



Submission on The Otago Regional Council Proposed Regional Policy Statement (Freshwater Chapters)

Federated Farmers of New Zealand

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SUBMISSION ON THE OTAGO REGIONAL COUNCIL PROPOSED FRESHWATER PLANNING INSTRUMENT PART OF THE PROPOSED OTAGO REGIONAL POLICY STATEMENT USING FRESHWATER PLANNING PROCESS

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This is a submission on the Otago Regional Council Proposed Regional Policy Statement - parts considered to be a Freshwater Planning instrument under s80A of the Resource Management Act 1991.

I could not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that my submission relates to and the decisions we seek from Council are as detailed on the following pages.

We wish to be heard in support of our submission.

Section 1: General Submissions

1.1 Introduction

1.1 Federated Farmers of New Zealand (Federated Farmers) welcomes the opportunity to submit on the Otago Regional Council's Proposed Regional Policy Statement ('RPS') – parts considered to be a Freshwater Planning instrument under s80A of the Resource Management Act 1991.

1.2 Federated Farmers is a primary sector organisation that represents farmers, farming, rural businesses, and rural communities. Federated Farmers has a long and proud history of representing the needs and interests of New Zealand farmers.

1.3 The Federation aims to add value to its members' farming business. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:

- Our members may operate their business in a fair and flexible commercial environment;
- Our members' families and their staff have access to services essential to the needs of the rural community; and
- Our members adopt responsible management and environmental practices

1.4 The RPS is a crucial document that impacts all Otago farmers and growers, resource users, and rural communities. It is important that the final RPS provide a clear framework and guidelines that appropriately recognise the range of sectors, industries and businesses that keep our region's communities and economy vibrant and sustainable.

1.5 The primary sector is of significant importance to the Otago region, and its economy, employment, and overall wellbeing. Rural communities are at the heart of Otago; they are a strong representation of who we, as Otago residents, are.

1.6 Throughout the 2020 COVID-19 pandemic response, the primary sector's contribution to the region, and wider New Zealand, remained steady, reliable, and important. Through the RPS, Council should encourage and enable that contribution, and in particular recognise and value the positive contribution that the primary sector makes to the region, whether it is through the economy (that is, the important role the primary sector and the associated industry contribute to the GDP), the environment (through the work that rural communities and catchment groups do across the region to improve water quality, quantity, and ecosystem health) and the social (through the rural communities networks and social structure that contribute to the overall wellbeing and social cohesion that allow the communities to thrive).

1.7 We represent Otago farming families whose businesses, homes, lives, and the communities where they live depend on farming and the primary sector.

The primary sector provides our food, fibre, and feed. Family farms in Otago often represent multiple generations whose current owners are looking to the future for their own children's and grandchildren's future as farmers. The RPS needs to provide a robust, clear framework to provide guidance and clarity for the region on freshwater. That guidance needs to recognise and value all aspects of the region that contribute to its core. The primary sector and associated industries and communities form a critical component of the Otago region, and this value and contribution should be recognised.

- 1.8** The RPS represents more regulations and change to a sector that is overwhelmed with regulatory change both regionally and nationally. The Otago region more than most has been through huge amounts of change with the flurry of ORC plan changes (1, 7, and 8). Otago farmers have adopted positive on farm management practices that have seen improvements in winter grazing and increased membership and participation of catchment groups in improving freshwater in their area. The RPS can recognise these concerns by taking an enabling approach, within sustainable limits.
- 1.9** Federated Farmers has been involved with this proposed RPS process from the start. Federated Farmers along with other primary sector stakeholders provided feedback on the draft RPS in March 2021. We raised concerns then on the issues with time frames and achievability of outcomes. The section 32 report for the LF-FW highlights serious points that rural communities will *“face considerable costs in fully implementing Option 3 and uncertainty until the full planning framework envisaged is implemented, which may contribute to mental health pressures in those communities, particularly in catchments where there is over-allocation and significant changes in water and land use are required”, and “if the impact on farm profits in some communities are significant, there may be job losses. Communities affected by job losses may experience a reduction in population numbers and, longer term the availability of local services”*. If the social risks highlight concerns on rural mental health, providing suitable consideration for time frames that are reasonable and achievable should be without question. This is a particularly relevant consideration in respect of the timeframes to achieve freshwater visions set out in the RPS.
- 1.10** Aligned with that, the economic considerations for the same LF-FW chapter highlight that *“The provisions in Option 3 represent a paradigm shift in freshwater management in the region. There will be significant constraints on the uses of water and land which will, in turn, have considerable impacts on economic growth and employment. The quantum of these costs has not been identified and will depend, in large part, on the provisions developed under the LWRP to implement Option 3. However, the significant shift in policy direction from the current state means it is likely the costs will be significant” and “Implementation of the LWRP will also result in costs to land and water users in Otago, particularly where limits or targets are considerably more conservative than the current planning framework. This is likely to require a range of changes in land and water use practices which will come at a cost that is unable to be quantified at this stage”*. Council is describing a process that has not be costed, but already identified as having huge social and economic ramifications on the rural communities that will be most impacted. Where also, impacts on both mental health and the

economic viability of primary production have been highlighted as of concern. The changes proposed must be achievable by a region and its community and the council is obligated to provide that certainty.

- 1.11** The RPS needs to ensure that its directions for change consider reasonable timeframes. Farm systems are complex operations and on farm change in management practices can take some time to implement, and often the results of management change can take even more time to show as an effect. Practical considerations of the pace of change is critical.

- 1.12** The following table includes specific comments on each chapter (Interpretation, SRMR, RMIA-WAI, LF-WAI, LF-VM, LF-FW, LF-LS, Maps).

	Package	Component	Support/Oppose	Reason	
	Interpretation	Definitions			
1		Certified Freshwater Farm Plan	support	Federated Farmers support the proposed definition	Federated Farmers support the proposed definition
2		Drinking water	support	Federated Farmers support the proposed definition	Federated Farmers support the proposed definition
3		Over-allocation	support	Federated Farmers support the proposed definition	Federated Farmers support the proposed definition
4		Specified rivers and lakes	support	Federated Farmers support the proposed definition	Federated Farmers support the proposed definition
5		Wetland utility structure	support	Federated Farmers support the proposed definition	Federated Farmers support the proposed definition
	SRMR				
6	SRMR	SRMR-15 Context	Oppose in part	<p>Freshwater is technically a renewable resource. It is when the use of freshwater exceeds the ability of natural processes to replenish that is the issue. The term 'finite' adds little.</p> <p>The term "permissive" is unhelpful in the context of a water resource management regime. Most of Otago's catchments have evolved in their resource management practice, on a voluntary basis.</p> <p>The uses of freshwater include social, economic, and cultural aspects.</p> <p>When referring to the hierarchy of obligations in Te Mana o te Wai priorities, use exactly the same wording to provide clarity</p> <p>The NPSFM does not have a goal of improving freshwater quality within five years. The wording from the regulations that refer to the five year time frame is looking at an ongoing process, and five years is a measurement timeframe to see if improvement has been made. The NPSFM talks about timeframes that are ambitious but reasonable.</p> <p>There will need to be significant change implemented over appropriate timeframes to adjust to the new allocation regime. Managing this transition carefully will be necessary to manage the impacts that will affect the social, economic and cultural wellbeing, including mental health of the community.</p>	<p>Amend as follows (or similar): <i>Freshwater, including rivers and streams, lakes, groundwater systems, and wetlands, is a finite resource critical to the <u>region's</u> environment, society, and the economy.</i></p> <p><i>In Otago, access to, allocation, and use of freshwater reflects current demands and historical development <u>and associated demands</u> "deemed permits" (water permits under the RMA 1991) and a permissive water resource management regime. The deemed permits originated from mining licences issued under historic mining legislation and which enable water to continue to be used for a range of uses, until October 2021.</i></p> <p><i>Population growth and land-use intensification in urban and rural environments can create increased demand for freshwater for human consumption, <u>recreation, other social and cultural uses, irrigation and other economic uses.</u> Freshwater resources in some places are reaching, or are beyond, their sustainable abstraction <u>replenishment</u> limits. However, there continues to be debate in the community about how historical freshwater allocations can be adjusted to achieve a balance of economic, environmental, social and cultural needs, <u>and critical to that is the need to provide for sufficient transitioning for any required change in resource use.</u></i></p> <p><i>On 3 September 2020, new National Environmental Standards for Freshwater (NESF) and a new National Policy Statement for Freshwater Management (NPSFM) came into force. They have a goal of improving freshwater quality within five years, reversing past damage-degradation and bringing New Zealand's freshwater resources, waterways and ecosystems to a healthy state within a generation. The NPS- FM also clarified the need to provide first for the health and well-being of water bodies and freshwater ecosystems; then health and needs of people (such as drinking water); and finally then, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.</i></p>
7	SRMR	SRMR-15- Impact Snapshot	Oppose in part	We consider that the level of detail provided is unnecessary and can be adequately addressed by more succinct terminology. The exhaustive list has potential to create problems if it is not complete	<p>Amend the following sentences as follows (or similar):</p> <p><i>Freshwater abstraction can reduce water level or flow and connections between different water bodies. This can negatively impact <u>freshwater</u> ecosystems by affecting freshwater habitat, water quality, water quantity, and ecological processes. size and the shape and condition of the water</i></p>

					<i>body, including bed, banks, margin, riparian vegetation, connections to groundwater, water chemistry (for example by increasing concentrations of pollutants), and interaction between species and their habitat.</i>
8	SRMR	SRMR-I5- Impact Snapshot Social	Support in part	The focus is on urban growth. A large proportion of Otago’s population do not live in urban centres – and is not associated with urban growth. Rural communities and rural households also require “appropriate freshwater supply	Amend the following sentence as follows (or similar): <i>Ensuring appropriate freshwater supply for human use is available as part of planned urban growth <u>and to support rural communities and households is essential</u></i>
9	SRMR	SRMR-I6 economic	Support in part	Include consideration of the future need of freshwater storage	Amend to include consideration of the future need for water storage
10	SRMR	SRMR-I6 Social	Support in part	The primary sector is a large part of the rural communities that make up the Otago region. The positive contribution of the sector should be acknowledged and recognised for its value – and supporting and recognising the communities it encompasses	Amend the Social Impact Snapshot by adding reference to the positive contribution the primary sector makes to the region
11	SRMR	SRMR-I6 – Declining water quality has adverse effects on the environment, our communities, and the economy Statement	Support in part	There are substantial efforts going on in the rural communities to improve water quality in the rural areas as evidenced by the over 26 active catchment groups in Otago. Greater acknowledgement needs to be given to the myriad land use activities that have led to such effects.	Amend as follows (or similar) <i>While the pristine areas of Otago generally maintain good water quality, some areas of Otago demonstrate poorer quality and declining trends in water quality which can <u>often</u> be attributed to discharges from land use intensification (both rural and urban) and land management practices.</i> <i>Some previously degraded areas are seeing the beginnings of a <u>turnaround with improving trends, but there is still much work to be done.</u></i>
12	SRMR	SRMR-I6 Context	Oppose in part	It is unclear where the particular point in time where “reverse past damage” is taken from. The NPS FW has a requirement for all Councils to reverse the degradation “if a regional council detects that an FMU or part of an FMU is degraded or degrading, it must as soon as practicable, take action to halt or reverse the degradation” The 5 year timelines included in the NPSFM are statements about measures on the action pathway for improvement. The way the wording in the PORPS FPI is phrased makes it seem like water quality improvement is fixed at 5 years. In the NPS FW the term ‘degraded’ is defined – and is specific to something that is other than a naturally occurring process, however, the use of the word “damage” is not used in the NPS or defined. The term degraded also makes reference to time periods. For clarity, use the terminology used in the NPS FW	Amend the following sentence as follows: <i>On 3 September 2020, new National Environmental Standards (NESF) and a new National Policy Statement (NPSFM) came into force to improve water quality <u>within five years</u>; and reverse past damage <u>degradation as soon as practicable</u>, and bring New Zealand’s freshwater resources, waterways and ecosystems to a healthy state within a generation.</i>
13	SRMR	SRMR-I6 – Impact Snapshot Environmental	Oppose in part	The report that is referenced in this section, <i>State of the Environment – Surface Water Quality in Otago</i> says that “Overall, water quality across Otago is variable, with some areas such as the Upper Clutha and the Taieri having excellent water quality, with other areas, such as urban	<i><u>Otago water systems are highly varied and include as well as lakes and rivers, scroll plains and saltwater lakes.</u> Despite the region’s lakes and rivers being highly valued by Otago communities, reports indicate there are reasons for concern in <u>specific areas about water quality and its trends with consequent</u></i>

			<p>streams in the Dunedin locale, intensified catchments in North Otago and some tributaries of the Pomahaka having poor water quality”. However, the wording in the PRPS has a different perspective. We would prefer that the wording of the report aligned more accurately with the report as written.</p> <p>We oppose the ordering of paragraphs – it is ideological rather than fact-based.</p> <p>Stock access (and excrement) into waterways is dramatically reducing across the country, and Otago has yet to undertake the work necessary to determine the state of its freshwater resource and contaminant sources. Placing livestock at the top of the list of matters included suggests a bias without foundation.</p> <p>The paragraph starting with “stock entering water bodies...” – the footnote says is from “a science staff survey in 2020”. There is no other supporting information. It is not appropriate to use a vague reference as a fact based statement with no access to follow up material or information.</p> <p>It is inaccurate to say that wintering cattle in Otago is a growing practice. Wintering has always occurred, and practices in this area are improving.</p> <p>Reference the positive work that catchment groups across Otago have been doing to actively monitor and improve water quality. Some of the poorest quality water in Otago are flood protection “assets”.</p> <p>Reference the other water systems in Otago, eg salt lakes, and scroll plain as different. In particular, the Upper Taieri Scroll Plain and wetland complex is managed by an active, co-ordinated and specific management plan that enhances and protects its unique hydrological, ecological and recreational values.</p> <p>Include reference to increased numbers of feral animals across Otago – ie pigs, deer, goats, wallabies, avian (including ducks, geese and swans) that will have a negative impact on water quality.</p> <p>Contamination from roads is not just an urban impact – and impacts roads across the entire region. Presumably hydrocarbons and metal from roads are washing into streams and culverts in rural areas as well?</p>	<p><i>potential impact on ecosystems and people. Water quality across Otago is variable with some areas such as the Upper Clutha and the upper Taieri having excellent water quality, with other areas, such as urban streams in the Dunedin locale, intensified catchments in North Otago and some tributaries of the Pomahaka having poorer water quality. River water quality is best at river and stream reaches located at high or mountainous elevations under predominantly native vegetation cover, and mostly good in the upper areas of large river catchment and outlets from large lakes. These sites tend to be associated with the upper catchments of larger rivers (e.g. Clutha River/Matau-Au, Taieri River and Lindis River) and the outlets from large lakes (e.g. Hawea, Wakatipu and Wanaka).</i></p> <p><i>Water quality is generally poorer in smaller low-elevation streams and coastal shallow lakes where they receive water from upstream pastoral areas or urban catchments. For example, catchments such as the Waiareka Creek (North Otago), Owhiro Stream (Mosgiel), Kāikorai Stream (Dunedin), and sub-catchments within the lower Clutha catchment, have some of the worst poorest water quality in the region. The Waikouaiti River has the best water quality of the lowland sites. Farmed livestock can negatively impact unfenced riparian areas but can also have a positive impact by managing weeds and aggressive introduced grasses. Feral pests entering water bodies can lead to pugging and destruction of riparian compaction of soils and beds that play an important role in filtering contaminants areas, as well as excreting directly in waterways. The growing practice of wintering cattle in Otago can exacerbate leaching effects, which may not connect to surface water until spring, creating spikes in nutrient loads. Catchment group initiatives in Otago are making positive changes in terms of addressing water quality concerns in local areas.</i></p>
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14	SRMR	SRMR-I6 – Impact Snapshot Economic	Oppose in part	<p>The reference used here for this first statement on water pollution is from the United States Environmental Protection Authority. It would be more appropriate to use NZ based facts. The USA EPA website is also only referring to pollution from nutrients (in particular Phosphorus and Nitrogen) and does not mention the other factors listed here</p> <p>Positive community/public good created by sustainable irrigation/water use in low rainfall central Otago catchments needs to be included or acknowledged.</p> <p>Otago’s GDP of which the primary sector is a large contributor. Contamination from roads is not just an urban impact – and impacts roads across the entire region. Presumably hydrocarbons and metal from roads are washing into streams and culverts in rural areas as well? This will be impacting the wellbeing of livestock close to those roads</p> <p>There is no specific “NZ Brand”. NZ Story is the government funded entity that looks at the stories and value of NZ’s reputation and value internationally. The primary sector recognise and put a lot of value of consumer perception of NZ primary sector exports. Transparency along the value chain and providing insights into on farm practice and understanding is valued and recognised by global consumers.</p>	<p>Amend as follows or similar: <i>Water pollution (from <u>contaminants</u>, nutrients, chemicals, pathogens and sediment) can have far-reaching effects potentially impacting <u>the primary sector</u>, tourism, property values, commercial fishing, recreational businesses, and many other sectors that depend on clean water</i></p>
15	SRMR	SRMR-I6 – Impact Statement Social	Support in part	<p>Data from <u>Land, Air, Water Aotearoa (LAWA) - River Quality</u> indicates that water quality in Otago lakes and rivers is far better than other regions. The results also show that urban rivers are by far the worst in terms of water quality.</p>	<p>Amend as follows or similar: <i>For the wider community, water is a source of kai and of recreation, including swimming, fishing and water sports. Otago’s rivers, lakes, estuaries and bays are important destinations for recreational use including swimming, fishing and water sports. Eighty- two per cent of Otago’s rivers and lakes are swimmable, <u>which is very high on a nationwide comparison</u>. However, where water quality cannot support these activities, the lifestyle of those living in Otago is impacted.</i></p>
16	SRMR	SRMR-I9 Context	Support in part	<p>The regional area of Otago lakes (Wanaka, Wakatipu, Hāwea and Dunstan) are all areas of farmland that include rural communities and livestock. The phrasing for context includes the values assigned to lakes to include the natural features and landscapes. The values of the landscapes includes farms. The accessibility of these resources includes “recreation, the health of native flora and fauna associated with Otago’s rivers and lakes, and renewable energy production”, but does not include its value for livestock health, or the health of communities that live there?</p>	<p>Amend as follows or similar: <i>Healthy lakes are one of Otago’s most valued natural resources and for the most part water quality is good. The values assigned to lakes include the natural features and landscapes, the quality and quantity of water accessible to the Otago communities, the accessibility of these resources for recreation, the health of native flora and fauna associated with Otago’s rivers and lakes, <u>livestock, irrigation, and renewable energy production</u></i></p>
17	SRMR	SRMR-I9 Economic	Support in part	<p>FF support the recognition that agriculture’s ability to operate can be adversely impacted by urban development.</p>	<p>Support the recognition of agriculture.</p>
	LF-WAI				

18	LF-WAI	LF-WAI-O1 – Te Mana o te Wai	Oppose in part	<p>Federated Farmers supports an objective that sets out to achieve the fundamental concept of Te Mana o te Wai as set out in the NPSFM 2020. However, we have significant concerns that an objective seeking the mauri of waterbodies be protected and restored is an incorrect focus.</p> <p>There are dangers when a higher order document is supposedly given effect to, but the wording is changed sufficiently to significantly alter the context.</p> <p>Within the NPSFM there is a fundamental principle that recognises that protecting the health of freshwater protects the health and wellbeing of the wider environment. This is a matter at the heart of the Te Mana o te Wai concept and talks about the protection of the mauri of the wai.</p> <p>In the NPSFM the term ‘restore’ is used in the context of achieving <i>balance</i> between the water, the wider environment, and the community. This is different from ‘restoring the health of the water’ as set out in the RPS objective. In our view, the move away from the terminology ‘restore the balance’ shows an incorrect adaptation of the concept.</p> <p>Misusing the NPSFM 2020 Te Mana o te Wai concept of ‘restore’ as has been done the RPS creates uncertainty as to what point in time a waterway that is degraded must be restored to. It moves away from the balanced approach within the NPSFM 2020.</p> <p>Mauri is not defined in the proposed RPS (or the NPSFM).</p> <p>We seek consistency with the NPSFM 2020 approach</p>	<p>Amend objective LF-WAI-O1 as follows: The mauri of Otago’s significant and highly- valued natural resources are identified and protected, or enhanced where 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 restores the balance between water, the wider environment, and the community, by recognising that:</p> <p><i>(1) water is the foundation and source of all life – na te wai ko te hauora o ngā mea katoa,</i></p> <p><i>(2) there is an integral kinship relationship between water and Kāi Tahu whānui, and this relationship endures through time, connecting past, present and future,</i></p> <p><i>(3) each water body has a unique whakapapa and characteristics,</i></p> <p><i>(4) water and land have a connectedness that supports and perpetuates life, and</i></p> <p><i>Kāi Tahu exercise rakatiratata, manaakitaka and their kāitiakitaka duty of care and attention over wai and all the life it supports</i></p>
19	LF-WAI	LF-WAI-P1 – Prioritisation	Oppose	<p>We oppose Council taking the NPSFM 2020 hierarchy and then significantly altering enough words to fundamentally change the outcome.</p> <p>We oppose any Te Mana o te Wai hierarchy being utilised that strays from that provided within 1.3 of the NPSFM 2020.</p> <p>By keeping the matters at that high level consistent, Federated Farmers considers appropriate prioritisation beyond this occurring in a catchment context, such as in determining the allocation when undertaking flow- setting, and in implementing flow regimes, providing for a relevant system of rationing, all at a catchment scale where the concept of Te Mana o Te Wai can make more practical sense.</p>	<p>Amend LF-WAI-P1 as follows:</p> <p><i>In all management of fresh water in Otago, prioritise:</i></p> <p><i>(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,⁴⁷</i></p> <p><i>(2) second, the health and well-being needs of people and essential needs of animals, 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</i></p> <p><i>(3) the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.</i></p>

				We seek the deletion of any matters that extend beyond the NPSFM 2020 hierarchy, given the perverse and unintended consequences of Council creating its own special framework in the way proposed.	
20	LF-WAI	LF-WAI-PR1 – Principal reasons – Paragraph 1	Oppose in part	As above (LF-WAI-P1) we seek consistency with the NPSFM. The NPSFM in its context description states that Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community. The phrasing used here implies a very siloed approach to the interpretation of the hierarchy.	Amend LF-WAI-PR1 to be consistent with the NPSFM.
21	LF-WAI	LF-WAI-AER2	Oppose in part	As above LF-WAI-O2 includes mauri-based goals “The mauri of Otago’s water bodies and their health and well-being is protected.”, however there is no criteria to explain how that will be achieved. With not having a definition of mauri – and seems to be used to mean different things throughout the pRPS.	Amend to provide clarity
	LF-VM				
22	LF-VM	LF-VM-O2 – Clutha Mata-au FMU vision	Oppose in part	<p>Federated Farmers supports the visions, with some changes as follows:</p> <p>There is a greater need to provide for food production and primary production as an important sector for the FMU. This reflects the feedback provided to Council through earlier community workshops.</p> <p>Change 7(b)(ii) to primary production, as ‘food production’ does not fully encapsulate the range of economic activities that take place in rural environments, for instance, it omits fibre products (wool), forestry, and other products that don’t naturally fall into the definition of food production. Primary production also has better common understanding.</p> <p>The RPS does not define ‘sustainable abstraction’ and does not indicate how this will be defined. The best approach for this is to link it to the NOF limit setting process which the ORC must undertake when writing its new regional land and water plan.</p> <p>Finally, in 8(b) it does not make sense to have a more stringent timeframe for the Lower Clutha than the Manuharekia rohe that drains into it. A timeframe of 2050 is suggested for both to be consistent upstream and downstream.</p> <p>Management that enables adaption of communities alongside waterways in a changing climate. This enables feedback loops from communities adapting to climate change.</p>	<p>Amend LF-VM-O2 as follows (or similar)</p> <p><i>In the Clutha Mata-au FMU:</i></p> <ol style="list-style-type: none"> (1) <i>management of the FMU recognises that:</i> <ol style="list-style-type: none"> (a) <i>the Clutha Mata-au is a single connected system ki uta ki tai, and</i> (b) <i>the source of the wai is pure, coming directly from Tawhirimatea to the top of the mauka and into the awa,</i> (2) <i>fresh water is managed in accordance with the LF-WAI objectives and policies,</i> (3) <i>the ongoing relationship of Kāi Tahu with wāhi tūpuna is sustained,</i> (4) <i>water bodies support thriving mahika kāi and Kāi Tahu whānui have access to mahika kāi,</i> (5) <i>indigenous species migrate easily and as naturally as possible along and within the river system,</i> (6) <i>the national significance of the Clutha hydro-electricity generation scheme is recognised,</i> (7) <u><i>Management that enables adaptation of communities alongside waterways in a changing climate.</i></u> (8) <u><i>activities associated with the primary sector are recognised as having an important role in the FMU,</i></u> (9) <i>in addition to (1) to (6) above:</i> <p style="margin-left: 20px;"><i>in the Upper Lakes rohe, the high quality waters of the lakes and their tributaries are protected, recognising the significance of the purity of these waters to Kāi Tahu and to the wider community,</i></p>

				<p>The visions for all FMU and rohe need to be achievable for their communities. The NPS requires that visions are ambitious but reasonable. Timeframes must be reasonable for the community.</p>	<p>(b) <i>in the Dunstan, Manuherehia and Roxburgh rohe:</i></p> <p>(i) <i>flows in water bodies sustain and, wherever possible, restore the natural form and function of main stems and tributaries to support Kāi Tahu values and practices, and</i></p> <p>(ii) <i>innovative and sustainable land and water management practices support food production <u>primary production</u> in the area and reduce discharges of nutrients and other contaminants to water bodies so that they are safe for human contact, and</i></p> <p>(iii) <i>sustainable abstraction <u>consistent with NOF values</u> occurs from main stems or groundwater in preference to tributaries,</i></p> <p>(c) <i>in the Lower Clutha rohe:</i></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 possible,</i></p> <p>(ii) <i>the ecosystem connections between freshwater, wetlands and the coastal environment are <u>protected</u> preserved and, wherever possible, restored,</i></p> <p>(iii) <i>land management practices reduce discharges of nutrients and other contaminants to water bodies so that they are safe for human contact, and</i></p> <p>(iv) <i>there are no direct discharges of wastewater to water bodies, and</i></p> <p>(9) <i>the outcomes sought in (78) are to be achieved within the following <u>ambitious but achievable</u> timeframes identified by the community:</i></p> <p><i>(a) by 2030 in the Upper Lakes rohe,</i></p> <p><i>(b) by 2050 in the Dunstan, Roxburgh and Lower Clutha rohe, and</i></p> <p><i>by 2050 in the Manuherehia rohe.</i></p>
23	LF-VM	LF-VM-03 – North Otago FMU vision	Oppose in part	<p>We seek an amendment to (6) changing the term to primary production, as ‘food production’ does not fully encapsulate the range of economic activities that take place in rural environments, for instance, it omits fibre products (wool), feed (ie producing silage or other feed crops), forestry, and other products that don’t naturally fall into the definition of food production.</p> <p>Primary production also has better common understanding.</p> <p>Timeframes need to be realistic, based on a collective vision of the community, and tie in with the catchment vision.</p>	<p>Amend LF-VM-03 as follows (or similar)</p> <p><i>By 2050 in the <u>In consultation with the community and stakeholders a long-term vision is identified that means for the North Otago FMU:</u></i></p> <p><i>fresh water is managed in accordance with the LF-WAI objectives and policies, while recognising that the Waitaki River is influenced in part by catchment areas within the Canterbury region,</i></p> <p>(2) <i>the ongoing relationship of Kāi Tahu with wāhi tūpuna is sustained and Kāi Tahu maintain their connection with and use of the water bodies,</i></p> <p>(3) <i>healthy riparian margins, wetlands, estuaries and lagoons</i></p>

				Restricting the time frame to 2030 may lose site of the long-term vision.	<p><i>support thriving mahika k̄ai, indigenous habitats and downstream coastal ecosystems,</i></p> <p>(4) <i>indigenous species can migrate easily and as naturally as possible to and from the coastal environment,</i></p> <p>(5) <i>land management practices reduce discharges of nutrients and other contaminants to water bodies so that they are safe for human contact, and</i></p> <p>(6) <i>innovative and sustainable land and water management practices support food production <u>primary production</u> in the area and improve resilience to the effects of climate change.</i></p>
24	LF-VM	LF-VM-04 – Taieri FMU vision	Oppose in part	<p>We seek an amendment to (8) changing the term to primary production, as ‘food production’ does not fully encapsulate the range of economic activities that take place in rural environments, for instance, it omits fibre products (wool), forestry, and other products that don’t naturally fall into the definition of food production. Primary production also has better common understanding.</p> <p>The Upper Taieri Scroll Plain and wetland complex is managed by an active, co-ordinated and specific management plan that enhances and protects its unique hydrological, ecological and recreational values.</p> <p>Timeframes need to be realistic, based on a collective vision of the community, and tie in with the catchment vision. Restricting the time frame to 2030 may lose site of the long-term vision.</p>	<p>Amend LF-VM-04 as follows (or similar)</p> <p>By 2050 in the <u>In consultation with the community and stakeholders a long-term vision is identified that means for the Taieri FMU:</u></p> <p>(1) <i>fresh water is managed in accordance with the LF-WAI objectives and policies,</i></p> <p>(2) <i>the ongoing relationship of K̄ai Tahu with w̄ahi t̄upuna is sustained, healthy wetlands are restored in the upper and lower catchment wetland complexes, including the Waipori/Waihola Wetlands, Tunaheketaka/Lake Taieri, scroll plain, and tussock areas,</i></p> <p>(3) <u><i>The Upper Taieri Scroll Plain and wetland complex is managed by an active, co-ordinated and specific management plan that enhances and protects its unique hydrological, ecological and recreational values.</i></u></p> <p>(4) <i>the gravel bed of the lower Taieri is restored and sedimentation of the Waipori/Waihola complex is reduced</i></p> <p>(5) <i>creative ecological approaches contribute to reduced occurrence of didymo,</i></p> <p>(6) <i>water bodies support healthy populations of galaxiid species,</i></p> <p>(7) <i>there are no direct discharges of wastewater to water bodies, and</i></p> <p>(8) <i>innovative and sustainable land and water management practices support food production <u>primary production</u> in the area and improve resilience to the effects of climate change.</i></p>
25	LF-VM	LF-VM-05 – Dunedin & Coast FMU vision	Oppose in part	<p>Federated Farmers notes that the Dunedin and Coast FMU vision lacks any mention of primary production in the area, unlike for the previous FMUs. An additional provision has been sought</p> <p>Timeframes need to be realistic, based on a collective vision of the community, and tie in with the catchment vision. Restricting the time frame to 2030 may lose site of the long-term vision.</p>	<p>Amend LF-VM-05 as follows (or similar)</p> <p>By 2040 in the <u>In consultation with the community and stakeholders a long-term vision is identified that means for the</u> <i>Dunedin & Coast FMU:</i></p> <p>(1) <i>fresh water is managed in accordance with the LF-WAI objectives and policies,</i></p> <p>(2) <i>the ongoing relationship of K̄ai Tahu with w̄ahi t̄upuna is sustained,</i></p>

					<p>(3) <i>healthy estuaries, lagoons and coastal waters support thriving mahika k̄ai and downstream coastal ecosystems, and indigenous species can migrate easily and as naturally as possible to and from these areas, there is no further modification of the shape and behaviour of the water bodies and opportunities to restore the natural form and function of water bodies are promoted wherever possible, and</i></p> <p>(5) <i>discharges of contaminants from urban environments are reduced so that water bodies are safe for human contact.</i></p> <p>(6) <i>innovative and sustainable land and water management practices support primary production in the area and improve resilience to the effects of climate change.</i></p>
26	LF-VM	LF-VM-06 – Catlins FMU vision	Oppose in part vision	<p>Federated Farmers notes that the Catlins FMU vision lacks any mention of primary production in the area, unlike for the previous FMUs. A definition has been requested.</p> <p>Replace food production with primary production.</p> <p>Timeframes need to be realistic, based on a collective vision of the community, and tie in with the catchment vision. Restricting the time frame to 2030 may lose site of the long-term vision.</p>	<p>Amend LF-VM-06 as follows (or similar) <i>In consultation with the community and stakeholders a longterm vision is identified that means for the By 2030 in the Catlins FMU:</i></p> <p>(1) <i>fresh water is managed in accordance with the LF-WAI objectives and policies,</i></p> <p>(2) <i>the ongoing relationship of K̄ai Tahu with w̄ahi t̄upuna is sustained,</i></p> <p>(3) <i>water bodies support thriving mahika k̄ai and access of K̄ai Tahu wh̄anui to mahika k̄ai,</i></p> <p>(4) <i>the high degree of naturalness and ecosystem connections between the forests, freshwater and coastal environment are preserved,</i></p> <p>(5) <i>water bodies and their catchment areas support the health and well-being of coastal water, ecosystems and indigenous species, including downstream k̄aimoana, and healthy, clear and clean water supports opportunities for recreation and sustainable food production primary production for future generations.</i></p> <p>(6) <i>innovative and sustainable land and water management practices support primary production in the area and improve resilience to the effects of climate change.</i></p>
27	LF-VM	LF-VM-P5 – Freshwater Management Units (FMUs) and rohe		<p>Otago catchments are incredibly diverse and unique in nature. The Taieri is the 4th longest river in NZ, through its length covers a range of landscapes, land use, climate, and ecosystems. Therefore, it would be beneficial for more targeted management to have the Taieri split into rohe, where values can be clearer and understood by communities.</p>	<p>Amend that Taieri FMU should be split into rohe</p>
	LF-FW				
30	LF-FW	LF-FW-08 – Fresh water	Oppose in part	<p>There is a need to amend (2) to reflect that in some places surface water flow naturally disconnects and that it is not always hydrologically possible or representative of the range of waterbodies within a system, particularly where that includes ephemeral and intermittent waterways. The sentiment is adequately captured in (3) in any event.</p>	<p>Amend LF-FW-08 as follows: <i>In Otago’s water bodies and their catchments:</i></p> <p>(1) <i>the health of the wai supports the health of the people, and thriving mahika k̄ai, and the ability of people and communities to provide for their social, economic and cultural wellbeing, now and in the future,</i></p> <p>(2) <i>water flow is continuous throughout the whole system</i></p>

				<p>Clause (5) conflicts with the current requirement in LW- FW- P11(3) to protect all waterbodies and their values within outstanding natural landscapes.</p> <p>Our submission has requested the deletion of this provision, but it is noted here to show one of the numerous inconsistencies between the landscape, natural character, and freshwater sections. On its own, the wording in clause (5) is appropriate, but if so, this needs to be reflected elsewhere.</p> <p>We have sought a new (6) to align more closely with the NPSFM visions and obligations. This also better aligns with the feedback and tone of consultation outcomes received by ORC in the lead-up to the RPS.</p>	<p>(3) <i>the interconnection of fresh water (including groundwater) and coastal waters is recognised,</i></p> <p>(4) <i>native fish can migrate easily and as naturally as possible and taoka species and their habitats are protected, and</i></p> <p>(5) <i>the significant and outstanding values of Otago’s outstanding water bodies are identified and protected.,</i></p> <p>(6) <u>sustainable and integrated water allocation and abstraction supports primary production and rural communities</u></p>
31	LF-FW	LF-FW-09 – Natural wetlands	Oppose	<p>LF-OW-09 introduces a framework for management of wetlands in the Otago region that is different from that contained in the National Policy Statement for Freshwater Management 2020 and National Environmental Standard for Freshwater 2020.</p> <p>The RPS already addresses wetlands via Biodiversity/Ecosystem provisions. LF-FW-09 duplicates and/or contradicts these provisions and is not necessary</p>	<p>Delete policy LF-FW-09</p> <p><i>Otago’s natural wetlands are protected or restored so that:</i></p> <p>(1) mahika k̄ai and other mana whenua values are sustained and enhanced now and for future generations,</p> <p>(2) there is no decrease in the range and diversity of indigenous ecosystem types and habitats in natural wetlands,</p> <p>(3) there is no reduction in their ecosystem health, hydrological functioning, amenity values, extent or water quality, and if degraded they are improved, and</p> <p>(4) their flood attenuation capacity is maintained.</p>
33	LF-FW	LF-FW-P7 – Fresh water	Oppose in part	<p>The nationwide target is to achieve, by 2030, the target for 80% of specified rivers and lakes, and to achieve 95% by 2040. Otago is generally already better than many of these targets and we support a commitment to improving further from where we are currently at, improving further, and not going backwards.</p> <p>However, we question whether the dates and targets within (3) are scientifically robust and backed up by evidence and s32 analysis.</p>	<p>Reconsider the appropriateness of the time frames and targets in (3) in line with evidence and s32 analysis.</p>
34	LF-FW	LF-FW-P9 – Protecting natural wetlands	Oppose in part	<p>The NPSFM uses the phrase “natural inland wetland”. We recommend using the same phrasing for consistency.</p> <p>Also, some changes have been made to the text from the NPSFM. 3.22 of the NPSFM states that “Every Regional Council must include the following policy (or words to the same effect) in its regional plans”. Some of the edited wording might have the effect of a different interpretation from what was intended by the NPSFM.</p>	<p>Amend LF-FW-P9 to align more accurately with the NPSFM</p> <p><u>“The loss of extent of natural inland wetlands is avoided, their values are protected, and their restoration is promoted, except where:</u></p> <p><u>(a) the loss of extent or values arises from any of the following:</u></p> <p><u>(i) the customary harvest of food or resources undertaken in accordance with tikanga Māori</u></p> <p><u>(ii) restoration activities</u></p> <p><u>(iii) scientific research</u></p> <p><u>(iv) the sustainable harvest of sphagnum moss</u></p>

					<p><u>(v) the construction or maintenance of wetland utility structures (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020)</u></p> <p><u>(vi) the maintenance or operation of specified infrastructure, or other infrastructure (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020)</u></p> <p><u>(vii) natural hazard works (as defined in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020); or</u></p> <p><u>(b) the regional council is satisfied that:</u></p> <p><u>(i) the activity is necessary for the construction or upgrade of specified infrastructure;</u></p> <p><u>and</u></p> <p><u>(ii) the specified infrastructure will provide significant national or regional benefits; and</u></p> <p><u>(iii) there is a functional need for the specified infrastructure in that location; and</u></p> <p><u>(iv) the effects of the activity are managed through applying the effects management hierarchy</u></p>
35	LF-FW	LF-FW-P10 – Restoring natural wetlands	Oppose in part	<p>The policy could read that all stock are required to be removed from wetlands, when there is more nuance than this in the Stock Exclusion Regulations.</p> <p>Section 2 of these regulations state that: <i>stock means beef cattle, dairy cattle, dairy support cattle, deer, or pigs;</i></p> <p>Sheep are not listed, and as such, are permitted within wetlands.</p> <p>The stock exclusion regulations also introduce some nuance around where exclusion is and isn't required, such as in farm plans, and introduces transitioning time frames that have not been reflected in LF-FW-P10.</p>	<p>Amend clause (4) as follows (or similar): <i>(4) the exclusion of stock as per the Resource Management (Stock Exclusion) Regulations 2020.</i></p>
36	LF-FW	LF-FW-M7 – District plans	Support in part	<p>Amend (6) to acknowledge that there should be appropriate provision for off-stream and in-stream water storage where (a) to (c) can be met.</p>	<p>Amend LF-FW-M7 as follows: <i>(6) provide for the off-stream and in-stream storage of surface water where storage will.....</i></p>
37	LF-FW	LF-FW-AER11	Support in part	<p>There may be natural variability in the extent of natural wetlands – so to say that “there will be no reduction in the extent” of a natural wetland is too broad. It should be focused on reduction that is caused by an activity</p>	<p>Amend LF-FW-AER11 as follows <i>There is no reduction in the extent or quality of Otago’s natural wetlands from an activity</i></p>
38	LF-FW	LF-FW-AER7	oppose	<p>It will not always be appropriate or cost-feasible for all water in Otago’s aquifers to be suitable for human consumption, and the exclusion for ‘where water is naturally unsuitable for consumption brings in uncertainty and a risk of litigation</p>	<p>Delete LF-FW-AER7</p>
	LF-LS				
39	LF-LS	LF-LS-P18 – Soil erosion	Support in part	<p>We support the premise of recognising the importance of topsoil and encouraging good management practices.</p>	<p>Amend to consider phrasing in use of “scale”</p>

				Retaining soil is a fundamental part of farm systems as it is the basis of food, fibre, and feed production. Otago farmers are focused on retaining essential topsoil – and initiatives across Otago like catchment groups are helping support farmers with good management practices to help retain topsoil. We note that there will be variability in farm systems depending on the size of the operation and the type of system (eg arable, pastoral, dairy, sheep and beef) so “scale” might require more clarity.	
40	LF-LS	LF-LS-P21 – Land use and fresh water	Support in part	Some Otago farming systems have water flow that is intermittent and based on the natural volcanic geology of the landscape – for example East Otago (including Dunedin area) have natural intermittent springs that form (and disappear) and reappear at a different location. It may not be in a landowners ability to control the quantity or flow of water on a surface water body – ie the activity in question may not be the cause of the reduction in flow. (2) managing land uses that may have adverse effects on the flow of water in surface water bodies or the recharge of groundwater.	Amend to consider variable or intermittent water flow that is not based on activity or use
	MAPS				
41	MAPS	MAP1	Support in part	Otago catchments are incredibly diverse and unique in nature. The Taieri is the 4 th longest river in NZ, through its length covers a range of landscapes, land use, climate, and ecosystems. Therefore, it would be beneficial for more targeted management to have the Taieri split into rohe, where values can be clearer and understood by communities.	Consider splitting the Taieri FMU into separate rohe