specific management or protection.¹⁸⁴²~~

UFD-P4 – Urban expansion

Expansion of existing *urban areas* ~~is facilitated~~ only occurs¹⁸⁴³ where the expansion:

- (1) contributes to establishing or maintaining the qualities of a *well-functioning urban environment*,
- (1A) is identified by and undertaken consistent with strategic plans prepared in accordance with UFD-P1, or is required to address a shortfall identified in accordance with UFD-P2,¹⁸⁴⁴
- (1B) achieves consolidated, well designed and sustainable development in and around existing *urban areas*,¹⁸⁴⁵
- (2) is logically and appropriately staged, and¹⁸⁴⁶ will not result in inefficient or sporadic patterns of settlement and residential growth,
- (3) is integrated efficiently and effectively with *development infrastructure* and *additional infrastructure* in a strategic, timely and co-ordinated way,
- (4) addresses issues of concern to iwi and hapū, including those identified in any relevant iwi planning documents,
- (5) manages adverse *effects* on other values or resources identified by this RPS that require specific management or protection,
- (6) ~~avoids, as the first priority, highly productive land~~ except as provided in the NPSHPL,¹⁸⁴⁷ and identified in accordance with LF-LS-P19,
- (7) ~~locates the new urban/rural zone boundary interface by considering:~~
 - ~~(a) considers~~ adverse effects, particularly reverse sensitivity effects, on *rural areas* and existing and anticipated¹⁸⁴⁸ or potential productive *primary production*¹⁸⁴⁹ or rural

¹⁸⁴⁰ 00139.001 DCC

¹⁸⁴¹ 00139.257 DCC

¹⁸⁴² 00266.314 Kāi Tahu ki Otago, 00138.213 QLDC

¹⁸⁴³ 00139.258 DCC

¹⁸⁴⁴ 00136.011 Minister for the Environment, 00413.006 NZ Cherry Corp, 00204.008 Daisy Link

¹⁸⁴⁵ Shifted from UFD-O2(10). Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00139.001 DCC

¹⁸⁴⁶ 00139.258 DCC

¹⁸⁴⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00014.031 Mt Cardrona Station, 00209.01 Universal Developments, 00210.012 Lane Hocking, 00211.01 LAC

¹⁸⁴⁸ 00213.042 Fonterra

¹⁸⁴⁹ 00208.010 AgResearch, 00233.040 Fonterra, 00322.040 Fulton Hogan

industry¹⁸⁵⁰ activities when determining the location of the new urban/rural beyond the new boundary, and¹⁸⁵¹

- (b) ~~key natural or built barriers or physical features, significant values or features identified in this RPS, or cadastral boundaries that will result in a permanent, logical and defensible long-term limit beyond which further urban expansion is demonstrably inappropriate and unlikely, such that provision for future development infrastructure expansion and connectivity beyond the new boundary does not need to be provided for, or~~
- (c) ~~reflects a short or medium term, intermediate or temporary zoning or infrastructure servicing boundary where provision for future *development infrastructure* expansion and connectivity should not be foreclosed, even if further expansion is not currently anticipated.~~¹⁸⁵²

UFD-P5 – Commercial activities

Provide for *commercial activities* in urban areas by:

- (1) enabling a wide variety and scale of *commercial activities*, social activities, recreational¹⁸⁵³ and cultural activities to concentrate in central business districts city, metropolitan,¹⁸⁵⁴ town centres and commercial zoned¹⁸⁵⁵ areas, where appropriate,¹⁸⁵⁶ especially if they are highly accessible by *public transport* and or¹⁸⁵⁷ *active transport*,
- (2) enabling smaller local and neighbourhood centres, mixed use zones¹⁸⁵⁸ and rural settlements to accommodate a variety of *commercial activities*, social, recreational activities¹⁸⁵⁹ and cultural activities of a scale appropriate to service local community needs, and
- (3) ~~providing for the expansion of existing areas or establishment of new areas identified in (1) and (2) by first applying UFD-P1 and UFD-P2, and~~¹⁸⁶⁰
- (4) outside the areas described in (1) and (2), ~~allow~~ provide¹⁸⁶¹ for small scale retail and service activities, home occupations and *community services* to establish within or close to the communities they serve.

UFD-P6 – Industrial activities

Provide for *industrial activities* in urban areas by:

- (1) identifying specific locations and applying zoning suitable for accommodating *industrial activities* and their reasonable needs and *effects* including supporting or *ancillary activities*,

¹⁸⁵⁰ 00410.008 Rural Contractors NZ

¹⁸⁵¹ 00213.042 Fonterra

¹⁸⁵² 00139.258 DCC

¹⁸⁵³ 00206.071 Trojan, 00411.086 Wayfare

¹⁸⁵⁴ 00139.260 DCC

¹⁸⁵⁵ 00139.260 DCC

¹⁸⁵⁶ 00139.260 DCC

¹⁸⁵⁷ 00401.013 Tussock Rise

¹⁸⁵⁸ 00206.071 Trojan, 00411.086 Wayfare

¹⁸⁵⁹ 00206.071 Trojan, 00411.086 Wayfare

¹⁸⁶⁰ 00139.260 DCC

¹⁸⁶¹ 00139.260 DCC

- (2) identifying a range of *land* sizes and locations suitable for different *industrial activities*, and their *operational needs* including land-extensive activities,
- (3) managing the establishment of non-*industrial activities*, in industrial zones, ~~by to~~ avoiding activities likely to result in the likelihood of¹⁸⁶² *reverse sensitivity effects* on existing or potential¹⁸⁶³ *industrial activities* arising, or likely to result in an the inefficient use of industrial zoned *land* or *infrastructure*, particularly where:
 - (a) ~~the area provides for a significant *operational need* for a particular *industrial activity* or grouping of *industrial activities* that are unlikely or are less efficiently able to be met in alternative locations, or~~¹⁸⁶⁴
 - (b) ~~the area contains *nationally or regionally significant infrastructure* and the requirements of EIT-INF-P15 apply,~~¹⁸⁶⁵ and
- (4) ~~in areas that are experiencing or expected to experience high demand from other urban activities, and the criteria in (3)(a) or (3)(b) do not apply, managing the establishment of non-industrial activities and~~ only allowing for the transition of industrial zoned areas to other purposes:
 - (a) where the area does not provide for a significant *operational need* for a particular *industrial activity* or grouping of *industrial activities* that are unlikely or are less efficiently able to be met in alternative locations, and¹⁸⁶⁶
 - (b) by first applying (1) and (2).

UFD-P7—Rural Areas

The management of *rural areas*:

- (1) ~~provides for the maintenance and, wherever possible, enhancement of important features and values identified by this RPS,~~
- (2) ~~outside areas identified in (1), maintains the productive capacity, amenity and character of *rural areas*,~~
- (3) ~~enables *primary production* particularly on land or soils identified as highly productive in accordance with LF-LS-P19,~~
- (4) ~~facilitates *rural industry* and supporting activities,~~
- (5) ~~directs rural residential and rural lifestyle development to areas zoned for that purpose in accordance with UFD-P8,~~
- (6) ~~restricts the establishment of residential activities, *sensitive activities*, and non-rural businesses which could adversely affect, including by way of reverse sensitivity, the productive capacity of highly productive land, *primary production* and *rural industry* activities, and~~

¹⁸⁶² 00139.260 DCC

¹⁸⁶³ 00233.043 Fonterra

¹⁸⁶⁴ 00139.260 DCC

¹⁸⁶⁵ 00139.001 DCC

¹⁸⁶⁶ 00139.260 DCC

~~(7) otherwise limits the establishment of residential activities, sensitive activities, and non-rural businesses to those that can demonstrate an operational need to be located in rural areas.¹⁸⁶⁷~~

UFD-P8 – Rural lifestyle and rural residential zones

The establishment, development or expansion of rural lifestyle and rural residential zones only occurs where:

- ~~(1) the land is adjacent to existing or planned urban areas and ready access to employment and services is available;~~
- ~~(2) despite the direction in (1), also avoids land identified for future urban development in a relevant plan or land reasonably likely to be required for its future urban development potential, where the rural lifestyle or rural residential development would foreclose or reduce efficient realisation of that urban development potential;~~
- ~~(3) minimises impacts on rural production potential, amenity values and the potential for reverse sensitivity effects to arise;~~
- ~~(4) avoids, as the first priority, highly productive land identified in accordance with LF-LS P16;~~
- ~~(5) the suitability of the area to accommodate the proposed development is demonstrated, including
 - ~~(a) capacity for servicing by existing or planned development infrastructure (including self-servicing requirements);~~
 - ~~(b) particular regard is given to the individual and cumulative impacts of domestic water supply, wastewater disposal, and stormwater management including self-servicing, on the receiving or supplying environment and impacts on capacity of development infrastructure, if provided, to meet other planned urban area demand, and~~
 - ~~(c) likely future demands or implications for publicly funded services and additional infrastructure, and~~~~
- ~~(6) provides for the maintenance and wherever possible, enhancement, of important features and values identified by this RPS.¹⁸⁶⁸~~

UFD-P9 – Iwi, hapū and whānau

Facilitate the development of Native Reserves and *Te Ture Whenua Maori land*, for *papakāika*, *kāika*, *nohoaka*, and *marae*, where existing or planned *development infrastructure* of sufficient capacity is or can be provided (including allowance for self-servicing systems).¹⁸⁶⁹

¹⁸⁶⁷ Shifted into LF-LS chapter (00236.096 Horticulture NZ, 00239.197 Federated Farmers, 00237.045 and 00237.063 Beef + Lamb and DINZ)

¹⁸⁶⁸ Shifted into LF-LS chapter (00236.096 Horticulture NZ, 00239.197 Federated Farmers, 00237.045 and 00237.063 Beef + Lamb and DINZ)

¹⁸⁶⁹ 00139.264 DCC

UFD-P10 – Criteria for significant *development capacity*

‘Significant *development capacity*’¹⁸⁷⁰ is provided for where a proposed plan change affecting an *urban environment* meets all of the following criteria:

- ~~(1) the location, design and layout of the proposal will positively contribute to achieving a well-functioning urban environment,~~
- ~~(2) the proposal is well connected to the existing or planned urban area, particularly if it is located along existing or planned transport corridors,~~¹⁸⁷¹
- (3) required *development infrastructure* can be provided effectively and efficiently for the proposal, and without material impact on planned *development infrastructure* provision to, or reduction in *development infrastructure* capacity available for, other feasible, likely to be realised developments, in the short-medium term,
- (4) the proposal makes a significant contribution to meeting a need identified in a *Housing and Business Development Capacity Assessment*, or a shortage identified in monitoring for:
 - (a) housing of a particular price range or typology, particularly more affordable housing,
 - (b) business space or *land* of a particular size or locational type, or
 - (c) community or educational facilities, and
- (5) when considering the significance of the proposal’s contribution to a matter in (4), this means that the proposal’s contribution:
 - (a) is of high yield relative to either the forecast demand or the identified shortfall,
 - (b) will be realised in a timely (i.e. rapid) manner,
 - (c) is likely to be taken up, and
 - (d) will facilitate a net increase in district-wide up-take in the short to medium term.

Methods

UFD-M1 – Strategic planning

Otago Regional Council and *territorial authorities*:

- (1) must, where they are Tier 2 local authorities, jointly determine housing *development capacity* that is feasible and likely to be taken up in the medium and long terms through *Housing and Business Development Capacity Assessments*,
- (2) should, for other districts, jointly determine demand and potential supply responses through similar, but appropriately scaled strategic planning approaches,
- (3) must, where they are Tier 2 and Tier 3 local authorities, monitor and regularly assess and report on the supply of, and demand for, residential, commercial and industrial zoned *land*

¹⁸⁷⁰ Clause 16(2), Schedule 1, RMA – not a defined term

¹⁸⁷¹ 00139.265 DCC

development capacity available at the regional, district and *urban environment* scales, and other local authorities are encouraged to do so,

- (4) must coordinate the redevelopment and intensification of *urban areas* and the development of ~~extensions~~ expansions¹⁸⁷² to *urban areas* with *infrastructure* planning and development programmes, to:

(a) provide the required *development infrastructure* and *additional infrastructure* in an integrated, timely, efficient and effective way, and

(b) ~~to identify major existing and future activities, constraints and opportunities~~¹⁸⁷³ and manage impacts on key values and resources identified by this RPS,¹⁸⁷⁴

and for Tier 2 local authorities to achieve this through jointly developed *Future Development Strategies* and/or strategic planning, and for all other *local authorities* through strategic planning in accordance with UFD-P1,

- (5) must, where they are Tier 2 local authorities, develop housing bottom lines for *urban environments* and include those bottom lines in APP10 and in the relevant *district plans*,
- (6) must individually or jointly develop further regulatory or non-regulatory methods and actions to implement strategic and spatial plans, including to guide the detail of how, when and where development occurs, including matters of urban design, requirements around the timing, provision, and responsibilities for open space, connections and *infrastructure*, including by third parties, and the ongoing management of *effects* of urban development on matters of local importance, and
- (7) must involve *mana whenua*, and provide opportunities for iwi, hapū and whānau involvement in planning processes, including in decision making, ~~to ensure provision is made for their needs and aspirations, and cultural practices and values and to ensure the requirements of the MW chapter are met, and the issues and values identified in RMIA are recognised and provided for.~~¹⁸⁷⁵

UFD-M2 – District plans

Territorial authorities must prepare or amend their *district plans* as soon as practicable, and maintain thereafter, to:

- (1) identify and provide for urban expansion and intensification,¹⁸⁷⁶ to occur in accordance with:
- (a) any adopted *future development strategy* for the relevant district or region, which must be completed in time to inform the 2024 Long Term Plan, or
- (b) where there is no *future development strategy*, a *local authority* adopted strategic plan developed in accordance with UFD-P1, for the relevant area, district or region,

¹⁸⁷² Clause 16(2), Schedule 1, RMA – for consistency

¹⁸⁷³ 00411.088 Wayfare, 00206.073 Trojan, 00219.012 FENZ

¹⁸⁷⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.151 DOC, 00226.307 Kāi Tahu ki Otago

¹⁸⁷⁵ 00139.266 DCC

¹⁸⁷⁶ Clause 16(2), Schedule 1, RMA – grammatical correction

- (2) in accordance with any required *Housing and Business Development Capacity Assessments* or monitoring, including any *competitiveness margin*, ensure there is always at least¹⁸⁷⁷ sufficient *development capacity* that is feasible and likely to be taken up and, for Tier 2 urban *environments*, at a minimum meets the bottom lines for housing in APP-10, and meets the identified *land* size and locational needs of the commercial and industrial sectors, and where there is a shortage, respond in accordance with UFD-P2,¹⁸⁷⁸
- (3) ensure that urban development is designed to:
- (a) achieve a built form that relates well to its surrounding *environment*, ~~including by identifying and managing impacts of urban development on values and resources identified in this RPS,~~¹⁸⁷⁹
 - (b) provide for a diverse range of housing, *commercial activities*, industrial and service activities, social and cultural opportunities,
 - (c) achieve an efficient use of *land*, energy, *water* and *infrastructure*,
 - ~~(d) promote the use of *water sensitive design* wherever practicable,~~¹⁸⁸⁰
 - (e) minimise the potential for *reverse sensitivity effects* to arise, by managing the location of incompatible activities, within the *urban area*, and at the rural-urban interface¹⁸⁸¹ and
 - (f) reduce the adverse *effects* of Otago's cooler winter climate through designing new subdivision and development to maximise passive winter solar gain and winter heat retention, including through roading, lot size, dimensions, layout and orientation,
- (4) identify and provide for locations that are suitable for urban intensification in accordance with UFD-P23,¹⁸⁸²
- (5) identify and provide for locations that are suitable for urban expansion, if any, in accordance with UFD-P34,¹⁸⁸³
- (6) identify and provide for *commercial activities* in accordance with UFD-P5,
- (7) identify and provide for *industrial activities* in accordance with UFD-P6, and
- ~~(8) manage development in *rural areas* in accordance with UFD-P7,~~¹⁸⁸⁴
- ~~(9) manage rural residential and rural lifestyle activities in *rural areas* in accordance with UFD-P8,~~¹⁸⁸⁵
- ~~(10) provide for *papakāika, kāika, nohoaka, and marae*, in accordance with UFD-P9, and~~¹⁸⁸⁶

¹⁸⁷⁷ 00204.003 Daisy Link, 00405.009 Glenpanel, 00402.012 Sipka Holdings, 00401.006 Tussock Rise

¹⁸⁷⁸ 00401.012 Tussock Rise

¹⁸⁷⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.151 DOC, 00226.307 Kāi Tahu ki Otago

¹⁸⁸⁰ 00139.267 DCC

¹⁸⁸¹ 00236.104 Horticulture NZ, 235.154 OWRUG

¹⁸⁸² Clause 16(2), Schedule 1, RMA, 00138.222 QLDC, 00235.154 OWRUG

¹⁸⁸³ Clause 16(2), Schedule 1, RMA, 00138.222 QLDC, 00235.154 OWRUG

¹⁸⁸⁴ Shifted into LF-LS chapter (00236.096 Horticulture NZ, 00239.197 Federated Farmers, 00237.045 and 00237.063 Beef + Lamb and DINZ)

¹⁸⁸⁵ Shifted into LF-LS chapter (00236.096 Horticulture NZ, 00239.197 Federated Farmers, 00237.045 and 00237.063 Beef + Lamb and DINZ)

¹⁸⁸⁶ 00139.267 DCC

- (11) ~~must~~¹⁸⁸⁷ involve *mana whenua* and provide opportunities for iwi, hapū and whānau involvement in planning processes, including in decision making, ~~to ensure provision is made for their needs and aspirations, and cultural practices and values and ensure the requirements of the MW chapter are met, and the issues and values identified in RMIA are recognised and provided for at the local level.~~¹⁸⁸⁸

UFD-M3 – Design of public spaces and surrounds

Territorial authorities must design and maintain public places and spaces, including streets, open spaces, public *buildings* and publicly accessible spaces so that they are safe, attractive, accessible and usable by everyone in the community.

Explanation

UFD-E1 – Explanation

The policies in this chapter are designed to facilitate the provision of sufficient housing and business capacity and ensure all of the region's *urban areas* demonstrate the features of *well-functioning urban environments* and meet the needs of current and future communities. Urban intensification ~~must be enabled, and urban expansion should be facilitated, however these important~~¹⁸⁸⁹ decisions should be preceded and guided by strategic planning processes that consider how best this can be achieved, ~~while also maintaining and, wherever possible, enhancing the important values and features identified in other chapters of this RPS,~~¹⁸⁹⁰ and in consideration of local context, values and pressures. The strategic planning process will also consider and demonstrate where, when, how and by whom the necessary *development infrastructure* and *additional infrastructure* will be provided in order to both facilitate development and change and minimise environmental impacts from it, ~~including avoiding impacts on the operation of regionally and nationally significant infrastructure.~~¹⁸⁹¹

~~In addition, this chapter seeks to maintain the character and amenity values of Otago's rural areas, including by facilitating the use of the natural and physical resources that support the viability of the rural sector. Otago's rural and urban areas also contain significant natural, cultural and historic values and features as identified by other parts of this RPS. In all cases while facilitating urban development and managing rural productive activities these values must also be identified, maintained and, wherever possible, enhanced. This approach includes direction on different types of development within rural areas, managing the expansion and location of urban areas, and rural lifestyle and rural residential development, and directing that growth be enabled in urban areas to minimise the need for development to occur within rural areas, other than what is needed to facilitate rural community and rural productive activities.~~

~~In addition, this chapter seeks to maintain the character and amenity values of Otago's rural areas, including by facilitating the use of the natural and physical resources that support the viability of the~~

¹⁸⁸⁷ Clause 16(2), Schedule 1, RMA

¹⁸⁸⁸ 00139.267 DCC

¹⁸⁸⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00139.001, 00139.257, 00139.258 DCC

¹⁸⁹⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.151 DOC, 00226.307

Kāi Tahu ki Otago

¹⁸⁹¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00139.001 DCC

rural sector. Otago's rural and urban areas also contain significant natural, cultural and historic values and features as identified by other parts of this RPS. In all cases while facilitating urban development and managing rural productive activities these values must also be identified, maintained and, wherever possible, enhanced. This approach includes direction on different types of development within rural areas, managing the expansion and location of *urban areas*, and rural lifestyle and rural residential development, and directing that growth be enabled in *urban areas* to minimise the need for development to occur within rural areas, other than what is needed to facilitate rural community and rural productive activities. The provisions in this chapter also include direction on managing the expansion and location of *urban areas* in terms of the *effects* on and interface with *rural areas*. These provisions work closely with those in the LF-LS chapter which apply to *rural areas*.¹⁸⁹²

The policies in this chapter are primarily focused on directing where urban¹⁸⁹³ development is and is not appropriate and under what circumstances, but provides discretion for *local authorities* to determine the detail of how that development is managed, its ultimate density, height, bulk and location, timing and sequencing, the detail of any required *development infrastructure* and *additional infrastructure* that may be needed, and allows for the consideration of particular locally significant features values and needs that contribute to the attractiveness or uniqueness of the diverse communities, landscapes, and *environments* of the region.

This more detailed determination must, however, be informed by evidence and information collated through appropriately scaled *strategic planning* processes and which will identify how constraints to urban development, such as hazards, landscapes, *highly productive land*, and limits are responded to, and opportunities for meeting demand, integration with lifeline utilities, *infrastructure* and other requirements may be provided for. They¹⁸⁹⁴ will be implemented by a range of regulatory and non-regulatory methods, including joint development of *Housing and Business Assessments* and *Future Development Strategies* for Tier 2 local authorities, and similar but appropriately scaled processes undertaken in and for other areas, including regular regional, district and *urban environment* scale monitoring, analysis and evaluation.

In delivering on the objectives and policies in this chapter, which relate largely to human activities and settlements, the natural, physical, and built values and features of importance to the region must be recognised and provided for. These values and features are largely identified within other chapters and provision of the RPS. They also provide detail on how they should be identified and managed. Achieving the objectives of this chapter requires consideration of those other relevant parts of this RPS.¹⁸⁹⁵

~~The following chapters of this Regional Policy Statement have particular relevance to the achievement of the objectives of this chapter by identifying particular aspects of Domains or Topics to be managed, and where there is an apparent conflict, must be balanced in accordance with the directions outlined in the Integrated Management chapter:~~

- ~~● — MW — *Mana Whenua*~~
- ~~● — AIR — Air~~
- ~~● — CE — Coastal environment~~

¹⁸⁹² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00236.096 Horticulture NZ, 00239.197 Federated Farmers, 00237.045 and 00237.063 Beef + Lamb and DINZ

¹⁸⁹³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00236.096 Horticulture NZ, 00239.197 Federated Farmers, 00237.045 and 00237.063 Beef + Lamb and DINZ

¹⁸⁹⁴ 00219.020 FENZ, 0139.268 DCC

¹⁸⁹⁵ 00139.268, and 00139.259 DCC

- LF – *Land and freshwater*
- ECO – *Ecosystems and indigenous biodiversity*
- EIT – *Energy, infrastructure and transport*
- HAZ – *Hazards and risks*
- HCV – *Historical and cultural values*
- NFL – *Natural features and landscapes*¹⁸⁹⁶

Principal reasons

UFD-PR1 – Principal reasons

The provisions in this chapter assist in fulfilling the functions of the regional council under section 30(ba) and *territorial authorities* under section 31(aa) of the RMA ~~1991~~¹⁸⁹⁷ to ensure sufficient *development capacity* in relation to housing and *business land* to meet the expected demands of the region and districts respectively. They also assist in giving effect to the similar but more detailed requirements of the NPSUD.

Urban areas are important for community well-being and are a reflection the inherently social nature of humans. Well-functioning *urban areas* enable social interactions and provide a wide variety (across type, location and price) of housing, employment and recreational opportunities to meet the varied and variable needs and preferences of communities, in a way that maximises the well-being of its present and future inhabitants, and respects its history, its setting and the *environment*. The combination of population growth and demographic change will result in changes in the quantity and qualities demanded of housing, employment, business, *infrastructure*, social facilities emergency services and lifeline utilities¹⁸⁹⁸ and other¹⁸⁹⁹ services across the region. Upgrade and replacement of the existing development and *infrastructure* will also continue to be required even where growth is limited, resulting in changes in the built *environment*. Some of these changes will also be driven by changes in the *natural environment*, including the impacts of *climate change*. *Urban areas* are highly dynamic by nature, so the provisions in this chapter seek to manage, rather than limit, the form, function, growth and development of *urban areas* in a way that best provides for the community's well-being both now and into the future.

The pace and scale of growth and change, and the scale and nature of *urban environments* and areas in the region is variable, meaning no single response at a regional level is appropriate in all cases. Accordingly, the process identified in this RPS remains flexible and responsive (outside of Tier 2 urban *environments*, which have specific requirements under the NPSUD). Key requirements of strategic planning include considering and providing for reasonably expected changes in overall quantum of demand and supply as well as changes in needs and preferences that may drive or add to these changes in demand, designing to maximise the efficient use of energy, land and *infrastructure* (including transport *infrastructure*). This can best be achieved by prioritising development in and around the region's existing *urban areas* as the primary focus of the region's growth and change, by

¹⁸⁹⁶ 00120.006 Yellow-eyed Penguin Trust

¹⁸⁹⁷ Clause 16(2), Schedule 1, RMA

¹⁸⁹⁸ 00219.020 FENZ

¹⁸⁹⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00219.020 FENZ

enabling development within and adjacent to those *urban areas*, where it generally is most suitable and most efficient to do so.

These strategic planning processes provide the mechanism by which longer term issues can be considered, integration between *land use* and *infrastructure* can be achieved, and various constraints, opportunities and key trade-offs can be identified and appropriately resolved, while identifying and managing the values and resources identified in this RPS. These processes, and others should always involve *mana whenua*, at all levels of the process to ensure their views and values can be incorporated and celebrated, and their needs and aspirations appropriately provided for.

All development should seek to maximise efficient use of *water* consumption (through *water* efficient design) and disposal. ~~{Reduced¹⁹⁰⁰ consumption reduces sewerage loads, and the¹⁹⁰¹ *water* sensitive design reduces impacts on both supplying and receiving natural systems and can reduce flooding from *stormwater*}¹⁹⁰², and maximise the winter capture and retention of the sun's energy, which will also assist with reducing the energy needed to heat homes in winter and can also help reduce air pollution from *solid fuel* burning for home heating. Development in more central parts of the region also need to be designed to be cognisant of minimising excess sun capture in the summer months. ~~Enabling the establishment and use of small-scale renewable energy generation also facilitates local energy resilience, contributes to national renewable energy generation targets with associated *climate change* benefits, and may reduce the need for additional large-scale generation and transmission infrastructure and associated impacts.~~¹⁹⁰³~~

~~Rural areas are attractive as residential living areas, and for other non-rural activities. However, they contain areas, activities and resources critical for rural production that can be impacted by sensitive activities. Non-urban areas also contain a wide range of other values that can be negatively impacted by the impacts of rural residential and other activities, that do not have a functional need to be in rural areas. The provisions in this chapter focus on managing where rural living opportunities and other non-rural activities are provided for, so that the potential *effects* on the rural character, productive potential and the wide range of environmental values, features and resources that rural areas also contain are appropriately managed. The supply of rural lifestyle opportunities to meet demand should be directed to suitably located and zoned areas to minimise impacts on values in rural areas. In designing and planning for rural residential and rural lifestyle development, local authorities will need to be aware of the potential future constraints on future urban expansion and development, including the cumulative impacts of infrastructure servicing irrespective of whether this is onsite, community or through connections to urban reticulated schemes.~~¹⁹⁰⁴

Implementation of the provisions in this chapter will occur partially through *regional plans* but primarily *district plan* provisions, as well as through preparation of *future development strategies* and *structure plans* and the financial and *infrastructure* planning processes they inform. While the functions and duties of regional and territorial authorities are different, each brings different focus and responsibilities to the task of achieving *well-functioning urban environments*. Working together, and with others, in accordance with specified joint responsibilities under the NPSUD, will assist with

¹⁹⁰⁰ Clause 16(2), Schedule 1, RMA

¹⁹⁰¹ Clause 16(2), Schedule 1, RMA

¹⁹⁰² Clause 16(2), Schedule 1, RMA

¹⁹⁰³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00139.254 DCC

¹⁹⁰⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00236.096 Horticulture NZ, 00239.197 Federated Farmers, 00237.045 and 00237.063 Beef + Lamb and DINZ

achieving the purpose of the RMA and the outcomes sought by this RPS.¹⁹⁰⁵

To appropriately and efficiently achieve the objectives and policies, other non-regulatory spatial planning exercises and associated action plans, agreements and *infrastructure* delivery programs will be needed to complement regulatory approaches, including setting aside the necessary funding for delivery, and partnering with *mana whenua*, central government, communities and developers to deliver the quality and quantity of urban development needed to meet demand and provide for change, improve *land* and development market competitiveness, and achieve *resilient*, efficient and attractive urban places.

Anticipated environmental results

UFD-AER1	Appropriately scaled strategic planning occurs in advance of regulatory planning, and regulatory plans are changed in a timely manner to facilitate the outcomes identified in these processes.
UFD-AER2	Urban expansion only occurs when suitable and sufficient <i>development infrastructure</i> is in place or will be provided at the time of expansion and provision is made for the needs of <i>additional infrastructure</i> .
UFD-AER3	<i>Development infrastructure</i> is in place in time to facilitate reasonably expected urban intensification or planned expansion.
UFD-AER4	New developments including redevelopments are designed to maximise energy and transport efficiency and minimise impacts on <i>water</i> quality and quantity.
UFD-AER5	The majority of new <u>urban</u> ¹⁹⁰⁶ development is located close to services, jobs, and other urban amenities and can access those amenities by a range of transport modes including <i>active transport</i> and, where available, <i>public transport</i> .
UFD-AER6	The mode share and use of <i>active transport</i> and <u>where available</u> , ¹⁹⁰⁷ <i>public transport</i> increases.
UFD-AER7	New developments are at minimal <i>risk</i> from <i>natural hazards</i> including changes to <i>risk</i> due to the impacts of <i>climate change</i>, and do not increase <i>risk</i> to existing or planned developments. ¹⁹⁰⁸
UFD-AER8	In existing urban areas at <i>risk</i> from <i>natural hazards</i>, including changes to <i>risk</i> due to the impacts of <i>climate change</i>, communities are informed, <i>resilient</i> and prepared for the <i>effects</i> of known <i>natural hazard risks</i>. ¹⁹⁰⁹

¹⁹⁰⁵ 00139.268 DCC

¹⁹⁰⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from Boxer Hills Trust, 00023.005 Waterfall Park

¹⁹⁰⁷ 00139.272 DCC

¹⁹⁰⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00139.001 DCC

¹⁹⁰⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00139.001 DCC

UFD-AER9	There is an increased range of housing types and locations and an increased number of <i> dwellings</i> , particularly more affordable housing in existing and planned <i> urban areas</i> .
UFD-AER10	The current and future needs of business are met by the availability of a range of opportunities for <i> land</i> and space that meets their requirements.
UFD-AER11	All n New rural residential or rural ¹⁹¹⁰ lifestyle development occurs within areas zoned <u>appropriate</u> for this use. ¹⁹¹¹
UFD-AER12	<u>Urban expansion and urban activities are appropriately planned so that they do not adversely affect the long-term viability of the rural sector and rural communities.</u> ¹⁹¹²
UFD-AER13	<u><i> Mana whenua</i> are involved in strategic planning and other planning processes.</u> ¹⁹¹³

¹⁹¹⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

¹⁹¹¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00025.004 Boxer Hills Trust, 00023.005 Waterfall Park Developments Limited

¹⁹¹² 00236.107 Horticulture NZ, 00208.001 AgResearch, 00239.180 Federated Farmers

¹⁹¹³ 00139.259 DCC

PART 4 – EVALUATION AND MONITORING

Monitoring the efficiency and effectiveness of the policy statement

ORC must monitor the efficiency and effectiveness of its RPS provisions and publish the results every five years. The RPS needs to include the procedures for monitoring its methods and policies.

Existing monitoring procedure

ORC has policies and procedures in place to gather information and to monitor and report on how well Otago's *natural and physical resources* are managed. These include State of the Environment reporting, *resource consent* monitoring, and annual reporting against objectives in the Council's Long-Term Plan. These policies and procedures will be reviewed and updated to reflect ORPS environmental goals (objectives) and ensure the right information is being gathered to monitor the environmental results anticipated.

The ORPS is relevant to all decision making under the RMA ~~1991~~¹⁹¹⁴ and must be given effect through *regional plans*¹⁹¹⁵ and *district plans*. As the ORPS is given effect through *regional plans*¹⁹¹⁶ and *district plans*, much of the data needed for monitoring will be gathered for the purpose of, or will be relevant to, the monitoring of *regional plans*¹⁹¹⁷ and *district plans*. ORC will undertake a work programme to identify data the *territorial authorities* collect in the course of their normal monitoring regimes and make arrangements for collection and sharing of data, including information that the regional council collects that may be of benefit to *territorial authorities*.

Specific environmental indicators will be developed to monitor the impact that ORPS policies and methods are having on Otago's social, economic, cultural and environmental well-being, and whether they remain the most appropriate for achieving the ~~RMA 1991's~~ RMA's¹⁹¹⁸ purpose. These environmental indicators will be developed outside of the ORPS. This approach enables the frequency or type of indicators to be amended, in order to respond to emerging issues, improved technology and best practice, changes in the local *environment*, or societal expectations. It forms part of a continuous review and reporting cycle, resulting in policy changes and adjustments as necessary.

The ORPS needs to reflect the needs and aspirations of ~~tangata whenua~~ mana whenua¹⁹¹⁹ and the wider community, so ~~tangata whenua~~ mana whenua¹⁹²⁰ and stakeholders will be encouraged to be involved with monitoring the provisions of the ORPS.

¹⁹¹⁴ Clause 16(2), Schedule 1, RMA

¹⁹¹⁵ Clause 16(2), Schedule 1, RMA

¹⁹¹⁶ Clause 16(2), Schedule 1, RMA

¹⁹¹⁷ Clause 16(2), Schedule 1, RMA

¹⁹¹⁸ Clause 16(2), Schedule 1, RMA

¹⁹¹⁹ 00226.325 Kāi Tahu ki Otago

¹⁹²⁰ 00226.325 Kāi Tahu ki Otago

Regional Monitoring Strategy

To address the undertakings described above, ORC must develop a comprehensive integrated Regional Monitoring Strategy (RMS). This strategy will link ORC's various monitoring procedures together to reduce double handling, identify connections, and improve interrelationships, both between ORC functions and with other agencies. The strategy will help monitor the effectiveness and efficiency of the ORPS, using both quantitative and qualitative assessments, and sit alongside it as a non-statutory document.

The RMS will assist ORC with expanding its monitoring activities to respond to ORPS provisions and ensure the things measured accurately reflect policy success, including ~~natural~~ environmental,¹⁹²¹ social, economic, cultural and *historic heritage* values. It will increase transparency by stating what is monitored and why.

This goes hand in hand with increasing the ORC's leadership and facilitation role in several areas, including *climate change*.

¹⁹²¹ 00239.183 Federated Farmers

PART 5 – APPENDICES AND MAPS

Appendices

APP1 – Criteria for identifying *outstanding water bodies*

Outstanding water bodies include any *water body* with one or more of the following outstanding values, noting that sub-values are not all-inclusive:

Table 4 - Values of outstanding water bodies

Values	Description	Example sub-values
Cultural and spiritual ¹⁹²²	A <i>water body</i> which has outstanding cultural and spiritual values.	Wāhi tapu, wāhi taoka, wai tapu, rohe boundary, battle sites, pa, kāika, tauraka waka, mahika kai, pa tuna; and acknowledged in korero tuku iho, pepeha, whakatauki or waiata
Ecology	A <i>water body</i> which has outstanding ecological value as a habitat for: <ul style="list-style-type: none"> • Native birds • Native fish • Salmonid fish¹⁹²³ • Other aquatic species 	Native birds, native fish, native plants, aquatic macroinvertebrates
Landscape	A <i>water body</i> that: <p>(1) is an essential which forms a key component of a landscape or natural feature that is “conspicuous, eminent, remarkable or iconic” within the region, and or is critical to an outstanding natural feature.</p> <p>(2) <u>has at least high landscape, wild and/or scenic values that contain distinctive qualities which are outstanding in the context of the region.</u>¹⁹²⁴</p>	Scenic, association, natural characteristics (includes hydrological, ecological and geological features)
Natural character	A <i>water body</i> with high naturalness that: <p>(1) exhibits an exceptional combination of natural processes, natural patterns and natural elements with low levels of modification to its form, ecosystems and the surrounding landscape that is exceptional in the context of the region, and</p> <p>(2) <u>has little to no human modification to its form, ecosystems, and the surrounding landscape.</u>¹⁹²⁵</p>	Natural characteristics (includes hydrological, ecological and geological features)
Recreation	A <i>water body</i> which is recognised as providing an outstanding recreational experience for an activity which is directly related to the <i>water</i> .	Angling, fishing, kayaking, rafting, jetboating

¹⁹²² 00226.326 Kāi Tahu ki Otago

¹⁹²³ 00239.184 Federated Farmers, 00237.066 Beef + Lamb and DINZ

¹⁹²⁴ 00311.062 Manawa, 00239.184 Federated Farmers

¹⁹²⁵ 00311.062 Manawa

Physical	A <i>water body</i> which has an outstanding geomorphological, geological or hydrological feature which is dependent on the <i>water body's</i> condition and functioning-	Science
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APP2 – Significance criteria for indigenous *biodiversity*

An area is considered to be a *significant natural area* if it meets any one or more of the criteria below:

- Representativeness**
- (a) An area that is an example of an indigenous vegetation type or habitat that is typical or characteristic of the ~~original pre-human~~¹⁹²⁶ natural diversity of the relevant ecological district¹⁹²⁷ or coastal marine biogeographic region. ~~This may include degraded examples of their type or represent all that remains of indigenous vegetation and habitats of indigenous fauna in some areas. This can include degraded examples where they are some of the best remaining examples of their type.~~¹⁹²⁸
 - ~~(b) An indigenous marine ecosystem (including both intertidal and sub-tidal habitats, and including both faunal and floral assemblages) that makes up part of at least 10% of the natural extent of each of Otago’s original marine ecosystem types and reflecting the environmental gradients of the region.~~¹⁹²⁹
 - (c) An indigenous marine ecosystem, or habitat of indigenous marine fauna (including both intertidal and sub-tidal habitats, and including both faunal and floral components), that is characteristic or typical of the natural marine ecosystem diversity of Otago.
- Rarity**
- (d) An area that supports:
 - (i) ~~An indigenous species that is threatened, at risk, Threatened,~~¹⁹³⁰ or an important population of species that is At Risk,¹⁹³¹ or uncommon nationally or within an ecological district¹⁹³² or coastal marine biogeographic region, or
 - (ii) *Indigenous vegetation* or habitat of indigenous fauna that has been reduced to less than 20% of its ~~former pre-human~~¹⁹³³ extent nationally, regionally or within a relevant *land environment*, ecological district,¹⁹³⁴

¹⁹²⁶ 00221.018 Sanford

¹⁹²⁷ McEwen, W Medium (ed), 1987. *Ecological regions and districts of New Zealand*. Wellington: Department of Conservation (new footnote attributed to 00138.027 QLDC)

¹⁹²⁸ 00221.018 Sanford Ltd

¹⁹²⁹ 00306.081 Meridian

¹⁹³⁰ As defined in the *New Zealand Threat Classification System*

¹⁹³¹ 00318.020 Contact, 00122.032 Sanford, 00221.018 Silver Fern Farms, 00313.033 Queenstown Airport, 00019.005 Straterra, 00320.020 Network Waitaki, 00511.023 PowerNet

¹⁹³² McEwen, W Medium (ed), 1987. *Ecological regions and districts of New Zealand*. Wellington: Department of Conservation (new footnote attributed to 00138.027 QLDC)

¹⁹³³ For example, 00221.018 Sanford Ltd.

¹⁹³⁴ McEwen, W Medium (ed), 1987. *Ecological regions and districts of New Zealand*. Wellington: Department of Conservation (new footnote attributed to 00138.027 QLDC)

- coastal marine biogeographic region or *freshwater environment* including *wetlands*, or
- (iii) *Indigenous vegetation* and habitats within originally rare ecosystems, ¹⁹³⁵
- ~~(iv) The site contains *indigenous vegetation* or an *indigenous species* that is endemic to Otago or that are at distributional limits within Otago.~~¹⁹³⁶
- Diversity** (e) An area that supports a high diversity of indigenous ecosystem types, indigenous *taxa* or has changes in species composition reflecting the existence of diverse natural features or gradients.
- Distinctiveness** (f) An area that supports or provides habitat for:
- (i) *Indigenous species* at their distributional limit within Otago or nationally, or
- (ii) *Indigenous species* that are endemic to the Otago region, or
- (iii) *Indigenous vegetation* or an association of *indigenous species* that is *distinctive*,¹⁹³⁷ of restricted occurrence, or has developed as a result of an unusual environmental factor or combinations of factors.
- Ecological context** (g) The relationship of the area with its surroundings (~~both within Otago and between Otago and the adjoining regions~~),¹⁹³⁸ including:
- (i) An area that has important connectivity value allowing dispersal of indigenous flora and fauna between different areas, or
- (ii) An area that has an important buffering function that helps to protect the values of an adjacent area or feature of significant *indigenous vegetation* or significant habitat of indigenous fauna, or
- (iii) An area that is important for a population of¹⁹³⁹ indigenous fauna during some a critical¹⁹⁴⁰ part of their life cycle, either seasonally or permanently, ~~regularly or on an irregular basis~~¹⁹⁴¹ e.g. for feeding, resting, nesting, breeding, spawning or refuges from predation, or

¹⁹³⁵ As defined in Williams et al, 2007. New Zealand's historically rare terrestrial ecosystems set in a physical and physiognomic framework

¹⁹³⁶ 00230.147 Forest and Bird

¹⁹³⁷ 00221.018 Sanford

¹⁹³⁸ 00221.018 Sanford

¹⁹³⁹ 00221.018 Sanford

¹⁹⁴⁰ 00221.018 Sanford

¹⁹⁴¹ 00221.018 Sanford

- (iv) A *wetland* which plays an important hydrological, biological or ecological role in the natural functioning of a *river* or coastal ecosystem.

APP3 – Criteria for *biodiversity* offsetting

- (1) *Biodiversity* offsetting is not available for an¹⁹⁴² ~~if the activity that~~¹⁹⁴³ will result in:
- (a) the loss from an ecological district¹⁹⁴⁴ ~~of any individuals~~¹⁹⁴⁵ of Threatened *taxa*, other than kānuka (*Kunzea robusta* and *Kunzea serotina*), under the New Zealand Threat Classification System (Townsend et al, 2008); or
 - ~~(b) reasonably measurable loss within the ecological district to an At Risk-Declining *taxon*, other than manuka (*Leptospermum scoparium*), under the New Zealand Threat Classification System (Townsend et al, 2008).~~¹⁹⁴⁷
 - (c) the likely¹⁹⁴⁸ worsening of the conservation status of any *indigenous biodiversity* as listed under the New Zealand Threat Classification System (Townsend et al, 2008); or¹⁹⁴⁹
 - (d) the removal or loss of health and *resilience* of a naturally uncommon ecosystem type that is associated with *indigenous vegetation* or habitat of *indigenous fauna*; or¹⁹⁵⁰
 - (e) the loss (including through cumulative loss) of irreplaceable or vulnerable *indigenous biodiversity*, and¹⁹⁵¹
- (2) *Biodiversity* offsetting may be ~~is~~¹⁹⁵² available if the following criteria are met:
- (a) the offset addresses only¹⁹⁵³ residual adverse *effects* that remain after implementing the sequential steps required by ECO-P6(1) to (3),
 - (b) the proposal demonstrates that¹⁹⁵⁴ the offset can reasonably¹⁹⁵⁵ achieves¹⁹⁵⁶ no net loss and preferably a net gain in *indigenous biodiversity*, as measured by type, amount and condition at both the impact and offset sites using an explicit quantitative¹⁹⁵⁷ loss and gain calculation,
 - (c) the offset is undertaken where it will result in the best ecological outcome, and preferably as the first priority be.¹⁹⁵⁸
 - (i) close to the location of the activity, and

¹⁹⁴² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.158 DOC

¹⁹⁴³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.158 DOC

¹⁹⁴⁴ McEwen, W Medium (ed), 1987. *Ecological regions and districts of New Zealand*. Wellington: Department of Conservation (new footnote attributed to 00138.027 QLDC)

¹⁹⁴⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.158 DOC

¹⁹⁴⁶ 00137.158 DOC

¹⁹⁴⁷ 00137.158 DOC

¹⁹⁴⁸ 00311.0650 Manawa

¹⁹⁴⁹ 00137.158 DOC

¹⁹⁵⁰ 00137.158 DOC

¹⁹⁵¹ 00137.158 DOC

¹⁹⁵² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.158 DOC

¹⁹⁵³ Clause 16(2), Schedule 1, RMA – for consistency with APP4(2)(a)

¹⁹⁵⁴ 00137.158 DOC

¹⁹⁵⁵ 00137.158 DOC

¹⁹⁵⁶ 00137.158 DOC

¹⁹⁵⁷ 00137.158 DOC

¹⁹⁵⁸ 00137.158 DOC

- (ii) within the same ecological district¹⁹⁵⁹ or coastal marine biogeographic region,¹⁹⁶⁰
 - (d) the offset is applied so that the ecological values being achieved are the same or similar to those being lost,
 - (e) the positive ecological outcomes of the offset endure at least as long as the impact of the activity and preferably in perpetuity,
 - (f) the proposal demonstrates that the offset will¹⁹⁶¹ achieves¹⁹⁶² biodiversity outcomes beyond results that are demonstrably additional to those¹⁹⁶³ that would have occurred if the offset was not proposed, and are additional to any remediation or mitigation undertaken in relation to the adverse effects of the activity,¹⁹⁶⁴
 - (g) the time delay between the loss of *biodiversity* and the gain or maturation of the biodiversity outcomes of the realisation of the¹⁹⁶⁵ offset is the least necessary to achieve the best possible outcome,
 - (h) the outcome of the offset is achieved within the duration of the *resource consent*, and
 - (i) any offset developed in advance of an application for *resource consent* must be shown to have been created or commenced in anticipation of the specific *effect* of the proposed activity and would not have occurred if that *effect* was not anticipated, and
 - (j) the offset accords with mātauraka Māori when taoka species are affected,¹⁹⁶⁶
 - (k) the offset design and implementation do not displace harm to other locations (including harm to existing *biodiversity* at the offset site), and¹⁹⁶⁷
- (3) Biodiversity offsetting proposed in any application for *resource consent*, plan change or notice of requirement must address all matters in APP3(2), and:
- (a) describe and measure *biodiversity* at the impact and offset sites using metrics that allow for *biodiversity* losses and gains to be quantified and balanced on a like for like basis,¹⁹⁶⁸
 - (b) use a disaggregated accounting system for important and *high value species and vegetation types* to ensure they are transparently accounted for,¹⁹⁶⁹
 - (c) evaluate the ecological context, including the interactions between species, habitats and ecosystems, spatial connections and ecosystem function at the impact site and offset site,
 - (d) include application of mātauraka Māori where available to an applicant, and¹⁹⁷⁰

¹⁹⁵⁹ McEwen, W Medium (ed), 1987. Ecological regions and districts of New Zealand. Wellington: Department of Conservation (new footnote attributed to 00138.027 QLDC)

¹⁹⁶⁰ 00237.007 Beef & Lamb and DINZ, 00137.016 DOC, 00226.035 Kāi Tahu ki Otago, 00120.011 Yellow-eyed Penguin Trust, 00230.016 Forest and Bird

¹⁹⁶¹ 00137.158 DOC

¹⁹⁶² 00137.158 DOC

¹⁹⁶³ 00139.139 DCC

¹⁹⁶⁴ 00137.158 DOC

¹⁹⁶⁵ 00137.158 DOC

¹⁹⁶⁶ 00223.134 Ngāi Tahu ki Murihiku

¹⁹⁶⁷ 00311.0650 Manawa, 00137.158

¹⁹⁶⁸ 00137.158 DOC

¹⁹⁶⁹ 00137.158 DOC

¹⁹⁷⁰ 00311.0650 Manawa, 00137.158

(e) include a separate *biodiversity* offset management plan prepared in accordance with good practice and which incorporates a monitoring and evaluation regime.

APP4 – Criteria for *biodiversity* compensation

- (1) *Biodiversity* compensation is not available ~~if the for an~~¹⁹⁷¹ activity ~~that~~¹⁹⁷² will result in:
- (a) the loss ~~from an ecological district~~¹⁹⁷³ of an indigenous *taxon* (excluding *freshwater* fauna and flora) or of any ecosystem type ~~from an ecological district or coastal marine biogeographic region,~~¹⁹⁷⁴
 - (b) removal or loss of viability of ~~the~~¹⁹⁷⁵ habitat of a Threatened ~~or At Risk~~¹⁹⁷⁶ *indigenous species* of fauna or flora under the New Zealand Threat Classification System (Townsend et al, 2008),
 - (c) removal or loss of ~~viability~~ health and resilience¹⁹⁷⁷ of a ~~naturally rare or~~ naturally¹⁹⁷⁸ uncommon ecosystem type that is associated with *indigenous vegetation*¹⁹⁷⁹ or habitat of indigenous fauna, ~~or~~¹⁹⁸⁰
 - (d) the likely¹⁹⁸¹ worsening of the conservation status of any Threatened or At Risk indigenous biodiversity listed under the¹⁹⁸² New Zealand Threat Classification System (Townsend et al, 2008) ~~of any Threatened or At Risk indigenous fauna, or~~¹⁹⁸³
 - (e) the loss (including through cumulative loss) of irreplaceable or vulnerable indigenous biodiversity, and¹⁹⁸⁴
- (2) *Biodiversity* compensation may be¹⁹⁸⁵ available if the following criteria are met:
- (a) compensation addresses only residual adverse *effects* that remain after implementing the sequential steps required by ECO-P65(1) to (4),
 - (b) compensation is undertaken where it will result in the best ecological outcome and preferably:
 - (i) close to the location of the activity, ~~and~~¹⁹⁸⁶

¹⁹⁷¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential change from 00137.158 DOC

¹⁹⁷² Clause 10(2)(b)(i), Schedule 1, RMA – consequential change from 00137.158 DOC

¹⁹⁷³

McEwen, W Medium (ed), 1987. Ecological regions and districts of New Zealand. Wellington: Department of Conservation (new footnote attributed to 00138.027 QLDC)

¹⁹⁷⁴ 00237.007 Beef & Lamb and DINZ, 00137.016 DOC, 00226.035 Kāi Tahu ki Otago, 00120.011 Yellow-eyed Penguin Trust, 00230.016 Forest and Bird

¹⁹⁷⁵ Clause 16(2), Schedule 1, RMA

¹⁹⁷⁶ 00115.022 Oceana Gold

¹⁹⁷⁷ 00230.149 Forest and Bird

¹⁹⁷⁸ Consequential to 0137.014 DOC

¹⁹⁷⁹ Clause 16(2), Schedule 1, RMA

¹⁹⁸⁰ Clause 16(2), Schedule 1, RMA

¹⁹⁸¹ 00311.0650 Manawa

¹⁹⁸² 00137.158 DOC

¹⁹⁸³ Clause 16(2), Schedule 1, RMA

¹⁹⁸⁴ 00137.158 DOC

¹⁹⁸⁵ 00137.158 DOC

¹⁹⁸⁶ 00137.158 DOC

- (ii) within the same ecological district,¹⁹⁸⁷ ~~or coastal marine biogeographic region,~~¹⁹⁸⁸ ~~and~~¹⁹⁸⁹
- (iii) delivers indigenous *biodiversity* gains on the ground,¹⁹⁹⁰
- (ba) where criterion (2)(b)(iii) is not met, any financial contributions considered must be directly linked to a specific indigenous *biodiversity* gain or benefit,¹⁹⁹¹
- (c) the proposal demonstrates that the compensation will¹⁹⁹² achieves¹⁹⁹³ positive *biodiversity* outcomes that that are demonstrably additional to those that¹⁹⁹⁴ would not have occurred without that compensation, and are additional to any remediation, mitigation or offset undertaken in relation to the adverse *effects* of the activity,¹⁹⁹⁵
- (d) the positive *biodiversity* outcomes of the compensation are enduring last at least as long as the impacts and preferably in perpetuity and are enough to outweigh the adverse *effects* on indigenous *biodiversity*,¹⁹⁹⁶
- (e) the time delay between the loss of *biodiversity* through the proposal at the impact site¹⁹⁹⁷ and the gain or maturation of the compensation's¹⁹⁹⁸ *biodiversity* outcomes from the compensation,¹⁹⁹⁹ is the least necessary to achieve the best possible ecological²⁰⁰⁰ outcome,
- (f) the outcome of the compensation is achieved within the duration of the *resource consent*,
- (fa) when trading up forms part of *biodiversity* compensation, the proposal must demonstrate the indigenous *biodiversity* values gained are demonstrably of higher indigenous *biodiversity* value than those lost, and the values lost are not²⁰⁰¹ considered vulnerable or irreplaceable,²⁰⁰²
- (g) *biodiversity* compensation developed in advance of an application for *resource consent* must be shown to have been created or commenced in anticipation of the specific *effect* of the proposed activity and would not have occurred if that *effect* was not anticipated, ~~and~~
- (h) the *biodiversity* compensation outcome²⁰⁰³ is demonstrably achievable.

¹⁹⁸⁷ McEwen, W Medium (ed), 1987. Ecological regions and districts of New Zealand. Wellington: Department of Conservation (new footnote attributed to 00138.027 QLDC)

¹⁹⁸⁸ 00237.007 Beef & Lamb and DINZ, 00137.016 DOC, 00226.035 Kāi Tahu ki Otago, 00120.011 Yellow-eyed Penguin Trust, 00230.016 Forest and Bird

¹⁹⁸⁹ 00137.158 DOC

¹⁹⁹⁰ 00137.158 DOC

¹⁹⁹¹ 00137.158 DOC

¹⁹⁹² Clause 10(2)(b)(i), schedule 1, RMA – consequential amendment arising from 00137.158 DOC

¹⁹⁹³ 00137.158 DOC

¹⁹⁹⁴ 00139.139 DCC

¹⁹⁹⁵ 00137.158 DOC

¹⁹⁹⁶ 00137.158 DOC

¹⁹⁹⁷ 00137.158 DOC

¹⁹⁹⁸ 00137.158 DOC

¹⁹⁹⁹ 00137.158 DOC

²⁰⁰⁰ 00137.158 DOC

²⁰⁰¹ 00137.158 DOC

²⁰⁰² 00137.158 DOC

²⁰⁰³ 00137.158 DOC

- (i) the compensation accords with mātauraka Māori when taoka species are affected, and²⁰⁰⁴
- (i) the compensation design and implementation do not displace harm to other locations (including harm to existing *biodiversity* at the compensation site), and²⁰⁰⁵
- (3) *Biodiversity* compensation proposed in any application for *resource consent*, plan change or notice of requirement must address all matters in APP4(2), and:
 - (a) evaluate the ecological context, including the interactions between species, habitats and ecosystems, spatial connections and ecosystem function at the impact site and compensation site,
 - (b) include application of mātauraka Māori where available to an applicant,²⁰⁰⁶ and
 - (c) include a separate *biodiversity* compensation management plan prepared in accordance with good practice and which incorporates a monitoring and evaluation regime.²⁰⁰⁷

²⁰⁰⁴ 00223.134 Ngāi Tahu ki Murihiku

²⁰⁰⁵ 00137.158 DOC

²⁰⁰⁶ 00137.158 DOC

²⁰⁰⁷ 00137.158 DOC

APP5 – Species prone to *wilding conifer* spread

Table 5 – Species prone to *wilding conifer* spread

Common name	Botanical name
Big cone pine	<i>Pinus coulteri</i>
Bishops pine	<i>Pinus muricata</i>
Contorta (lodgepole) pine	<i>Pinus contorta</i>
Corsican pine, Black pine	<i>Pinus nigra</i>
Douglas fir	<i>Pseudotsuga menziesii</i>
Dwarf mountain pine	<i>P. uncinata</i>
Japanese cedar	<i>Cryptomeria japonica</i>
Japanese larch	<i>Larix kaempferi</i>
Larch	<i>Larix decidua</i>
Lawson's cypress	<i>Chamaecyparis lawsoniana</i>
Macrocarpa	<i>Cupressus macrocarpa</i>
Maritime pine	<i>Pinus pinaster</i>
Mountain pine	<i>Pinus mugo</i>
Norfolk Island pine	<i>Araucaria heterophylla</i>
Norway spruce	<i>Picea abies</i>
Patula pine	<i>Pinus patula</i>
Pine	<i>Pinus sp./Pine</i>
Ponderosa pine	<i>Pinus ponderosa</i>
Radiata pine	<i>Pinus radiata</i>
Scots pine	<i>Pinus sylvestris</i>
Sitka spruce	<i>Picea sylvestris</i>
Slash pine	<i>Pinus elliottii</i>
Spruce	<i>Picea sp.</i>
Strobus pine	<i>Pinus strobus</i>
Western red cedar	<i>Thuja plicata</i>
Western white pine	<i>Pinus monticola</i>

APP6 – Methodology for *natural hazard risk assessment*

Undertake the following four step process to determine the *natural hazard risk*.

Step 1 – Determine the likelihood

- (1) Using Table 6, assess the likelihood of three *natural hazard* scenarios occurring, representing a high likelihood, median likelihood, and the maximum credible event, using the best available information.
- (2) Use Table 6 to assign a likelihood descriptor to the three *natural hazard* scenarios.
- (3) The likelihood assessment shall include consideration of the *effect of climate change* and *Representative Concentration Pathways (RCP) scenarios*.²⁰⁰⁸

Table 6 – Likelihood scale

Likelihood	Indicative frequency
Almost certain	Up to once every 50 years (2% AEP)
Likely	Once every 51 – 100 years (2 – 1% AEP)
Possible	Once every 101 – 1,000 years (1 – 0.11% AEP)
Unlikely	Once every 1,001 – 2,500 years (0.1 – 0.04% AEP)
Rare	2,501 years plus (<0.04% AEP)

Step 2 – *Natural hazard* consequence

Advice note 1: Table 7 shall be utilised by *territorial authorities* determining the level of *risk* presented by a hazard(s) when undertaking plan change or plan review processes.

Advice note 2: The matters listed in (1) to (11) provide useful considerations for *territorial authorities* and are the primary considerations for resource consent applications triggering a *risk assessment* requirement in accordance with HAZ-NH-M3(7)(a) or HAZ-NH-M4(7)(a).²⁰⁰⁹

Using Table 7 and the matters listed in (1) to (10) below, assess the consequence (catastrophic, major, moderate, minor, or insignificant) of the *natural hazard* scenarios identified in step 1 considering:

- (1) the nature and scale²⁰¹⁰ of activities in the area,
- (2) individual and community *vulnerability and resilience*,²⁰¹¹
- (3) impacts on individual and community health and safety,
- (4) impacts on social, cultural and economic well-being,
- (5) impacts on *infrastructure* and property, including access and services,
- (6) available and viable *risk* reduction and hazard mitigation measures,
- (7) *lifeline utilities*, essential and emergency services, and their co-dependence,

²⁰⁰⁸ 00138.147 QLDC

²⁰⁰⁹ 00301.055 Port Otago

²⁰¹⁰ 00411.091 Wayfare

²⁰¹¹ 00411.091 Wayfare

- (8) implications for civil defence agencies and emergency services,
- (9) the changing *natural hazard environment*,
- (10) cumulative *effects* including *multiple* and *cascading hazards*, where present, and
- (11) factors that may exacerbate a *natural hazard* event including the *effects* of *climate change*.

Table 7 – Consequence table

Severity of Impact	Built				Health & Safety
	Social/Cultural	Buildings	Critical Buildings	Lifelines	
Catastrophic (V)	≥25% of <i>buildings</i> of social/cultural significance within hazard zone <u>impact area</u> ²⁰¹² have functionality compromised	≥50% of affected ²⁰¹³ <i>buildings</i> within hazard zone <u>impact area</u> ²⁰¹⁴ have functionality compromised	≥25% of critical facilities within hazard zone <u>impact area</u> ²⁰¹⁵ have functionality compromised	Out of service for > 1 month (affecting ≥20% of the town/city population) OR suburbs out of service for > 6 months (affecting < 20% of the town/city population)	> 101 dead and/or > 1001 injured ²⁰¹⁶
Major (IV)	11-24% of <i>buildings</i> of social/cultural significance within hazard zone <u>impact area</u> ²⁰¹⁷ have functionality compromised	21-49% of <i>buildings</i> within hazard zone <u>impact area</u> ²⁰¹⁸ have functionality compromised	11-24% of <i>buildings</i> within hazard zone <u>impact area</u> ²⁰¹⁹ have functionality compromised	Out of service for 1 week – 1 month (affecting ≥20% of the town/city population) OR suburbs out of service for 6 weeks to 6 months (affecting < 20% of the town/city population)	11 – 100 dead and/or 101 – 1000 injured ²⁰²⁰
Moderate (III)	6-10% of <i>buildings</i> of social/cultural significance within hazard zone <u>impact area</u> ²⁰²¹ have functionality compromised	11-20% of <i>buildings</i> within hazard zone <u>impact area</u> ²⁰²² have functionality compromised	6-10% of <i>buildings</i> within hazard zone <u>impact area</u> ²⁰²³ have functionality compromised	Out of service for 1 day to 1 week (affecting ≥20% of the town/city population) OR suburbs out of service for 1 week to 6 weeks (affecting < 20% of the town/city population)	2 – 20 dead and/or 11 – 100 injured ²⁰²⁴

²⁰¹² 00138.147 QLDC

²⁰¹³ Clause 16(2), Schedule 1, RMA

²⁰¹⁴ 00138.147 QLDC

²⁰¹⁵ 00138.147 QLDC

²⁰¹⁶ 00138.147 QLDC

²⁰¹⁷ 00138.147 QLDC

²⁰¹⁸ 00138.147 QLDC

²⁰¹⁹ 00138.147 QLDC

²⁰²⁰ 00138.147 QLDC

²⁰²¹ 00138.147 QLDC

²⁰²² 00138.147 QLDC

²⁰²³ 00138.147 QLDC

²⁰²⁴ 00138.147 QLDC

Minor (II)	1-5% of <i>buildings</i> of social/cultural significance within hazard zone <u>impact area</u> ²⁰²⁵ have functionality compromised	2-10% of <i>buildings</i> within hazard zone <u>impact area</u> ²⁰²⁶ have functionality compromised	1-5% of <i>buildings</i> within hazard zone <u>impact area</u> ²⁰²⁷ have functionality compromised	Out of service for 2 hours to 1 day (affecting ≥20% of the town/city population) OR suburbs out of service for 1 day to 1 week (affecting < 20% of the town/city population)	1 dead and/or 1–10 injured
Insignificant (I)	No <i>buildings</i> of social/cultural significance within hazard zone <u>impact area</u> ²⁰²⁸ have functionality compromised	< 1% of affected ²⁰²⁹ <i>buildings</i> within hazard zone <u>impact area</u> ²⁰³⁰ have functionality compromised	No damage within hazard zone <u>impact area</u> ²⁰³¹ , fully functional	Out of service for up to 2 hours (affecting ≥20% of the town/city population) OR suburbs out of service for up to 1 day (affecting < 20% of the town/city population)	No dead No injured

When assessing consequences within this matrix, the final level of impact is assessed on the ‘first past the post’ principle, in that the consequence with the highest severity of impact applies. For example, if a *natural hazard* event resulted in moderate severity of impact across all of the categories, with the exception of *critical buildings* which had a ‘major’ severity of impact, the major impact is what the proposal would be assessed on. If a *natural hazard* event resulted in all of the consequences being at the same level (for example, all of the consequences are rated moderate), then the level of consequence is considered to be moderate.

When this assessment is being undertaken in accordance with HAZ-NH-M3(7)(a) or HAZ-NH-M4(7)(a) the text within Step 2 shall guide the assessment of *natural hazard* consequence.²⁰³²

Step 3 – Assessing activities for²⁰³³ *natural hazard* risk

Using the information within steps 1 and 2 above, complete Table 8 for each of the hazard scenarios considered, and identify if the risk from each of the scenarios is and Table 8, assess whether the *natural hazard* scenarios will have an²⁰³⁴ acceptable, tolerable, or significant risk to people, property and communities, by considering:

- ~~(1) — the *natural hazard* risk identified, including residual risk,~~
- ~~(2) — any measures to avoid, remedy or mitigate those risks, including relocation and recovery methods,~~
- ~~(3) — the long-term viability and affordability of those measures,~~
- ~~(4) — flow on effects of the risk to other activities, individuals and communities, and~~
- ~~(5) — the availability of, and ability to provide, lifeline utilities, and essential and emergency services, during and after a *natural hazard* event.²⁰³⁵~~

²⁰²⁵ 00138.147 QLDC

²⁰²⁶ 00138.147 QLDC

²⁰²⁷ 00138.147 QLDC

²⁰²⁸ 00138.147 QLDC

²⁰²⁹ Clause 16(2), Schedule 1, RMA

²⁰³⁰ 00138.147 QLDC

²⁰³¹ 00138.147 QLDC

²⁰³² 00301.055 Port Otago

²⁰³³ 00138.147 QLDC

²⁰³⁴ 00138.147 QLDC

²⁰³⁵ 00138.147 QLDC

Table 8 – Risk table

Likelihood	Consequences				
	Insignificant	Minor	Moderate	Major	Catastrophic
Almost certain	Green	Yellow	Yellow	Red	Red
Likely	Green	Green	Yellow	Hatching	Red
Possible	Green	Green	Yellow	Hatching	Red
Unlikely	Green	Green	Green	Green	Hatching
Rare	Green	Green	Green	Green	Hatching

Green, Acceptable Risk: Yellow, Tolerable Risk: Red, Significant Risk, Hatching: Quantitative assessment required ²⁰³⁶

Notes:

Table 8 above has been included as a region-wide baseline. As set out in HAZ-NH-M2(1) *local authorities* are required to undertake a consultation process with communities, stakeholders and partners regarding *risk* levels thresholds and develop a *risk* table at a district or community scale. This region-wide baseline is to be used in the absence of a district or community scale *risk* table being developed.

~~When this assessment is being undertaken in accordance with HAZ NH M3(7)(a) or HAZ NH M4(7)(a) the text within Step 3 shall guide the assessment of natural hazard risk.~~²⁰³⁷

Step 4 – Undertake a quantitative risk assessment

While Steps 1-3 will qualitatively categorise *natural hazard risk* based on a community’s understanding and acceptance level of *risk*, it will not provide quantitative understanding of the *risk* a *natural hazard* presents to the built *environment*, or health and safety.

If the assessment undertaken in Steps 1-3 determines that one of the three *natural hazard* scenarios generate *risk* that is significant, or a tolerable risk with a catastrophic consequence,²⁰³⁸ undertake a quantitative *risk* assessment utilising the following methodology:²⁰³⁹

- (1) Based on the likelihood of a *natural hazard* event within the hazard zone (see Step 1), and including the potential impacts of *climate change* and sea level rise, select a representative range of at least ~~five~~ three²⁰⁴⁰ hazard scenarios with varying likelihoods to model,²⁰⁴¹ including the maximum credible event.
- (2) Model the Annual Individual Fatality Risk (AIFR)²⁰⁴² and Annual Property Risk (APR)²⁰⁴³ for the range of hazard scenarios across the hazard zone, and create loss exceedance distributions.

²⁰³⁶ 00415.002 ORC

²⁰³⁷ 00138.147 QLDC

²⁰³⁸ 00415.002 ORC

²⁰³⁹ This methodology has been developed in general accordance with the Australian Geomechanics Society, 2007 methodology, which may usefully provide additional guidance. (New footnote attributed to 00138.147 QLDC)

²⁰⁴⁰ 00138.147 QLDC

²⁰⁴¹ The model should include an analysis of uncertainty.

²⁰⁴² Annual probability that an individual most at risk is killed in any one year as a result of the hazards occurring.

²⁰⁴³ Annual probability of total property loss (relating to permanent structures) as a result of the hazards occurring.

- (3) Analyse loss exceedance distributions and determine losses.
- (4) Assign the risk level ~~Implementing a first-past-the-post principle for the AIFR and APR.~~²⁰⁴⁴
 - (a) for areas of new development where the ~~greatest~~²⁰⁴⁵ AIFR or APR is:
 - (i) less than 1×10^{-6} per year, the *risk* is re-categorised as acceptable,
 - (ii) between 1×10^{-6} and 1×10^{-5} per year, the *risk* is re-categorised as tolerable, or
 - (iii) greater than 1×10^{-5} per year, the *risk* is re-categorised as significant.
 - (b) for areas with existing development, where the ~~greatest~~²⁰⁴⁶ AIFR or APR is:
 - (i) less than 1×10^{-5} per year, the *risk* is re-categorised as acceptable;
 - (ii) between 1×10^{-5} and 1×10^{-4} per year, the *risk* is re-categorised as tolerable; or
 - (iii) greater than 1×10^{-4} per year, the *risk* is re-categorised as significant.

~~(5) Following the quantitative *risk* assessment, a *risk* level is assigned to the hazard area.~~²⁰⁴⁷

AIFR and APR are the selected *risk* metrics as they represent the likely consequences of a wide range of *natural hazards*. For example, some *natural hazards*, generally, do not have the capacity to cause fatalities, but may result in widespread damage to property, while other *natural hazards* have a high capacity to cause fatalities. A first-past-the-post principle to the re-categorisation of *risk* is applied to ensure that decisions are based on the greatest *risk* present between the two metrics.

If the level of knowledge or uncertainty regarding the likelihood or consequences of a *natural hazard* event precludes the use of Step 4, then a precautionary approach to assessing and managing the *risk* should be applied, as set out in HAZ-NH-P5.

²⁰⁴⁴ 00138.147 QLDC

²⁰⁴⁵ 00138.147 QLDC

²⁰⁴⁶ 00138.147 QLDC

²⁰⁴⁷ 00138.147 QLDC

APP7 – Identifying *wāhi tūpuna*

This appendix is a guide to assist in identifying *wāhi tūpuna*. It is not a complete list of all *wāhi tūpuna* in Otago.

Kāi Tahu use the term '*wāhi tūpuna*' to describe landscapes ~~that embody the customary and contemporary relationship of Kāi Tahu and their culture and traditions with Otago and places that embody the relationship of manawhenua and their culture and traditions with their ancestral lands, water, sites, *wāhi tapu* and other *taoka*.~~²⁰⁴⁸ It is important to understand this concept in the context of the distinctive seasonal lifestyle that Kāi Tahu evolved in the south. The sites and resources used by Kāi Tahu are spread throughout Otago. These places did not function in isolation from one another but were part of a wider cultural setting and pattern of seasonal resource use. The different elements of these sites ~~areas~~²⁰⁴⁹ of significance include:

Table 9 – ~~Sites Areas~~²⁰⁵⁰ of significance to Kāi Tahu

Site Area ²⁰⁵¹ of significance	Explanation
Ara Tawhito	Ancient trails. A network of trails crossed the region linking the permanent villages with seasonal inland campsites and along the coast, providing access to a range of māhika kai <i>māhika kai</i> ²⁰⁵² resources and inland stone resources, including pounamu and silcrete.
Kāika	Permanent settlements or occupation sites. These occurred throughout Otago, particularly in coastal areas.
<i>Nohoaka</i>	These were a network of seasonal settlements. Kāi Tahu were based largely on the coast in permanent settlements and ranged inland on a seasonal basis. Iwi history shows, through place names and whakapapa, continuous occupation of a network of seasonal settlements, which were distributed along the main <i>river</i> systems from the source <i>lakes</i> to the sea.
Wāhi māhika kai <i>māhika kai</i> ²⁰⁵³	The places where the customary gathering of food or natural materials occurs. Māhika kai <i>Māhika kai</i> ²⁰⁵⁴ is one of the cornerstones of Kāi Tahu culture.
Mauka	Important mountains. Mountains are of great cultural importance to Kāi Tahu. Many are places of spiritual presence, and prominent peaks in the district are linked to Kāi Tahu creation stories, identity and mana.
Marae	The marae atea and the <i>buildings</i> around it, including the wharenuī, wharekai, church and urupā. The sheltering havens of Kāi Tahu cultural expression, a place to gather, kōrero and to welcome visitors. Maraе are expressions of Kāi Tahu past and present.

²⁰⁴⁸ 00223.135 Ngāi Tahu ki Murihiku

²⁰⁴⁹ 00226.327 Kāi Tahu ki Otago

²⁰⁵⁰ 00226.327 Kāi Tahu ki Otago

²⁰⁵¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.327 Kāi Tahu ki Otago

²⁰⁵² Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

²⁰⁵³ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

²⁰⁵⁴ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

Repo raupe <u>raupō</u> ²⁰⁵⁵	Wetlands or swamps. These provide valued habitat for taoka species and mahika kai <u>mahika kai</u> ²⁰⁵⁶ resources.
Taumanu ²⁰⁵⁷	Fishing sites. These are traditional fishing easements which have been gazetted by the South Island Māori Land Court.
Tauraka waka	Canoe mooring sites. These were important for transport and gathering kai.
Tūāhu	Places of importance to Māori identity. These are generally sacred ground and marked by an object, or a place used for purposes of divination.
Tuhituhi neherā ²⁰⁵⁸	Rock art sites
Taumanu ²⁰⁵⁹	Fishing sites. These are traditional fishing easements which have been gazetted by the South Island Māori Land Court.
Umu, Umutī	Earth ovens. Used for cooking tīkōuka (cabbage tree), are found in a diversity of areas, including old stream banks and ancient river terraces, on low spurs or ridges, and in association with other features, such as kāika <i>nohoaka</i> .
Urupā	Human burial sites. These include historic burial sites associated with kāika, and contemporary sites, such as the urupā at Ōtākou and Puketeraki marae.
Wāhi kōhatu	Rock outcrops. Rocky outcrops provided excellent shelters and were intensively occupied by Māori from the moahunter period into early European settlement during seasonal hikoi. Tuhituhi neherā (rock art) may be present due to the occupation of such places by the tūpuna.
Wāhi pakaka	Battle sites. Historic battle sites occur throughout Otago, such as that at Ohinepouwera (Waikōuaiti <u>Waikōuaiti</u> ²⁰⁶⁰ sandspit) where Taoka's warriors camped for six months while they laid siege on Te Wera on the Huriawa Peninsula.
Wāhi paripari	Cliff areas.
Wāhi taoka	Resources, places and sites treasured by <i>mana whenua</i> . These valued places reflect the long history and association of Kāi Tahu with Otago.
Wāhi tapu	Places sacred to Kāi Tahu. These occur throughout Otago and include urupā (human burial sites).
Wāhi tohu	Features used as location markers within the landscape. Prominent landforms formed part of the network of trails along the coast and inland.
Wai Māori	Freshwater areas important to Māori, including wai puna (springs), roto (<i>lakes</i>) and awa (rivers).

²⁰⁵⁵ 00226.327 Kāi Tahu ki Otago

²⁰⁵⁶ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

²⁰⁵⁷ Clause 16(2), Schedule 1, RMA

²⁰⁵⁸ 00226.327 Kāi Tahu ki Otago

²⁰⁵⁹ See above.

²⁰⁶⁰ 00226.024 Kāi Tahu ki Otago

APP8 – Identification criteria for places and areas of *historic heritage*

Step 1²⁰⁶¹

A place or area is considered to have *historic heritage* if it meets any one or more of the²⁰⁶² criteria below:²⁰⁶³

Aesthetic value The place has, or includes, aesthetic qualities that are considered to be especially pleasing, particularly beautiful, or overwhelming to the senses, eliciting an emotional response. These qualities are demonstrably valued, either by an existing community or the general public, to the extent that they could be expected to experience a sense of loss if the qualities which evoke the aesthetic value were no longer there.

Archaeological value The place provides, or is demonstrably likely to provide, physical evidence of human activity that could be investigated using archaeological methods. Evidence obtained from an archaeological investigation could be expected to be of significance in answering research questions, or as a new or important source of information about an aspect of New Zealand history.

Architectural value The place reflects identifiable methods of construction or architectural styles or movements. When compared with other similar examples, or in the view of experts or relevant practitioners, it has characteristics reflecting a significant development in this country's architecture. Alternatively, or in conjunction with this, the place is an important or representative example of architecture associated with a particular region or the wider New Zealand landscape.

Cultural value The place reflects significant aspects of an identifiable culture and it can be demonstrated that the place is valued by the associated cultural group as an important or representative expression of that culture.

Historic value The place contributes to the understanding of a significant aspect of New Zealand history and has characteristics making it particularly useful for enhancing understanding of this aspect of history, especially when compared to other similar places.

Scientific value The place includes, or is demonstrably likely to include, fabric expected to be of significance in answering research questions or a new or important source of information about an aspect of New Zealand's cultural or historical past through the use of specified scientific methods of enquiry.

²⁰⁶¹ 00137.144 Director General of Conservation

²⁰⁶² Clause 16(2), Schedule 1 RMA 1991

²⁰⁶³ The identification criteria in APP8 follows *O'Brian, R and Barnes-Wylie J, Guidelines for Assessing Historic Places and Historic Areas for the New Zealand Heritage List/Rārangī Kōrero (2019)* which has been adopted by Heritage New Zealand Pouhere Taonga as its *Significance Assessment Guidelines* (New footnote attributed to 00123.003 Heritage New Zealand Pouhere Taonga, 00139.239 DCC)

Social value The place has a clearly associated community that developed because of the place, and its special characteristics. The community has demonstrated that it values the place to a significant degree because it brings its members together, and they might be expected to feel a collective sense of loss if they were no longer able to use, see, experience or interact with the place.

Spiritual value The place is associated with a community or group who value the place for its religious, mystical or sacred meaning, association or symbolism. The community or group regard the place with reverence, veneration and respect, and they might be expected to feel a collective sense of loss if they were no longer able to use, see, experience or interact with the place.

Technological value The place includes physical evidence of a technological advance or method that was widely adopted, particularly innovative, or which made a significant contribution to New Zealand history

OR

The place reflects significant technical accomplishment in comparison with other similar examples or, in the view of experts or practitioners in the field, has characteristics making the place particularly able to contribute towards our understanding of this technology.

Traditional value²⁰⁶⁴ The place reflects a tradition that has been passed down by a community or culture for a long period, usually generations and especially since before living memory, and has characteristics reflecting important or representative aspects of this tradition to a significant extent.

~~The significance of areas and places with *historic heritage* will be assessed having regard to the following criteria:~~

Step 2: Categorising a place of *historic heritage*

All places and areas which have been identified as *historic heritage* in Step 1 must be assessed to determine whether they have special or outstanding heritage values or qualities by considering the criteria below and by applying the method set out in “Part Two: Applying the section 66(3) criteria” of *Assessing Historic Places and Historic Areas for the New Zealand Heritage List/Rārangī Kōrero (2019)*:²⁰⁶⁵

- (1) the extent to which the place reflects important or representative aspects of Otago or New Zealand history,
- (2) the association of the place with events, persons, or ideas of importance in Otago or New Zealand history,
- (3) the potential of the place to provide knowledge of Otago or New Zealand history,
- (4) the importance of the place to *takata whenua*,

²⁰⁶⁴ 00123.003 Heritage NZ

²⁰⁶⁵ 00137.144 Director General of Conservation

- (5) the community association with, or public esteem for, the place,
- (6) the potential of the place for public education,
- (7) the technical accomplishment, value, or design of the place,
- (8) the symbolic or commemorative value of the place,
- (9) the importance of identifying historic places known to date from an early period of Otago's or New Zealand's settlement,
- (10) the importance of identifying rare types of historic places, and
- (11) the extent to which the place forms part of a wider historical and cultural area.

APP9 – Identification criteria for outstanding and highly valued natural features, and landscapes ~~and~~ (including seascapes)

The areas and the values of outstanding and *highly valued natural features, landscapes and seascapes* are identified using the following attributes:

- Physical attributes**
- (a) ~~Natural science factors, including geological, topographical, ecological and dynamic components.~~
 - (b) ~~The presence of *water* including in seas, *lakes, rivers* and streams.~~
 - (c) ~~Vegetation (native and exotic).~~
- Sensory attributes**
- (d) ~~Legibility or expressiveness—how obviously the feature, landscape or seascape demonstrates its formative processes.~~
 - (e) ~~Aesthetic values including memorability and naturalness.~~
 - (f) ~~Transient values, including presence of wildlife or other values at certain times of the day or year.~~
 - (g) ~~Wild or scenic values.~~
- Associative attributes**
- (h) ~~Whether the values are shared and recognised.~~
 - (i) ~~Cultural and spiritual values for Kāi Tahu, identified by working, as far as practicable, in accordance with tikanga Māori, including their expression as cultural landscapes and features.~~
 - (j) ~~Historical and heritage associations.~~²⁰⁶⁶

The areas and the values of outstanding and *highly valued natural features and landscapes (including seascapes)* are identified using the following factors:

- Physical (natural and human)**
- (a) Geology and geomorphology.
 - (b) Topography and hydrology (including drainage patterns).
 - (c) Climate and weather patterns.
 - (d) Soil patterns.
 - (e) Vegetation patterns.
 - (f) Ecological (flora and fauna) and dynamic components.
 - (g) Settlements and occupation.
 - (h) Roads and circulation.
 - (i) Land use – cadastral pattern.
 - (j) *Buildings*.
 - (k) Archaeology and heritage features.

²⁰⁶⁶ 00310.015 The Telecommunications Companies

- (l) *Mana whenua* features.
- Associative**
- (m) *Mana whenua* creation and origin traditions manifest in landscape features.
- (n) *Mana whenua* associations and experience – (historic, contemporary, and future) including pūrākau, whakapapa, tikaka, and mātauraka.
- (o) *Mana whenua* metaphysical aspects such as wairua and mauri.
- (p) Legal personification of landscape features.
- (q) Shared and recognised values of a landscape derived from community life including the community’s livelihood, its history and reason for being in that place, places of social life and gathering, places associated with metaphysical meanings such as retreat, contemplation, and commemoration.
- (r) Landscape values associated with identity such as attributes that are emblematic for an area, places that are central to a community (main street, wharf, park), features that are anthropomorphised. Landscapes that are engaged through activities such traditional food and resource gathering, recreational use, food and wine that reflect a locale, tourism based on landscape experience or appreciation of a landscape’s qualities.
- Perceptual**
- (s) Geomorphic legibility (how obviously a landscape expresses the geomorphic processes).
- (t) Wayfinding and mental maps (legibility or visual clarity of landmarks, routes, nodes, edges, and areas of different character).
- (u) Memorability.
- (v) Coherence (the extent to which patterns reinforce each other, coherence between human patterns and underlying natural landscape).
- (w) Aesthetic qualities.
- (x) Naturalness.
- (y) Views.

Note that physical, associative, and perceptual factors are sometimes transient: they may be present occasionally or seasonally or in different weather conditions. An assessor should be aware of such transient attributes that may not be immediately apparent.²⁰⁶⁷

APP10 – Housing bottom lines

Table 10 – Bottom lines for development capacity

Tier 2 Urban Environment	Short- Medium Term (0-10 years)	Long Term (11-30 years)
Queenstown		
Dunedin		

Note: This schedule will be amended or reamended in accordance with the National Policy Statement for Urban Development 2020, without using RMA Schedule 1, as soon as practicable following the publication of any relevant *Housing and Business Development Capacity Assessment*, the first of which is due to be completed by 31 July 2021.

APP11 – Accidental Discovery Protocol²⁰⁶⁸

If an unidentified *archaeological site* is located during works, the following applies:

1. Work must cease immediately at that place and within 20m around the site.
2. The contractor must shut down all machinery, secure the area, and advise the Site Manager.
3. The Site Manager must secure the site and notify the Heritage New Zealand Regional Archaeologist. Further assessment by an archaeologist may be required.
4. If the site is of Māori origin, the Site Manager must notify the Heritage New Zealand Regional Archaeologist and the appropriate papatipu rūnaka of the discovery and ensure site access to enable appropriate cultural procedures and tikaka to be undertaken, as long as all statutory requirements under legislation are met (Heritage New Zealand Pouhere Taonga Act, Protected Objects Act).
5. If human remains (kōiwi) are uncovered the Site Manager must advise the Heritage New Zealand Regional Archaeologist, NZ Police and the appropriate papatipu rūnaka and the above process under 4 must apply. Papatipu rūnaka will lead the management of any kōiwi tangata (human remains of a Māori person) that have been uncovered, in line with the Te Rūnanga o Ngāi Tahu Kōiwi Tangata policy 2019. Remains are not to be moved until such time as papatipu rūnaka and Heritage New Zealand have responded.
6. Works affecting the *archaeological site* and any human remains (kōiwi) must not resume until Heritage New Zealand Pouhere Taonga gives written approval for work to continue. Works affecting a site of Māori origin or containing kōiwi tangata must not resume until papatipu rūnaka give written approval for work to continue. Further assessment by an archaeologist may be required.
7. Where iwi so request, any information recorded as the result of the find such as a description of location and content, is to be provided for their records.
8. Heritage New Zealand Pouhere Taonga will advise if an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 is required for works to continue.

It is an offence under Section 87 of the Heritage New Zealand Pouhere Taonga Act 2014 to modify or destroy an *archaeological site* without an authority from Heritage New Zealand irrespective of whether the works are permitted or consent has been issued under the Resource Management Act.

²⁰⁶⁸ 00123.007, Heritage NZ

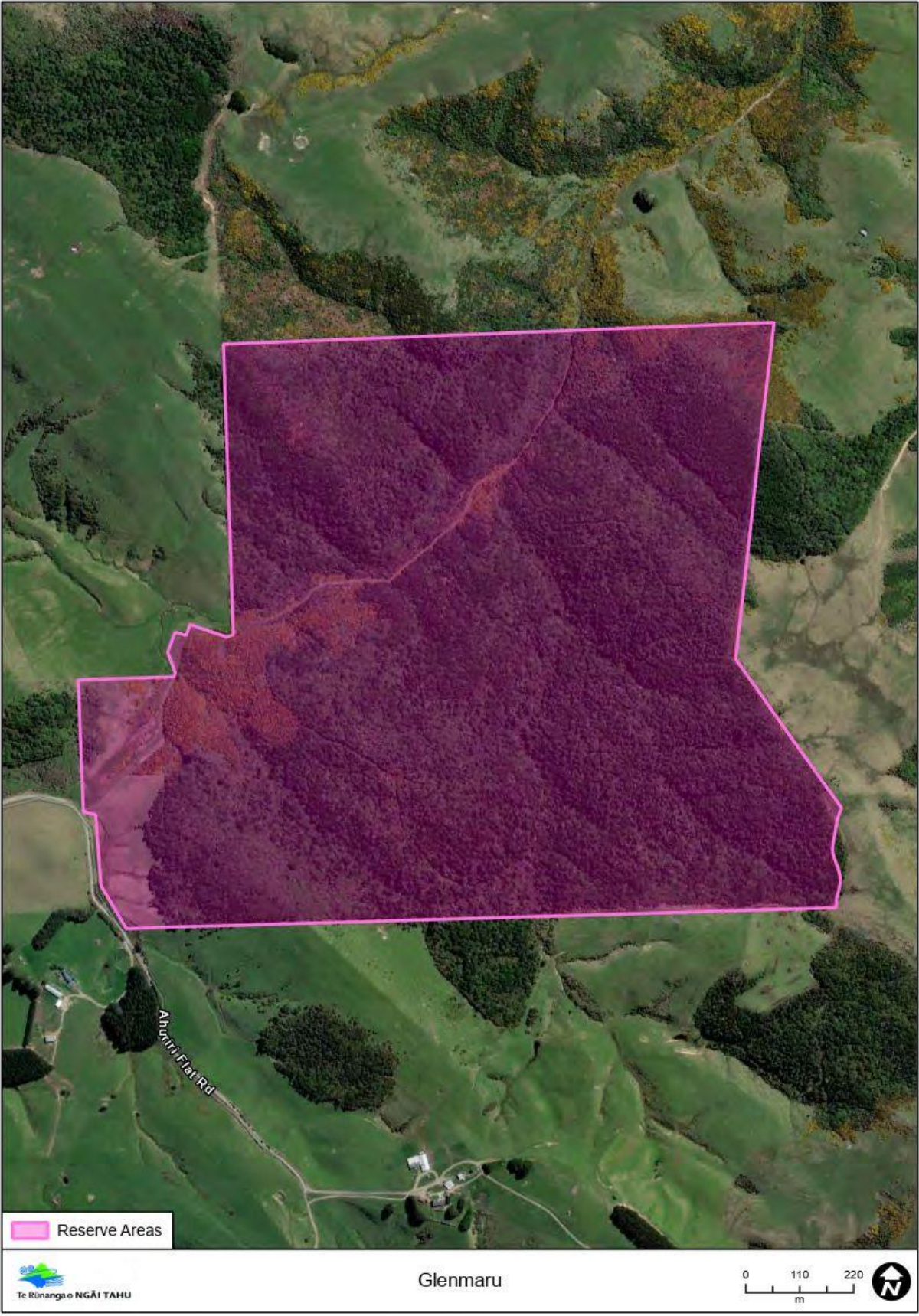
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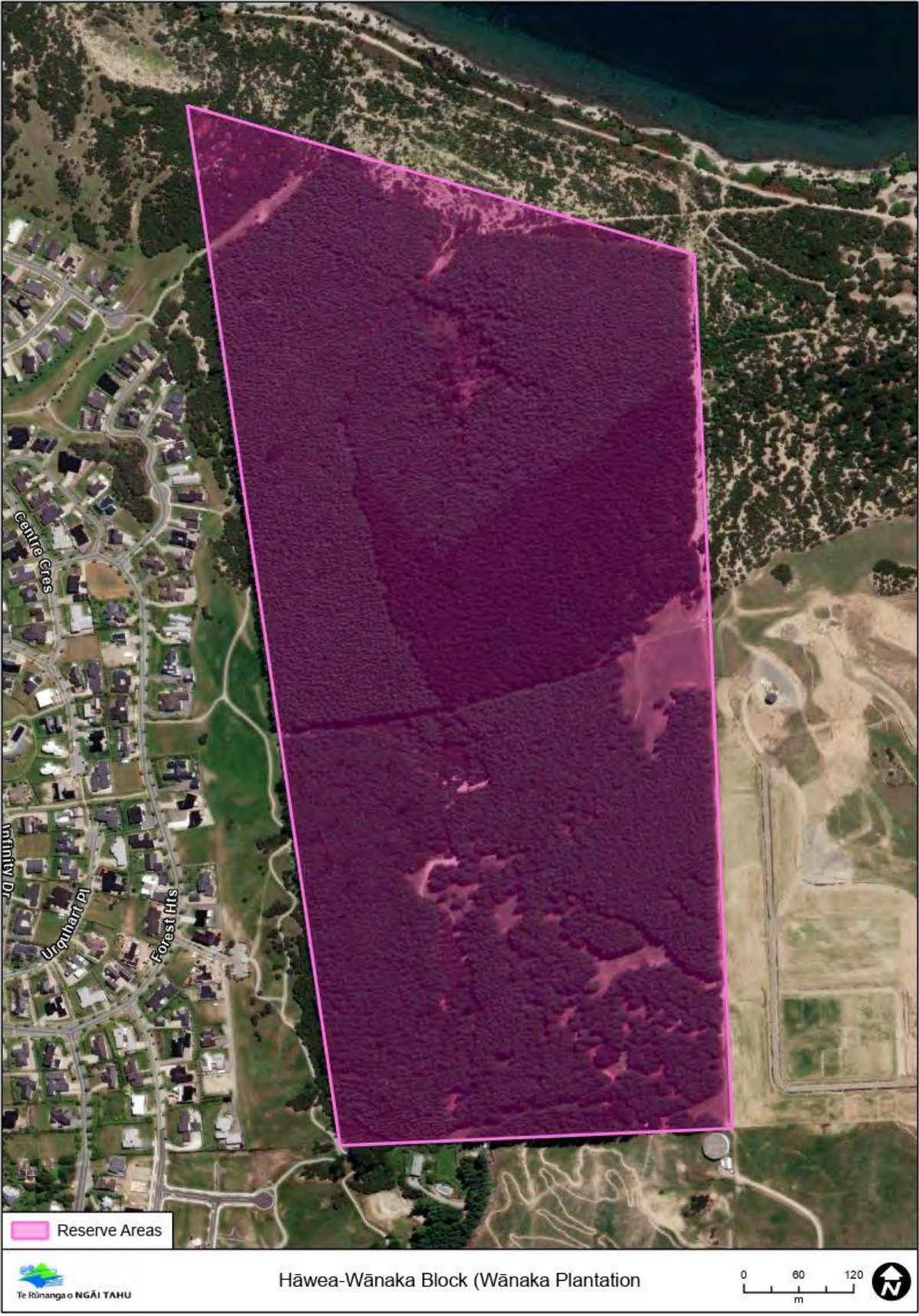
MAP0 – Native Reserves²⁰⁶⁹

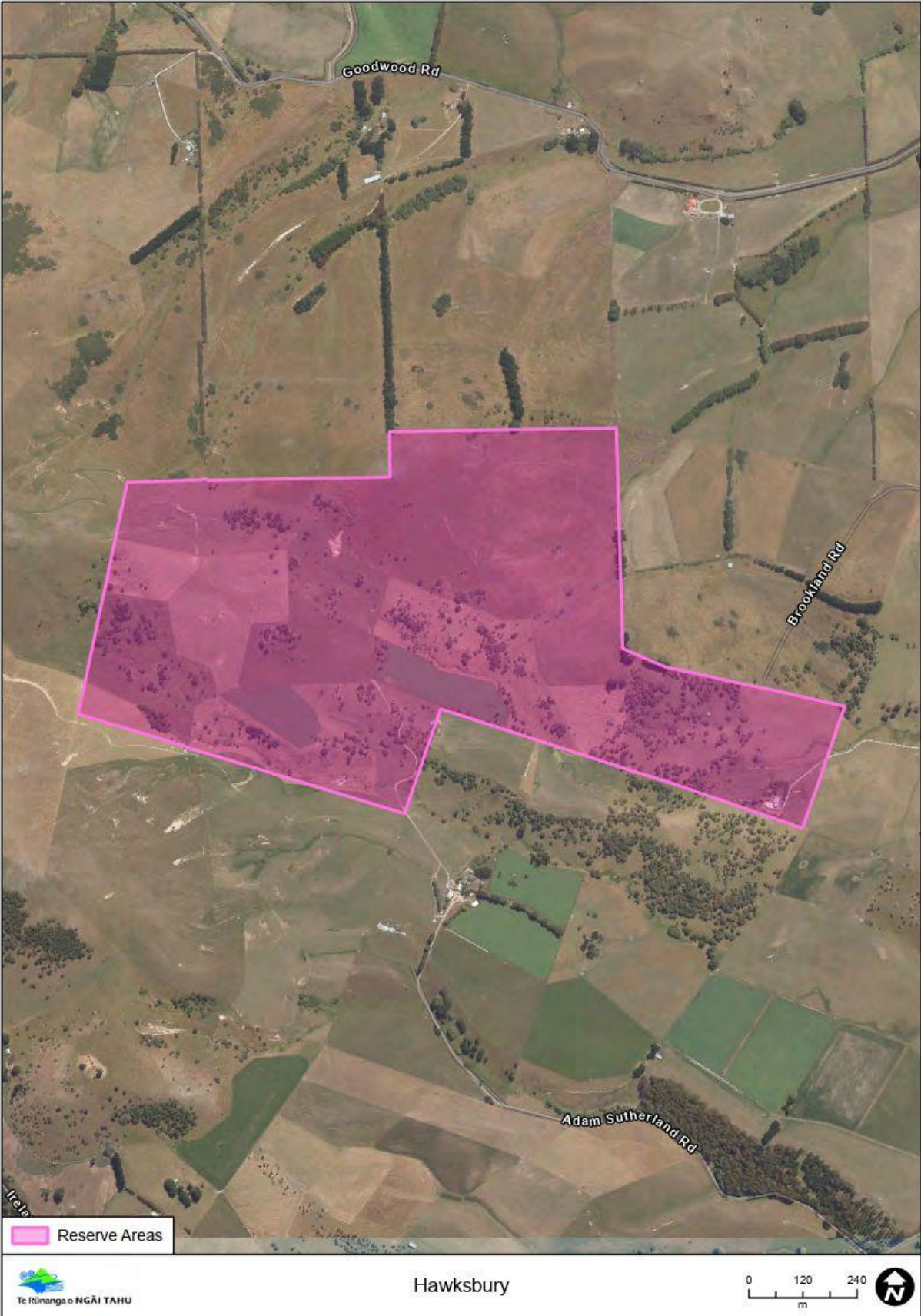


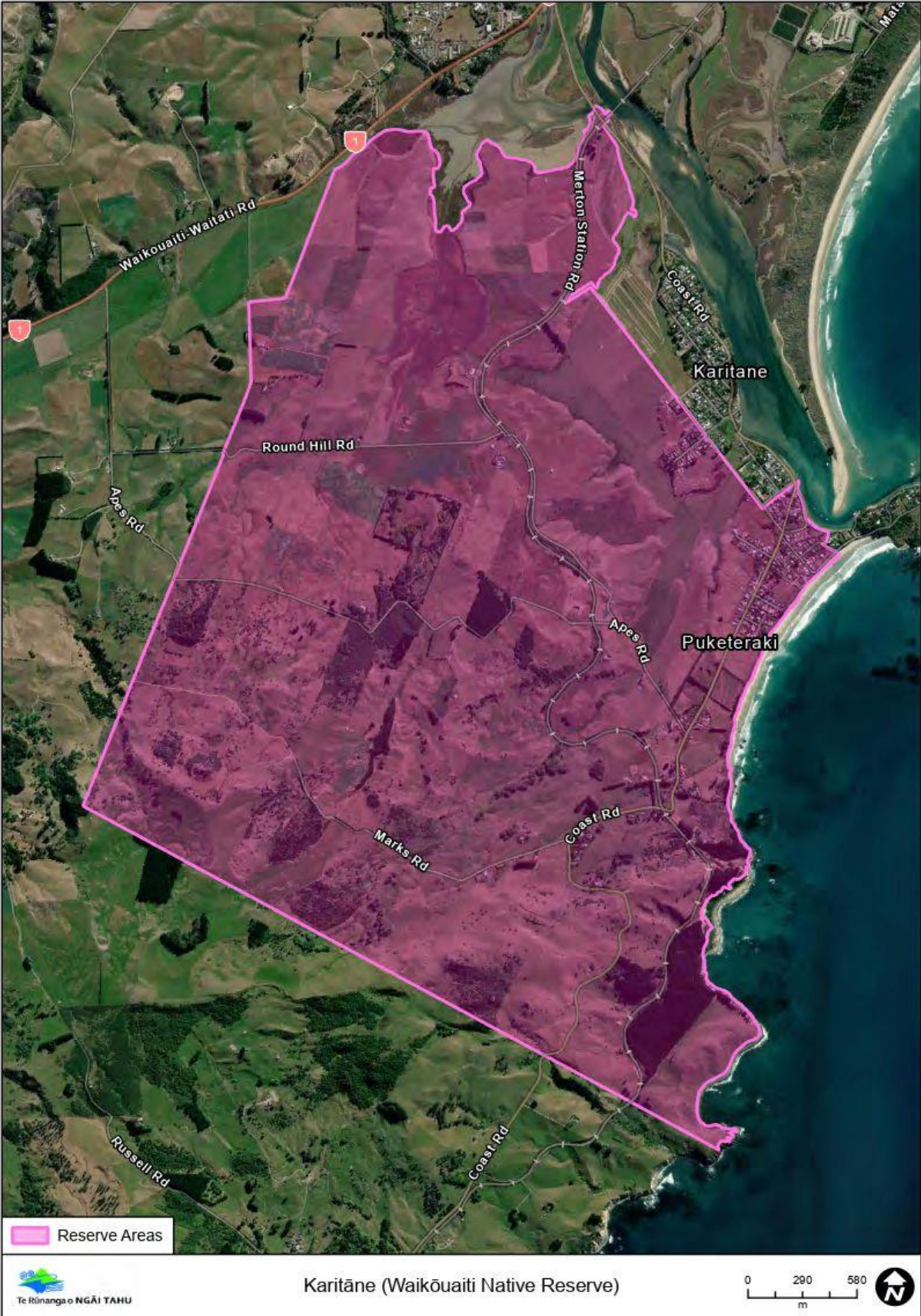




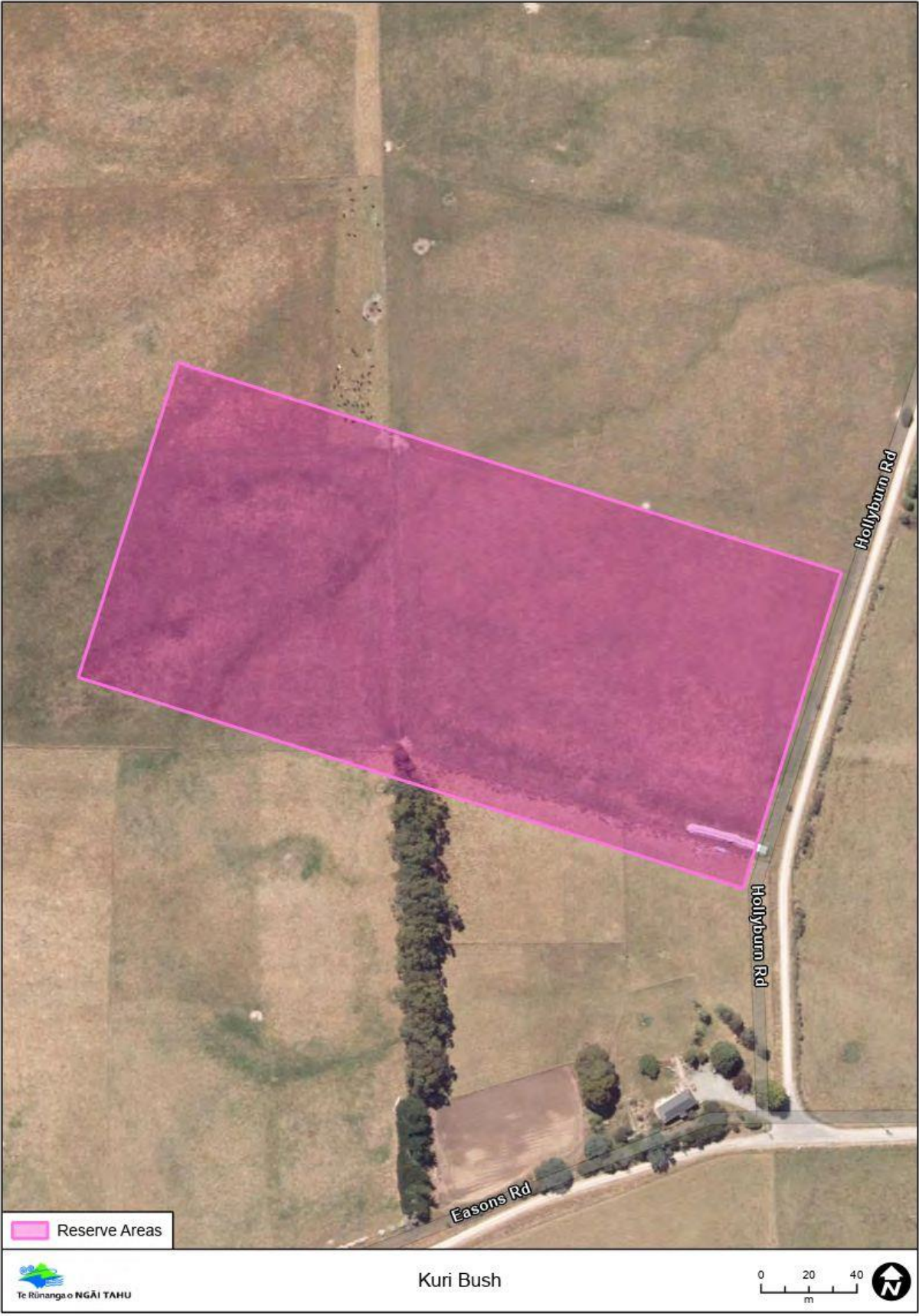


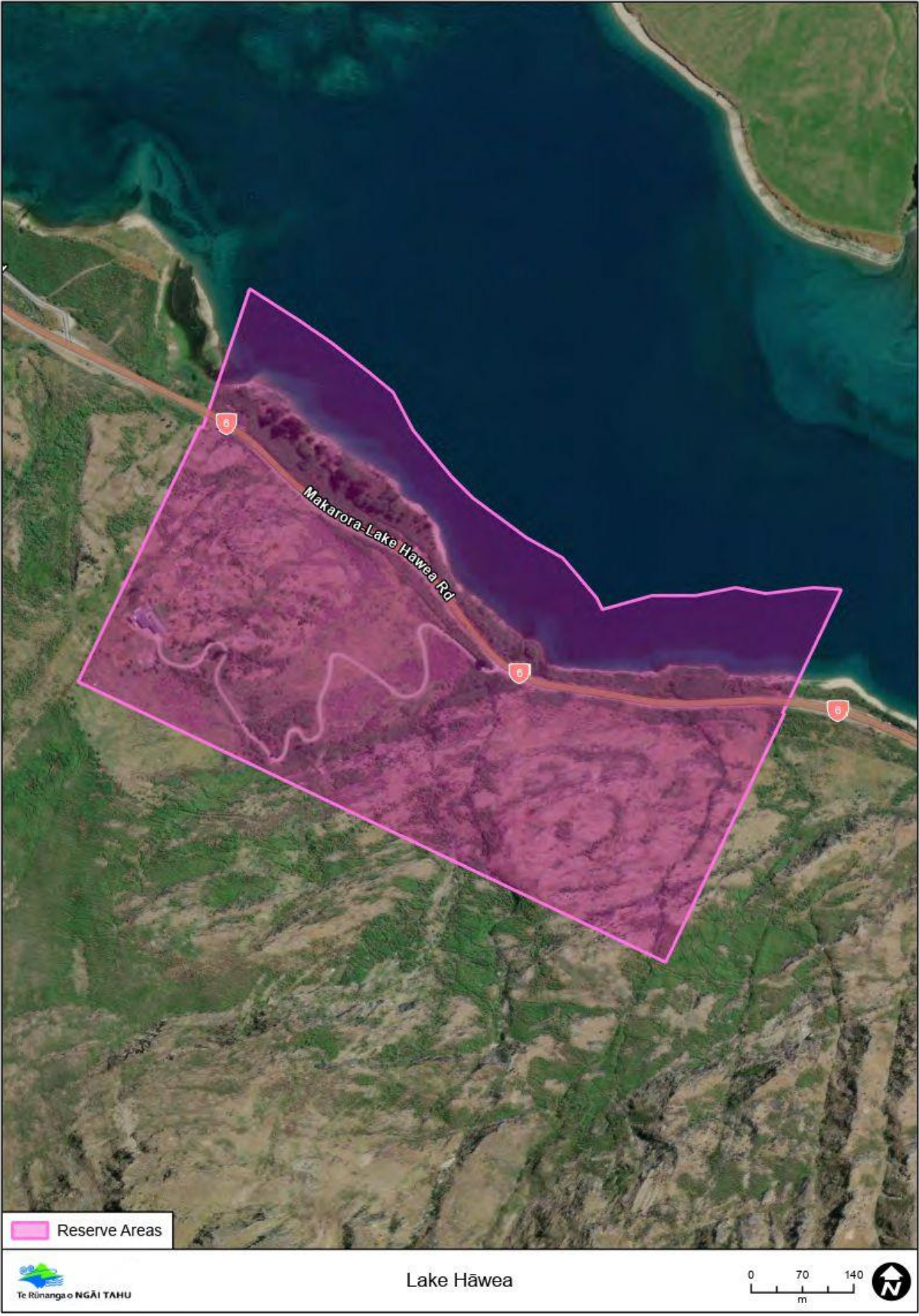








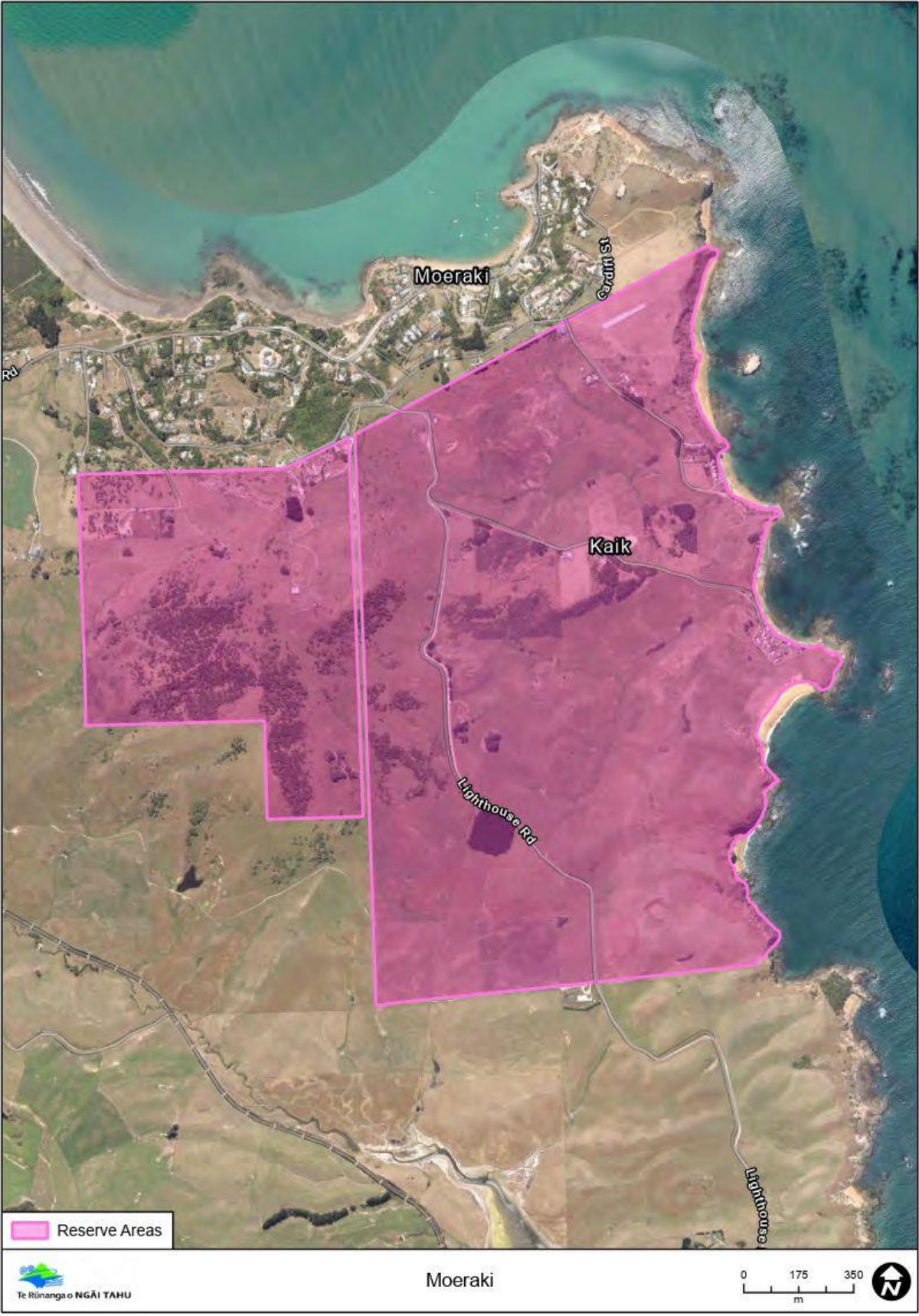


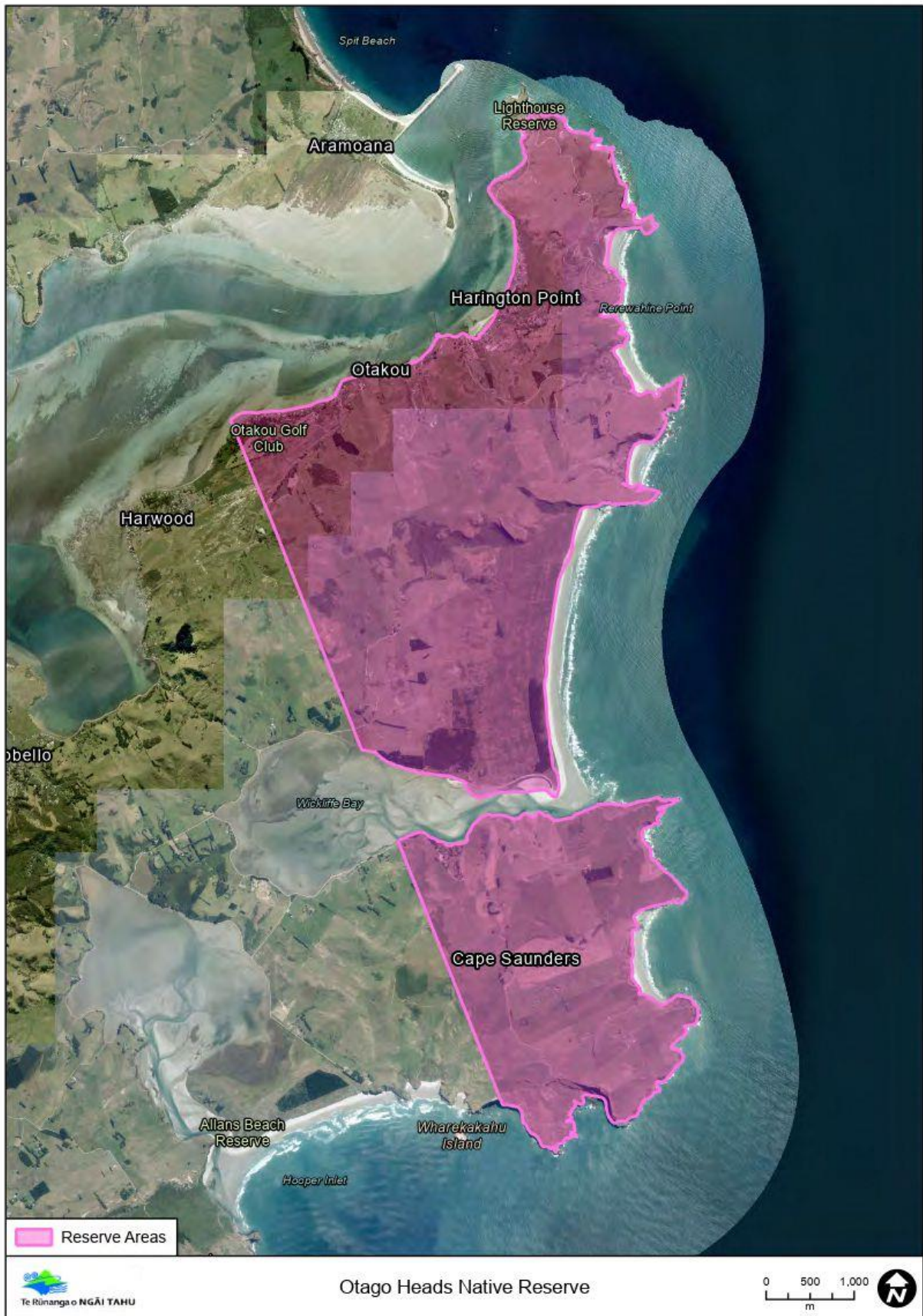




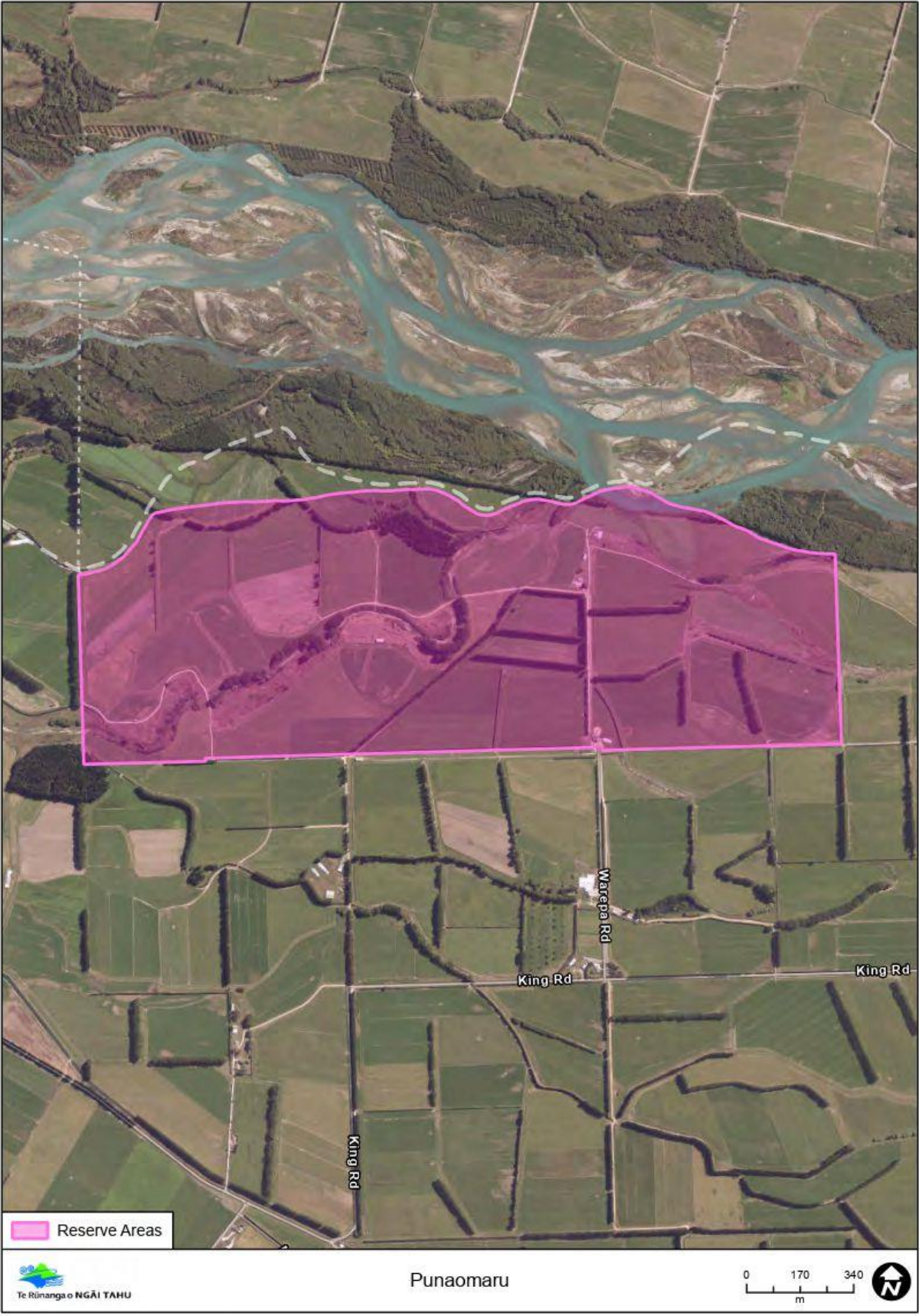


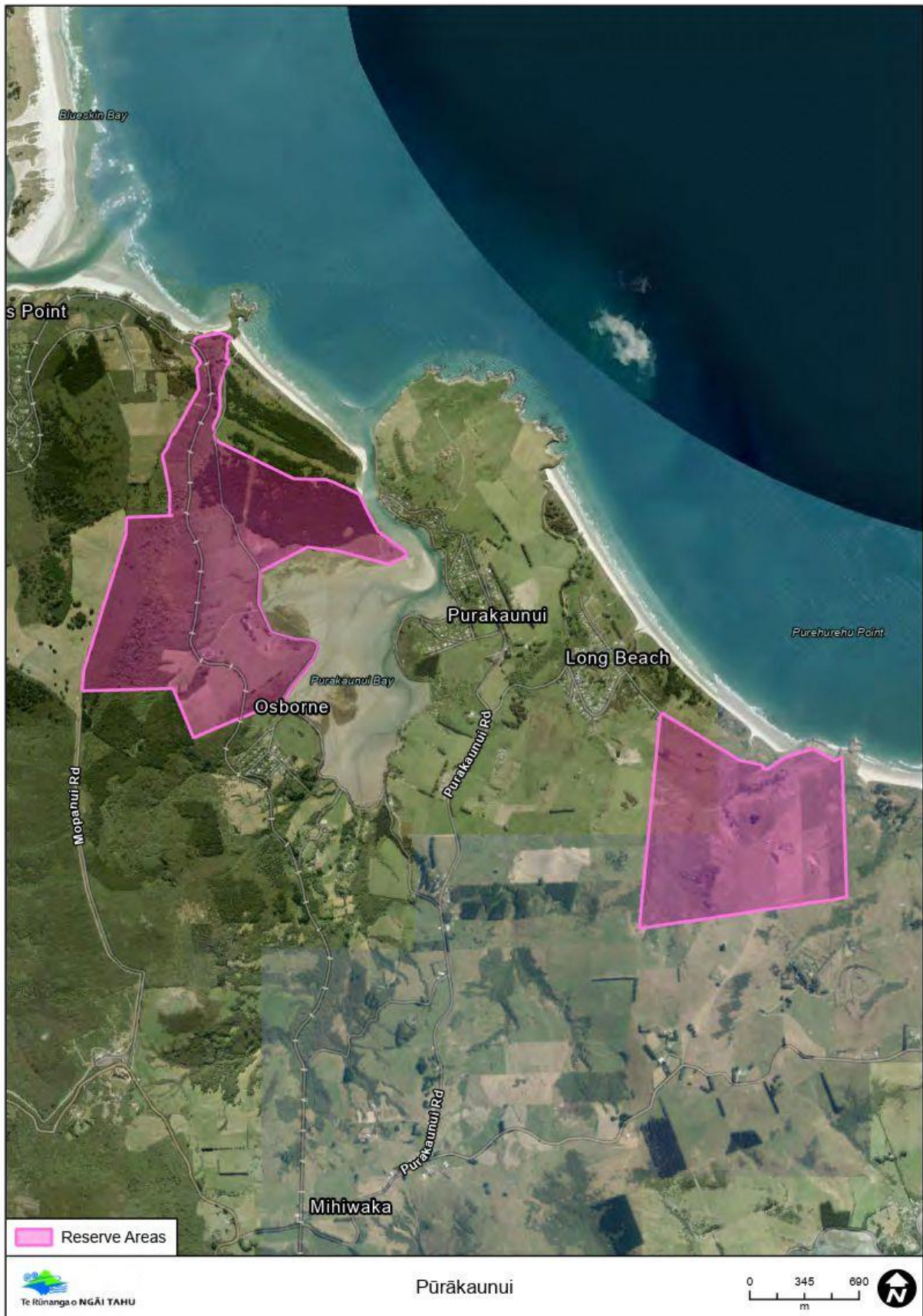


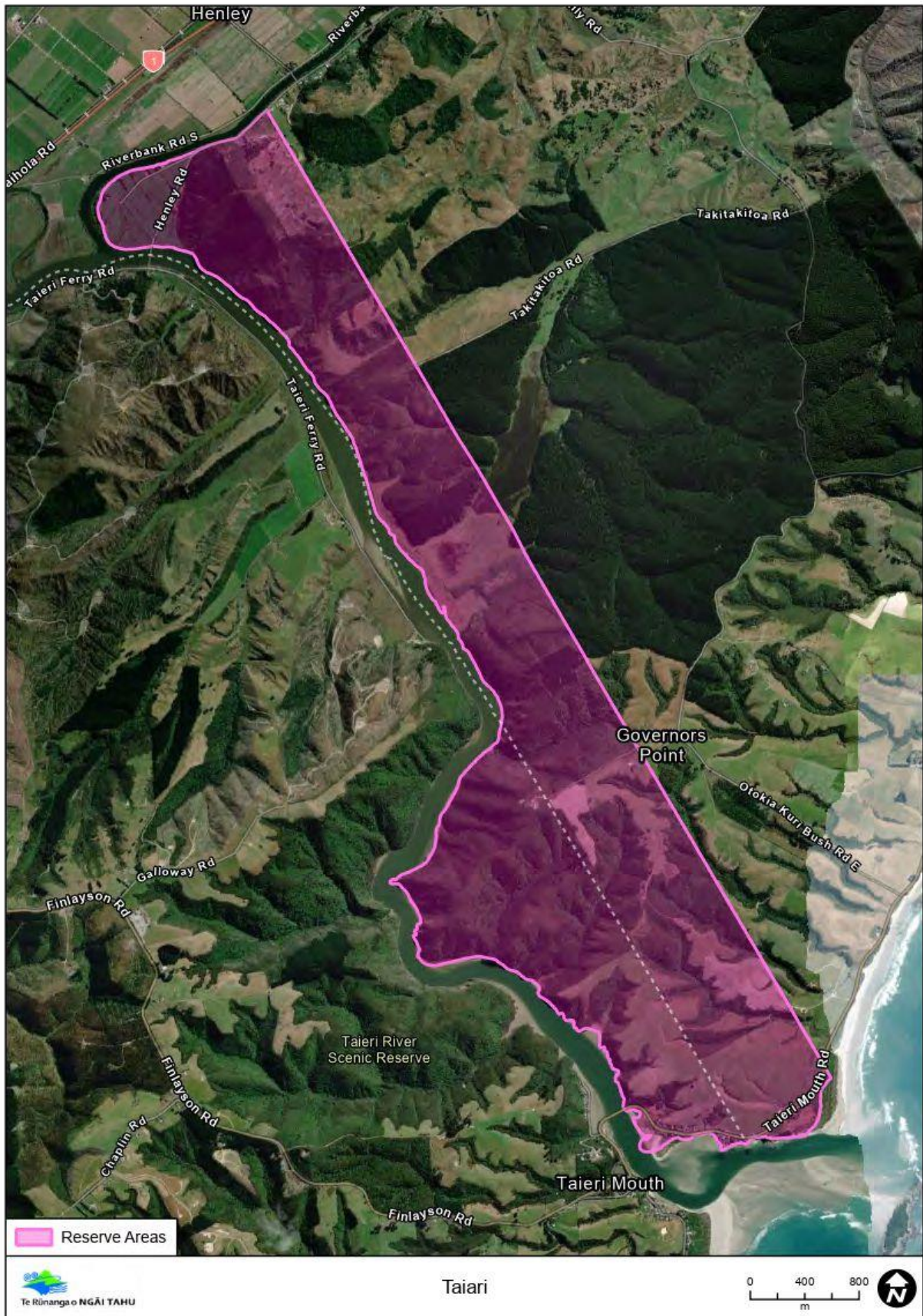


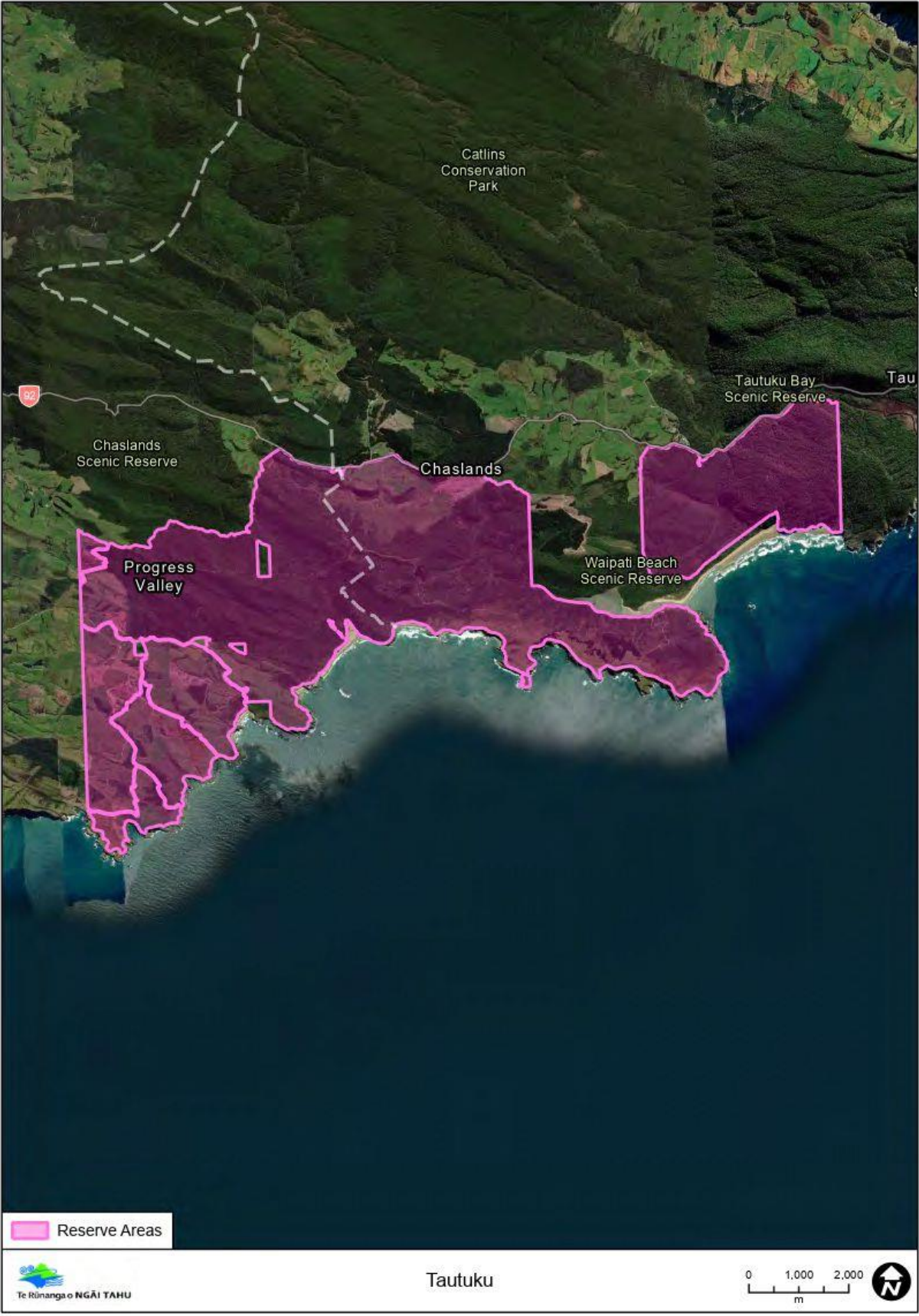






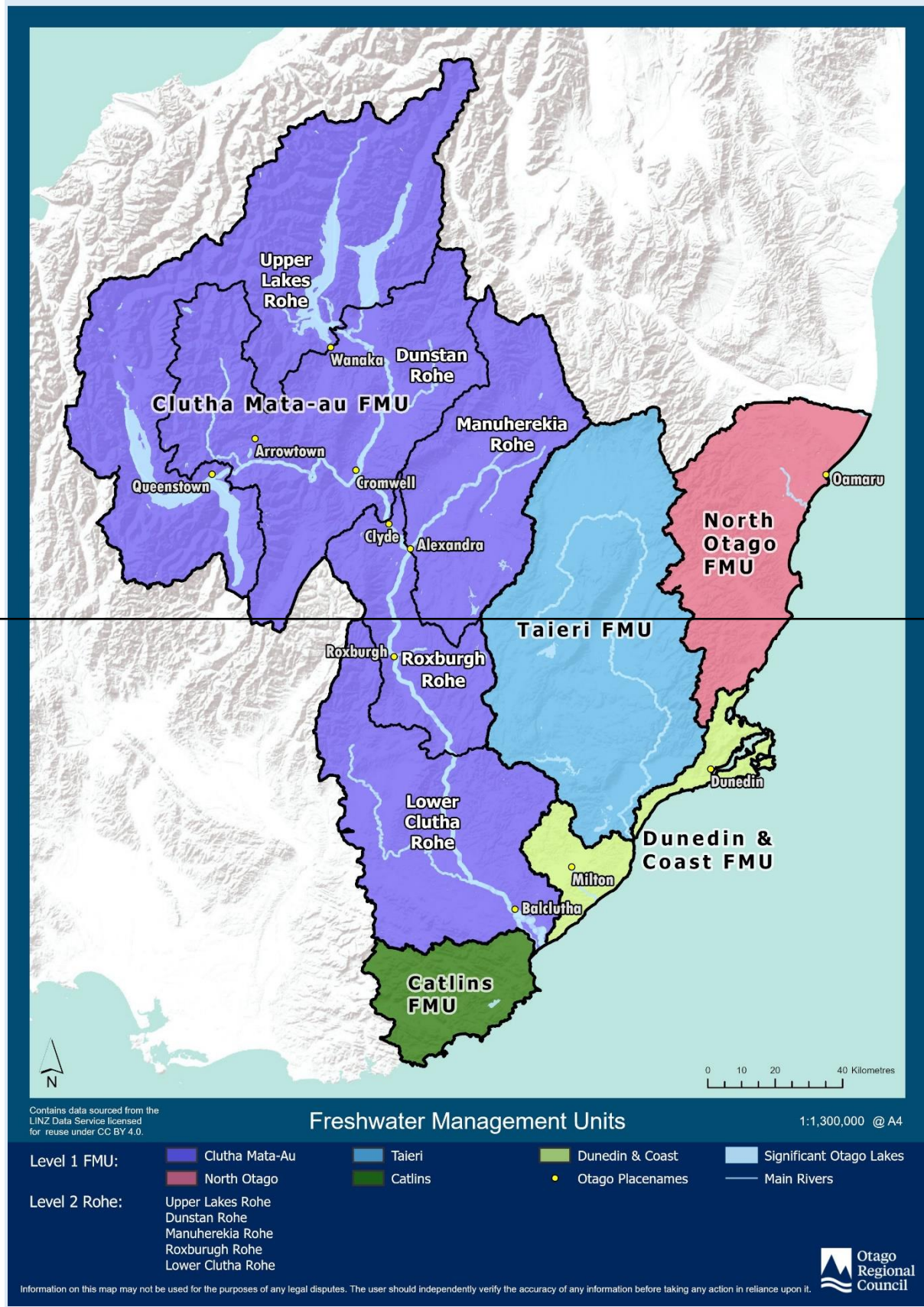






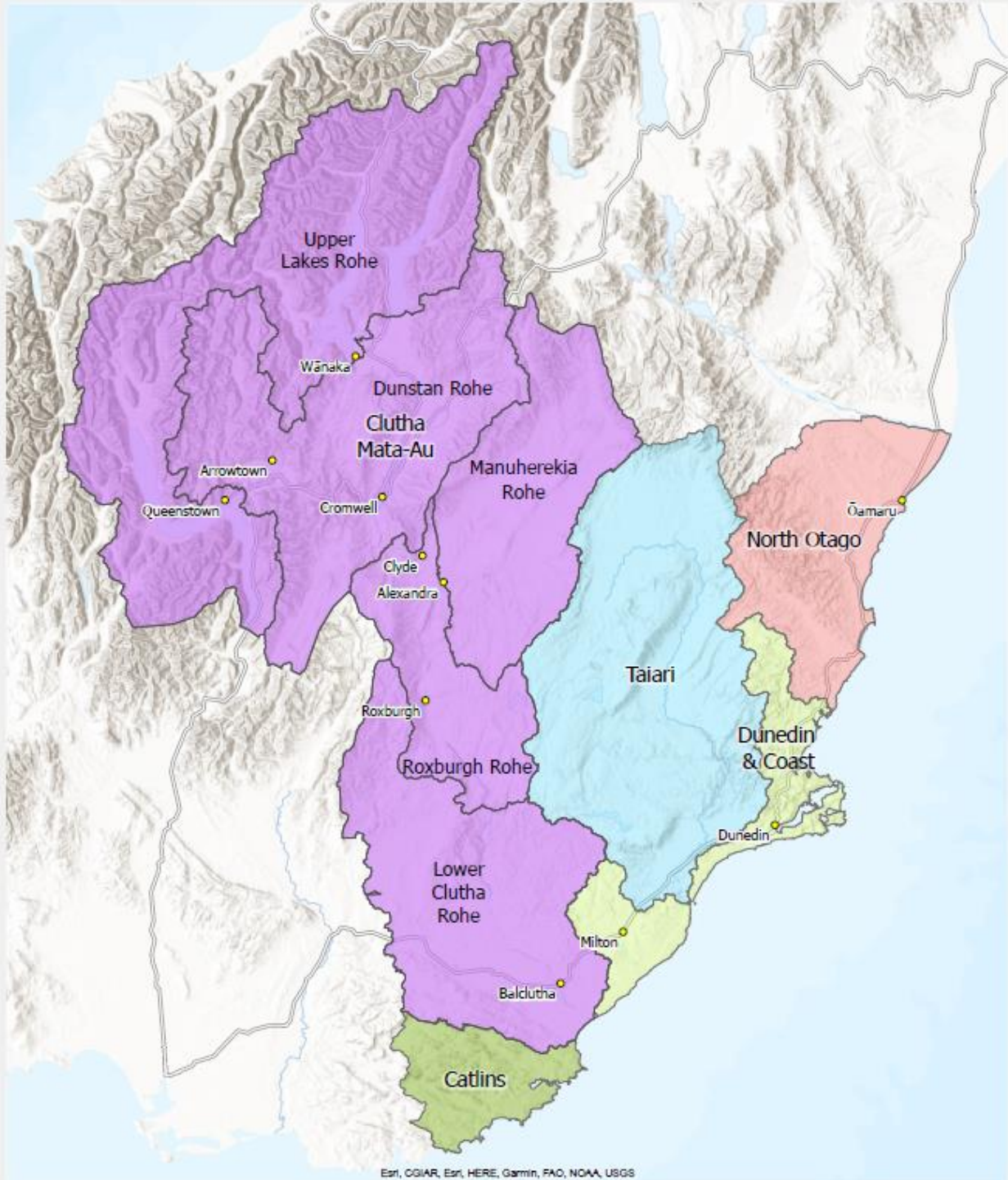


MAP1 – Freshwater Management Units



Otago FMU and Rohe

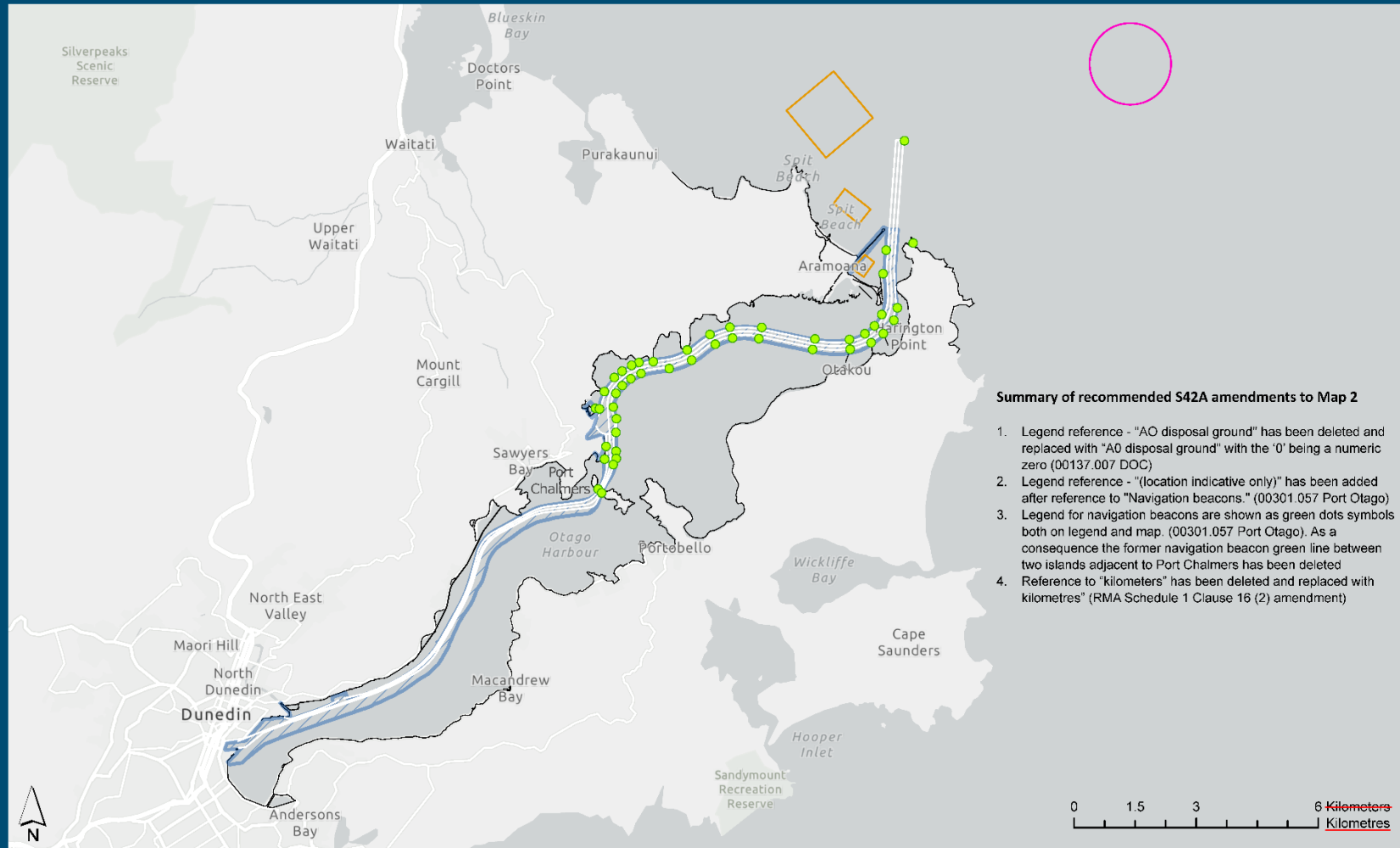
Otago Freshwater Management Units and Rohe



- | | | |
|----------------|-----------------|------------------|
| FMUs | Dunedin & Coast | Rohe |
| Catlins | North Otago | Otago Placenames |
| Clutha Mata-Au | Taiari | |

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MAP2 – EIT-TRAN-M7 – Port Activities



Summary of recommended S42A amendments to Map 2

1. Legend reference - "AO disposal ground" has been deleted and replaced with "A0 disposal ground" with the '0' being a numeric zero (00137.007 DOC)
2. Legend reference - "(location indicative only)" has been added after reference to "Navigation beacons." (00301.057 Port Otago)
3. Legend for navigation beacons are shown as green dots symbols both on legend and map. (00301.057 Port Otago). As a consequence the former navigation beacon green line between two islands adjacent to Port Chalmers has been deleted
4. Reference to "kilometers" has been deleted and replaced with kilometres' (RMA Schedule 1 Clause 16 (2) amendment)

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MAP 2 – EIT-TRAN-M7 Port Activities

1:120,000 @ A4

Activities to support safe and efficient operations associated with Otago Harbour and the ports at Port Chalmers and Dunedin

- AO disposal grounds A0 disposal grounds
- Heyward Point, Aramoana, Shelley Beach disposal grounds
- Navigation beacons (location indicative only)
- Channel maintenance and development

Other features

- Shoreline
- ▨ Coastal Development Areas



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