
Let’s chart a course for Otago
Haere mai, welcome
to the draft Land and Water Regional Plan
Online Region-wide session
To have your say online:
orc.govt.nz/feedback
Otago Regional Council

Opening karakia

Tuia ki runga	Unite above
Tuia ki raro	Unite below
Tuia ki waho	Unite without
Tuia ki roto	Unite within
Tuia ki te here tangata	Unite as one
Ka rongo te pō	Listen to the night
Ka rongo te ao	Listen to the world of light
Haumi e, hui e Tāiki e!	We can now come together as one!

Housekeeping and Agenda

What is the Land and Water Regional Plan?

Purpose of engagement

Overview of draft LWRP provisions

Questions and feedback

More information on orc.govt.nz/landwater

What is the Land and Water Regional Plan?

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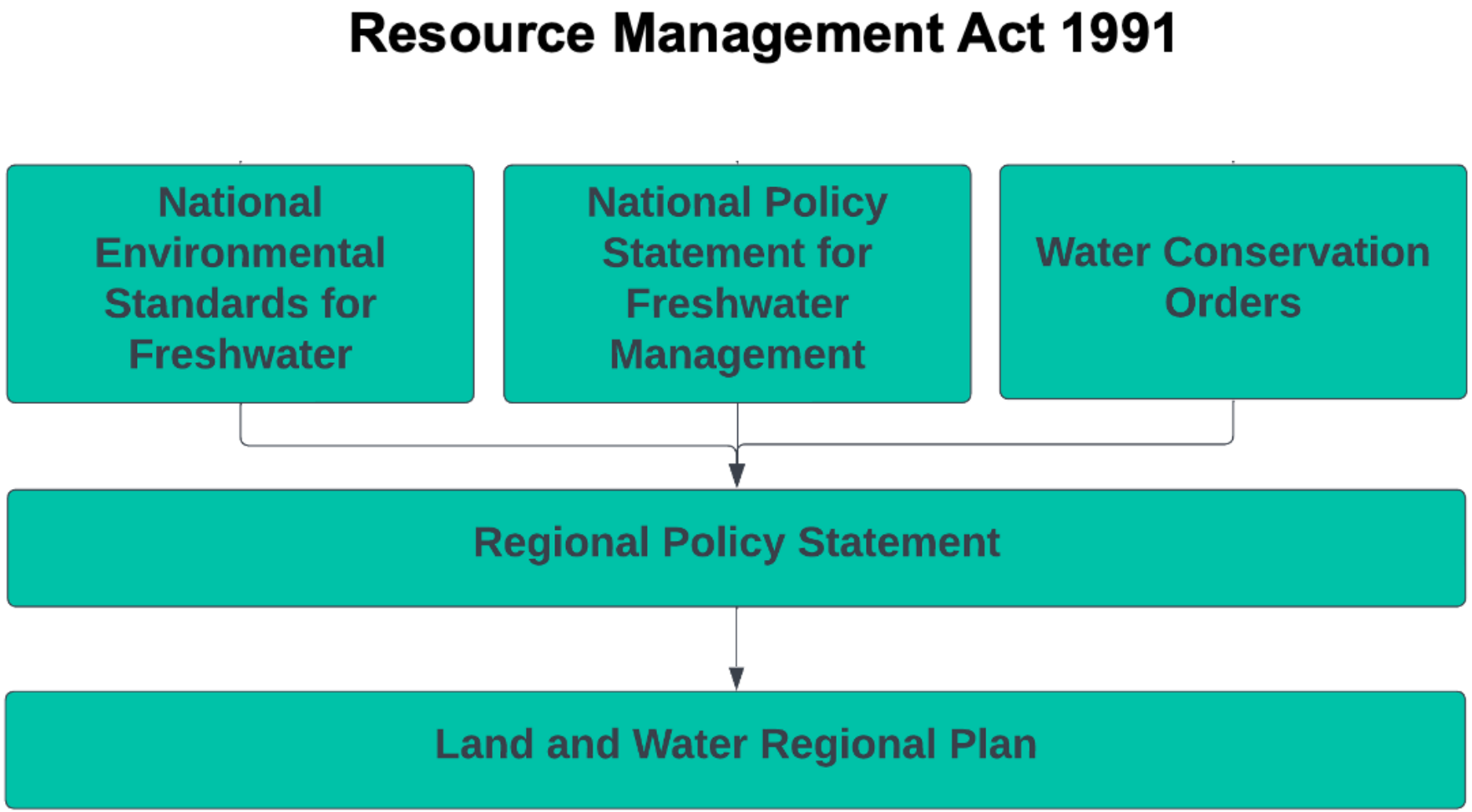

Te Mana o te Wai

- Te Mana o te Wai refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and wellbeing of the wider environment.

- The Plan must give effect to Te Mana o te Wai, integrating it into how we manage fresh water and land, for the benefit of all Otago communities.

Purpose of engagement

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We need your input!

What is a regional plan?

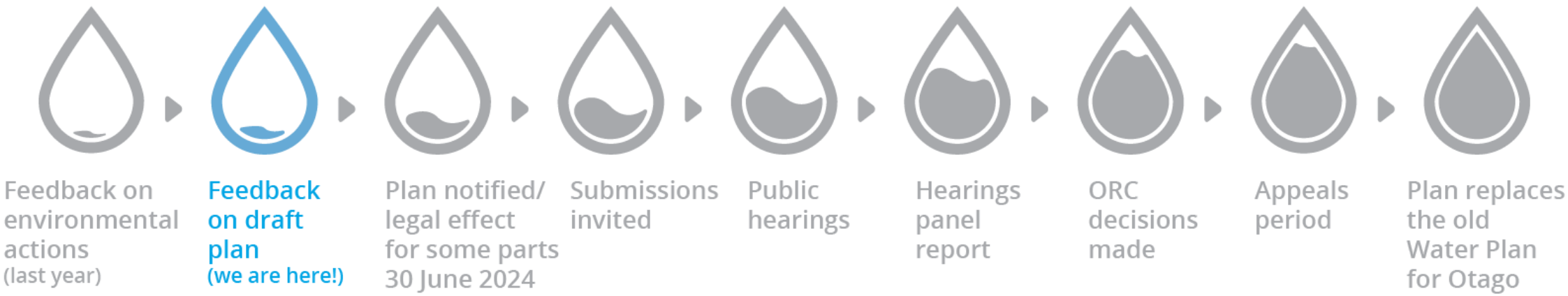
Objectives: a statement of what the plan aims to achieve

Policies: provide the guiding principles

Rules: specific requirements for land use and resource management

Activity statuses: Permitted, controlled, restricted discretionary, discretionary, non-complying, prohibited

Land and Water Regional Plan timeline



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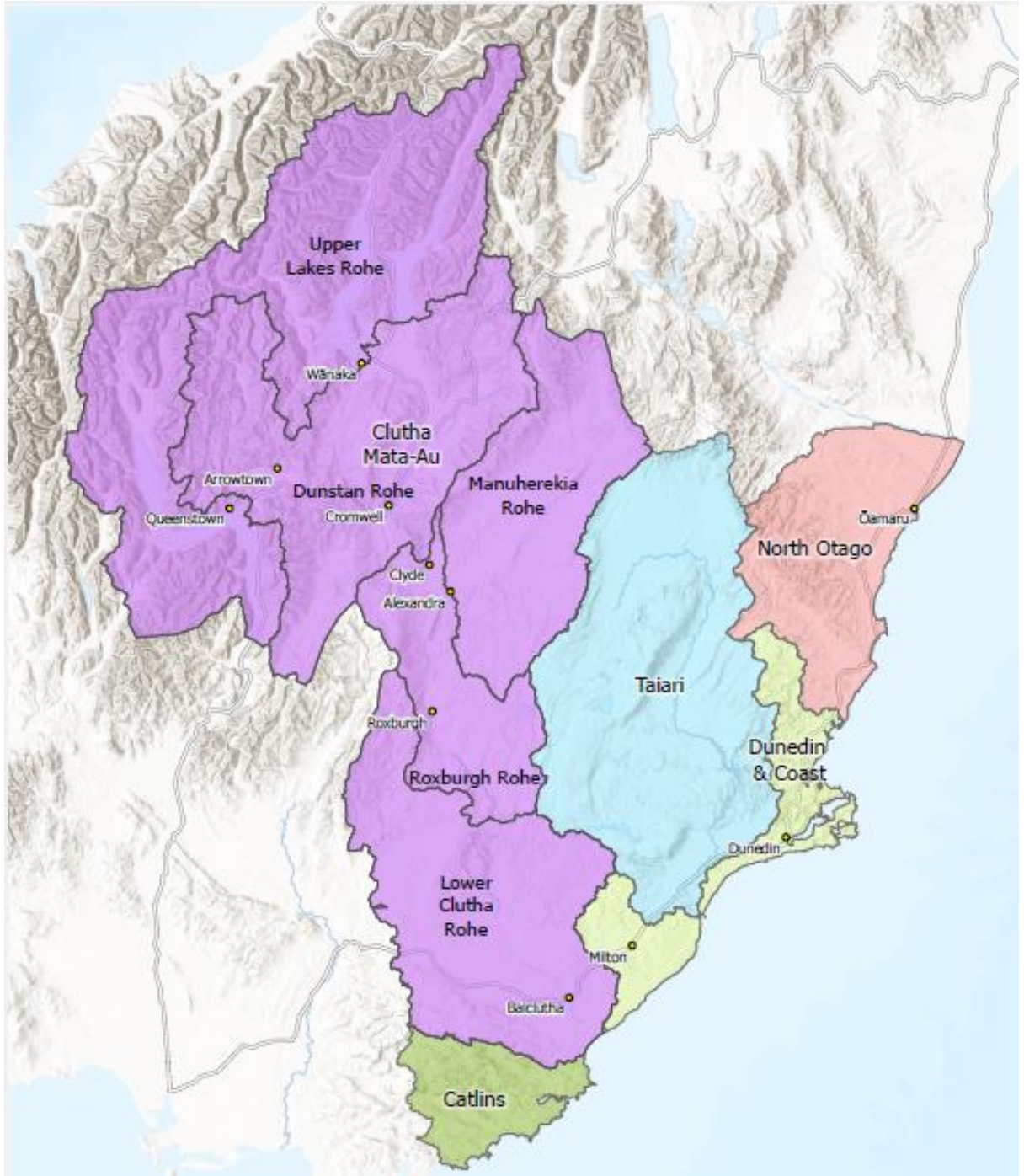
What is included in the draft Plan and how might it impact Otago?

Topic areas

- Strategic Policy Direction
- Primary Production (farming and forestry)
- Environmental Flows and Limits (water quantity)
- Beds of Lakes and Rivers
- Damming and Diversion
- Earthworks and Drilling
- Other Discharges
- Stormwater Management

Topic areas (continued)

- Solid Waste Management
- Wastewater Management
- Wetlands
- Threatened Species
- Primary Contact Sites
- Outstanding Water Bodies
- Values and Environmental Outcomes
- Monitoring Sites and Target Attribute States



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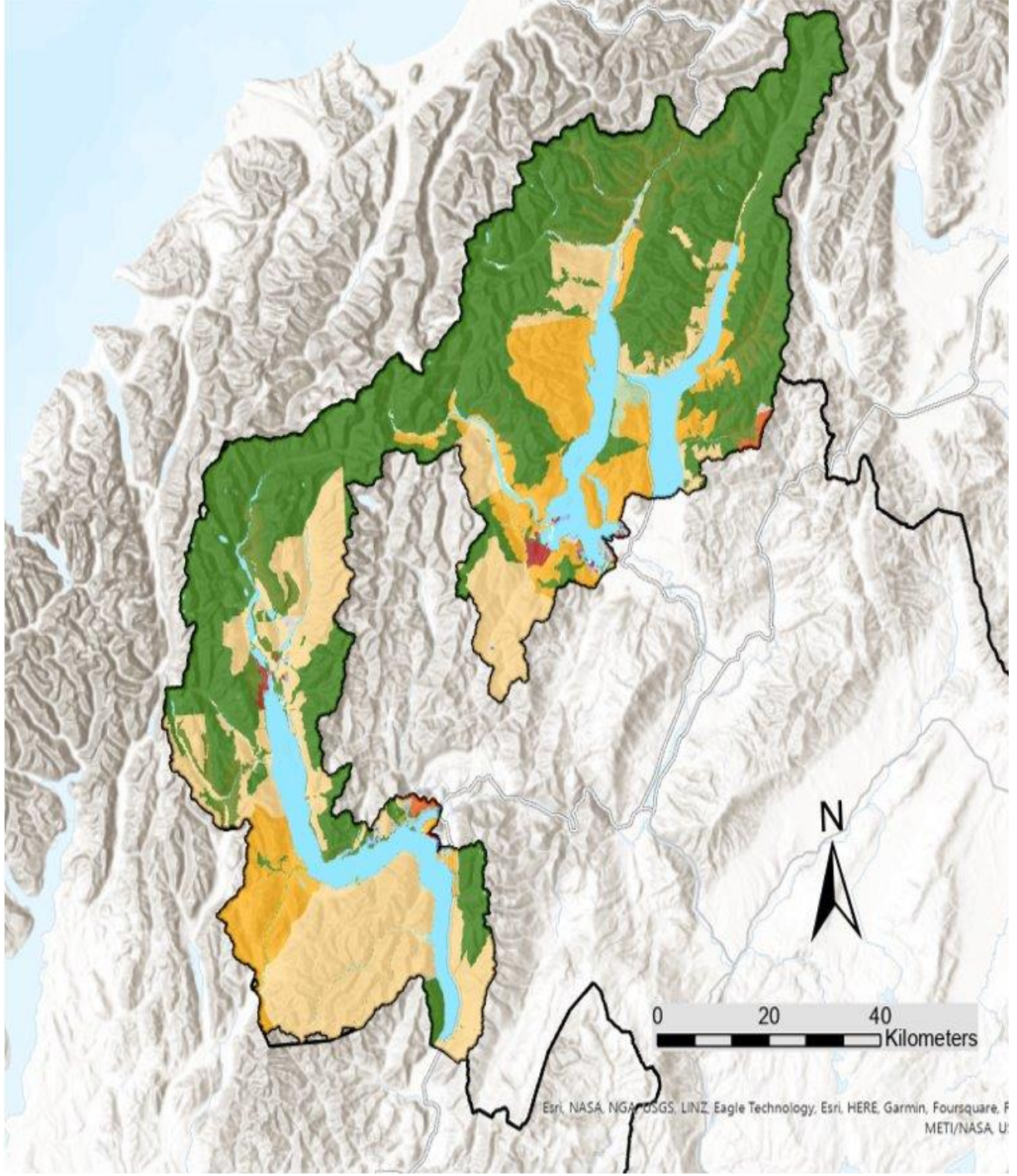
The Upper lakes rohe

Upper Lakes rohe

Upper Lakes rohe

- Conservation land (dominant land use) 45%
- Dry stock farming (sheep & beef and deer) 36%
- Lakes and rivers 11%
- Urban land use area 1% (53% increase 1990-2018)



Contaminants of concern

Rivers: E.Coli, NNN, Periphyton

Lakes: TP, TN, Chlorophyll-a

Groundwater: Arsenic

Upper Lakes rohe

- **Lakes excellent, rivers very good-excellent**
- **Past decade: degrading trends (E.coli, N)**
- **Monitoring results reflect impact of land use change (e.g. Urban growth)**
- **Issues with some contaminants @small number of sites**

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The regionwide provisions

Strategic Policy Direction

All parts of the plan work together to:

- Give effect to Te Mana o te Wai
- Manage resources in an integrated way (ki uta ki tai)
- Respond to climate change
- Manage uncertainties in decision-making
- Recognise the need for transitions in resource use over time

Wastewater

Current state	Direction
Discharges of wastewater from reticulated networks • Many existing networks discharge to water • Frequent sewage overflows	• Phase out discharges to water by 2045 • Requirement to upgrade existing networks to reduce risk of sewage overflows
Onsite wastewater (e.g. septic tanks) • Pre-1998 systems are poorly managed • No rules for composting toilets	• Old and new systems are permitted (subject to conditions), but consent required near sensitive areas • New rules for discharges from composting toilets
Trade and Industrial Waste • All discharges require consent	• Small discharges to land permitted (subject to conditions), but larger discharges will require consent • Preference to discharge to land rather than water

Stormwater

Current state	Direction
Discharges of stormwater from reticulated network • Permissive framework - No consent is needed	• New framework with 2-staged approach ➢ Stage 1: short-term consent (5yrs) that provides network operators with time to map and monitor discharges. ➢ Stage 2: new consent that requires: ➢ Compliance with stormwater management plan ➢ Better management of the water quality and the volume of discharges
Discharges of stormwater – non-reticulated • Permissive framework - No consent is needed	➢ Consent required for discharges of stormwater from commercial and industrial sites that requires: ➢ Compliance with stormwater management plan ➢ Better management of the water quality and the volume of discharges

Earthworks and bore management

Current state	Direction
Earthworks • Residential earthworks permitted subject to conditions (e.g. limits on volume)	• Manage all earthworks (not just residential). • More nuanced approach, allowing some larger-scale earthworks in low-risk situations (i.e. low slope, greater distance from water bodies)
Bores • Consent required as controlled activity (i.e. ORC cannot refuse consent and may only set conditions for limited number of matters)	• Drilling of bores remains controlled activity, but must be done in accordance with national guidelines. • Rules to better manage the use and maintenance of existing bores (i.e. secure boreheads).

Wetlands & outstanding water bodies

Current state	Direction
Wetlands • Only small number of wetlands (regionally significant wetlands) protected • Plan provisions inconsistent with national regulations and direction	• Require exclusion of cattle, pigs, deer and other heavy livestock (e.g. horses) from "natural inland wetlands" • Restrict activities in other wetlands that result in long term wetland loss (e.g. earthworks and spraying)

OWBs
• Currently not managed
	• All OWBs mapped and values described
	• Strong policy direction that seeks to
	  • avoid permanent loss of OWB values
	  • provide for activities with minor/transitory effect
	  • allow activities that enhance or restore OWBs
	• Conditions on rules relating to water takes, earthworks, damming, beds of lakes and rivers.

Drinking water protection

Current state	Direction

Limited protection through:
• setback requirements for few high-risk activities (e.g. discharges of human sewage)
• the identification of a small number of aquifers as Groundwater Protection Zones
	Strengthened provisions for managing water quality:
	• Strengthened policy and rule framework for managing point and non-point source discharges
	• Land use controls
	• Target attribute states
	Delineating and managing drinking water protection zones
	• standard conditions on discharges and other activities (e.g. works in riverbeds), including:
	  • a 5m plus radius around bores
	  • a 500m radius around any take from a lake
	  • A strip extending 5 metres into land from the river's edge over a reach that encompasses 1000m upstream and 100m downstream from take

Forestry

Current state	Direction
• No provisions for managing planting of forestry (plantation or permanent). • Some rules (e.g. contaminant discharge rules) go “beyond” the National Environmental Standard for Plantation Forestry (NES-PF).	• Retain the extra stringency of the Water Plan over the NES-PF. • Include rules for managing the planting of plantation and permanent forestry: ➢ Plantation forestry will be a permitted activity where it is less than 10 ha in area, and subject to conditions (e.g. setbacks from water bodies) ➢ Where consent is required consider effects on water quantity & quality, freshwater ecosystems, etc. • Enabling pathway for indigenous planting.

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‘Open mic’ session

- What further questions do you have on the draft Plan?
- What feedback do you have on what you have heard today on the draft Plan?

Closing karakia

Kia tau te rangimārie
Ki runga i ngā iwi o te ao

Let peace reign
On all peoples of the world

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Thank you!

Please provide feedback online at

orc.govt.nz/landwater

until 6 November 2023

Phone: 03 474-0827 Free: 0800 474 082 Fax: 03 477-9837

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APPENDIX

Guide to Activity Types

- Permitted: No consent needed if conditions met
- Controlled: Consent always granted; conditions specified by council
- Restricted Discretionary: Consent required; conditions limited to identified matters
- Discretionary: Consent required; no limit on conditions
- Non-complying: Consent required; conditions based on environmental impact and plan objectives
- Prohibited: Activity not allowed; no consent can be granted

Farming

Current state	Direction
Regionwide rule & Policy framework • Permissive framework for discharges • Limited land use rules. • Rules do not reflect current best practice. • Lack of strong policy guidance	• Retain rules that reflect current best practice (e.g. animal effluent) • Update out-of-date rules (e.g. fertiliser discharge rules) • Introduce new rules to manage high risk activities: ➢Feedlots, stockholding areas and sacrifice paddocks ➢Pasture-based wintering ➢Silage storage, offal pits, farm landfills ➢Irrigation expansion, land use conversion/intensification • Stronger policy guidance to inform consent applications
FMU specific rules • Not covered by current Plan	• Consent required for dairy farming and dairy support • Increased setbacks from water bodies for high-risk activities
Freshwater Farm Plans (FWFP) • Not covered by current Plan	• Direction to ensure that FWFPs are focussed on meeting desired environmental outcomes. • For some activities: Certified FWFPs are an alternative to a consent. • Requirement for specific information to be submitted to ORC

Water quantity

Current state	Direction
Minimum flows/levels for rivers, lakes & aquifers • Minimum flows/levels for only few rivers, lakes & aquifers	• Minimum flows/levels for ALL rivers, aquifers, and natural, controlled or instream artificial lakes
Take (allocation) limits for rivers, lakes & aquifers • Take limits for all rivers and aquifers, but often insufficient to support ecosystem health • Generally, no take limits for lakes	• Take limits for ALL rivers, aquifers, and natural, controlled or instream artificial lakes • Take limits based ecological requirements
Avoiding and phasing out over-allocation • Plan provisions to avoid overallocation and phase out over-allocation ineffective	• No new takes in over-allocated waterbodies • Strengthened framework for phasing out overallocation within specified timeframes - allowing flexibility (i.e. catchment-specific, community-driven solutions) but with regulatory backstop (i.e. proportional allocation reductions)

Water quantity

Current state	Direction
Efficiency considerations • Limited direction on how to assess efficiency	• Clear direction on efficient use for various uses (e.g. irrigation, domestic use, animal drinking water) • Encouraging shifting takes from over-allocated water bodies to alternative sources with available allocation
Integrated management • Limited ability to consider water quality impacts	• Enables consideration of water quality impacts
Consideration of applications • Limited policy guidance for specific activities • Expectation of long-term (35 yrs) consents	• General direction for all takes & direction for specific uses • Shorter consent durations (up to 10 years)
Rule framework • Permissive permitted activity framework • Enables "stacking" (i.e. water taken under different rules at same time)	• Small and temporary takes remain permitted • Size of permitted takes scaled to size of water body • Provisions that prevent “stacking” of water takes

Damming and diversion

Current state	Direction
Damming • Provisions are out of date (do not give effect to current national direction) • Damming activities often trigger various plan rules (increased complexity for plan users)	• Enabling off-stream dams, but avoiding new in-stream dams (unless they are temporary) • Instream dams will be required to comply with downstream environmental flows and levels • Rules capture all relevant associated activities (incl. use and disturbance of the bed, discharges etc.)
Diversion • Rules are unclear	• Clear guidance for managing different types of diversions (diversion outside of the bed of a water body managed as a take)

Discharges of solid waste, hazardous substances, etc

Current state	Direction
Landfills, Cleanfills, Greenwaste, Composting, Hazardous substances • Activities managed under the Waste and Water Plans (inefficiencies for plan users). • Policy direction lacks guidance • Rules out of date and do not reflect good management practice.	• Manage new and existing landfills in accordance with national guidelines/legislation • Identify & remediate closed landfills at risk of erosion, if practicable • Strengthened rules to avoid contamination of soil or water • Small scale composting (including community composting) allowed; but larger scale composting will require consent • New provisions for activities not covered under the operative plans (e.g. site investigations, passive discharges from contaminated land) • Refinement of rules for managing hazardous substances/wastes to better reflect the division of responsibilities under the RMA plans and HSNO.

Beds of lakes and rivers

Current state	Direction
Permitted activities • Provisions are too permissive and out of date	• Retain permitted activity status for small scale structures • Reduce the volume for permitted gravel extractions (5 m^3) • Suction dredging no longer permitted activity
Integrated management • Activities often trigger various plan rules (increased complexity for plan users)	• Rules capture all relevant associated activities
Beneficial activities • Activities that seek to achieve environmental improvement often require consent	• Permitted activity pathways for vegetation planting and removal, removal of structures, etc.