



Otago
Regional
Council

COUNCIL CONFIDENTIAL MINUTES

Minutes of a confidential meeting of the Otago Regional Council held in the Council Chamber, Level 2 Philip Laing House, 144 Rattray Street, Dunedin on Wednesday 27 March 2024, commencing at 1:43 PM.

PRESENT

Cr Gretchen Robertson *(Chairperson)*
Cr Lloyd McCall *(Deputy Chairperson)*
Cr Alexa Forbes
Cr Gary Kelliher
Cr Michael Laws
Cr Kevin Malcolm
Cr Tim Mephram
Cr Andrew Noone
Cr Bryan Scott
Cr Alan Somerville
Cr Elliot Weir
Cr Kate Wilson

1. CONFIRMATION OF MINUTES

1.1. Confirmation of Minutes

Resolution: Cr Somerville Moved, Cr Weir Seconded

That the minutes of the public excluded portion of the Council meeting held on 6 December 2023 be received and confirmed as a true and accurate record.

MOTION CARRIED

2. MATTERS FOR CONSIDERATION

2.1. Recommendations Report of the Independent Hearings Panel following deliberations on the Proposed Otago Regional Policy Statement 2021

The purpose of this report was to present the recommendations of the Independent Hearings Panels on both parts of the proposed Otago Regional Policy Statement 2021 (pORPS 2021) for Council's decisions, in accordance with Schedule 1 of the Resource Management Act 1991 (RMA). This report also made recommendations to Council about whether to accept or reject the Independent Hearings Panels' recommendations.

Anita Dawe (GM Policy and Science), James Adams (Senior Analyst RPS, Air and Coast), Felicity Hawke (Project Delivery Analyst), Fleur Matthews (Manager Policy and Planning) and Simon Anderson (Ross Dowling Marquet Griffin) were present to speak to the report and respond to questions.

Cr McCall sat back from table for this item due to a conflict of interest.

(Cr Scott left at 1:49PM and returned at 1:50PM)

Resolution CM24-124: Cr Wilson Moved, Cr Weir Seconded

That the Council:

- 1) Accept** recommendation 1 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 1)

MOTION CARRIED

Resolution: Cr Weir Moved, Cr Somerville Seconded

That the Council:

- 2) Accept** recommendation 2 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 2)

MOTION CARRIED

(Cr Gary Kelliher, Cr Michael Laws and Cr Kevin Malcolm voted against)

Resolution: Cr Wilson Moved, Cr Weir Seconded

That the Council:

- 3) Accept** recommendation 3 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 3)

MOTION CARRIED

Resolution: Cr Weir Moved, Cr Mepham Seconded

That the Council:

- 4) Accept** recommendation 4 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 4)

MOTION CARRIED

Resolution: Cr Wilson Moved, Cr Somerville Seconded

That the Council:

- 5) Accept** recommendation 5 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 5).

MOTION CARRIED

Resolution: Cr Wilson Moved, Cr Somerville Seconded

That the Council:

- 6) Accept** each recommendation 6 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 6)

MOTION CARRIED

(Cr Laws abstained)

Resolution: Cr Wilson Moved, Cr Scott Seconded

That the Council:

- 7) Accept** recommendation 7 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 7)

MOTION CARRIED

Resolution: Cr Mephram Moved, Cr Noone Seconded

That the Council:

- 8) Accept** recommendation 8 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 8)

MOTION CARRIED

Resolution: Cr Somerville Moved, Cr Weir Seconded

That the Council:

- 9) Accept** recommendation 9 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 9)

MOTION CARRIED

Resolution: Cr Weir Moved, Cr Mepham Seconded

That the Council:

- 10) Accept** recommendation 10 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 10)

MOTION CARRIED

Resolution: Cr Malcolm Moved, Cr Noone Seconded

That the Council:

- 11) Requests** the CE to bring back advice on alternative option specifically returning to the notified boundaries and a section 32(AA) evaluation of the option and commentary on the reasons for and against Freshwater Hearing Panel recommendation 11.

For:	Cr Kelliher, Cr Malcolm, Cr Noone, Cr Wilson
Against:	Cr Forbes, Cr Laws, Cr Mepham, Cr Scott, Cr Somerville, Cr Weir, Cr Robertson
Abstained:	N/A

MOTION FAILED

Resolution: Cr Weir Moved, Cr Robertson Seconded

That the Council:

- 11) Accept** recommendation 11 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 11)

For:	Cr Forbes, Cr Mepham, Cr Scott, Cr Somerville, Cr Weir, Cr Wilson, Cr Robertson
Against:	Cr Kelliher, Cr Laws, Cr Malcolm, Cr Noone
Abstained:	N/A

MOTION CARRIED

Resolution: Cr Wilson Moved, Cr Noone Seconded

That the Council:

- 12) Requests the CE to bring back advice on alternative option specifically returning to the notified boundaries and a section 32(AA) evaluation of the option and commentary on the reasons for and against Freshwater Hearing Panel recommendation 12.**

For:	Cr Kelliher, Cr Malcolm, Cr Noone, Cr Wilson
Against:	Cr Forbes, Cr Mepham, Cr Scott, Cr Somerville, Cr Weir, Cr Robertson
Abstained:	N/A

MOTION FAILED

Resolution: Cr Mepham Moved, Cr Scott Seconded

That the Council:

- 12) Accept** recommendation 12 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 12)

For:	Cr Forbes, Cr Mepham, Cr Scott, Cr Somerville, Cr Weir, Cr Wilson, Cr Robertson
Against:	Cr Kelliher, Cr Laws, Cr Malcolm, Cr Noone
Abstained:	N/A

MOTION CARRIED

Resolution: Cr Wilson Moved, Cr Noone Seconded

That the Council:

- 13) Accept** recommendation 13 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 13)

MOTION CARRIED

(Cr Kelliher and Cr Laws voted against)

Resolution: Cr Wilson Moved, Cr Weir Seconded

That the Council:

- 14) Accept** recommendation 14 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 14)

MOTION CARRIED

Resolution: Cr Noone Moved, Cr Weir Seconded

That the Council:

- 15) Accept** recommendation 15 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement

2021, as detailed in attachment 3.

(see attached table for details of recommendation 15)

MOTION CARRIED

Resolution: Cr Wilson Moved, Cr Weir Seconded

That the Council:

16) Accept recommendation 16 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 16)

MOTION CARRIED

Resolution: Cr Weir Moved, Cr Wilson Seconded

That the Council:

17) Accept recommendation 17 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 17)

MOTION CARRIED

Resolution: Cr Somerville Moved, Cr Mephram Seconded

That the Council:

18) Accept recommendation 18 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 18)

MOTION CARRIED

(Cr Wilson stood back. Cr Laws voted against)

Resolution: Cr Somerville Moved, Cr Weir Seconded

That the Council:

19) Accept recommendation 19 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 19)

MOTION CARRIED

Resolution: Cr Weir Moved, Cr Robertson Seconded

That the Council:

20) Accept recommendation 20 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 20)

MOTION CARRIED

(Cr Wilson stood back)

Resolution: Cr Wilson Moved, Cr Scott Seconded

That the Council:

21) Accept recommendation 21 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 21)

MOTION CARRIED

Resolution: Cr Noone Moved, Cr Mepham Seconded

That the Council:

22) Accept recommendation 22 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 22)

MOTION CARRIED

Resolution: Cr Wilson Moved, Cr Weir Seconded

That the Council:

23) Accept recommendation 23 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 23)

MOTION CARRIED

Resolution: Cr Wilson Moved, Cr Scott Seconded

That the Council:

24) Accept recommendation 24 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 24)

MOTION CARRIED

Resolution: Cr Mepham Moved, Cr Weir Seconded

That the Council:

25) Accept recommendation 25 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 25)

MOTION CARRIED

(Cr Wilson stood back)

Resolution: Cr Wilson Moved, Cr Weir Seconded

That the Council:

26) Accept recommendation 26 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 25)

MOTION CARRIED

Resolution: Cr Weir Moved, Cr Wilson Seconded

That the Council:

27) Accept recommendation 27 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 2)

MOTION CARRIED

Resolution: Cr Wilson Moved, Cr Mepham Seconded

That the Council:

28) Accept recommendation 28 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 28)

MOTION CARRIED

Resolution: Cr Mepham Moved, Cr Noone Seconded

That the Council:

29) Accept recommendation 29 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 29)

MOTION CARRIED

(Cr Laws left at 2.56PM)

Resolution: Cr Weir Moved, Cr Somerville Seconded

That the Council:

30) Accept recommendation 30 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 30)

MOTION CARRIED

Resolution: Cr Weir Moved, Cr Somerville Seconded

That the Council:

31) Accept recommendation 31 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 31)

MOTION CARRIED

(Cr Laws returned at 3.13PM)

Resolution: Cr Noone Moved, Cr Weir Seconded

That the Council:

32) Accept recommendation 32 of the Freshwater Hearings Panel on the Proposed Freshwater Planning Instrument Part of the Proposed Otago Regional Policy Statement 2021, as detailed in attachment 3.

(see attached table for details of recommendation 32)

MOTION CARRIED

Resolution: Cr Mephram Moved, Cr Somerville Seconded

That the Council:

33) Adopt the recommendations of the Hearings Panel on the non-freshwater parts of proposed Otago Regional Policy Statement 2021 (excluding parts separately notified as a freshwater planning instrument) as its decision.

MOTION CARRIED

(Cr Laws left at 3.26PM and returned at 3.28PM)

Resolution: Cr Wilson Moved, Cr Weir Seconded

That the meeting be adjourned for 10 minutes until 3.45PM

MOTION CARRIED.

(Resolutions 34 and 35 taken together, and taken first)

Resolution: Cr Mephram Moved, Cr Weir Seconded

That the Council:

34) Notify its decisions on the proposed Otago Regional Policy Statement on Saturday 30 March 2024;

35) Notify submitters of its decisions.

MOTION CARRIED

Resolution: Cr Wilson Moved, Cr Noone Seconded

That the Council:

36) Receives the addendum to the report dated 27 March 2024.

MOTION CARRIED

3. CLOSURE

There was no further business and Chairperson Robertson declared the meeting closed at 4:03PM.



22 May 2024

Chairperson

Date

Attachment: Table of Freshwater Hearing Panel Recommendations

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconder
1.	General	We recommend that submissions on provisions and matters in the freshwater planning instrument are accepted or rejected wholly or in part as set out in Appendix 6: Freshwater Planning Instrument Hearing Panel Recommendations for decisions on submissions and reasons.	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 1.	Resolution: Cr Kate Wilson Moved /Cr Elliot Weir Seconded MOTION CARRIED
2.	Objectives – LW-WAI-O1 & the use of ‘mauri’	Amend LF-WAI-O1 to read: The mauri of Otago’s water bodies and their health and well-being is <u>are</u> protected, and restored where it is <u>they are</u> degraded, <u>so that the mauri of those water bodies is protected</u> , and the management of land and water recognises and reflects that: ...	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 2.	Resolution: Cr Elliot Weir Moved/ Cr Alan Somerville Seconded MOTION CARRIED (Cr Gary Kelliher, Cr Michael Laws and Cr Kevin Malcolm voted against)
3.	Wetland definition	We recommend the definition ‘natural wetland’ is deleted. Deletion of the ‘natural wetland’ definition and related amendments to apply the ‘natural inland wetland’ approach will have consequences for those LF-FW Objectives and Policies we have referred to, and some other provisions, which will need consequential amendment.	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 3.	Resolution: Cr Kate Wilson Moved/ Cr Elliot Weir Seconded MOTION CARRIED
4.	SRMR-I5- Freshwater demand exceeds	We recommend that the wording in the PORPS Reply Report version dated 10 October 2023 be adopted for SRMR-I5 – Freshwater demand exceeds capacity in some places, with the exception of	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 4.	Resolution: Cr Elliot Weir Moved/ Cr Tim Mepham Seconded MOTION CARRIED

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconder
	capacity in places	<p>paragraph 2 of the Context where we recommend the following amendment:</p> <p>However, there continues to be debate in the community about how historical <i>freshwater</i> allocations can be adjusted to achieve a balance of <u>prioritise protection of the health and well-being of <i>water</i> bodies, meet the health needs of people, and provide for economic, environmental, social and cultural needs.</u></p>			
5.	LF-FW-01A	<p>Our final recommendation for the region-wide objective is therefore as follows:</p> <p>LF-FW-01A – Visions set for each FMU and rohe <u>In each FMU and rohe in Otago and within the timeframes specified in the freshwater visions in LF-VM-02 to LF-VM-06:</u></p> <p>(1) <u>healthy freshwater and estuarine ecosystems support healthy populations of indigenous species (including non-diadromous galaxiids and Canterbury mudfish) and mahika kai that are safe for consumption,</u></p> <p>(2) <u>the interconnection of land, freshwater (including springs, groundwater, ephemeral water bodies, wetlands, rivers, and lakes) and coastal water is recognised,</u></p> <p>(3) <u>fish passage within and between catchments is provided for except where</u></p>	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 5.	<p>Resolution:</p> <p>Cr Kate Wilson Moved/ Cr Alan Somerville Seconded</p> <p>MOTION CARRIED</p>

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconder
		<p><u>it is desirable to prevent the passage of some fish species in order to protect desired fish species, their life stages, or their habitats,</u></p> <p>(4) <u>the form, function and character of water bodies reflects their natural characteristics and natural behaviours to the extent reasonably practicable,</u></p> <p>(5) <u>the ongoing relationship of Kāi Tahu with wāhi tūpuna, including access to and use of water bodies, is sustained,</u></p> <p>(6) <u>the health of the water supports the health of people and their connections with water bodies,</u></p> <p>(7) <u>sustainable land and water management practices:</u></p> <p>(a) <u>support food and fibre production and the continued social, economic, and cultural well-being of Otago’s people and communities, and</u></p> <p>(b) <u>improve the resilience of communities to the effects of climate change, and</u></p> <p>(c) <u>ensure communities are appropriately serviced by community water supplies, and other three waters infrastructure,</u></p>			

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconder
		<p>(8) <u>direct discharges of wastewater to water bodies are phased out to the extent reasonably practicable, and</u></p> <p>(9) <u>freshwater is managed as part of New Zealand’s integrated response to climate change and renewable electricity generation activities are provided for.</u></p>			
6.	Implications for LF-FW objectives	<p>Adopting a region-wide objective has led to the following consequential changes:</p> <p>a. Deleting the following clauses from the freshwater visions as a consequential amendment to introducing LF-FW-01A:</p> <ul style="list-style-type: none"> i. LF-VM-O2(3), (4), (5), (7)(b)(i) and (ii), (7)(c)(i), (iii) and (iv), ii. LF-VM-O3(2), (4), and (5), iii. LF-VM-O4(2), (6), (7), and (8), iv. LF-VM-O5(2) and (4), and v. LF-VM-O6(2) and (3). <p>b. Deleting the part of LF-VM-O3(3) that relates to mahika kai and indigenous species,</p> <p>c. Deleting the part of LF-VM-O5(3) that relates to migration of indigenous species,</p> <p>d. Amending LF-FW-O8 to only retain clause (5) as follows:</p>	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 6.	Resolution: Cr Kate Wilson Moved/ Cr Alan Somerville Seconded MOTION CARRIED (Cr Michael Laws abstained)

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconded
		<p>The significant and outstanding values of Otago’s <i>outstanding water bodies</i> are identified and protected.</p> <p>e. Retaining LF-FW-09 but locating it after the suite of freshwater visions, and</p> <p>f. Merging the LF-VM and LF-FW sections into one LF-FW section.</p>			
7.	LF-VM-O2 – Clutha Mata-au FMU vision	<p>The Panel’s final recommendation for LF-VM-O2 is as follows:</p> <p>LF-VM-O2 – Clutha Mata-au FMU vision</p> <p>In the Clutha Mata-au <i>FMU</i>, and in addition to the matters in LF-FW-O1A:</p> <p>(1) management of the <i>FMU</i> recognises that:</p> <p>(a) the Clutha Mata-au is a single connected system ki uta ki tai, and</p> <p>(b) the source of the wai is pure, coming directly from <u>Tāwhirimātea</u> to the top of the mauka and into the awa,</p> <p>(1A) <u>sustainable abstraction occurs from lakes, river main stems or</u></p>	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 7.	Recommendation: Cr Kate Wilson Moved/ Cr Bryan Scott Seconded MOTION CARRIED

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconder
		<p><u>groundwater</u> in preference to <u>tributaries</u>, to the extent <u>reasonably practicable</u>,</p> <p>(2) <u>fresh water</u> is managed in accordance with the LF-WAI objectives and policies,</p> <p>(3) the ongoing relationship of Kāi Tahu with <u>wāhi tūpuna</u> is sustained,</p> <p>(4) <u>water bodies</u> support thriving <u>mahika kai</u> and Kāi Tahu <u>whānui</u> have access to <u>mahika kai</u>,</p> <p>(5) indigenous species migrate easily and as naturally as possible along and within the <u>river system</u></p> <p><u>(6) the national significance of the ongoing operation, maintenance and upgrading of the Clutha hydro-electricity generation scheme, including its generation capacity, storage and operational flexibility and its contribution to climate change mitigation, is recognised and protected, and potential further development is provided for within this modified catchment.</u></p> <p><u>(6A) <u>water bodies</u> support a range</u></p>			

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconder
		<p style="text-align: center;"><u>of outdoor recreation opportunities,</u></p> <p>(7) in addition to (1) to (6) above:</p> <p style="padding-left: 20px;">(a) in the Upper Lakes rohe, the high quality <i>waters</i> of the <i>lakes</i> and their tributaries are protected, and if degraded are improved, recognising the significance of the purity of these <i>waters</i> to Kāi Tahu and to the wider community,</p> <p style="padding-left: 20px;">(b) in the Dunstan, Manuherekiā and Roxburgh rohe:</p> <p style="padding-left: 40px;">(i) flows in <i>water bodies</i> sustain _____ and, wherever possible, restore the natural form and function of main stems and tributaries to support Kāi Tahu values and practices, and</p> <p style="padding-left: 40px;">(ii) innovative _____ and sustainable <i>land</i> and <i>water</i> management practices support food production in the area and reduce</p>			

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconder
		<p>discharges of nutrients and other contaminants to water bodies so that they are safe for human contact, and</p> <p>(iii) sustainable abstraction occurs from main stems or groundwater in preference to tributaries,</p> <p>(e7A) in the Lower Clutha rohe,;</p> <p>(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 reasonably practicable possible, and</p> <p>(ii) the ecosystem connections between freshwater,</p>			

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Second
		<p>wetlands and the coastal environment are preserved and, wherever possible, restored,</p> <p>(iii) land management practices reduce discharges of nutrients and other contaminants to water bodies so that they are safe for human contact, and</p> <p>(iv) there are no direct discharges of wastewater to water bodies, and</p> <p>8) the outcomes sought in (7) are to be achieved within the following timeframes:</p> <p>(a) by 2030 in the Upper Lakes rohe,</p> <p>(b) by 2045 in the Dunstan, and Roxburgh and Lower Clutha rohe, and</p> <p>(c) by 2050 in the Manuherekiā and Lower Clutha rohe.</p>			

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconder
8.	LF-VM-O4 – Taiari FMU vision	<p>The Panel recommends LF-VM-O4 be amended as follows:</p> <p>LF-VM-O4 – Taiari Taiari FMU vision</p> <p>By 2050 in the Taiari Taiari FMU, and in addition to the matters in LF-FW-O1A:</p> <p>(1) fresh water is managed in accordance with the LF-WAI objectives and policies,</p> <p>(2) the ongoing relationship of Kāi Tahu with wāhi tūpuna is sustained,</p> <p>(3) healthy wetlands are restored in the upper and lower catchment wetland complexes, including the Waipori/Waihola Wetlands Waipōuri/Waihola wetland complex, Tunaheketaka/Lake Taiari, scroll plain, Upper Taiari wetland complex, and connected tussock areas are protected, restored or enhanced where they have been degraded or lost,</p> <p>(4) the gravel bed of the lower Taiari Taiari is restored and sedimentation of the Waipori Waipōuri/Waihola wetland complex is reduced,</p> <p>4A) <u>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</u></p>	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 8.	<p>Resolution:</p> <p>Cr Tim Mepham Moved/ Cr Andrew Noone Seconded</p> <p>MOTION CARRIED</p>

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconder
		<p><u>for, while potential further development of these schemes is provided for.</u></p> <p>(5) creative ecological approaches contribute to reduced occurrence of didymo, and</p> <p>(6) water bodies support healthy populations of galaxiid species,</p> <p>(7) there are no direct discharges of wastewater to water bodies, and</p> <p>(8) innovative and sustainable land and water management practices support food production in the area and improve resilience to the effects of climate change.</p>			
9.	LF-VM-05 – Dunedin & Coast FMU vision	<p>The Panel recommends LF-VM-05 be amended as follows:</p> <p>LF-VM-05 - Dunedin & Coast FMU vision By 2040 in the Dunedin & Coast FMU <u>and in addition to the matters in LF-FW-01A:</u></p> <p>(1) fresh water is managed in accordance with the LF WAI objectives and policies,</p> <p>(2) the ongoing relationship of Kāi Tahu with wāhi tūpuna is sustained,</p> <p>(3) healthy riparian margins, wetlands, estuaries, and lagoons and coastal waters 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</p>	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 9.	Resolution: Cr Alan Somerville Moved/ Cr Elliot Weir Seconded MOTION CARRIED

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconder
		<p>areas;</p> <p>(4) — there is no further modification of the shape and behaviour of the <i>water bodies</i> and opportunities to restore the natural form and function of <i>water bodies</i> are promoted wherever <u>practicable possible</u>., and <i>discharges of contaminants from urban environments are reduced so that <i>water bodies</i> are safe for human contact.</i></p>			
10.	LF-VM-O6 – Catlins FMU vision	<p>The Panel recommends LF-VM-O6 be amended as follows:</p> <p>LF-VM-O6 – Catlins <i>FMU</i> vision</p> <p>By <u>2035</u> in the Catlins <i>FMU</i> and in addition to the matters in LF-FW-O1A:</p> <p>(1) — <i>fresh water</i> is managed in accordance with the LF-WAI objectives and policies,</p> <p>(2) — the ongoing relationship of Kāi Tahu with <i>wāhi tūpuna</i> is sustained,</p> <p>(3) — <i>water bodies</i> support thriving mahika kai and access of Kāi Tahu whānui to mahika kai,</p> <p>(4) the high degree of naturalness of the <u>water bodies</u> and ecosystem connections between the forests, <i>freshwater</i> and coastal environment are preserved, and</p> <p>(5) — <i>water bodies</i> and their catchment areas</p>	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 10.	Resolution: Cr Kate Wilson Moved/ Cr Tim Mepham Seconded MOTION CARRIED

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconder
		<p>support the health and well-being of <i>coastal water</i>, ecosystems and indigenous species, including downstream kaimoana, and</p> <p>(6) healthy, clear and clean <i>water</i> supports opportunities for recreation and sustainable food production for future generations.</p>			
11.	Boundary of North Otago and Dunedin & Coast FMUs	On the basis of this agreement, and the reasons for it, the Panel accepts that the new boundary is appropriate and will better support the integrated management of the East Otago Taiāpure area catchment. To avoid any issue about whether there is sufficient scope in the DCC submission as to the map, we rely on clause 49(2)(b) of the first schedule to adopt the map attached to Mr Taylor’s evidence.	Accept Panel recommendation	That Council asks the CE to bring back advice on an alternative option specifically returning to the notified boundaries and a section 32(AA) evaluation of the option and commentary on the reasons for and against Freshwater Hearing Panel recommendation 11.	Resolution: Cr Kevin Malcolm Moved/ Cr Andrew Noone Seconded MOTION FAILED
11.	Boundary of North Otago and Dunedin & Coast FMUs	On the basis of this agreement, and the reasons for it, the Panel accepts that the new boundary is appropriate and will better support the integrated management of the East Otago Taiāpure area catchment. To avoid any issue about whether there is sufficient scope in the DCC submission as to the map, we rely on clause 49(2)(b) of the first schedule to adopt the map attached to Mr Taylor’s evidence.	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 11.	Resolution: Cr Elliot Weir Moved/ Cr Gretchen Robertson Seconded MOTION CARRIED
12.	Boundary between Catlins and Clutha Mata-au FMUs	Because there was no submission on the matter, Ms Boyd recommended that we utilise clause 49(2)(b) of Schedule 1 of the RMA to make the change. We agree and recommend the change accordingly.	Accept Panel recommendation	That Council asks the CE to bring back advice on alternative option specifically returning to the notified boundaries and a section 32(AA) evaluation of the option and commentary on the reasons for	Resolution: Cr Kate Wilson Moved/ Cr Andrew Noone Seconded MOTION FAILED

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconder
		A revised copy of MAP1 was included in the Reply Report version, which we accept.		and against Freshwater Hearing Panel recommendation 12.	
12.	Boundary between Catlins and Clutha Mata-au FMUs	<p>Because there was no submission on the matter, Ms Boyd recommended that we utilise clause 49(2)(b) of Schedule 1 of the RMA to make the change. We agree and recommend the change accordingly.</p> <p>A revised copy of MAP1 was included in the Reply Report version, which we accept.</p>	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 12.	<p>Resolution: Cr Tim Mepham Moved/ Cr Bryan Scott Seconded MOTION CARRIED</p>
13.	Integrated catchment management	<p>We recommend the following new method be added to the LF-FW section:</p> <p><u>LF-FW-M8AA – Integrated catchment management</u> Otago Regional Council may:</p> <p>(1) <u>develop and implement an integrated catchment management programme for the region,</u></p> <p>(2) <u>work in partnership with mana whenua and in collaboration with communities to develop catchment action plans that:</u></p> <p>(a) <u>collate and build on existing work in the catchments,</u></p> <p>(b) <u>incorporate science and mātauraka Māori, and</u></p> <p>(c) <u>identify and target effective environmental management actions, and</u></p> <p>(3) <u>encourage and support community initiatives, at varying catchment levels, that</u></p>	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 13.	<p>Resolution: Cr Kate Wilson Moved/ Cr Andrew Noone Seconded MOTION CARRIED (Cr Gary Kelliher and Cr Michael Laws voted against)</p>

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconder
		<u>help to deliver catchment action plans.</u>			
14.	LF-FW-09	<p>The Panel recommends the following amendments to LF-FW-09:</p> <p>LF-FW-09 – Natural wWetlands</p> <p>Otago’s natural wetlands are protected from <u>inappropriate subdivision, use and development and, where degraded, or restored restoration is promoted</u> so that:</p> <ol style="list-style-type: none"> (1) mahika kai and other mana whenua values are sustained and enhanced now and for future generations, (2) there is no <u>net decrease, and preferably an increase,</u> in the range extent and diversity of <u>wetland</u> indigenous ecosystem types and habitats in natural wetlands, and (3) there is no reduction <u>and, where degraded, there is an improvement in their wetland</u> ecosystem health, hydrological functioning, amenity values, extent or water quality, and if degraded they are improved, and (4) their flood attenuation <u>and water storage</u> capacity is maintained <u>or improved.</u> 	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 14.	<p>Resolution:</p> <p>Cr Kate Wilson Moved/ Cr Elliot Weir Seconded</p> <p>MOTION CARRIED</p> <p>(Cr Michael Laws and Cr Gary Kelliher voted against)</p>

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconded
15.	Definition of ‘natural wetland’	As a consequential amendment, we recommend deleting the definition of ‘natural wetland’ from the PORPS. We note that the RMA definition of ‘wetland’ was included in the notified PORPS and it is appropriate that this remains.	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 15.	Resolution: Cr Andrew Noone Moved/ Cr Elliot Weir Seconded MOTION CARRIED
16.	Consequential amendments	As a further consequential amendment, we recommend deleting ‘natural’ from ‘natural wetland’ or wetlands’ in other provisions in the PORPS, specifically LF-FW-M6(7), LF-VM-E2 paragraph 3, LF-FW-AER11, and EIT-INF-P13.	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 16.	Resolution: Cr Kate Wilson Moved/ Cr Elliot Weir Seconded MOTION CARRIED
17.	LF-FW-P9 and LF-FW-P10	<p>We recommend deleting LF-FW-P9 and LF-FW-P10 as notified and replacing it with the following:</p> <p><u>LF-FW-P10A – Managing wetlands</u></p> <p><u>Otago’s wetlands are managed:</u></p> <p>(1) <u>in the coastal environment, in accordance with the NZCPS in addition to (2) and (3) below,</u></p> <p>(2) <u>by applying clause 3.22(1) to (3) of the NPSFM to all wetlands, and</u></p> <p>(3) <u>to improve the ecosystem health, hydrological functioning and extent of wetlands that have been degraded or lost by promoting:</u></p> <p>(a) <u>an increase in the extent and condition of habitat for indigenous</u></p>	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 17.	Resolution: Cr Elliot Weir Moved/ Cr Kate Wilson Seconded MOTION CARRIED

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Second
		<p>species,</p> <p>(b) <u>the restoration of hydrological processes,</u></p> <p>(c) <u>control of pest species and vegetation clearance, and</u></p> <p>(d) <u>the exclusion of stock, except where stock grazing is used to enhance wetland values.</u></p>			
18.	LF-FW-P7A – Water allocation and use	<p>We recommend the following wording for LF-FW-P7A:</p> <p><u>LF-FW-P7A – Water allocation and use</u> <u>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:</u></p> <p>(1) <u>managing over-allocation as set out in LF-FW-M6,</u></p> <p>(2) <u>allocating fresh water efficiently to support the social, economic, and cultural well-being of people and communities, including for:</u></p> <p>(a) <u>community drinking water supplies,</u></p> <p>(b) <u>maintaining generation output and capacity from existing renewable electricity generation schemes,</u></p> <p>(c) <u>mana whenua customary or cultural needs and activities, and</u></p>	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 18.	<p>Resolution:</p> <p>Cr Alan Somerville Moved/ Cr Tim Mepham Seconded</p> <p>MOTION CARRIED</p> <p>(Cr Kate Wilson stood back. Cr Michael Laws voted against)</p>

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconder
		<p>(d) _____ primary production,</p> <p>(3) <u>ensuring that no more <i>fresh water</i> is abstracted than is necessary for its intended use,</u></p> <p>(4) <u>ensuring that the efficiency of <i>freshwater</i> abstraction, storage, and conveyancing <i>infrastructure</i> is improved,</u></p> <p>(5) <u>providing for the harvesting and storage of <i>fresh water</i> to meet increasing demand for <i>water</i>, to manage <i>water</i> scarcity conditions and to provide resilience to the <i>effects</i> of <i>climate change</i>, and</u></p> <p>(6) <u>providing for spatial and temporal sharing of allocated <i>fresh water</i> between uses and users where feasible.</u></p>			
19.	LF-VM-M3	<p>We therefore recommend the following consequential change to LF-VM-M3.</p> <p>LF-VM-M3 – Community involvement Otago Regional Council must work with <u>Kāi Tahu</u> <u>and</u> communities to achieve the objectives and policies in this chapter, including by:</p> <p>(1) <u>engaging with <i>Kāi Tahu</i>, communities <u>and</u> <u>stakeholders</u> to identify <u>values</u> <u>and</u> <i>environmental outcomes</i> for Otago’s <i>FMUs</i> and <i>rohe</i> and the methods to achieve those outcomes,</u></p> <p>(2) <u>encouraging community stewardship of <i>water</i> resources and programmes to address <i>freshwater</i> issues at a local</u></p>	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 19.	<p>Resolution: Cr Alan Somerville Moved/ Cr Elliot Weir Seconded MOTION CARRIED</p>

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Second
		<p>catchment level, <u>including through catchment groups,</u></p> <p>(3) <u>supporting community initiatives, industry-led guidelines, codes of practice and environmental accords</u>that contribute to maintaining or improving the health and well-being of <i>water bodies</i>, and</p> <p>(4) <u>supporting industry-led guidelines, codes of practice and environmental accords where these would contribute to achieving the objectives of this RPS.</u></p> <p>(4A) <u>education, advocacy and co-ordination to encourage efficient use of freshwater, including water harvesting, use of storage and consideration of alternative water supply.</u></p>			
20.	LF-FW-M6	<p>We recommend the follow consequential change to LF-FW-M6:</p> <p>LF-FW-M6 – Regional plans</p> <p>Otago Regional Council must publicly notify a Land and Water <i>Regional Plan</i> no later than 31 December 2023 and, after it is made operative, maintain that <i>regional plan</i> to:</p> <p>...</p> <p>(5A) <u>provide for the allocation and use of fresh water in accordance with LF-FW-P7A, including for water harvesting and storage,</u></p>	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 20.	<p>Resolution:</p> <p>Cr Elliot Weir Moved/ Cr Gretchen Robertson Seconded</p> <p>MOTION CARRIED</p> <p>(Cr Kate Wilson stood back)</p>

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconder
		...			
21.	LF-FW-P15	<p>Other than the points discussed above, we adopt the recommendations and reasoning of Ms Boyd. We recommend the following amendments to LF-FW-P15:</p> <p>LF-FW-P15 – Stormwater and wastewater discharges</p> <p>Minimise the adverse <i>effects</i> of direct and indirect discharges of stormwater and wastewater to <i>fresh water</i> by:</p> <p>(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</p> <p>(2) requiring:</p> <p>(a) all sewage, industrial or trade waste to be discharged into a reticulated wastewater system, where one is available,</p> <p>(ab) <u>integrated catchment management plans for management of stormwater in urban areas,</u></p> <p>(b) <u>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</u></p>	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 21.	<p>Resolution:</p> <p>Cr Kate Wilson Moved/ Cr Bryan Scott Second</p> <p>MOTION CARRIED</p>

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Second
		<p><u>same or improved outcomes for fresh water,</u></p> <p>(c) implementation of methods to progressively reduce <u>unintentional stormwater inflows to the frequency and volume of wet weather overflows</u> and minimise the likelihood of dry weather overflows occurring for reticulated stormwater and wastewater systems,</p> <p>(d) on site wastewater systems to be designed and operated in accordance with best practice standards,</p> <p>(e) <u>that any stormwater and wastewater discharges do not prevent water bodies from</u> meeting any applicable water quality standards set for FMUs and/or rohe, and</p> <p>(f) the use of water sensitive urban design techniques to avoid or mitigate the potential adverse effects of contaminants on receiving water bodies from the subdivision, use or development of land, wherever practicable, and</p>			

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconder
		<p>(3) promoting the reticulation of <i>stormwater</i> and <i>wastewater</i> in <i>urban areas</i> <u>where appropriate</u>, and</p> <p>(4) promoting source control as a method for <u>reducing <i>contaminants</i> in <i>discharges</i> and the use of good practice guidelines for managing <i>stormwater</i>.</u></p>			
22.	LF-FW-P16	<p>We recommend the following amendments to new LF-FW-P16 recommended in the Reply Report:</p> <p><u>LF-FW-P16 – Discharges containing animal effluent, sewage, greywater and industrial and trade waste</u></p> <p><u>Minimise the adverse effects of direct and indirect <i>discharges</i> containing animal effluent, <i>sewage, greywater</i> and <i>industrial and trade waste</i> to <i>fresh water</i> by:</u></p> <p>(1) <u>phasing out existing <i>discharges</i> containing <i>sewage</i> or <i>industrial and trade waste</i> directly to water to the extent practicable,</u></p> <p>(2) requiring:</p> <p>(a) <u><i>new discharges</i> containing <i>sewage</i> or <i>industrial and trade waste</i> to be to <i>land</i>,</u></p> <p>(b) <u><i>discharges</i> of animal effluent from <i>land-based primary production</i> to be to <i>land</i>,</u></p> <p>(c) <u>that all <i>discharges</i> containing <i>sewage</i> or <i>industrial and trade</i></u></p>	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 22.	<p>Resolution:</p> <p>Cr Andrew Noone Moved/ Cr Tim Mepham Seconded</p> <p>MOTION CARRIED</p>

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Second
		<p><u>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,</u></p> <p><u>(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,</u></p> <p><u>(e) on-site wastewater systems and animal effluent systems to be designed and operated in accordance with best practice standards,</u></p> <p><u>(f) that any discharges do not prevent water bodies from meeting any applicable water quality standards set for FMUs and/or rohe,</u></p> <p><u>(3) to the greatest extent practicable, requiring the reticulation of wastewater in urban areas, and</u></p> <p><u>(4) promoting source control as a method for reducing contaminants in discharges.</u></p>			

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconder				
23.	Consequential amendment	<p>We recommend a consequential change to include the definition of greywater in the Interpretation section as follows:</p> <table border="1"> <tr> <td>Greywater</td> <td>has the same meaning as in Standard 14 of set out in the box below)</td> </tr> <tr> <td colspan="2">means liquid waste from domestic sources including sinks, basins, baths, showers and similar fixtures, but does not include <i>sewage</i>, or <i>industrial and trade waste</i>.</td> </tr> </table>	Greywater	has the same meaning as in Standard 14 of set out in the box below)	means liquid waste from domestic sources including sinks, basins, baths, showers and similar fixtures, but does not include <i>sewage</i> , or <i>industrial and trade waste</i> .		Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 23.	<p>Resolution: Cr Kate Wilson Moved/ Cr Elliot Weir Seconded MOTION CARRIED</p>
Greywater	has the same meaning as in Standard 14 of set out in the box below)								
means liquid waste from domestic sources including sinks, basins, baths, showers and similar fixtures, but does not include <i>sewage</i> , or <i>industrial and trade waste</i> .									
24.	LF-FW-M6(8)	<p>We recommend a further consequential change is required to include 'greywater' in LF-FW-M6(8) as follows:</p> <p>LF-FW-M6 – Regional plans Otago Regional Council must publicly notify a Land and Water <i>Regional Plan</i> no later than 31 December 2023 and, after it is made operative, maintain that <i>regional plan</i> to:</p> <p>...</p> <p>(8) manage the adverse <i>effects</i> of <i>stormwater</i> and wastewater discharges <u>containing animal effluent, sewage, greywater or industrial and trade waste</u> in accordance with LF-FW-P15 and LF-FW-P16, and-</p> <p>...</p>	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 24.	<p>Resolution: Cr Kate Wilson Moved/ Cr Bryan Scott Seconded MOTION CARRIED</p>				
25.	8.7 LF-FW-M6 – Regional plans	<p>We recommend the following amendments to LF-FW-M6:</p> <p>LF-FW-M6 – Regional plans Otago Regional Council must publicly notify a Land and Water <i>Regional Plan</i> no later than 31 December 2023 <u>30 June 2024</u> and, after it is made operative, maintain that <i>regional plan</i> to:</p>	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 25.	<p>Resolution: Cr Tim Mepham/ Cr Elliot Weir Seconded MOTION CARRIED (Cr Kate Wilson stood back)</p>				

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconder
		<p>(1A) <u>implement the required steps in the NOF process in accordance with the NPSFM,</u></p> <p>(1) identify the compulsory and, if relevant, other values for each <i>Freshwater Management Unit</i>,</p> <p>(2) state <i>environmental outcomes</i> as objectives in accordance with clause 3.9 of the NPSFM,</p> <p>(3) identify <i>water bodies</i> that are <i>over-allocated</i> in terms of either their <i>water quality or quantity</i> and the methods and timeframes for phasing out that <i>over-allocation</i> (including through <i>environmental flows and levels and limits</i>) within the timeframes required to achieve the relevant <i>freshwater vision</i>,</p> <p>(4) include <i>environmental flow and level regimes for water bodies</i> (including <i>groundwater</i>) that give effect to <i>Te Mana o te Wai</i> and provide for:</p> <p>(a) the behaviours of the <i>water body</i> including a base flow or level that provides for variability,</p> <p>(b) healthy and resilient <i>mahika kai</i>,</p> <p>(c) the needs of indigenous fauna, including <i>taoka</i> species, and aquatic species associated with the <i>water body</i>,</p> <p>(d) the hydrological connection with other <i>water bodies</i>, estuaries and coastal margins,</p> <p>(e) the traditional and contemporary relationship of <i>Kāi Tahu</i> to the <i>water body</i>, and</p>			

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconder
		<p>(f) community drinking water supplies, and</p> <p>(5A) provide for the allocation and use of fresh water in accordance with LF-FW-P7A, including for water harvesting and storage,</p> <p>(5) include limits on resource use that:</p> <p>(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,</p> <p>(b) for water bodies that have been identified as over allocated, provide methods and timeframes for phasing out that over allocation,</p> <p>(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,</p> <p>(d) manage the adverse effects on water bodies that can arise from the use and development of land, and</p> <p>(6) provide for the off stream storage of surface water where storage will:</p> <p>(a) support Te Mana o te Wai,</p> <p>(b) give effect to the objectives and policies of the LF chapter of this RPS, and</p> <p>(c) not prevent a surface water body from achieving identified environmental outcomes and</p>			

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconder
		<p>remaining within any limits on resource use, and</p> <p>(7) identify and manage <i>natural wetlands</i> in accordance with LF-FW-P7, LF-FW-P8 and LF-FW-P9 and LF-FW-P10 while recognising that some activities in and around <i>natural wetlands</i> are managed under the NESF <u>and the NESPF, and</u></p> <p>(8) manage the adverse <i>effects of stormwater and wastewater discharges containing animal effluent, sewage, greywater or industrial and trade waste</i> in accordance with LF-FW-P15 and LF-FW-P16, and</p> <p>(9) <u>recognise and respond to Kāi Tahu cultural and spiritual concerns about mixing of water between different catchments.</u></p>			
26.	<p>LF- FW-M8A</p> <p>New method –Identifying and managing species interactions between trout and salmon and indigenous species</p>	<p>We recommend that a new LF-FW-M8A be included as a freshwater provision:</p> <p><u>LF-FW-M8A – Identifying and managing species interactions between trout and salmon and indigenous species</u></p> <p>(1) <u>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</u></p>	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 26.	<p>Resolution:</p> <p>Cr Kate Wilson Moved/ Cr Elliot Weir Seconded</p> <p>MOTION CARRIED</p>

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Second
		<p><u>(2) Otago Regional Council will work with the Department of Conservation, the relevant Fish and Game Council and Kāi Tahu to:</u></p> <p><u>(a) describe the habitats required to provide for the protection of indigenous species for the purposes of (2)(a), (b), and (c).</u></p> <p><u>(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,</u></p> <p><u>(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:</u></p> <p><u>(i) determine information needs to manage the species,</u></p> <p><u>(ii) set short, medium and long-term objectives for the species involved,</u></p> <p><u>(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</u></p>			

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconder
		(iv) <u>consider the use of a range of tools, including those in the Conservation Act 1987 and the Freshwater Fisheries Regulations 1983, as appropriate.</u>			
27.	LF-VM-E2 - Explanation and LF-FW-E3 - Explanation	<p>We recommend that LF-FW-E3 is incorporated into LF-VM-E2 and that the combined LF-VM-E2 is amended as follows:</p> <p>LF-VM-E2 – Explanation This section of the LF chapter outlines how the Council will manage <i>fresh water</i> within the region. To give effect to <i>Te Mana o te Wai</i>, the <i>freshwater</i> visions, and the policies set out the actions required in the development of <i>regional plan</i> provisions to implement the NPSFM. <i>[Note to reader: originally LF-FW-E3 para 1]</i> Implementing the NPSFM requires Council to identify <i>Freshwater Management Units (FMUs)</i> that include all <i>freshwater bodies</i> within the region. Policy LF-VM-P5 identifies Otago’s five <i>FMUs</i>: Clutha Mata-au <i>FMU</i>, Taieri <i>FMU</i>, North Otago <i>FMU</i>, Dunedin & Coast <i>FMU</i> and Catlins <i>FMU</i>. The Clutha Mata-au <i>FMU</i> is divided into five sub-<i>FMUs</i> known as ‘rohe’. Policy LF-VM-P6 sets out the relationship between <i>FMUs</i> and rohe which, broadly, requires rohe provisions to be no less stringent than the parent <i>FMU</i> provisions. This is to avoid any potential for rohe to set lower standards than others which would affect the ability of the <i>FMU</i> to achieve its stated outcomes. The outcomes sought for <i>natural wetlands</i> are implemented by requiring identification,</p>	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 27.	<p>Recommendation: Cr Elliot Weir Moved/ Cr Kate Wilson Seconded MOTION CARRIED</p>

#	Topic	Freshwater Hearing Panel Recommendation	ORC staff recommendation	Motion – Accept/Reject	Mover/Seconder
		<p>protection and restoration. The first two policies reflect the requirements of the NPSFM for identification and protection but apply that direction to all <i>natural wetlands</i>, rather than only inland natural wetlands (those outside the <i>coastal marine area</i>) as the NPSFM directs. This reflects the views of takata <i>mana</i> <i>_whenua</i> and the community that <i>fresh</i> and <i>coastal water</i>, including <i>wetlands</i>, 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 <i>natural wetlands</i> have been <i>degraded</i> or lost. This is because of the importance of restoration to Kāi Tahu and in recognition of the historic loss of <u>wetlands in Otago and the indigenous biodiversity and hydrological values of wetland systems</u>. [Note to reader: originally LF-FW-E3 para 2]</p> <p>The policies respond to the NPSFM by identifying a number of <i>outstanding water bodies</i> in Otago that have previously been identified for their significance through other processes. Additional <i>water bodies</i> can be identified if they are wholly or partly within an outstanding natural feature or landscape or if 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 <i>outstanding water bodies</i> are to be identified and protected from adverse <i>effects</i>. [Note to reader: originally LF-FW-E3 para 3]</p>			

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		<p>Preserving the natural character of <i>lakes</i> and <i>rivers</i>, and their <i>beds</i> 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 <i>rivers</i>. Natural character has been reduced or lost in some <i>lakes</i> or <i>rivers</i>, so the policies require promoting actions that will restore or otherwise improve natural character. [Note to reader: originally LF-FW-E3 para 4]</p> <p>The impact of <i>discharges</i> of <i>stormwater</i> and <i>wastewater</i> on <i>freshwater bodies</i> is a significant issue for <i>mana whenua</i> and has contributed to <i>water quality</i> issues in some <i>water bodies</i>. The policies set out a range of actions to be implemented in order to improve the quality of these <i>discharges</i> and reduce their adverse <i>effects</i> on receiving environments.</p>			
28.	LF-VM-PR2 – Principal reasons and LF-FW-PR3 – Principal reasons	<p>We recommend that LF-FW-PR3 is incorporated into LF-VM-PR2 and that the combined LF-VM-PR2 is amended as follows:</p> <p>LF-VM-PR2 – Principal reasons To support the implementation of the NPSFM, the Council is required to develop long-term visions for <i>fresh water</i> across the Otago region. <i>Fresh water</i> visions for each <i>FMU</i> and <i>rohe</i> have been developed through engagement with Kāi Tahu and communities. They set out the long-term goals for</p>	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 28.	Resolution: Cr Kate Wilson Moved/ Cr Tim Mepham Seconded MOTION CARRIED

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		<p>the <i>water bodies</i> (including <i>groundwater</i>) and <i>freshwater</i> ecosystems in the region that reflect the history of, and environmental pressures on, the <i>FMU</i> or <i>rohe</i>. They also establish ambitious but reasonable timeframes for achieving these goals. The Council must assess whether each <i>FMU</i> or <i>rohe</i> can provide for its long-term vision, or whether improvement to the health and well-being of <i>water bodies</i> (including <i>groundwater</i>) and <i>freshwater</i> ecosystems is required to achieve the visions. The result of that assessment will then inform the development of <i>regional plan</i> provisions in the <i>FMU</i>, including <i>environmental outcomes</i>, <i>attribute</i> states, <i>target attribute</i> states and <i>limits (in relation to freshwater)</i>.</p> <p>Otago's <i>water bodies</i> are significant features of the region and play an important role in Kāi Tahu beliefs and traditions. <u>They support people and communities to provide for their social, economic, and cultural well-being.</u> A growing population combined with increased <i>land</i> use intensification has heightened demand for <i>water</i>, and increasing nutrient and sediment contamination impacts <i>water</i> quality. The legacy of Otago's historical mining privileges, coupled with contemporary <u>urban and rural <i>land</i> uses</u>, contribute to ongoing <i>water</i> quality and quantity issues in some <i>water bodies</i>, with significant cultural effects. [Note to reader: originally LF-FW-PR3 para 1]</p> <p>This section of the LF chapter contains more specific direction on managing <i>fresh water</i> to give effect to <i>Te Mana o te Wai</i> and contributes to achieving the long-term <i>freshwater</i> visions for each <i>FMU</i> and <i>rohe</i>. It also reflects key direction</p>			

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		<p>in the NPSFM for managing the health and well-being of <i>fresh water</i>, including <i>wetlands</i> and <i>rivers</i> 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 <i>regional plans</i> and provide a foundation for implementing the requirements of the NPSFM, including the development of <i>environmental outcomes</i>, <i>attribute</i> states, <i>target attribute</i> states and limits. [Note to reader: originally LF-FW-PR3 para 2]</p>			
29.	<p>Anticipated environmental results: LF-FW-AER4 to LF-FW-AER11</p>	<p>We recommend the following amendments and the addition of a new AER, as follows:</p> <p>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.</p> <p>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.</p> <p>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 <u>LF-VM objectives</u> in the LF-FW section of this chapter.</p> <p>LF-FW-AER7 <i>Water</i> in Otago's aquifers is suitable for human consumption, unless that <i>water</i></p>	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 29.	<p>Resolution: Cr Tim Mepham Moved/ Cr Andrew Noone Seconded MOTION CARRIED</p>

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		<p>is naturally unsuitable for consumption.</p> <p>LF-FW-AER8 Where <i>water</i> is not <i>degraded</i>, there is no reduction in <i>water</i> quality.</p> <p>LF-FW-AER9 <u>Direct discharges of wastewater to water are phased out to the greatest extent practicable and the</u> frequency of <i>wastewater</i> overflows is reduced.</p> <p>LF-FW-AER10 The quality of <i>stormwater discharges</i> from existing <i>urban areas</i> is improved.</p> <p>LF-FW-AER11 There is no reduction <u>an improvement</u> in the extent <u>and or quality condition</u> of Otago's natural <u>wetlands</u>.</p> <p>LF-FW-AER11A <u>The economic, social, and cultural well-being of communities is sustained.</u></p>			
30.	9.3 LF-LS-P18 – Soil erosion	<p>We recommend that LF-LS-P18 be amended as follows:</p> <p>LF-LS-P18 – Soil erosion</p> <p>Minimise soil erosion, and the associated risk of sedimentation in water bodies, resulting from <i>land</i> use activities by:</p> <p>(2) maintaining vegetative cover on erosion-prone <i>land</i>, <u>to the extent practicable, and</u></p> <p>(1) implementing <u>effective</u> management practices to retain topsoil in situ and minimise the potential for soil to be <i>discharged to water bodies</i>, including by controlling the timing, duration, scale and location of soil exposure, <u>and</u></p>	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 30.	<p>Resolution:</p> <p>Cr Elliot Weir Moved/ Cr Alan Somerville Seconded</p> <p>MOTION CARRIED</p>

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		(3) promoting activities that enhance soil retention.			
31.	LF-LS-P21 – Land use and fresh water	<p>We recommend that LF-LS-P21 is amended as follows:</p> <p>LF-LS-P21 – Land use and fresh water Achieve the improvement or maintenance of fresh water quantity, or quality <u>The health and well-being of water bodies and freshwater ecosystems is maintained</u> to meet <i>environmental outcomes</i> set for <i>Freshwater Management Units</i> and/or rohe by:</p> <p>(1) reducing or otherwise managing the adverse effects of direct and indirect <i>discharges of contaminants to water</i> from the use and development of <i>land</i>, and</p> <p>(2) managing <i>land</i> uses that may have adverse <i>effects</i> on the flow of <i>water</i> in surface <i>water bodies</i> or the recharge of <i>groundwater</i>, and</p> <p>(2A) recognising the drylands nature of some of Otago’s catchments and the resulting low <u>water availability, and</u></p> <p>(3) maintaining or, where degraded, <u>enhancing the values of riparian margins.</u></p>	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 31.	<p>Resolution: Cr Elliot Weir Moved/ Cr Alan Somerville Seconded MOTION CARRIED</p>
32.	LF-LS-M11 – Regional plans	<p>We recommend that LF-LS-M11 is amended as follows:</p> <p>LF-LS-M11 – Regional Plans Otago Regional Council must publicly notify a Land and Water Regional Plan no later than 31</p>	Accept Panel recommendation	That Council accepts Freshwater Hearing Panel recommendation 32.	<p>Resolution: Cr Andrew Noone Moved/ Cr Elliot Weir Seconded MOTION CARRIED</p>

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		<p>December 2023 and then, when it is made operative, maintain that <i>regional plan</i> to:</p> <p>(1) manage <i>land</i> uses that may affect the ability of <i>environmental outcomes</i> for <i>water</i> quality to be achieved by requiring:</p> <p>(a) the development and implementation of <i>certified freshwater farm plans</i>, as required by the RMA and any regulations,</p> <p>(b) the adoption of practices that reduce the <i>risk</i> of sediment and nutrient loss to <i>water</i>, including by minimising the area and duration of exposed soil, using buffers, and actively managing critical source areas,</p> <p>(c) effective management of effluent storage and application systems, and</p> <p>(d) <i>earthworks</i> activities to implement effective sediment and erosion control practices and setbacks from <i>water bodies</i> to reduce the <i>risk</i> of sediment loss to <i>water</i>, and</p> <p>(2) provide for changes in <i>land</i> use that improve the sustainable and efficient allocation and use of fresh water and <u>that reduce water demand where there is existing over-allocation,</u> and</p> <p>(2A) <u>enable the discharge of contaminants to land for pest control, and</u></p>			

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