

13 Schedule of transitional provisions repealed by this Regional Plan: Water

The Otago Regional Council had an existing Regional Plan for Otago (commonly referred to as the Transitional Regional Plan), constituted by Section 368 of the Resource Management Act 1991. The Transitional Regional Plan was made up of notices, authorisations, bylaws, determinations, and resolutions in operation at the time of the enactment of the Resource Management Act (1 October 1991). These instruments were deemed to form rules in the Transitional Regional Plan, some of which related to the management of Otago’s water bodies.

This Plan deletes the provisions of the Transitional Regional Plan relating to water management within Otago, as identified in this schedule.

Repealed provision of Transitional Regional Plan	Regional Plan: Water provision replacing
Local Water Conservation (Lake Tuakitoto) Notice 1991: 3 “Regionally Significant Features”	Schedule 1A; Schedule 9.
Local Water Conservation (Lake Tuakitoto) Notice 1991: 4 “Minimum Lake Level”	Policy 6.5.1; Rules 12.1.1.1 and 12.3.1.4.
Local Water Conservation (Lake Tuakitoto) Notice 1991: 5.(1) “Water Rights and General Authorisations”	Policy 5.4.2.
Local Water Conservation (Lake Tuakitoto) Notice 1991: 5.(2) “Water Rights and General Authorisations”	No equivalent provision.
Local Water Conservation (Lake Tuakitoto) Notice 1991: 5.(3) “Water Rights and General Authorisations”	No equivalent provision.
Local Water Conservation (Lake Tuakitoto) Notice 1991: 6 “Limit of Notice”	Rule 12.1.2.1; covered by Section 14(3) of the Resource Management Act 1991.
Local Water Conservation (Pomahaka River and tributaries, and Lower Clutha River) Notice 1989: 3 “Regionally Significant Features”	Schedule 1A.
Local Water Conservation (Pomahaka River and tributaries, and Lower Clutha River) Notice 1989: 4 “Right to dam not to be granted”	Rule 12.3.1.3; Schedule 6.
Local Water Conservation (Pomahaka River and tributaries, and Lower Clutha River) Notice 1989: 5 “Water Rights (General):-(1)”	Policy 5.4.2.
Local Water Conservation (Pomahaka River and tributaries, and Lower Clutha River) Notice 1989: 5 “Water Rights (General):-(2)”	No equivalent provision.
Local Water Conservation (Pomahaka River and tributaries, and Lower Clutha River) Notice 1989: 5 “Water Rights (General):-(3)”	No equivalent provision.
Local Water Conservation (Pomahaka River and tributaries, and Lower Clutha River) Notice 1989: 6 “Limit of Notice”	Rule 12.1.2.1; covered by Section 14(3) of the Resource Management Act 1991.
Record of Determination of Appeal: Kakanui River minimum flow 4 September 1991	Schedule 2; Policies 6.4.2 and 6.4.3; Rule 12.1.4.3.
Otago Catchment Board and Regional Water Board, General Authorisations 1988:	
General Authorisation 1: “Minor Agricultural Uses”	Rules 12.1.2.2 to 12.1.2.5 and 12.2.2.2.
General Authorisation 2: “Irrigation Scheme Distribution”	Rules 12.1.4.1, 12.2.2.2, 12.11.2.1 and 12.11.2.3.

SCHEDULE 13: TRANSITIONAL PROVISIONS REPEALED

Repealed provision of Transitional Regional Plan	Regional Plan: Water provision replacing
General Authorisation 3: "School Supply"	Rules 12.1.2.2 to 12.1.2.5 and 12.2.2.2.
General Authorisation 4: "Spray Mixing"	Rules 12.1.2.2 to 12.1.2.5 and 12.2.2.2.
General Authorisation 5: "Earthworks"	Rules 12.1.2.2 to 12.1.2.5 and 12.2.2.2.
General Authorisation 6: "Septic Tank Effluent"	Rules 12.6.1.3 and 12.6.1.4.
General Authorisation 7: "Tracer Dye Discharge"	Rule 12.11.3.1.
General Authorisation 8: "Swimming Pool Discharge"	Rule 12.11.2.1.
General Authorisation 9: "Prospecting and Casual Mining"	Rules 12.1.2.2 to 12.1.2.5, 12.2.2.2, and 12.11.2.3.
General Authorisation 10: "Stormwater/ Drainage Discharges"	Rules 12.1.2.6, 12.3.2.2, 12.4.1.1, 12.4.1.2 and 12.5.1.1.
General Authorisation 11: "Herbicides"	Rules 12.7.1.1 to 12.7.1.4.
General Authorisation 12: "Drilling"	Rules 12.1.2.2 to 12.1.2.5, 12.2.2.2, 12.2.2.3 and 12.9.1.1.
General Authorisation 13: "Minor Dams"	Rule 12.3.2.1.
General Authorisation 14: "Farm Wastes Disposal"	Rules 12.8.1.2 to 12.8.1.4.
General Authorisation 15: "Incidental Damming and Diversion"	Rules 12.3.2.1 and 12.3.2.3.
General Authorisation 16: "Land Stability Drainage"	Rules 12.1.2.6, 12.3.2.2, 12.5.1.1 and 12.11.2.3.
Otago Catchment Board and Regional Water Board, Bylaw 1988:	
Clause 1, "General", except as it relates to Section 3	No equivalent provision
Clause 2.1, "Maintenance of watercourses and defences against water"	No equivalent provision
Clause 2.2, "Crossings"	Rules under 13.1 to 13.3, 13.5 (as it applies to the bed of a lake or river); Rules under 14.3 and 14.4 (as it applies to land outside of the bed of a lake or river, but within seven metres of the margin of any lake, or of the top of the bank of any river), otherwise no equivalent provision.
Clause 2.3, "Alteration to Watercourse"	Rules under 13.4 and 13.5 (as it applies to the bed of a lake or river), otherwise no equivalent provision.
Clause 2.4, "Construction of a defence against water"	Rules under 13.2 and 13.3 (as it applies to the bed of a lake or river); Rules under 14.3 (as it applies to land outside of the bed of a lake or river).
Clause 2.5, "Removal of shingle, sand, or other material"	Rules under 13.5 (as it applies to the bed of a lake or river), otherwise no equivalent provision.
Clause 2.6, "Vegetation"	Rules under 13.6 (as it applies to the bed of a lake or river), otherwise no equivalent provision.
Clause 2.7, "Obstructions and impairment of efficiency": 2.7.1	Rules under 12.3; and 13.1 to 13.6, (as it applies to the bed of a lake or river), otherwise no equivalent provision; Rules under 14.3 and 14.4 (as it applies to land outside of the bed of a lake or river, but within seven metres of the margin of any lake, or of the top of the bank of any river), otherwise no equivalent provision.
Clause 2.7, "Obstructions and impairment of efficiency": 2.7.2	Rules under 13.2 (as it applies to the bed of a lake or river); Rules under 14.4 (as it applies to land outside of the bed of a lake or river, but within seven metres of the margin of any lake, or of the top

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Repealed provision of Transitional Regional Plan	Regional Plan: Water provision replacing
	of the bank of any river), otherwise no equivalent provision.
Clause 2.7, “Obstructions and impairment of efficiency”: 2.7.3	Rules under 13.5 (as it applies to the bed of a lake or river), otherwise no equivalent provision; Rules under 14.3 and 14.4 (as it applies to land outside of the bed of a lake or river, but within seven metres of the margin of any lake, or of the top of the bank of any river), otherwise no equivalent provision.
Clause 2.7, “Obstructions and impairment of efficiency”: 2.7.4	Rules under 13.5 (as it applies to the bed of a lake or river), otherwise no equivalent provision; Rules under 14.3 and 14.4 (as it applies to land outside of the bed of a lake or river, but within seven metres of the margin of any lake, or of the top of the bank of any river), otherwise no equivalent provision.
Clause 2.8, “Access, damage etc.”	No equivalent provision.
Clause 4, “Dams”: 4.1, “Construction and alteration”	Rules under 12.3, 13.2 and 13.3.
Clause 4, “Dams”: 4.2, “Maintenance and removal”	Rules under 13.3 and 13.4.
Clause 5, “Underground water”: 5.1 to 5.7	Rules under 12.2 and 14.1.
Clause 5, “Underground water”: 5.8, “Control of pile driving, dredging etc”	As it applies to the bed of a lake or river, Rules under 13.5. Rules under 14.2.
Clause 5, “Underground water”: 5.9, “Pollution of underground water”: 5.9.1	Rules under 12.4 to 12.13.
Clause 5, “Underground water”: 5.9, “Pollution of underground water”: 5.9.2	Rules under 14.1 and 14.2.
First Schedule	No equivalent provision.
Second Schedule	No equivalent provision.
Fifth Schedule	No equivalent provision.
Sixth Schedule	No equivalent provision.
Eighth Schedule	No equivalent provision.
Waitaki Catchment Board and Regional Water Board, Bylaw Confirming Resolution, Hilderthorpe Floodway Bylaw 1988	
Clauses 1 to 10	No equivalent provision
Taieri River Trust Bylaw No.1 1960	
Clauses 1 to 30	No equivalent provision