



Appendix U: Policy Assessment

An assessment of the proposed Mt Cooee Landfill project against the relevant planning documents is provided in the following table. This focusses on the relevant policies of each planning document on the basis that if the application is consistent with these policies then it should also be consistent with the relevant objectives.

National Policy Statement for Freshwater Management 2020	
Policy 1: Freshwater is managed in a way that gives effect to Te Mana o te Wai.	A Cultural Impact Assessment has been undertaken by Aukaha. Given there is no direct discharge of leachate to water, in particular the Clutha River / Mata-au, and there are various practicable measures in place to ensure leachate does not discharge to the Clutha River / Mata-au, it is considered that the proposal is consistent with Policy 1.
Policy 2: Tangata whenua are actively involved in freshwater management (including decision making processes), and Māori freshwater values are identified and provided for.	Tangata whenua (specifically, Te Rūnanga o Ōtākou and Hokonui Rūnanga via Aukaha) have been engaged in the Mt Cooee design and consenting process, and will be further engaged as part of the consenting process.
Policy 6: There is no further loss of extent of natural inland wetlands, their values are protected, and their restoration is promoted.	The two wetlands on site will not be affected as part of the proposed works, and there are on-going discussions between Clutha District Council and Aukaha regarding potential restoration of the wetlands.
Policy 7: The loss of river extent and values is avoided to the extent practicable.	The proposal will not result in the loss of stream or wetland habitat. The two natural wetlands and unnamed tributary located on the site will be fenced off to exclude any landfill activity within this area, as well as being fenced to exclude stock. However, the proposal may result in minor,
Policy 9: The habitats of indigenous freshwater species are protected.	

	reduced flows to these waterbodies and subsequently, hydrological changes.
Policy 11: Freshwater is allocated and used efficiently, all existing over-allocation is phased out, and future over-allocation is avoided.	The volume of groundwater proposed to be abstracted as part of the leachate management system is within the applicable allocation limits for the Inch Clutha Groundwater Zone.
Policy 13: The condition of water bodies and freshwater ecosystems is systematically monitored over time, and action is taken where freshwater is degraded, and to reverse deteriorating trends	The applicant proposes to monitor affected waterbodies throughout the life of the resource consents.
Policy 15: Communities are enabled to provide for their social, economic, and cultural wellbeing in a way that is consistent with this National Policy Statement.	<p>The on-going use and further development of the Mt Cooee Landfill will enable people and communities of the Clutha District to provide for their social, economic and cultural well-being and for their health and safety, by providing a sanitary and contained facility for the disposal of waste that cannot be reduced, reused or recycled.</p> <p>The life supporting capacities of air, water, soil and ecosystems will be protected by robust operating practices and monitoring regimes, consistent with best practice for landfill management.</p> <p>Potential adverse effects from the on-going operation of the landfill will be avoided, remedied or mitigated through landfill design, construction management measures, and operational procedures (particularly controlled that the Landfill Management Plan and the proposed conditions of consent).</p>
Partially Operative Regional Policy Statement 2019	
<p>Policy 1.1.2 – Social and cultural wellbeing and health and safety</p> <p>Provide for the social and cultural wellbeing and health and safety of Otago’s people and communities when undertaking the subdivision, use, development and protection of natural and physical resources by all of the following:</p> <p>a) Recognising and providing for Kāi Tahu values;</p> <p>b) Taking into account the values of other cultures;</p>	<p>Tangata whenua (specifically, Te Rūnanga o Ōtākou and Hokonui Rūnanga via Aukaha) have been engaged in the Mt Cooee design and consenting process, and will be further engaged as part of the consenting process.</p> <p>Significant adverse effects on human health have not been identified.</p>

<p>c) Taking into account the diverse needs of Otago's people and communities;</p> <p>d) Avoiding significant adverse effects of activities on human health;</p> <p>e) Promoting community resilience and the need to secure resources for the reasonable needs for human wellbeing;</p> <p>f) Promoting good quality and accessible infrastructure and public services.</p>	<p>As mentioned earlier, the on-going use and further development of the Mt Cooee Landfill will enable people and communities of the Clutha District to provide for their social, economic and cultural well-being and for their health and safety, by providing a sanitary and contained facility for the disposal of waste that cannot be reduced, reused or recycled.</p>
<p>Policy 2.1.2 Treaty principles: Ensure that local authorities exercise their functions and powers, by:</p> <p>c) Taking into account Kāi Tahu values in resource management decision-making processes and implementation;</p> <p>d) Recognising and providing for the relationship of Kāi Tahu's culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka;</p> <p>f) Having particular regard to the exercise of kaitiakitaka;</p> <p>h) Taking into account iwi management plans.</p>	<p>A Cultural Impact Assessment has been undertaken by Aukaha.</p> <p>Tangata whenua (specifically, Te Rūnanga o Ōtākou and Hokonui Rūnanga via Aukaha) have been engaged in the Mt Cooee design and consenting process, and will be further engaged as part of the consenting process.</p>
<p>Policy 2.2.1 – Kāi Tahu wellbeing</p> <p>Manage the natural environment to support Kāi Tahu wellbeing by all of the following:</p> <p>a) Recognising and providing for their customary uses and cultural values in Schedules 1A and B; and</p> <p>b) Safe-guarding the life-supporting capacity of natural resources.</p>	
<p>Policy 3.1.1 – Fresh water</p> <p>a) Maintain good quality water and enhance water quality where it is degraded, including for:</p> <ol style="list-style-type: none"> i. Important recreation values, including contact recreation: and ii. Existing drinking and stock water supplies <p>b) Maintain or enhance aquatic:</p> <ol style="list-style-type: none"> i. Ecosystem health; 	<p>The Clutha River / Mata-Au is located approximately 60m to the west of the western boundary of the landfill site at its closest point.</p> <p>The affected waterbodies support longfin eel, lamprey, and koara (declining).</p>

<ul style="list-style-type: none"> ii. Indigenous habitats; and, iii. Indigenous species and their migratory patterns. <p>d) Maintain or enhance, as far as practicable:</p> <ul style="list-style-type: none"> i. Natural functioning of rivers, lakes, and wetlands, their riparian margins, and aquifers: iv. Amenity and landscape values of rivers, lakes, and wetlands: <p>e) Control the adverse effects of pest species, prevent their introduction and reduce their spread.</p>	<p>4Sight's Assessment stated that the ecological values of the identified natural wetlands are likely to be low as parts of the wetlands are dominated by exotic species; fauna values appear low; and the wetlands are very small and therefore unlikely to be able to provide sufficient buffering of the waterway from the current land use (as evidenced by the heavy sediment load in the waterway and stock access to the wetland).</p> <p>It is noted that there are no Regionally Significant Wetlands, as listed in the Regional Plan for Water, located in close proximity to the landfill site.</p>
<p>Policy 3.1.3 – Water allocation and use</p> <p>Manage the allocation and use of fresh water by undertaking all of the following:</p> <ul style="list-style-type: none"> a) Recognising and providing for the social and economic benefits of sustainable water use; b) Avoiding over-allocation, and phasing out existing over-allocation, resulting from takes and discharges; c) Ensuring the efficient allocation and use of water by: <ul style="list-style-type: none"> ii. Requiring that the water allocated does not exceed what is necessary for its efficient use 	<p>The proposed groundwater take is considered to be minor and is well within the allocation limit of the Inch Clutha Groundwater Zone. It is an efficient take of water and ensures that the leachate does not discharge into the Clutha River / Mata-au.</p>
<p>Policy 3.1.6 – Air quality</p> <p>Manage air quality to achieve the following:</p> <ul style="list-style-type: none"> a) Maintain good ambient air quality that supports human health, or enhance air quality where it has been degraded; b) Maintain or enhance amenity values. 	<p>The Air Quality Assessment states that adverse effects on air quality from the Mt Coeee Landfill can be managed so that there will be no noxious, dangerous, offensive or objectionable dust or odour to the extent that it causes an adverse effect at or beyond the boundary of the site.</p>
<p>Policy 3.1.9 – Ecosystems and indigenous biological diversity</p>	<p>Mr Moore, Landscape Architect, states that the development will not impact the Clutha River / Mata-au or its margin, and the two wetlands identified in the south-east portion of the site will also not be affected by</p>

Manage ecosystems and indigenous biological diversity in terrestrial, freshwater and marine environments to:

a) Maintain or enhance:

- i. Ecosystem health and indigenous biological diversity including habitats of indigenous fauna;

b) Maintain or enhance as far as practicable:

- i. Areas of predominantly indigenous vegetation;
- ii. Areas buffering or linking ecosystems;

c) Recognise and provide for:

- i. Hydrological services, including the services provided for by tall tussock grassland;
- ii. Natural resources and processes that support indigenous biological diversity;

d) Control the adverse effects of pest species, prevent their introduction and reduce their spread.

Policy 3.2.2 – Managing significant vegetation and habitats

Protect and enhance areas of significant indigenous vegetation and significant habitats of indigenous fauna, by all of the following:

b) Beyond the coastal environment, maintaining those values that contribute to the area or habitat being significant;

c) Avoiding significant adverse effects on other values of the area or habitat;

d) Remedying when other adverse effects cannot be avoided;

the proposed activities. Rehabilitation of the existing landfill will avoid significant expansion of the area of exposed, unvegetated ground, and the proposed revegetation with indigenous, locally-appropriate tussock will enhance native biodiversity and natural character.

The proposed screen plantings (also using indigenous species) will effectively mitigate the visual effects of the landfill activities from the Kaitangata Highway and more distant viewpoints beyond the Clutha River / Mata-au. There will continue to be visual effects from the north but assesses that the impact of the proposed landfill activities within these views will be generally similar in nature and degree to those existing now.

<p>e) Mitigating when other adverse effects cannot be avoided or remedied;</p> <p>f) Encouraging enhancement of those areas and values that contribute to the area or habitat being significant;</p> <p>g) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread.</p> <p>Policy 3.2.16 – Managing the values of wetlands</p> <p>Protect the function and values of wetlands by all of the following:</p> <p>a) Maintaining the significant values of wetlands;</p> <p>b) Avoiding, remedying or mitigating other adverse effects;</p> <p>c) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread;</p> <p>d) Encouraging enhancement that contributes to the values of the wetland;</p> <p>e) Encouraging the rehabilitation of degraded wetlands.</p>	
<p>Policy 4.1.4 - Assessing activities for natural hazard risk</p> <p>Assess activities for natural hazard risk to people, property and communities, by considering all of the following:</p> <p>a) The natural hazard risk identified, including residual risk;</p> <p>b) Any measures to avoid, remedy or mitigate those risks, including relocation and recovery methods;</p> <p>c) The long-term viability and affordability of those measures;</p>	<p>The Hazard Assessment concludes that the parts of the site likely to be affected by a major flooding event are limited to the berm area between the Kaitangata Highway and the landfill face, including the stormwater ponds and the proposed Resource Recovery Centre. The report suggests the depth of inundation will vary depending on the severity of the flood event but is unlikely to exceed 1.0m.</p> <p>Overall, the Geotechnical Reports confirmed that the underlying geology within the landfill site is suitable for landfill development. The site is not close to any active fault lines and given the geotechnical hazards and risks will be managed appropriately over the life of the landfill, it is considered</p>

<p>d) Flow-on effects of the risk to other activities, individuals and communities;</p> <p>e) The availability of, and ability to provide, lifeline utilities, and essential and emergency services, during and after a natural hazard event.</p> <p>Policy 4.1.6 - Minimising increase in natural hazard risk</p> <p>Minimise natural hazard risk to people, communities, property and other aspects of the environment by:</p> <p>a) Avoiding activities that result in significant risk from natural hazard;</p> <p>b) Enabling activities that result in no or low residual risk from natural hazard;</p> <p>d) Encouraging the location of infrastructure away from areas of hazard risk where practicable;</p> <p>e) Minimising any other risk from natural hazard.</p>	<p>that the potential adverse effects of seismic risk are considered to be less than minor.</p>
<p>Policy 4.3.2 – Nationally and regionally significant infrastructure</p> <p>Recognise the national and regional significance of all of the following infrastructure:</p> <p>f) Ports and airports and associated navigation infrastructure;</p>	<p>The Bird Management Plan stated that there would be no adverse effects on the Taieri Aerodrome and contains recommendations to ensure the effects are minimised.</p>
<p>Policy 4.6.2 – Use, storage and disposal of hazardous substances</p> <p>Manage the use, storage and disposal of hazardous substances, by all of the following:</p> <p>a) Providing secure containment for the storage of hazardous substances;</p> <p>b) Minimising risk associated with natural hazard events;</p>	<p>The AEE and Landfill Management Plan detail how the disposal of hazardous substances will meet Policy 4.6.2.</p>

<p>c) Ensuring the health and safety of people;</p> <p>d) Avoiding, remedying or mitigating adverse effects on the environment;</p> <p>e) Providing for the development of facilities to safely store, transfer, process, handle and dispose of hazardous substances;</p> <p>f) Ensuring hazardous substances are treated or disposed of in accordance with the relevant regulatory requirements;</p> <p>g) Restricting the location and intensification of activities that may result in reverse sensitivity effects near authorised facilities for hazardous substance bulk storage, treatment or disposal;</p> <p>h) Encouraging the use of best management practices.</p>	
<p>Policy 4.6.3 – Hazardous substance collection, disposal and recycling Promote and facilitate the establishment of hazardous substance collection, disposal and recycling services across the region.</p>	<p>Mt Cooe Landfill will accept hazardous wastes such as used paint and end of life gas bottles (although very small amounts)</p> <p>A lockable concrete shed is provided on a bunded concrete slab for temporary storage of small amounts of hazardous waste.</p>
<p>Policy 4.6.6 – Waste management Promote an integrated approach to the management of the use, storage and disposal of waste materials.</p>	<p>Mt Cooe Landfill provides a final point of disposal for residual wastes which cannot be reduced, reused or recycled. Waste is generated by both residential households and businesses as well as through construction activity. The functioning and growth of the Clutha District cannot be supported if there is no infrastructure in place to deal with waste generated. The Mt Cooe Landfill will continue to provide a centralised, contained and controlled location for disposal of residual waste which has not been diverted or recycled.</p>
<p>Policy 4.6.7 – Waste minimisation responses Encourage activities to give effect to the waste minimisation hierarchy of responses, by:</p> <p>a) Giving preference to reducing waste generated; then</p> <p>b) Reusing waste; then</p>	<p>CDC propose to construct a resource recovery centre and education hub within the existing site, which will reduce the volume of waste disposed of at the landfill due to some waste materials being recycled and reused.</p>

<ul style="list-style-type: none"> c) Recycling waste; then d) Recovering resources from waste; then e) Treatment; then f) Disposing residual waste to a disposal facility. 	
<p>Policy 4.6.8 – Waste storage, recycling, recovery, treatment and disposal</p> <p>Manage the storage, recycling, recovery, treatment and disposal of waste materials by undertaking all of the following:</p> <ul style="list-style-type: none"> a) Providing for the development of facilities and services for the storage, recycling, recovery, treatment and disposal of waste materials; b) Ensuring the health and safety of people; c) Minimising adverse effects on the environment; d) Minimising risk associated with natural hazard events; e) Restricting the location of activities that may result in reverse sensitivity effects near waste management facilities and services 	
<p>Policy 4.6.9 New Contaminated land</p> <p>Avoid the creation of new contaminated land or, where this is not practicable, minimise adverse effects on the environment.</p>	<p>The Mt Cooe Landfill site does not contain hazardous substances at concentrations above background levels, and additionally, there is no immediate or long term hazard to human health or the environment. Therefore, the landfill is not considered to fall under the ambit of a “contaminated site” for the purposes of the RPWaste.</p>
<p>Policy 5.2.3 – Managing historic heritage</p> <p>Protect and enhance places and areas of historic heritage, by all of the following:</p>	<p>The Archaeological Assessment states that the wider landscape was utilised for various lifeways activities by Māori prior to, and after, the arrival of Pākehā to the area. The Archaeological Assessment determined that there are no clear archaeological remains or features within the Mt Cooe Landfill site, and there is no reasonable cause to suspect that an archaeological site, as defined by the Heritage New Zealand Pouhere Taonga Act 2014 is within the proposed work area. . However, the</p>

<ul style="list-style-type: none"> a) Recognising that some places or areas are known or may contain archaeological sites, wāhi tapu or wāhi taoka which could be of significant historic or cultural value; b) Applying these provisions immediately upon discovery of such previously unidentified archaeological sites or areas, wāhi tapu or wāhi taoka; c) Avoiding adverse effects on those values that contribute to the area or place being of regional or national significance; d) Minimising significant adverse effects on other values of areas and places of historic heritage; e) Remedying when adverse effects on other values cannot be avoided; f) Mitigating when adverse effects on other values cannot be avoided or remedied; g) Encouraging the integration of historic heritage values into new activities; h) Enabling adaptive reuse or upgrade of historic heritage places and areas where historic heritage values can be maintained. 	<p>assessment stated that works must operate under an Accidental Discovery Protocol, which will occur.</p>
<p>Policy 5.4.1 – Offensive or objectionable discharges</p> <p>Manage offensive or objectionable discharges to land, water and air by:</p> <ul style="list-style-type: none"> a) Avoiding significant adverse effects of those discharges; c) Avoiding, remedying or mitigating other adverse effects of those discharges. 	<p>Given the application is for continued operation of the landfill no differently than it is currently operated, then it is concluded that there is only a less than minor potential for adverse odour effects at all offsite location for the future operation of the landfill.</p> <p>Based on a review of site activities and nature of discharges, the potential for dust effects from the site are expected to be very minor to negligible and therefore are not included further in the assessment.</p>

MW-P2 – Treaty principles

Local authorities exercise their functions and powers in accordance with Treaty principles, by:

- (1) recognising the status of Kāi Tahu and facilitating Kāi Tahu involvement in decision-making as a Treaty partner,
- (2) including Kāi Tahu in resource management processes and implementation to the extent desired by mana whenua,
- (3) recognising and providing for Kāi Tahu values and resource management issues, as identified by mana whenua, in resource management decision-making processes and plan implementation,
- (4) recognising and providing for the relationship of Kāi Tahu culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka by ensuring that Kāi Tahu have the ability to identify these relationships and determine how best to express them,
- (5) ensuring that regional and district plans recognise and provide for Kāi Tahu relationships with Statutory Acknowledgement Areas, tōpuni, nohoaka and customary fisheries identified in the NTCSA 1998, including by actively protecting the mauri of these areas,
- (6) having particular regard to the ability of Kāi Tahu to exercise kaitiakitaka,
- (7) actively pursuing opportunities for:
 - (a) delegation or transfer of functions to Kāi Tahu, and
 - (b) partnership or joint management arrangements, and
- (8) taking into account iwi management plans when making resource management decisions.

A Cultural Impact Assessment has been undertaken by Aukaha.

Given there is no direct discharge of leachate to water, in particular the Clutha River / Mata-au, and there are various practicable measures in place to ensure leachate does not discharge to the Clutha River / Mata-au, it is considered that the proposal is consistent with the policies of the proposed RPS.

Tangata whenua (specifically, Te Rūnanga o Ōtākou and Hokonui Rūnanga via Aukaha) have been engaged in the Mt Cooee design and consenting process, and will be further engaged as part of the consenting process.

<p>ECO–P3 – Protecting significant natural areas and taoka</p> <p>Except as provided for by ECO–P4 and ECO–P5, protect significant natural areas and indigenous species and ecosystems that are taoka by:</p> <p>(1) avoiding adverse effects that result in:</p> <p>(a) any reduction of the area or values (even if those values are not themselves significant) identified under ECO–P2(1), or</p> <p>(b) any loss of Kāi Tahu values, and</p> <p>(2) after (1), applying the biodiversity effects management hierarchy in ECO–P6, and</p> <p>(3) prior to significant natural areas and indigenous species and ecosystems that are taoka being identified in accordance with ECO–P2, adopt a precautionary approach towards activities in accordance with IM–P15</p>	
<p>IM–P2 – Decision priorities</p> <p>Unless expressly stated otherwise, all decision making under this RPS shall:</p> <p>(1) firstly, secure the long-term life-supporting capacity and mauri of the natural environment,</p> <p>(2) secondly, promote the health needs of people, and</p> <p>(3) thirdly, safeguard the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.</p>	<p>The Cultural Impact Assessment, undertaken by Aukaha, has discussed mauri. The landfill provides for the social and economic well-being of the Clutha District by providing a means of disposing of the district's wastes, and the measures put in place in the design will ensure the health needs of people are met by undertaking best practicable measures in terms of odour, dust, leachate and stormwater discharges.</p>
<p>AIR–P1 – Maintain good ambient air quality</p> <p>Good ambient air quality is maintained across Otago by:</p> <p>(1) ensuring discharges to air comply with ambient air quality limits where those limits have been set, and</p> <p>(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.</p>	<p>The Air Quality Assessments show that the discharges to air from the landfill, such as dust, odour and landfill gas, will all be undertaken to best practicable guidelines to ensure they do not cause offensive, objectionable, noxious or dangerous effects.</p>

AIR-P3 – Providing for discharges to air

Allow discharges to air provided they do not adversely affect human health, amenity and mana whenua values and the life supporting capacity of ecosystems.

AIR-P4 – Avoiding certain discharges

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

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) water and land have a connectedness that supports and perpetuates life, and
- (5) Kāi Tahu exercise rakatirataka, manaakitaka and their kaitiakitaka duty of care and attention over wai and all the life it supports.

The Cultural Impact Assessment, undertaken by Aukaha, discussed Te Mana o te Wai. Overall, given the leachate on site is collected, treated and discharged off site, this results in leachate not being directly discharged to the Clutha River / Mata-au. The assessments indicate that the landfill is having a negligible effect on the Clutha River / Mata-au, and Aukaha are engaged in further discussions regarding the on-going operation of the landfill.

LF-WAI-P1 – Prioritisation

In all management of fresh water in Otago, prioritise:

- (1) first, the health and well-being of water bodies and freshwater ecosystems, te hauora o te wai and te hauora o te taiao, and the exercise of mana whenua to uphold these,
- (2) second, the health and well-being needs of people, te hauora o te tangata; interacting with water through ingestion (such as drinking water and consuming harvested resources) and immersive activities (such as harvesting resources and bathing), and
- (3) third, the ability of people and communities to provide for their social, economic, and cultural wellbeing, now and in the future.

LF-WAI-P3 – Integrated management/ki uta ki tai

Manage the use of fresh water and land in accordance with tikaka and kawa, using an integrated approach that:

- (1) recognises and sustains the connections and interactions between water bodies (large and small, surface and ground, fresh and coastal, permanently flowing, intermittent and ephemeral),
- (2) sustains and, wherever possible, restores the connections and interactions between land and water, from the mountains to the sea,
- (3) sustains and, wherever possible, restores the habitats of mahika kai and indigenous species, including taoka species associated with the water body,
- (4) manages the effects of the use and development of land to maintain or enhance the health and well-being of fresh water and coastal water,

<p>(5) encourages the coordination and sequencing of regional or urban growth to ensure it is sustainable,</p> <p>(6) has regard to foreseeable climate change risks, and</p> <p>(7) has regard to cumulative effects and the need to apply a precautionary approach where there is limited available information or uncertainty about potential adverse effects.</p> <p>LF-WAI-P4 – Giving effect to Te Mana o te Wai</p> <p>All persons exercising functions and powers under this RPS and all persons who use, develop or protect resources to which this RPS 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 fresh water, including when interpreting and applying the provisions of the LF chapter.</p>	
<p>LF-FW-P9 – Protecting natural wetlands</p> <p>Protect natural wetlands by:</p> <p>(1) avoiding a reduction in their values or extent unless:</p> <p>(a) the loss of values or extent arises from:</p> <ul style="list-style-type: none"> 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, v) the construction or maintenance of wetland utility structures, 	<p>It is noted that there are no Regionally Significant Wetlands, as listed in the Regional Plan for Water, located in close proximity to the landfill site.</p> <p>The two natural wetlands on site will not be affected as part of the proposal, as shown in the AEE.</p>

<ul style="list-style-type: none"> vi) the maintenance or operation of specific infrastructure, or other infrastructure, vii) natural hazard works, or <p>(b) the Regional Council is satisfied that:</p> <ul style="list-style-type: none"> 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 <p>(2) not granting resource consents for activities under (1)(b) unless the Regional Council is satisfied that:</p> <ul style="list-style-type: none"> 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). 	
<p>ECO-P6 – Maintaining indigenous biodiversity</p>	<p>The subject site is in an area that has a significant range of indigenous waterfowl and aquatic vegetation. The Clutha River supports the longfin eel (declining), lamprey (declining), and koara (declining).</p>

<p>Maintain Otago's indigenous biodiversity (excluding the coastal environment and areas managed under ECO-P3) by applying the following biodiversity effects management hierarchy in decision-making on applications for resource consent and notices of requirement:</p> <ol style="list-style-type: none"> (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 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 residual adverse effects is not possible, then: <ol style="list-style-type: none"> (a) the residual adverse effects are compensated for in accordance with APP4, and (b) if the residual adverse effects cannot be compensated for in accordance with APP4, the activity is avoided. 	<p>4Sight's Assessment stated that the ecological values of the identified natural wetlands are likely to be low as parts of the wetlands are dominated by exotic species; fauna values appear low; and the wetlands are very small and therefore unlikely to be able to provide sufficient buffering of the waterway from the current land use (as evidenced by the heavy sediment load in the waterway and stock access to the wetland).</p>
<p>EIT-INF-P14 - Decision making considerations When considering proposals to develop or upgrade infrastructure:</p> <ol style="list-style-type: none"> (1) require consideration of alternative sites, methods and designs if adverse effects are potentially significant or irreversible, and (2) utilise the opportunity of substantial upgrades of infrastructure to reduce adverse effects that result from the existing infrastructure, including on sensitive activities. 	<p>A full consideration of alternatives has been provided for within the AEE, including alternative locations, methods and disposal / treatment options.</p>
<p>HAZ-NH-P2 – Risk assessments Assess the level of natural hazard risk by determining a range of natural</p>	<p>Given the shallow depth to bedrock and the limited thickness of the soil cover across the majority of the site, long term settlements under the loads from the proposed structures or fill slopes are anticipated to be</p>

<p>hazard event scenarios and their potential consequences in accordance with the criteria set out within APP6.</p> <p>HAZ–NH–P3 – New activities</p> <p>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:</p> <p>(1) when the natural hazard risk is significant, the activity is avoided,</p> <p>(2) when the natural hazard risk is tolerable, manage the level of risk so that it does not become significant, and</p> <p>(3) when the natural hazard risk is acceptable, maintain the level of risk.</p>	<p>small and occur immediately. Overall, the Geotechnical Reports confirmed that the underlying geology within the landfill site is suitable for landfill development. The design has incorporated the flood hazard information and accordingly, it is considered that the effects are less than minor.</p>
<p>HAZ–CL–P15 – New contaminated land</p> <p>Avoid the creation of new contaminated land or, where this is not practicable, minimise adverse effects on the environment and mana whenua values.</p>	<p>The Mt Cooee Landfill site is not considered to fall under the ambit of a “contaminated site” for the purposes of the RPWaste, and therefore no resource consent is required under Rule 5.6.1 for the disturbance of land at a contaminated site.</p>
<p>HAZ–CL–P16 – Waste minimisation responses</p> <p>Apply the principles of the waste management hierarchy (reduce, reuse, recycle, recover, residual waste management) to the management of all waste streams.</p> <p>HAZ–CL–P17 – Disposal of waste materials</p> <p>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.</p>	<p>The landfill has been designed to best practicable guidelines and the new Resource Recovery Centre, Transfer Station and Education Hub will reduce waste being disposed of to the Landfill.</p>

Otago Regional Plan: Waste

Policy 4.4.1 – To recognise and provide for the relationship Kai Tahu have with natural and physical resources by:

- Acknowledging that future generations will inherit the results of good and bad waste management practices;
- Providing for the management of Otago’s waste stream in a manner that takes into account Kai Tahu cultural values; and
- Maintaining consultation with Kai Tahu on issues relating to waste minimisation.

A Cultural Impact Assessment has been undertaken by Aukaha.

Given there is no direct discharge of leachate to water, in particular the Clutha River / Mata-au, and there are various practicable measures in place to ensure leachate does not discharge to the Clutha River / Mata-au, it is considered that the proposal is consistent with the policies of the proposed RPS.

Tangata whenua (specifically, Te Rūnanga o Ōtākou and Hokonui Rūnanga via Aukaha) have been engaged in the Mt Cooee design and consenting process, and will be further engaged as part of the consenting process.

Policy 4.4.2 – To encourage, support and facilitate integrated waste management by (in order of priority):

- Minimising the effects on the environment by reducing the quantity and /or toxicity of material entering the waste stream;
- Reusing materials;
- Recycling materials, where practicable, that cannot be reused;
- Recovering resources from materials in the waste stream; and
- Disposing of the residual waste in an environmentally safe manner.

The proposal will reduce the amount of waste being disposed of to land due to the new Resource Recovery Centre and Education Hub. The new cells will be far better for the environment due to them being lined, and the landfill has overall been designed to best practice guidelines.

Policy 4.4.4 - To encourage the composting of appropriate organic waste material.

There will be no composting facilities on site.

Policy 6.4.1 - To promote the safe transportation, and the use, treatment, storage and disposal of hazardous substances and hazardous wastes in such

The landfill will only accept a small volume of hazardous substances, and appropriate measures have been proposed in relation to this.

<p>a manner that avoids adverse environmental effects.</p>	
<p>Policy 6.4.7 - To promote regionally coordinated collection, storage, treatment and disposal of hazardous waste.</p>	<p>The landfill is consistent with this policy as it provides one location for the coordinated collection, treatment and disposal of hazardous waste within the Clutha district.</p>
<p>Policy 6.4.12 – To recognise and provide for the relationship Kāi Tahu have with Otago’s natural and physical resources through:</p> <ul style="list-style-type: none"> a) Providing for the management and disposal of Otago’s hazardous substances and hazardous wastes in a manner which takes into account Kāi Tahu cultural values; and b) Supporting hazardous waste disposal methods which avoid, remedy or mitigate adverse effects on the environment and the mauri of its natural and physical resources; and c) Protecting waahi tapu and waahi taoka from hazardous waste management practices; and d) Ensuring that Kāi Tahu access to waahi tapu and waahi taoka is not compromised by waste management practices; and e) Acknowledging that future generations will inherit the results of good and bad waste management practices; and f) Maintaining consultation with Kāi Tahu on issues relating to hazardous substances and hazardous waste management. 	<p>A Cultural Impact Assessment has been undertaken by Aukaha.</p> <p>Given there is no direct discharge of leachate to water, in particular the Clutha River / Mata-au, and there are various practicable measures in place to ensure leachate does not discharge to the Clutha River / Mata-au, it is considered that the proposal is consistent with the policies of the proposed RPS.</p> <p>Tangata whenua (specifically, Te Rūnanga o Ōtākou and Hokonui Rūnanga via Aukaha) have been engaged in the Mt Cooe design and consenting process, and will be further engaged as part of the consenting process.</p>
<p>Policy 7.4.1 – To recognise and provide for the relationship Kāi Tahu have with Otago’s natural and physical resources through:</p> <ul style="list-style-type: none"> a) Providing for the management and disposal of Otago’s wastes in a manner that takes into account Kāi Tahu cultural values; and b) Supporting waste disposal methods which avoid, remedy or mitigate adverse effects on the environment and the mauri of its natural and physical 	

<p>resources; and</p> <p>c) Protecting waahi tapu and waahi taoka from waste management practices; and</p> <p>d) Ensuring that Kāi Tahu access to waahi tapu and waahi taoka is not compromised by waste management practices; and</p> <p>e) Acknowledging that future generations will inherit the results of good and bad waste management practices; and</p> <p>f) Maintaining consultation with Kāi Tahu on issues relating to landfill management.</p>	
<p>Policy 7.4.3 – To ensure that landfills and discharges from silage production and composting operations are sited at locations and managed in a manner whereby adverse effects on the environment are avoided, remedied, or mitigated.</p>	<p>The Geotechnical Reports indicate that the site is appropriate for a landfill. The site is existing and has been in operation since 1985.</p>
<p>Policy 7.4.4 – To monitor discharges to land, water, and air from new, operating and closed landfills, and from silage production and composting.</p>	<p>The proposed conditions include monitoring the various discharges from the landfill and reporting to the ORC.</p>
<p>Policy 7.4.6 – To require that all new, operating, and closed landfills are managed in compliance with approved management and post-closure procedures.</p>	<p>A detailed landfill aftercare plan will be developed at least 6 months prior to the completion of the Stage 2 activities. Aftercare will include all ongoing maintenance, monitoring activities and outline ongoing use/site access, with a preference to make the site available once landfilling is completed as a public recreation area.</p>
<p>Policy 7.4.8 - To promote alternatives to landfills as a means of waste disposal.</p>	<p>Alternatives were considered in the AEE but alternative landfill technologies is not well advanced in New Zealand.</p>
<p>Policy 7.4.11 (introduced by Plan Change 1) – To minimise the adverse effects of discharges from new and operating landfills by requiring that:</p> <p>a) the siting, design, construction, operation and management of new and</p>	<p>The site is considered appropriate for a landfill, but the landfill is an existing site that has been operating there since 1985. Various mitigation measures and monitoring will be implemented to ensure contaminants are contained.</p>

<p>operating landfills is in accordance with the Waste Minimisation Institute New Zealand's Technical Guidelines for Disposal to Land (August 2018) and</p> <p>b) a site-specific management plan is prepared and implemented in accordance with the Waste Minimisation Institute New Zealand's Technical Guidelines for Disposal to Land (August 2018) that includes (but is not limited to):</p> <ul style="list-style-type: none"> i) methods for leachate management, collection, treatment and disposal; ii) methods for stormwater capture and control from both off-site and on-site sources; and iii) methods to minimise contamination of the receiving environment; and iv) controls to manage hazardous waste and avoid any discharge of hazardous wastes or the leaching of contaminants from hazardous wastes. 	
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Otago Regional Plan: Water	
<p>Policy 5.4.4 - To recognise Kai Tahu's interests in Otago's lakes and rivers by promoting opportunities for their involvement in resource consent processing.</p>	<p>A Cultural Impact Assessment has been undertaken by Aukaha.</p> <p>Given there is no direct discharge of leachate to water, in particular the Clutha River / Mata-au, and there are various practicable measures in place to ensure leachate does not discharge to the Clutha River / Mata-au, it is considered that the proposal is consistent with the policies of the proposed RPS.</p> <p>Tangata whenua (specifically, Te Rūnanga o Ōtākou and Hokonui Rūnanga via Aukaha) have been engaged in the Mt Cooee design and consenting process, and will be further engaged as part of the consenting process.</p>

<p>Policy 5.4.8 – To have particular regard to the following features of lakes and rivers, and their margins, when considering adverse effects on their natural character:</p> <ul style="list-style-type: none"> a) The topography, including the setting and bed form of the lake or river; b) The natural flow characteristics of the river; c) The natural water level of the lake and its fluctuation; d) The natural water colour and clarity in the lake or river; e) The ecology of the lake or river and its margins; and f) The extent of use or development within the catchment, including the extent to which that use and development has influenced matters (a) to (e) above. 	<p>The stormwater discharge to the Clutha River / Mata-au has been assessed as having less than minor effects on the quality of the river. There are no other effects on the river from the proposal.</p>
<p>Policy 6.4.0A – To ensure that the quantity of water granted to take is no more than that required for the purpose of use.</p>	<p>A small decrease in groundwater levels (0.37 m) downgradient of the expansion area is anticipated, which is unlikely to be measurable. This reduction in groundwater levels is not likely to adversely affect the small stream and wetland in the southeast corner of the site.</p> <p>Overall, the effects from the proposed groundwater take on groundwater quantity are considered to be less than minor.</p>
<p>Policy 6.4.1A – A groundwater take is allocated as:</p> <ul style="list-style-type: none"> a) Surface water, subject to a minimum flow, if the take is from any aquifer in Schedule 2C; or b) Surface water, subject to a minimum flow, if the take is within 100 metres of any connected perennial surface water body; or c) Groundwater and part surface water if the take is 100 metres or more from any connected perennial surface water body, and depletes that water body most affected by at least 5 litres per second as determined by Schedule 5A; or 	<p>In terms of potential impacts on groundwater recharge and flow, no changes are anticipated in how the existing landfill cells affect the groundwater system in terms of water quantity. This is largely because the existing cells are unlined, therefore, groundwater flows through the existing landfill area. It is estimated that due to leachate captured by the leachate collection system in the existing landfill area, a reduction of 78% (26,963 m³ /year) in groundwater recharge to the Mt Cooee catchment is estimated. However, it is expected that actual total groundwater flow within the catchment is higher, therefore, the overall reduction in flow resulting from leachate collection would be lower than 78%.</p>

<p>d) Groundwater if (a), (b) and (c) do not apply.</p>	<p>The proposed landfill expansion cells will be lined, so it is anticipated they will not intercept upgradient groundwater flow, however shallow groundwater is likely to be redirected around the new cells to some degree. Due to leachate collection, it is estimated that a further 6% reduction (2,092 m³/year) in groundwater recharge to the Mt Cooe catchment once the expansion cells have been filled to capacity.</p>
<p>Policy 6.4.16 – In granting resource consents to take water, or in any review of the conditions of a resource consent to take water, to require the volume and rate of take to be measured in a manner satisfactory to the Council unless it is impractical or unnecessary to do so.</p>	<p>The proposed water take will be measured as part of the consent conditions.</p>
<p>Policy 7.C.1 - When considering applications for resource consents to discharge contaminants to water, to have regard to opportunities to enhance the existing water quality of the receiving water body at any location for which the existing water quality can be considered degraded in terms of its capacity to support its natural and human use values.</p> <p>Policy 7.C.2 - When considering applications for resource consents to discharge contaminants to water, or onto or into land in circumstances which may result in any contaminant entering water, to have regard to:</p> <ul style="list-style-type: none"> a) The nature of the discharge and the sensitivity of the receiving environment to adverse effects; b) The financial implications, and the effects on the environment of the proposed method of discharge when compared with alternative means; and c) The current state of technical knowledge and the likelihood that the proposed method of discharge can be successfully applied. 	<p>The stormwater discharge to the Clutha River / Mata-au has been assessed as having less than minor effects on the quality of the river. In addition, Clutha District Council are currently considering irrigating the stormwater from the stormwater ponds on the completed areas of the landfill, which would decrease the volume of stormwater discharged to the Clutha River / Mata-au.</p>

<p>Policy 7.C.3 - When considering any resource consent to discharge a contaminant to water, to have regard to any relevant standards and guidelines in imposing conditions on the discharge consent.</p>	
<p>Policy 10A.2.2 (introduced by Plan Change 7) - Irrespective of any other policies in this Plan concerning consent duration, only grant resource consents for takes and/or uses of freshwater, where this activity was not previously authorised by a Deemed Permit or by a water permit expiring prior to 31 December 2025, for a duration of no more than six years.</p>	<p>A duration of 35 years has been requested for the water permit, and the reasons for why have been discussed in the AEE.</p>
<p>Policy 10.4.1 – Otago’s regionally significant wetland values are:</p> <p>A1 Habitat for nationally or internationally rare or threatened species or communities;</p> <p>A2 Critical habitat for the life cycles of indigenous fauna which are dependent on wetlands;</p> <p>A3 High diversity of wetland habitat types;</p> <p>A4 High degree of wetland naturalness;</p> <p>A5 Wetland scarce in Otago in terms of its ecological or physical character;</p> <p>A6 Wetland which is highly valued by Kai Tahu for cultural and spiritual beliefs, values and uses, including waahi taoka and mahika kai;</p> <p>A7 High diversity of indigenous wetland flora and fauna;</p> <p>A8 Regionally significant wetland habitat for waterfowl; and</p> <p>A9 Significant hydrological values including maintaining water quality or low flows, or reducing flood flows.</p>	<p>It is noted that there are no Regionally Significant Wetlands, as listed in the Regional Plan for Water, located in close proximity to the landfill site.</p> <p>The two natural wetlands on site will not be affected as part of the proposal, as shown in the AEE.</p>

Policy 10.4.2 – Avoid the adverse effects of an activity on a Regionally Significant Wetland or a regionally significant wetland value, but allow remediation or mitigation of an adverse effect only when the activity:

- a) Is lawfully established; or
- b) Is nationally or regionally significant important infrastructure, and has specific locational constraints; or
- c) Has the purpose of maintaining or enhancing a Regionally Significant Wetland or a regionally significant wetland value.

Policy 10.4.8 - The loss of natural inland wetlands is avoided, their values are protected, and their restoration is promoted, except where:

(a) The loss of extent or values arises from any of the following:

- (i) The customary harvest of food or resources undertaken in accordance with tikanga Maori
- (ii) Restoration activities
- (iii) Scientific research
- (iv) The sustainable harvest of sphagnum moss
- (v) The construction or maintenance of wetland utility structures (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020
- (vi) The maintenance or operation of specified infrastructure, or other infrastructure (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020
- (vii) Natural hazard works (as defined in the Resource Management

The two natural wetlands on site will not be affected as part of the proposal, as shown in the AEE.

<p>(National Environmental Standards for Freshwater) Regulations 2020; or</p> <p>(b) The regional council is satisfied that:</p> <p>(i) The activity is necessary for the construction or upgrade of specified infrastructure; and</p> <p>(ii) The specified infrastructure will provide significant national or regional benefits; and</p> <p>(iii) There is a functional need for the specified infrastructure in that location; and</p> <p>(iv) The effects of the activity are managed through applying the effects management hierarchy.</p>	
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Kāi Tahu ki Otago Natural Resource Management Plan 2005

<p>Wai Māori Policies</p> <ul style="list-style-type: none"> • To require an assessment of instream values for all activities affecting water. • To promote the cultural importance of water to Kāi Tahu ki Otago in all water management within the Otago Region and Lower Waitaki Catchment. • To protect and restore the mauri of all water. • To encourage the use of the Cultural Health Index as a tool for monitoring waterways. • To encourage all stormwater be treated before being discharged. • To encourage Kāi Tahu ki Otago input into the development of monitoring programmes. 	<p>A Cultural Impact Assessment has been undertaken by Aukaha.</p> <p>Given there is no direct discharge of leachate to water, in particular the Clutha River / Mata-au, and there are various practicable measures in place to ensure leachate does not discharge to the Clutha River / Mata-au, it is considered that the proposal is consistent with the policies of the proposed RPS.</p> <p>Tangata whenua (specifically, Te Rūnanga o Ōtākou and Hokonui Rūnanga via Aukaha) have been engaged in the Mt Cooe design and consenting process, and will be further engaged as part of the consenting process.</p>
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<ul style="list-style-type: none"> · To require monitoring of all discharges be undertaken on a regular basis and all information, including an independent analysis of monitoring results, be made available to Kāi Tahu ki Otago. · To encourage Management Plans for all discharge activities that detail the procedure for containing spills and including plans for extraordinary events. · To require all discharge systems be well maintained and regularly serviced. Copies of all service and maintenance records should be available to Kāi Tahu ki Otago upon request. · To require re-vegetation with locally sourced indigenous plants for all disturbed areas. Re-vegetation should be monitored by an assessment of the vegetative cover at one growing season after establishment and again at three seasons from establishment. · To require groundwater monitoring for all discharges to land. · To promote integrated riparian management throughout entire catchments. 	
<p>Wai Māori Policy that the application is contrary to:</p> <ul style="list-style-type: none"> · Policy 56: To oppose the draining of wetlands. All wetlands are to be protected. 	<p>The wetlands on site will not be drained.</p>
<p>Wāhi Tapu Policies</p> <ul style="list-style-type: none"> · To require consultation with Kāi Tahu ki Otago for activities that have the potential to affect wāhi tapu. · To promote the establishment of processes with appropriate agencies that: <ul style="list-style-type: none"> i. enable the accurate identification and protection of wāhi tapu. 	<p>The Archaeological Assessment concluded that there is no reasonable cause to suspect that an archaeological site, as defined by the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA 2014), is within the proposed work area. As such, the assessment recommended that planning for an archaeological authority as per the HNZPTA 2014 is not required. However, the assessment stated that works must operate under an Accidental Discovery Protocol, which will occur.</p>

<ul style="list-style-type: none"> ii. provide for the protection of sensitive information about the specific location and nature of wāhi tapu. iii. ensure that agencies contact Kāi Tahu ki Otago before granting iv. consents or confirming an activity is permitted, to ensure that wāhi tapu are not adversely affected. <ul style="list-style-type: none"> • To discourage all discharges near wāhi tapu. • To recognise Kāi Tahu ki Otago kaitiakitaka over the protection and recording of archaeological sites. 	
<p>Mahika Kai and Biodiversity Policies</p> <ul style="list-style-type: none"> • To promote the protection of remaining indigenous fish habitat by: <ul style="list-style-type: none"> • Identifying waterways that exclusively support indigenous fish. • Prohibiting the introduction of exotic species where they currently do not exist. • Ensuring fish passage (both ingress and egress). • Removing exotic species from waterways of particular importance where this is achievable and appropriate according to Kāi Tahu ki Otago. • To protect and enhance existing wetlands, support the reinstatement of wetlands and promote assistance for landowners for fencing-off wetlands. • To promote the development of a cultural monitoring tool for vegetation and ecosystem health. • To require that hazardous operations and the use, transportation and storage of hazardous substances are not to impact mahika kai and other cultural values. 	<p>The existing wetlands will not be affected as part of the proposed works and Clutha District Council are discussing with Aukaha the potential to restore these wetlands.</p>

<p>Cultural Landscapes</p> <ul style="list-style-type: none">• To require all earthworks, excavation, filling or the disposal of excavated material to:<ul style="list-style-type: none">i. Avoid adverse impacts on significant natural landforms and areas ofii. indigenous vegetation;iii. Avoid, remedy, or mitigate soil instability; and accelerated erosion;iv. Mitigate all adverse effects.• To require site rehabilitation plans for land contaminated by landfills, tip<ul style="list-style-type: none">v. sites, treatment plants, industrial waste, and agricultural waste.vi. To require monitoring of methane levels for all closed landfills and that analysed data be sent to KTKO Ltd.	<p>The Landscape and Visual Assessment report identified no significant effects on the landscape, and recommended measures to reduce any effects.</p>
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