

Proposed Otago Regional Policy Statement 2021

Version showing recommendations from:

**Hearing Reports prepared under Section 42A of the Resource Management
Act 1991 (4 May 2022)**

Supplementary evidence (14 October 2022)

Additional supplementary evidence (21 October 2022)

Corrections to UFD recommendations (31 October 2022)

Additional supplementary evidence (24 February 2023)

How to read this document

This version of the Proposed Otago Regional Policy Statement 2021 does not have any legal weight. It has been prepared to help the Hearing Panel, Council staff, and submitters understand what changes have been recommended by the Reporting Officers to the provisions in the regional policy statement since it was notified in June 2021. This page is included for information purposes only and does not form part of the Proposed Otago Regional Policy Statement 2021.

Key

Appearance	Explanation
Black text with no shading	Parts of the Proposed Otago Regional Policy Statement notified on 26 June 2021 that are not a freshwater planning instrument.
Black text with blue shading	Parts of the Proposed Otago Regional Policy Statement notified on 30 September 2022 that are a freshwater planning instrument and are shown here for information only.
Black text with <u>underlining</u> or strikethrough	Amendments recommended by Reporting Officers through the Section 42A Reports.
Red text with <u>underlining</u> or strikethrough	Additional amendments recommended in supplementary evidence dated 11 October 2022.
Brown text with <u>underlining</u> or strikethrough	Additional amendments recommended in supplementary evidence dated 21 October 2022.
Green text with <u>underlining</u> or strikethrough	Additional amendments recommended in supplementary evidence dated 24 February 2023.

Where Reporting Officers have recommended additions or deletions, these changes are accompanied by a footnote referencing the basis for the recommended change. Usually these are references to specific submission points but in some cases refer to the provisions of Schedule 1 of the Resource Management Act 1991. In addition to those footnotes, there are 'permanent' footnotes that set out references or provide additional information. To differentiate these from the officer recommendation footnotes above, both the in-text footnote numbers and the text at the bottom of the page has been shaded grey.

PART 1 – INTRODUCTION AND GENERAL PROVISIONS

Foreword or mihi

Regional policy statements are significant planning tools; overarching documents that identify our most pressing environmental issues and provide direction to *district plans* and other resource management plans on how we will manage them. Developing this new Regional Policy Statement (RPS)¹ has provided an opportunity for renewed partnership between Kāi Tahu in Otago and Southland,² and the Otago Regional Council (ORC)³. We present this foreword to the notified version together, in recognition of that partnership and in anticipation of the work to come.

ORC didn't expect to find itself writing another Regional Policy Statement so soon. The ink is hardly dry on the 2019 Partially Operative Regional Policy Statement (in fact, as the name suggests, all the ink isn't even there yet), and here is the notification for the next. Nonetheless, a 2019 review of ORC's water management framework and a slew of new national regulation meant a new RPS was needed to set the scene for work on a new Land and Water Regional Plan.

Having this new RPS developed so soon after the last has allowed it to build directly on the previous process. With issues and concerns still fresh, more refinement has been possible, building better processes and driving rapid progress on significant issues facing the region, including resilience to climate change and natural hazards, managing urban development, improving freshwater and coastal environmental management, and supporting biodiversity. Mana whenua, the community⁴ and ORC have faced this planning challenge together. We have placed the environment at the centre of all we do in our long-term vision:

The management of natural and physical resources in Otago,⁵ by and for the people of Otago, including in partnership with⁶ Kāi Tahu, and as expressed in all resource management plans and decision-making,⁷ achieves a healthy, and resilient, and safeguarded⁸ natural systems environment,⁹ and including¹⁰ the ecosystem services they offer it provides,¹¹ and supports the well-being of present and future generations; (mō tātou, ā, mō kā uri ā muri ake nei).¹²

¹ Clause 16(2), Schedule 1, RMA

² 00223.007 Ngāi Tahu ki Murihiku

³ Clause 16(2), Schedule 1, RMA

⁴ 004200.004 Jim Hopkins

⁵ 00239.034 Federated Farmers

⁶ 00226.085 Kāi Tahu ki Otago

⁷ 00121.015 Ravensdown

⁸ 00211.004 LAC, 00210.004 Lane Hocking, 00209.004 Universal Developments, 00118.005 Maryhill, 00014.005 Mt Cardrona Station

⁹ 00231.03 Fish and Game

¹⁰ 00139.022 DCC

¹¹ 00239.034 Federated Farmers

¹² 00239.034 Federated Farmers

This statement reflects that a healthy, flourishing environment is fundamental to our well-being. Integration is the central tenet, seeing the environment as a single connected system, ki uta ki tai, and weaving this in to the RPS fabric.

Our long-term vision takes its cue from the holistic perspective of Te Mana o te Wai in the National Policy Statement for Freshwater Management 2020. Guided by the need to give effect to Te Mana o te Wai we have worked with mana whenua and the wider community to develop long-term visions for Otago's water bodies. The purpose of these visions is to protect the mauri of water bodies in Otago, a responsibility shared by all. The aim is to achieve positive outcomes for water and habitat that also address the community's needs and interests.

A broad section of people from all walks of life have contributed to developing the Regional Policy Statement. Through a variety of means, including in-person public workshops, community reference groups, online surveys, and reports, people have helped shape policy development in its earliest stages and fed into the long-term freshwater visions for their own parts of Otago.

Thank you to all who have been involved in bringing this RPS to notification: mana whenua; staff from ORC, Aukaha, and Te Ao Marama Inc; councillors; stakeholders; and community members.

The objectives and policies in this RPS signal a significant step change in Otago, mindful of the need to consider the environment that will be inherited by future generations. We are asking our communities to join us in that change, to create a future of opportunity and security for all of us.

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Purpose

As a community, we in Otago are moving into an age that requires solutions to both entrenched legacy issues and significant emerging issues in order to promote positive sustainable change while also enabling the Otago community to flourish, and to enjoy all that the region has to offer.

The Otago Regional Policy Statement (ORPS) provides a policy framework that aims to achieve long-term environmental sustainability by integrating the protection, restoration, enhancement, and use of Otago's natural and physical resources. The ORPS also promotes a thriving and healthy natural environment as being vital to sustaining our wellbeing.¹³

The ORPS responds to identified significant regional values and resource management issues relating to Otago's *environment*, historic heritage, economy, recreational opportunities and communities. The ORPS sets out objectives, policies, and methods to resolve, over time, the identified issues as effectively and efficiently as possible. The ORPS gives effect to the statutory requirements set out in the Resource Management Act 1991 (RMA ~~1991~~)¹⁴, as well as relevant national direction instruments, and is informed by¹⁵ iwi authority planning documents. *Regional plans*¹⁶ and *district plans* must give effect to the ORPS.

¹³ 00239.002 Federated Farmers

¹⁴ Clause 16(2), Schedule 1, RMA

¹⁵ 00223.008 Ngāi Tahu ki Murihiku

¹⁶ Clause 16(2), Schedule 1, RMA

Description of the Region¹⁷

At 32,000 km², the Otago region is the second largest region in New Zealand, making up 12% of New Zealand's land mass.

The region's eastern edge is entirely marine, extending 12 nautical miles out to sea from a scenic and varied coastline. Otago meets Canterbury at the southern bank of the Waitaki River, its northern border following the river upstream then branching off along Awamoko Stream, following the north branch of the Kakanui River before heading inland once again along the Hawkdun Range, following catchment boundaries and ridgelines into the Southern Alps at Otago's westernmost border. In the south, beginning at Brother's Point in the scenic Catlins, the border with Southland trends northeasterly, taking in the ~~Pomohaka~~ Pomahaka¹⁸ River catchment, and Umbrella and ~~Kopuwai~~ Kōpūwai¹⁹ Ranges to encompass the headwaters of the glacial alpine lakes, Whakatipu-wai-māori (Lake Wakatipu), ~~Wanaka~~ Wānaka,²⁰ and Hāwea.

Otago is made up of five *territorial authorities*: DCC, and Queenstown Lakes, Waitaki, Central Otago, and Clutha District Councils.

Otago's population at the 2018 Census was 225,186²¹. Dunedin City has the largest population of the Otago *territorial authorities* at 126,255, followed by Queenstown Lakes District at 39,153, Waitaki District at 22,308, Central Otago District at 21,558, and Clutha District at 17,667. Growth is not evenly distributed across the region, with the fastest growing district being Queenstown Lakes.

Otago's economy centres around construction, primary production agriculture, tourism, mineral mining,²² and education. The construction industry is a major contributor to employment numbers in Otago, supported by the region's population growth. The primary production sector is a source of revenue and employment for the districts and the wider region. Otago's farms are also a key contributor to the national food supply network.²³ The University of Otago enrolls approximately 20,000 students each year from around New Zealand and internationally, contributing to annual population spikes in Dunedin and significantly boosting the economy. Tourism ~~has~~²⁴ also has had²⁵ a significant impact on the regional economy, contributing about a quarter of the region's total gross domestic product. This is the highest of any region in New Zealand, and primarily concentrated in the Queenstown Lakes District.

Renewable energy generation facilities²⁶ meet a large portion of regional and national energy requirements. Significant hydroelectric generation facilities in Otago are located in the Central Otago, Clutha, and Queenstown Lakes Districts. Additionally, Otago has two wind farms, located in the Clutha District.

Otago is home to important indigenous biodiversity for Aotearoa, some of which is specific to Otago. Nationally significant indigenous biodiversity features include inland saline habitats, ephemeral wetlands,

¹⁷ Clause 16(2), Schedule 1, RMA

¹⁸ 00223.009 Ngai Tahu ki Murihiku

¹⁹ 00226.024 Kāi Tahu ki Otago

²⁰ 00226.024 Kāi Tahu ki Otago, 00223.009 Ngai Tahu ki Murihiku

²¹ 2018 Census place summaries: Stats NZ. (n.d.). <https://www.stats.govt.nz/tools/2018-census-place-summaries/otago-region> (accessed 26 May 2021)

²² 00140.001 Waitaki DC

²³ 00239.002 Federated Farmers, 00236.008 Horticulture NZ, 00240.002 NZ Pork, 00140.001 Waitaki DC

²⁴ 00206.006 Trojan, 00411.001 Wayfare

²⁵ 00206.006 Trojan, 00411.001 Wayfare

²⁶ Fitzgerald, W. (2019). *Dunedin Energy Study 2017-2018*. University of Otago.

endemic and threatened inland galaxiid fish and lizard populations, western forest habitats, and coastal fauna.²⁷

Climate

The Otago region experiences two distinct climates due to the geographic variety between the temperate coastal areas, and the almost continental inland areas. The coastal settlements experience a cyclic weather pattern that alternates frequently between a warmer and drier climate, and a cooler, damper climate. Central Otago's climate is characterised by hot, dry summers and contrastingly cold, frosty winters. The unique climate supports many of the diverse industries in Otago.²⁸

General temperature ranges for the region fall between 18°C and 24°C on summer afternoons, and -2°C and 3°C during winter nights.²⁹ The mean daily temperatures in summer in Central Otago range between approximately 10°C and 25°C, while the mean daily temperatures in winter range between approximately -1°C and 10°C.³⁰ Central Otago has held national records for both the hottest and coldest temperature readings in New Zealand. Ophir, a small settlement in Central Otago, has recorded temperatures of 35.2°C in 1959 and -21.6°C in 1995. Significant rises in the use of heating sources occur during the drastically colder winter periods. The highest regional rainfalls, averaging 2000mm per year, occur typically over western areas of Otago such as around the Lakes District and Southern Alps. In contrast, the average rainfall in Central Otago is the lowest in New Zealand averaging around 400-500mm per year.

Coast

The Otago coastline stretches for 480 km and is extremely diverse, encompassing pebble and sandy beaches, basalt formations, dune systems, eelgrass and saltmarshes, estuaries, rolling downlands, and striking cliff heads. Working farms abut most of the coastline, and³¹ significant coastal settlements include Dunedin and Oamaru³² , with³³ The Otago port is based in Port Chalmers,³⁴ within the Otago Harbour,³⁴ and Otago Harbor³⁵ is the region's only commercial freight handling harbour.³⁶ However³⁶ commercial fishing ramps (supporting fishing fleets)³⁷ are present in Oamaru³⁸ Moeraki, Karitane³⁹ and Taieri Mouth. Coastal erosion and the decline of the regional coastline is well documented, posing a long-term threat to residential and commercial coastal developments and historic heritage, particularly wāhi tūpuna.⁴⁰

Otago's benthic and marine ecosystems are varied and diverse including rocky reef systems, sponge gardens, bryozoan and horse mussel beds, biogenic reefs, kelp forests and submarine canyons within 12 nautical miles of the shore. More than thirty species of seabird are regularly found off the coast of Otago. Rare sea birds such as the Royal Albatross and hoiho (Yellow-eyed penguin) can be found along the

²⁷ 00137.004 DOC

²⁸ 00235.006 OWRUG

²⁹ Macara, G. R. (2015). The Climate and Weather of Otago, Second Edition. NIWA SCIENCE AND TECHNOLOGY SERIES, 67th ser.

³⁰ Central Otago Climate. (n.d.). <https://centralotagonz.com/opportunities/working-here> (accessed 26 May 2021)

³¹ 00239.003 Federated Farmers

³² 00226.024 Kāi Tahu ki Otago

³³ 00411.012 Wayfare

³⁴ 00411.012 Wayfare

³⁵ 00223.010 Ngai Tahu ki Murihiku, 00411.011 Wayfare

³⁶ 00411.012 Wayfare

³⁷ 00411.012 Wayfare

³⁸ 00226.024 Kāi Tahu ki Otago

³⁹ 00226.024 Kāi Tahu ki Otago

⁴⁰ 00123.008 Heritage NZ

landward coastal environment. Surfing is a significant recreational activity, in Dunedin particularly, and there are four *surf breaks* of national significance along the Otago coastline.

Water bodies

The Otago region has significant *freshwater* resources in the form of surface water, natural and artificial *lakes*, *groundwater*, and *wetlands*. Otago's communities are reliant on the use of these *water* resources for their social, cultural and economic well-being. *Rivers* and *lakes* make up most of the regional surface *water*. The big *lakes*, such as ~~Wanaka~~ Wānaka,⁴¹ Whakatipu-wai-māori (Lake Wakatipu) and Hāwea and including artificial *lakes* Dunstan, Roxburgh and Onslow, constitute about 23% of New Zealand's total *lake* surface area. The primary catchments are Lakes ~~Wanaka~~ Wānaka,⁴² Whakatipu-wai-māori (Lake Wakatipu) and Hāwea, which feed into Otago's largest *river*, the Clutha River/Mata-Au. Otago also has many *groundwater* sources. *Wetlands* make up many significant landscape and ecosystem elements in Otago, including blanket and string bogs, saline areas, swamp forest remnants, shallow *lake* complexes, estuarine saltmarshes, and valley floor swamps.

Natural character and landscapes

Otago's landscapes are diverse. Moving inland from Otago's diverse and varied coastline, the landscapes change dramatically. Rolling plains separated by mountain ranges, steep hillsides of tussock, and deep gorges make up a lot of rural Otago South and Central Otago⁴³. This *land* is dissected by flowing bodies of water, towering mountainscapes, and fascinating geological formations. Modified landscapes encompassing farmland and remnants of the region's early gold mining activity are ever-present, creating a rich sense of heritage and regional identity.

Urban form

Urbanised areas in Otago occupy only about 1% of total *land* area, however 87% of people live in urban settlements. Dunedin is Otago's largest urban area, surrounded by hills and harbour⁴⁴, and has a large suburban area and commuter catchment especially to the south, with more recent expansion moving out to connect with an expanding Mosgiel. The Queenstown Lakes District population is approximately 91% urban. Its outstanding landscape has ~~historically determined~~, and will continue to influence determine,⁴⁵ how urban form develops.

In the remainder of the region, smaller urban settlements are geographically scattered, maintaining clear distinctions between rural and urban forms, and with significant variability in growth pressures and infrastructure capacity. Growth in overall numbers of people is not the only driver of urban change pressures in Otago; many areas face low or no growth, and all areas are expected to have an aging population.

⁴¹ 00226.024 Kāi Tahu ki Otago

⁴² 00226.024 Kāi Tahu ki Otago

⁴³ 00140.001 Waitaki DC

⁴⁴ 00120.007 Yellow-eyed Penguin Trust

⁴⁵ 00206.008 Trojan, 00411.014 Wayfare

How the policy statement works

Statutory context

Resource Management Act 1991

The Resource Management Act 1991 (RMA-1991)⁴⁶ is the primary resource management statute in New Zealand and sets out the related responsibilities and powers of national, regional, and city/district government.

The RMA-1991⁴⁷ requires regional councils to have a regional policy statement (RPS) under Section 60, prepared in accordance with the process set out in Schedule 1. The purpose of the RPS, as set out in Section 59 of the RMA, is to provide an overview of the specific resource management issues for the region and establish policies and methods to achieve the integrated management of both the *natural and physical resources* of the region. The RPS must be prepared in accordance with and contain the matters set out in Sections 30, 60, 61, and 62 of the RMA-1991.⁴⁸

The regional policy statement must be prepared in accordance with and/or⁴⁹ give effect to higher order national direction instruments, including any regulations–National Environmental Standards (NES),⁵⁰ National Policy Statements (NPS), the New Zealand Coastal Policy Statement (NZCPS) and be written to comply with the National Planning Standards. Further ORC must observe and enforce observance of any National Environmental Standards (NES) to the extent to which their powers enable them to do so⁵¹ The RPS sets out requirements that *regional plans, district plans*, and regional coastal plans must give effect to. More information about the relevant national direction instruments can be found in the ‘national direction instruments’ section of this Regional Policy Statement.

Figure 1 – Position of the Regional Policy Statement within the resource management planning framework ~~Statutory framework~~⁵²

⁴⁶ Clause 16(2), Schedule 1, RMA

⁴⁷ Clause 16(2), Schedule 1, RMA

⁴⁸ Clause 16(2), Schedule 1, RMA

⁴⁹ 00239.004 Federated Farmers

⁵⁰ 00239.004 Federated Farmers

⁵¹ 00239.004 Federated Farmers

⁵² 00233.004 Fonterra



Partnership, Te Tiriti o Waitangi and Kāi Tahu⁵³

The Otago Regional Policy Statement has been developed in partnership with Kāi Tahu, the iwi and *tangata whenua* of Otago. The partnership between the Otago Regional Council and Kāi Tahu is an important and valuable relationship, evident throughout the ORPS and woven into its provisions. The RMA 1991⁵⁴ requires Regional and Local Councils to address matters of National Importance, including matters associated with Te Tiriti o Waitangi (The Treaty of Waitangi) and key issues and concerns of iwi.⁵⁵

The ORC has also considered the Kāi Tahu ki Otago 2005 Resource Management Plan and Te Tangi a Tauira: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008. ORPS chapters on Significant Resource Management Issues for Iwi and on *Mana Whenua* provide an in-depth discussion of iwi issues and set a basis for the remaining policy framework.

The key issues identified by Kāi Tahu include:

- recognising the rights and interests of Kāi Tahu in natural and resource management processes;
- recognising the important role of mātauraka in natural resource management;
- recognising the integral relationship of Kāi Tahu with *natural and physical resources*, including the coast, waterways, *lakes, wetlands* and indigenous flora and fauna, protecting these resources from

⁵³ In the South Island, the local Māori dialect uses a 'k' interchangeably with 'ng'. The preference in Otago is to use a 'k' so southern Māori are known as Kāi Tahu, and in this document Kāi Tahu is a reference to the seven Papatipu Rūnanga with interests in the Otago region. In this RPS, the 'ng' is used for iwi in general or when there is reference to Ngāi Tahu ki Murihiku (Southland), when referencing statutory instruments or documents, and when specifically differentiating between the groupings of Papatipu Rūnanga represented by Aukaha Limited (Kāi Tahu ki Otago) and Te Ao Marama Incorporated (Ngāi Tahu ki Murihiku)" – amendments in response to 00223.011 Ngai Tahu ki Murihiku

⁵⁴ Clause 16(2), Schedule 1, RMA

⁵⁵ These matters are addressed throughout the Resource Management Act 1991, see in particular sections 6, 8 and 62.

degradation, improving them where they have been degraded, and sustaining them for future generations;

- protecting and restoring the abundance of ~~māhika kai~~ māhika kai⁵⁶ and restoring access to ~~māhika kai~~ māhika kai⁵⁷ areas;
- protecting the values of *wāhi tūpuna* and the ability for Kāi Tahu to maintain their relationship with these areas;
- enabling development of *land* and resources within native reserves and Māori land,⁵⁸ including *papakāika housing*; and
- the need for integrated management that recognises the interconnections between resources and across different parts of the environment.

Cross-boundary matters

Ecosystems and human activities cross jurisdictional boundaries. When different jurisdictions manage similar activities or resources in different ways there is potential for inconsistent outcomes, resulting in inefficient and ineffective management.

To achieve integration, those involved in resource management need to coordinate their policies, plans and actions. This is encompassed by the philosophy “ki uta ki tai”, often translated as “from the mountains to the sea”.⁵⁹ Accordingly, section 62 of the RMA ~~1991~~⁶⁰ requires regional councils to include in the RPS the processes to be used to deal with issues that cross *local authority* boundaries, and issues between *territorial authorities* or between regions.

Cross-boundary issues can arise in several ways, and generally manifest in issues for either plan preparation and review, or plan administration and the processing of applications for *resource consents*. Otago’s cross-boundary matters include:

- ~~adverse~~⁶¹ *effects* in one jurisdiction due to the activities in another, particularly including⁶² where *territorial authority* boundaries do not match catchment boundaries, as with the Clutha Mata-au, or the Waitaki River catchment over which Otago and Canterbury Regional Councils share jurisdiction, or Otago’s coastal environment, which covers three *territorial authorities’* jurisdictions, and may be affected by *land uses and dam structures*⁶³ in the other two (through sediment flowing down the Clutha Mata-au, for instance). Effects within the Otago Coastal environment may also have effects on adjoining regional council jurisdiction,⁶⁴
- Kāi Tahu interests, which span Otago as a whole, across *local authority* boundaries;

⁵⁶ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁷ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁸ 00234.009 Te Rūnanga o Ngāi Tahu, 00226.053 Kāi Tahu ki Otago, 00010.002 Cain whanau

⁵⁹ 00223.012 Ngāi Tahu ki Murihiku

⁶⁰ Clause 16(2), Schedule 1, RMA

⁶¹ 00314.002 Transpower

⁶² 00314.002 Transpower

⁶³ 00139.003 DCC

⁶⁴ 00013.001 ECan

- resources that cross local authority boundaries which must be managed in a uniform manner, such as water,⁶⁵ outstanding natural features, outstanding natural landscapes and significant natural areas;
- differences in policies or methods across plans, particularly where *district plans*⁶⁶ and *regional plans* are at different planning stages and may be out of step with current regulation;
- local, *regionally significant infrastructure*⁶⁷ or *nationally significant infrastructure being developed and operated* ~~operating~~⁶⁸ across *local authority* boundaries, as with transport and electricity ~~supply~~ networks, and potentially shared services such as waste management and minimisation ~~waste disposal~~⁶⁹; and
- duplicated effort for *local authorities* and increased cost for people seeking consents for activities that occur across *local authority* boundaries or require *resource consent* from two or more consent authorities.

Processes that will be used to address these matters are described in the sections below.

Clear direction in the ORPS

The ORPS provides a vision and broad policy framework for all resource management in Otago, including various methods that require *local authorities*⁶⁷ to work together to achieve good outcomes and, in some cases, set implementation timeframes. *Regional plans*⁷⁰ and *district plans* as they develop over the next 10 years and beyond, are required to give effect to the ORPS. In doing so one result should be consistency between them. The ORPS has been drafted using direct language and clarity of outcomes sought.

ORPS methods also indicate actions that fall outside the RMA 1991⁷¹ framework. This recognises that only *district plans*⁷² and *regional plans* are required to give effect to a regional policy statement, and non-regulatory methods may sometimes be useful to help address cross-boundary matters and achieve desired outcomes.

Cooperation and partnerships with stakeholders

Stakeholders, ~~from~~ including Government agencies,⁷³ industry representatives, landowners, and to⁷⁴ community-based volunteer groups, provide valuable strategic input to planning and decision-making. Inter-agency groups, such as Te Roopu Taiao, can assist with managing cross-boundary issues and issues affecting people across Otago strategically and collaboratively.

ORC will seek to establish and build upon working relationships with other resource management stakeholders. This will help ensure that the processes it undertakes are efficient and, wherever possible, reduce duplication of effort. As new issues emerge in the region and work on existing issues continues,

⁶⁵ 00236.009 Horticulture NZ

⁶⁶ Clause 16(2), Schedule 1, RMA

⁶⁷ Clause 16(2), Schedule 1, RMA

⁶⁸ 00314.002 Transpower

⁶⁹ 00139.004 DCC

⁷⁰ Clause 16(2), Schedule 1, RMA

⁷¹ Clause 16(2), Schedule 1, RMA

⁷² Clause 16(2), Schedule 1, RMA

⁷³ 00137.005 DOC

⁷⁴ 00239.005 Federated Farmers

they are best managed through collaboration, which will improve effectiveness and deliver better outcomes. This is particularly important for enhancing and managing important region-wide matters such as⁷⁵ *regionally significant infrastructure and significant natural areas*.

Cooperation and partnerships with other local authorities

There are many opportunities to work more closely with other *local authorities* to achieve a consistent and integrated approach to managing *natural and physical resources*.

Local authorities together can:

- share information, for instance to understand the long-term growth and economic development opportunities and threats and the spatial pattern of *land use* and development, or to ensure natural resources are not artificially fragmented;
- hold joint processes for processing *resource consents* and associated hearings where activities or *effects* cross jurisdictional boundaries. This allows all *effects* of ~~new~~⁷⁶ activities to be considered holistically at the same time, including any cumulative *effects*. Joint processes could also reduce the processing cost (in both money and time) for the applicant;
- work collaboratively on plan changes and develop combined planning documents for shared areas of responsibility;
- clearly define their resource management roles and responsibilities to reduce duplication of effort and streamline processes for Otago's communities; and
- cooperate and budget for joint processes and major projects through Annual and Long-term Planning processes under the ~~Local Government Act 2002 (LGA 2002)~~ LGA⁷⁷. This allows pooling resources, reducing inefficiency and integrating management approaches through time, to ensure that cooperation between agencies is budgeted for, including setting up structures and processes for joint management.

These approaches are more likely to properly address cross-boundary issues and *effects* than *local authorities* working alone.

Triennial agreement

Triennial agreements under the LGA 2002⁷⁸ are an opportunity for *local authorities* within a region to set out processes for consultation, protocols and processes for resolving cross-boundary issues.

Cooperation at a national level

Cross-boundary issues may arise that are significant at a national level. This is particularly likely when addressing nationally important significant⁷⁹ infrastructure such as the National Grid electricity transmission grid⁸⁰ or *land* transport infrastructure.

⁷⁵ 00239.005 Federated Farmers

⁷⁶ 00223.013 Ngāi Tahu Ki Murihiku

⁷⁷ Clause 16(2), Schedule 1, RMA

⁷⁸ Clause 16(2), Schedule 1, RMA

⁷⁹ 00314.002 Transpower

⁸⁰ 00314.002 Transpower

In such cases, ORC will advise and work with the Minister for the Environment, the Minister of Conservation in the *coastal marine area* and any other relevant agency to identify and resolve cross boundary issues or proposals, to ensure that consideration of the matter occurs in a transparent and timely manner. ORC will endeavour to represent its communities' interests in such situations.

Transferring and delegating functions, powers and duties to other authorities

~~The RMA 1991 enables ORC to transfer or delegate its powers to another public authority, community boards, commissioners or employees. ORC can also enter joint management agreements with other statutory bodies (such as Te Rūnanga o Ngāi Tahu).~~ The RMA enables ORC to transfer its powers, functions and duties to another public authority, including an iwi authority or other statutory body. It may also delegate these to committees, community boards, commissioners or employees. ORC can also enter joint management agreements with other statutory bodies and an iwi authority (such as Te Rūnanga o Ngāi Tahu).⁸¹

These tools can be used to achieve integrated management and to reduce duplication of effort by local and public authorities, and to enable a Treaty partnership approach to resource management.⁸² Joint management agreements enable iwi partners and⁸³ important stakeholders to have an active role in the management of specific resources, and for specific purposes. They can also be used to build community capacity and share understanding in resource management.

Helping to build capacity for, and improve, *takata whenua* involvement

Takata whenua have the prerogative to express and explain how their tikaka and mātauraka should be realised in resource management. Councils have a vital role in assisting this process through finding ways to partner, resource, and upskill rūnaka so they can be fully involved in the resource management partnership.

Establishing and implementing relationship agreements such as Mana Whakahono a Rohe agreements, protocols and charters can provide a framework for the council to provide necessary support. Increasing skills and capacity within council staff and decision-makers through training in Te Tiriti o Waitangi, locally relevant Treaty Settlement mechanisms and tikanga Māori, and developing familiarity with Kāi Tahu documents, are also important means of improving takata whenua involvement in council processes.⁸⁴

⁸¹ 00509.013 Wise Response

⁸² 00223.015 Ngāi Tahu ki Murihiku

⁸³ 00223.015 Ngāi Tahu ki Murihiku

⁸⁴ 00223.016 Ngāi Tahu ki Murihiku

Interpretation

Definitions

Term	Definition
1990 mean sea level (Otago Metric Datum)⁸⁵	means the fixed level for basing subsequent level measurements on. In this case Otago Metric Datum is the Dunedin Vertical Datum (DVD 1958) plus 100 metres.
Active transport	<p>has the same meaning as in clause 1.3 of the National Policy Statement on Urban Development 2020 (as set out in the box below)</p> <div data-bbox="472 656 1252 779" style="border: 1px solid black; padding: 5px;"> <p>means forms of transport that involve physical exercise, such as walking or cycling, and includes transport that may use a mobility aid such as a wheelchair</p> </div>
Additional infrastructure	<p>has the same meaning as in clause 1.3 of the National Policy Statement on Urban Development 2020 (as set out in the box below)</p> <div data-bbox="472 887 1252 1375" style="border: 1px solid black; padding: 5px;"> <p>means:</p> <ul style="list-style-type: none"> (a) public open space (b) community infrastructure as defined in section 197 of the Local Government Act 2002 (c) land transport (as defined in the Land Transport Management Act 2003) that is not controlled by local authorities (d) social infrastructure, such as schools and healthcare facilities (e) a network operated for the purpose of telecommunications (as defined in section 5 of the Telecommunications Act 2001) (f) a network operated for the purpose of transmitting or distributing electricity or gas </div>
Airshed	<p>has the same meaning as in regulation 3 of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (as set out in the box below)</p> <div data-bbox="472 1520 1252 1762" style="border: 1px solid black; padding: 5px;"> <p>airshed means—</p> <ul style="list-style-type: none"> (a) the region of a regional council excluding any area specified in a notice under paragraph (b): (b) a part of the region of a regional council specified by the Minister by notice in the Gazette to be a separate airshed </div>
Afforestation	has the same meaning as in regulation 3 of the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 (as set out in the box below)

⁸⁵ 00239.006 Federated Farmers

Term	Definition
	<p>(a) means planting and growing plantation forestry trees on land where there is no plantation forestry and where plantation forestry harvesting has not occurred within the last 5 years; but</p> <p>(b) does not include vegetation clearance from the land before planting</p>
Ambient air quality standards	<p>has the same meaning as in regulation 3 of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (as set out in the box below)</p> <p>means the standard prescribed by regulation 13(1)</p>
Amenity values	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <p>means those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes</p>
Ancillary activity	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <p>means an activity that supports and is subsidiary to a primary activity</p>
Aquaculture activities	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <p>(a) means any activity described in section 12 done for the purpose of the breeding, hatching, cultivating, rearing, or ongrowing of fish, aquatic life, or seaweed for harvest if the breeding, hatching, cultivating, rearing, or ongrowing involves the occupation of a coastal marine area; and</p> <p>(b) includes the taking of harvestable spat if the taking involves the occupation of a coastal marine area; but</p> <p>(c) does not include an activity specified in paragraph (a) if the fish, aquatic life, or seaweed—</p> <p>(i) are not in the exclusive and continuous possession or control of the person undertaking the activity; or</p> <p>(ii) cannot be distinguished or kept separate from naturally occurring fish, aquatic life, or seaweed; and</p> <p>(d) does not include an activity specified in paragraph (a) or (b) if the activity is carried out solely for the purpose of monitoring the environment</p>
Aquatic compensation	<p>has the same meaning as in clause 3.21(1) of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p>

Term	Definition
	<p>means a conservation outcome resulting from actions that are intended to compensate for any more than minor residual adverse effects on a wetland or river after all appropriate avoidance, minimisation, remediation, and aquatic offset measures have been sequentially applied</p>
Aquatic offset	<p>has the same meaning as in clause 3.21(1) of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p> <div data-bbox="475 566 1252 1115" style="border: 1px solid black; padding: 5px;"> <p>means a measurable conservation outcome resulting from actions that are intended to:</p> <p>(a) redress any more than minor residual adverse effects on a wetland or river after all appropriate avoidance, minimisation, and remediation, measures have been sequentially applied; and</p> <p>(b) achieve no net loss, and preferably a net gain, in the extent and values of the wetland or river, where:</p> <p>(i) no net loss means that the measurable positive effects of actions match any loss of extent or values over space and time, taking into account the type and location of the wetland or river, and</p> <p>(ii) net gain means that the measurable positive effects of actions exceed the point of no net loss</p> </div>
<u>Archaeological site</u> ⁸⁶	<p><u>means</u></p> <p><u>a. any place in New Zealand, including any building or structure (or part of a building or structure), that—</u></p> <p style="margin-left: 20px;"><u>i. was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and</u></p> <p style="margin-left: 20px;"><u>ii provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and</u></p> <p><u>b. includes a site for which a declaration is made under section 43(1) of the Heritage New Zealand Pouhere Taonga Act 2014.</u></p>
Attribute	<p>has the same meaning as in clause 1.4 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p> <div data-bbox="475 1619 1252 1742" style="border: 1px solid black; padding: 5px;"> <p>means a measurable characteristic (numeric, narrative, or both) that can be used to assess the extent to which a particular value is provided for</p> </div>
Bed	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p>

⁸⁶ 0123.006 Heritage New Zealand Pouhere Taonga

Term	Definition
	<p>means,—</p> <p>(a) in relation to any river—</p> <p style="padding-left: 40px;">(i) for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks;</p> <p style="padding-left: 40px;">(ii) in all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks; and</p> <p>(b) in relation to any lake, except a lake controlled by artificial means,—</p> <p style="padding-left: 40px;">(i) for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the lake cover at its annual highest level without exceeding its margin;</p> <p style="padding-left: 40px;">(ii) in all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin; and</p> <p>(c) in relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level; and</p> <p>(d) in relation to the sea, the submarine areas covered by the internal waters and the territorial sea</p>
Biodiversity	see <i>biological diversity</i>
Biological diversity	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>means the variability among living organisms, and the ecological complexes of which they are a part, including diversity within species, between species, and of ecosystems</p> </div>
Building	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>means a temporary or permanent movable or immovable physical construction that is:</p> <p style="padding-left: 20px;">(a) partially or fully roofed; and</p> <p style="padding-left: 20px;">(b) fixed or located on or in land;</p> <p>but excludes any motorised vehicle or other mode of transport that could be moved under its own power</p> </div>
Business land	has the same meaning as in clause 1.3 of the National Policy Statement on Urban Development 2020 (as set out in the box below)

Term	Definition
	<p>means land that is zoned, or identified in an FDS or similar strategy or plan, for business uses in urban environments, including but not limited to land in the following:</p> <ul style="list-style-type: none"> (a) any industrial zone (b) the commercial zone (c) the large format retail zone (d) any centre zone, to the extent it allows business uses (e) the mixed use zone, to the extent it allows business uses (f) any special purpose zone, to the extent it allows business uses
Cascading hazards	means where the occurrence of one natural hazard is likely to trigger another natural hazard event e.g. an earthquake triggering a landslide which dams a river causing flooding.
Certified freshwater farm plan	<p>has the same meaning as section 217B of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="472 871 1252 1003" style="border: 1px solid black; padding: 5px;"> <p>means a freshwater farm plan certified under section 217G, as amended from time to time in accordance with section 217E(2) or (3)</p> </div>
Climate change	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="472 1117 1252 1285" style="border: 1px solid black; padding: 5px;"> <p>means a change of climate that is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and that is in addition to natural climate variability observed over comparable time periods</p> </div>
<u>Climate change adaptation</u> ⁸⁷	<u>means the process of adjustment to actual or expected climate and its effects</u>
<u>Climate change mitigation</u> ⁸⁸	<u>means a human intervention to reduce the sources of, or enhance the sinks of, greenhouse gases</u>
Coastal marine area	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)

⁸⁷ 00509.015 Wise Response

⁸⁸ 00509.015 Wise Response

Term	Definition
	<p>means the foreshore, seabed, and coastal water, and the air space above the water—</p> <p>(a) of which the seaward boundary is the outer limits of the territorial sea:</p> <p>(b) of which the landward boundary is the line of mean high water springs, except that where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of—</p> <p>(i) 1 kilometre upstream from the mouth of the river; or</p> <p>(ii) the point upstream that is calculated by multiplying the width of the river mouth by 5</p>
<p>Coastal water</p>	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="472 824 1252 1014" style="border: 1px solid black; padding: 5px;"> <p>means seawater within the outer limits of the territorial sea and includes—</p> <p>(a) seawater with a substantial fresh water component; and</p> <p>(b) seawater in estuaries, fiords, inlets, harbours, or embayments</p> </div>
<p>Commercial activity</p>	<p>has the same meaning as in the Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="472 1126 1252 1249" style="border: 1px solid black; padding: 5px;"> <p>means any activity trading in goods, equipment or services. It includes any ancillary activity to the commercial activity (for example administrative or head offices)</p> </div>
<p>Commercial port activity</p>	<p>means commercial shipping operations associated with the Otago Harbor Harbour⁸⁹ and the activities carried out at the ports at Port Chalmers and Dunedin <u>(including the wharf at Ravensbourne)</u>,⁹⁰ which include:</p> <p>(a) Operation of commercial ships in Otago Harbor Harbour,⁹¹</p> <p>(b) Loading and unloading of goods and passengers carried by sea <u>(except for loading and unloading of passengers at Ravensbourne)</u>;⁹²</p> <p>(c) Facilities for the storage of goods carried by sea <u>(except at Ravensbourne)</u>;⁹³</p> <p>(d) Buildings, installations, other structures or equipment at or adjacent to a port and used in connection with the ports' operation or administration <u>(except at Ravensbourne)</u>;⁹⁴</p> <p>(e) Structures, facilities and pipelines for fuel storage, and refuelling of ships;</p> <p>(f) Provision, maintenance and development of shipping channels and swing basins;</p>

⁸⁹ 00120.007 Yellow-eyed Penguin Trust

⁹⁰ 00121.004 Ravensdown

⁹¹ 00120.007 Yellow-eyed Penguin Trust

⁹² 00121.004 Ravensdown

⁹³ 00121.004 Ravensdown

⁹⁴ 00121.004 Ravensdown

Term	Definition
	<p>(g) Disposal of dredged materials at A0 A0⁹⁵ Heyward Point, Aramoana and Shelly Beach <u>referred to in MAP2</u>;⁹⁶</p> <p>(h) Installation and maintenance of beacons and markers for navigation safety; and</p> <p>(i) Provision and maintenance of the mole at Aramoana.</p>
Competitiveness margin	<p>has the same meaning as in clause 3.22 of the National Policy Statement on Urban Development 2020 (as set out in the box below)</p> <div data-bbox="472 510 1254 680" style="border: 1px solid black; padding: 5px;"> <p>means a margin of development capacity, over and above the expected demand that tier 1 and tier 2 local authorities are required to provide, that is required in order to support choice and competitiveness in housing and business land markets</p> </div>
Contaminant	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="472 790 1254 1171" style="border: 1px solid black; padding: 5px;"> <p>includes any substance (including gases, odorous compounds, liquids, solids, and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy, or heat—</p> <p>(a) when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or</p> <p>(b) when discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged</p> </div>
Contaminated land	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="472 1283 1254 1476" style="border: 1px solid black; padding: 5px;"> <p>means land that has a hazardous substance in or on it that—</p> <p>(a) has significant adverse effects on the environment; or</p> <p>(b) is reasonably likely to have significant adverse effects on the environment</p> </div>
Critical buildings	<p>for the purposes of the consequence table within APP6, these are buildings which have a post-disaster function. These include:</p> <p>(a) Buildings and facilities designed as essential facilities;</p> <p>(b) Buildings and facilities with special post-disaster function;</p> <p>(c) Medical emergency or surgical facilities;</p> <p>(d) Emergency service facilities such as fire and police stations;</p> <p>(e) Designated emergency shelters;</p> <p>(f) Designated emergency centres and ancillary facilities; and</p>

⁹⁵ 00137.007 DOC, 00223.017 Ngāi Tahu ki Murihiku

⁹⁶ 00137.007 DOC, 00223.017 Ngāi Tahu ki Murihiku

Term	Definition
	(g) Buildings and facilities containing hazardous materials capable of causing hazardous conditions that extends beyond the property boundaries.
Degraded (in relation to freshwater) ⁹⁷	<p>where it is used in the <i>LF – Land and freshwater</i> chapter, has the same meaning as in clause 1.4 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p> <div data-bbox="475 450 1254 987" style="border: 1px solid black; padding: 10px;"> <p>in relation to an FMU or part of an FMU, means that as a result of something other than a naturally occurring process:</p> <ul style="list-style-type: none"> (a) a site or sites in the FMU or part of the FMU to which a target attribute state applies: <ul style="list-style-type: none"> (i) is below a national bottom line; or (ii) is not achieving or is not likely to achieve a target attribute state; or (b) the FMU or part of the FMU is not achieving or is not likely to achieve an environmental flow and level set for it; or (c) the FMU or part of the FMU is less able (when compared to 7 September 2017) to provide for any value <u>described in Appendix 1A or any other value</u>⁹⁸ identified for it under the NOF </div>
Development capacity	<p>has the same meaning as in clause 1.4 of the National Policy Statement for Urban Development 2020 (as set out in the box below)</p> <div data-bbox="475 1126 1254 1413" style="border: 1px solid black; padding: 10px;"> <p>means the capacity of the land to be developed for housing or for business use, based on:</p> <ul style="list-style-type: none"> (a) the zoning, objectives, policies, rules, and overlays that apply in the relevant proposed and operative RMA planning documents; and (b) the provision of adequate development infrastructure to support the development of land for housing or business use </div>
Development infrastructure	<p>has the same meaning as in clause 1.4 of the National Policy Statement for Urban Development 2020 (as set out in the box below)</p> <div data-bbox="475 1518 1254 1821" style="border: 1px solid black; padding: 10px;"> <p>means the following, to the extent that they are controlled by a local authority or council controlled organisation (as defined in section 6 of the Local Government Act 2002):</p> <ul style="list-style-type: none"> (a) network infrastructure for water supply, wastewater, or stormwater (b) land transport (as defined in section 5 of the Land Transport Management Act 2003) </div>
Discharge	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)

⁹⁷ Clause 16(2), Schedule 1, RMA.

⁹⁸ Clause 16(2), Schedule 1, RMA.

Term	Definition
	includes emit, deposit, and allow to escape
Distribution network	<p>has the same meaning as in regulation 3 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (as set out in the box below)</p> <div data-bbox="475 439 1254 667" style="border: 1px solid black; padding: 5px;"> <p>(a) means lines and associated equipment that are used for conveying electricity and are operated by a business engaged in the distribution of electricity; but</p> <p>(b) does not include lines and associated equipment that are part of the national grid</p> </div>
District plan	<p>has the same meaning as in section 43AA of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="475 775 1254 958" style="border: 1px solid black; padding: 5px;"> <p>(a) means an operative plan approved by a territorial authority under Schedule 1; and</p> <p>(b) includes all operative changes to the plan (whether arising from a review or otherwise)</p> </div>
Drinking water	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="475 1070 1254 1196" style="border: 1px solid black; padding: 5px;"> <p>means water intended to be used for human consumption; and includes water intended to be used for food preparation, utensil washing, and oral or other personal hygiene</p> </div>
Dwelling	<p>has the same meaning as that given for dwellinghouse in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="475 1308 1254 1518" style="border: 1px solid black; padding: 5px;"> <p>means any building, whether permanent or temporary, that is occupied, in whole or in part, as a residence; and includes any structure or outdoor living area that is accessory to, and used wholly or principally for the purposes of, the residence; but does not include the land upon which the residence is sited</p> </div>
Earthworks	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="475 1626 1254 1841" style="border: 1px solid black; padding: 5px;"> <p>means the alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); but excludes gardening, cultivation, and disturbance of land for the installation of fence posts</p> </div>
Effect	<p>has the same meaning as in section 3 of the Resource Management Act 1991 (as set out in the box below)</p>

Term	Definition
	<p>In this Act, unless the context otherwise requires, the term effect includes—</p> <ul style="list-style-type: none"> (a) any positive or adverse effect; and (b) any temporary or permanent effect; and (c) any past, present, or future effect; and (d) any cumulative effect which arises over time or in combination with other effects— <p>regardless of the scale, intensity, duration, or frequency of the effect, and also includes—</p> <ul style="list-style-type: none"> (e) any potential effect of high probability; and (f) any potential effect of low probability which has a high potential impact
<p>Effects management hierarchy</p>	<p><u>means an approach to managing the adverse effects of an activity</u>⁹⁹</p> <p>has the same meaning as in clause 3.21 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below) and in this RPS also applies to natural wetlands</p> <div style="border: 1px solid black; padding: 5px;"> <p>in relation to natural inland wetlands and rivers, means an approach to managing the adverse effects of an activity on the extent or values of a wetland or river (including cumulative effects and loss of potential value) that requires that:</p> <ul style="list-style-type: none"> (a) adverse effects are avoided where practicable, (b) where adverse effects cannot be avoided, they are minimised where practicable, (c) where adverse effects cannot be minimised, they are remedied where practicable, (d) where more than minor residual adverse effects cannot be avoided, minimised, or remedied, aquatic offsetting is provided, and (e) if aquatic compensation is not appropriate, the activity itself is </div>
<p><u>Effects management hierarchy (in relation to indigenous biodiversity)</u>¹⁰⁰</p>	<p><u>means the effects management hierarchy set out in ECO-P6.</u></p>
<p><u>Effects management hierarchy (in relation to natural wetlands and rivers)</u>¹⁰¹</p>	<p><u>means the effects management hierarchy set out in LF-FW-P13A.</u></p>

⁹⁹ 00315.014 Aurora Energy, 00235.125 OWRUG, 00511.012 PowerNet, 00320.012 Network Waitaki

¹⁰⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00315.014 Aurora Energy, 00235.125 OWRUG, 00511.012 PowerNet, 00320.012 Network Waitaki

¹⁰¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00315.014 Aurora Energy, 00235.125 OWRUG, 00511.012 PowerNet, 00320.012 Network Waitaki

Term	Definition
Electricity sub-transmission infrastructure	<p>means electricity infrastructure <u>that is not the National Grid and that</u> which conveys electricity between;¹⁰²</p> <p>(a) <u>energy generation sources and zone substations,</u>¹⁰³</p> <p>(b) <u>the National Grid and zone substations;</u> or and¹⁰⁴</p> <p>(c) <u>between zone substations.</u>¹⁰⁵</p>
Environment	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="472 611 1254 976" style="border: 1px solid black; padding: 10px;"> <p>includes—</p> <p>(a) ecosystems and their constituent parts, including people and communities; and</p> <p>(b) all natural and physical resources; and</p> <p>(c) amenity values; and</p> <p>(d) the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) or which are affected by those matters</p> </div>
Environmental limit ¹⁰⁶	<p>means, in relation to natural resources:</p> <p>(1) the minimum biophysical state (where biophysical means relating to biotic or abiotic physical features); or</p> <p>(2) the maximum amount of harm or stress that may be permitted; and</p> <p>(3) may be:</p> <p>(a) qualitative or quantitative;</p> <p>(b) set at different levels for different circumstances and locations; or</p> <p>(c) set in a way that integrates more than 1 natural resource.</p>
Environmental outcome	<p>has the same meaning as in clause 1.4 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p> <div data-bbox="472 1447 1254 1570" style="border: 1px solid black; padding: 10px;"> <p>means, in relation to a value that applies to an FMU or part of an FMU, a desired outcome that a regional council identifies and then includes as an objective in its <i>regional plan(s)</i></p> </div>
Esplanade reserve	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p>

¹⁰² 00314.003 Transpower

¹⁰³ 00314.003 Transpower

¹⁰⁴ 00314.003 Transpower

¹⁰⁵ 00314.003 Transpower

¹⁰⁶ 00231.009 Fish and Game

Term	Definition
	<p>means a reserve within the meaning of the Reserves Act 1977—</p> <p>(a) which is either—</p> <p>(i) a local purpose reserve within the meaning of section 23 of that Act, if vested in the territorial authority under section 239; or</p> <p>(ii) a reserve vested in the Crown or a regional council under section 237D; and</p> <p>(b) which is vested in the territorial authority, regional council, or the Crown for a purpose or purposes set out in section 229</p>
Esplanade strip	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="475 741 1252 869" style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>means a strip of land created by the registration of an instrument in accordance with section 232 for a purpose or purposes set out in section 229</p> </div>
Exceedance	<p>has the same meaning as in regulation 13 of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (as set out in the box below)</p> <div data-bbox="475 1021 1273 1111" style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>for a contaminant, means an instance where the contaminant exceeds its threshold concentration in an airshed</p> </div>
<u>Food and fibre production</u> ^{107 108}	<p><u>means:</u></p> <p>(a) any agricultural, pastoral, horticultural, or plantation forestry activities;</p> <p>(b) includes, as an ancillary activity, the initial processing of commodities that result from the activities listed in (a); and</p> <p>(c) includes any land and buildings used for (a) and (b); but</p> <p>(d) excludes further processing of those commodities into a different product.</p>
Freshwater or fresh water	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="475 1496 1252 1547" style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>means all water except coastal water and geothermal water</p> </div>
Freshwater management unit or FMU	<p>has the same meaning as in clause 1.4 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p>

¹⁰⁷ 00235.008 OWRUG

¹⁰⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00021.002 Matakanui Gold Limited, 00016.009 Alluvium Limited and Stoney Creek Mining, 00017.007 Danny Walker and others, 00226.033 Kāi Tahu ki Otago, 00223.094 Ngāi Tahu ki Murihiku

Term	Definition
	<p>means all or any part of a water body or water bodies, and their related catchments, that a regional council determines under clause 3.8 is an appropriate unit for freshwater management and accounting purposes; and part of an FMU means any part of an FMU including, but not limited to, a specific site, river reach, water body, or part of a water body</p>
Functional need	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="472 593 1252 723" style="border: 1px solid black; padding: 5px;"> <p>means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment</p> </div>
Future development strategy	<p>has the same meaning as in the National Policy Statement for Urban Development 2020 (as set out in the box below)</p> <div data-bbox="472 824 1252 920" style="border: 1px solid black; padding: 5px;"> <p>means the Future Development Strategy required by subpart 4 of Part 3</p> </div>
Greenhouse gas	<p>has the same meaning as in section 4(1) of the Climate Change Response Act 2002 (as set in in the box below)</p> <div data-bbox="472 1028 1252 1373" style="border: 1px solid black; padding: 5px;"> <p>means—</p> <ul style="list-style-type: none"> (a) carbon dioxide (CO₂): (b) methane (CH₄): (c) nitrous oxide (N₂O): (d) any hydrofluorocarbon: (e) any perfluorocarbon: (f) sulphur hexafluoride (SF₆) </div>
Groundwater	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="472 1480 1252 1576" style="border: 1px solid black; padding: 5px;"> <p>means water occupying openings, cavities, or spaces in soils or rocks beneath the surface of the ground</p> </div>
Hard protection structure	<p>within the coastal environment, has the same meaning as in the Glossary of the New Zealand Coastal Policy Statement 2010 (as set out in the box below)</p> <div data-bbox="472 1680 1252 1895" style="border: 1px solid black; padding: 5px;"> <p>includes a seawall, rock revetment, groyne, breakwater, stop bank, retaining wall or comparable structure or modification to the seabed, foreshore or coastal land that has the primary purpose or effect of protecting an activity from a coastal hazard, including erosion</p> </div> <p>and</p> <p>outside the coastal environment, <u>means any kind of structure which is specifically established for the purpose of natural hazard risk mitigation, including: any dams,</u></p>

Term	Definition
	weirs, stopbanks, carriageways, groynes, or reservoirs and any structure or appliance of any kind which is specifically established for the purpose of natural hazard risk mitigation. ¹⁰⁹
High valued species and vegetation types ¹¹⁰	include: (a) any agricultural, pastoral, horticultural, or plantation forestry activities; (b) includes, as an ancillary activity, the initial processing of commodities that result from the activities listed in (a); and (c) includes any land and buildings used for (a) and (b); but (d) excludes further processing of those commodities into a different product.
Highly productive land ¹¹¹	<p>means:</p> <p>(a) land that has been identified in accordance with LF-LS-P19; or</p> <p>(b) where the identification in (a) has not occurred, land in the rural area that is classified as LUC 1, 2 or 3 as mapped by the NZ Land Resource Inventory or by more detailed site specific research.¹¹²</p> <p>has the same meaning as in clause 1.3 of the National Policy Statement for Highly Productive Land (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>means land that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when land is rezoned and therefore ceases to be highly productive land)</p> </div>
Highly valued natural features and landscapes	highly valued natural features, and landscapes and (including seascapes) ¹¹³ are areas which contain attributes and values of significance under Sections 7(c) and 7(f) of the RMA 1991, ¹¹⁴ which have been identified in accordance with APP9, and for the purposes of the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 they are visual amenity landscapes. ¹¹⁵
Historic heritage	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)

¹⁰⁹ 00223.117 Ngāi Tahu ki Murihiku, 00230.006 Forest and Bird

¹¹⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.158 DOC

¹¹¹ 00235.009 OWRUG, 00236.013 Horticulture NZ, 00240.025 NZ Pork

¹¹² 00236.013 Horticulture NZ, 00235.009 OWRUG, 00240.025 NZ Pork

¹¹³ 00301.054 Port Otago

¹¹⁴ Clause 16(2), Schedule 1, RMA

¹¹⁵ 00230.007 Forest & Bird

Term	Definition
	<p>(a) means those natural and physical resources that contribute to an understanding and appreciation of New Zealand’s history and cultures, deriving from any of the following qualities:</p> <ul style="list-style-type: none"> (i) archaeological: (ii) architectural: (iii) cultural: (iv) historic: (v) scientific: (vi) technological; and <p>(b) includes—</p> <ul style="list-style-type: none"> (i) historic sites, structures, places, and areas; and (ii) archaeological sites; and (iii) sites of significance to Māori, including wāhi tapu; and (iv) surroundings associated with the natural and physical resources
<p>Housing and Business Development Capacity Assessment</p>	<p>has the same meaning as in the National Policy Statement for Urban Development Capacity 2020 (as set out in the box below)</p> <div data-bbox="472 1021 1251 1120" style="border: 1px solid black; padding: 5px;"> <p>means the Housing and Business Development Capacity Assessment (HBA) required by subpart 5 of Part 3</p> </div>
<p>Identified for future urban development¹¹⁶</p>	<p><u>has the same meaning as in clause 1.3 of the National Policy Statement for Highly Productive Land (as set out in the box below)</u></p> <div data-bbox="472 1267 1251 1715" style="border: 1px solid black; padding: 5px;"> <p><u>means:</u></p> <p>(a) <u>identified in a published Future Development Strategy as land suitable for commencing urban development over the next 10 years; or</u></p> <p>(b) <u>identified:</u></p> <ul style="list-style-type: none"> (i) <u>in a strategic planning document as an area suitable for commencing urban development over the next 10 years; and</u> (ii) <u>at a level of detail that makes the boundaries of the area identifiable in practice</u> </div>
<p>Indigenous vegetation</p>	<p>means vascular and non-vascular plants that, in relation to a particular area, are native to the ecological district¹¹⁷ <u>or freshwater or marine bioregion</u>¹¹⁸ in which that area is located.</p>

¹¹⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00101.044 Tōitu Te Whenua

¹¹⁷ McEwen, W Medium (ed), 1987. Ecological regions and districts of New Zealand. Wellington: Department of Conservation (new footnote attributed to 00138.027 QLDC)

¹¹⁸ 00137.013 Director General of Conservation

Term	Definition
<u>Indigenous species (in relation to the ECO chapter)</u> ¹¹⁹	<u>where used in the ECO chapter, means species that occur naturally in Otago.</u>
Industrial activities	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="472 461 1254 651" style="border: 1px solid black; padding: 5px;"> <p>means an activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes any ancillary activity to the industrial activity</p> </div>
<u>Industrial and trade waste</u> ¹²⁰	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="472 757 1254 936" style="border: 1px solid black; padding: 5px;"> <p><u>means liquid waste, with or without matter in suspension, from the receipt, manufacture or processing of materials as part of a commercial, industrial or trade process, but excludes sewage and greywater.</u></p> </div>
Infrastructure	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)

¹¹⁹ 00120.009 Yellow-eyed Penguin Trust

¹²⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.189 Kāi Tahu ki Otago, 00230.094 Forest and Bird

Term	Definition
	<p>means—</p> <ul style="list-style-type: none"> (a) pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy: (b) a network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001: (c) a network for the purpose of radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989: (d) facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines, and support structures if a person— <ul style="list-style-type: none"> (i) uses them in connection with the generation of electricity for the person’s use; and (ii) does not use them to generate any electricity for supply to any other person: (e) a water supply distribution system, including a system for irrigation: (f) a drainage or sewerage system: (g) structures for transport on land by cycleways, rail, roads, walkways, or any other means: (h) facilities for the loading or unloading of cargo or passengers transported on land by any means: (i) an airport as defined in section 2 of the Airport Authorities Act 1966: (j) a navigation installation as defined in section 2 of the Civil Aviation Act 1990: (k) facilities for the loading or unloading of cargo or passengers carried by sea, including a port related commercial undertaking as defined in section 2(1) of the Port Companies Act 1988: (l) anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166
Intrinsic values	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div style="border: 1px solid black; padding: 5px;"> <p>In relation to ecosystems, means those aspects of ecosystems and their constituent parts which have value in their own right, including –</p> <ul style="list-style-type: none"> (a) their biological and genetic diversity; and (b) the essential characteristics that determine an ecosystem’s integrity, form, functioning and resilience </div>
Kāika	means a settlement of Kāi Tahu or their tūpuna.

Term	Definition
Kaitiakitanga or kaitiakitaka	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="472 331 1252 479" style="border: 1px solid black; padding: 5px;"> <p>means the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Māori in relation to natural and physical resources; and includes the ethic of stewardship</p> </div>
Key civic public spaces¹²¹	<p>are publicly owned and accessible public spaces identified by local authorities where the public use and enjoyment of the space is strongly influenced by sun and daylight access to the extent that loss of sun and daylight may diminish this use and enjoyment.</p>
Lake	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="472 712 1252 808" style="border: 1px solid black; padding: 5px;"> <p>means a body of fresh water which is entirely or nearly surrounded by land</p> </div>
Land	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="472 913 1252 1249" style="border: 1px solid black; padding: 5px;"> <p>(a) includes land covered by water and the airspace above land; and (b) in a national environmental standard dealing with a regional council function under section 30 or a regional rule, does not include the bed of a lake or river; and (c) in a national environmental standard dealing with a territorial authority function under section 31 or a district rule, includes the surface of water in a lake or river</p> </div>
<u>Land-based primary production¹²²</u>	<p><u>has the same meaning as in clause 1.3 of the National Policy Statement for Highly Productive Land 2022 (as set out in the box below)</u></p> <div data-bbox="472 1361 1252 1451" style="border: 1px solid black; padding: 5px;"> <p><u>means production, from agricultural, pastoral, horticultural, or forestry activities, that is reliant on the soil resource of the land</u></p> </div>
Landfill	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="472 1563 1252 1653" style="border: 1px solid black; padding: 5px;"> <p>means an area used for, or previously used for, the disposal of solid waste. It excludes cleanfill areas</p> </div>
Lifeline utilities	<p>means utilities provided by those entities listed in Schedule 1 of the Civil Defence Emergency Management Act 2002</p>
<u>Limit¹²³ (in relation to freshwater)¹²⁴</u>	<p><u>has the same meaning as in clause 1.4(1) of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</u></p>

¹²¹ 00223.019 Ngāi Tahu ki Murihiku

¹²² 00021.002 Matakanui Gold Limited, 00016.009 Alluvium Limited and Stoney Creek Mining, 00017.007 Danny Walker and others, 00226.033 Kāi Tahu ki Otago, 00223.094 Ngāi Tahu ki Murihiku

¹²³ Clause 16(2), Schedule 1, RMA

¹²⁴ 00231.009 Fish and Game

Term	Definition
	<p>means either a limit on resource use or a take limit</p>
Limit on resource use	<p>has the same meaning as in clause 1.4(1) of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p> <p>means the maximum amount of a resource use that is permissible while still achieving a relevant target attribute state (see clauses 3.12 and 3.14)</p>
Local authority	<p>has the same meaning as in section 5 of the Local Government Act 2002 (as set out in the box below)</p> <p>means a regional council or territorial authority</p>
Loss of values	<p>has the same meaning as in clause 3.21(1) of the National Policy Statement for Freshwater Management 2020 (as set out in the box below) and in this RPS also refers to <i>natural wetlands</i></p> <p>in relation to a natural inland <i>wetland</i> or <i>river</i>, means the <i>wetland</i> or <i>river</i> is less able to provide for the following existing or potential values:</p> <ul style="list-style-type: none"> (a) any value identified for it under the NOF process; or (b) any of the following, whether or not they are identified under the NOF process: <ul style="list-style-type: none"> (i) ecosystem health (ii) indigenous biodiversity (iii) hydrological functioning (iv) Māori freshwater values (v) amenity
<u>LUC 1, 2, or 3 land</u> ¹²⁵	<p>has the same meaning as in clause 1.3 of the National Policy Statement for Highly Productive Land (as set out in the box below)</p> <p>means land identified as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory or by any more detailed mapping that uses the Land Use Capability classification</p>
<u>Mahika kai</u> ¹²⁶	<p>means gathering of food and natural materials by Kāi Tahu whānui in accordance with tikaka, the places where those resources are gathered, and the work, methods and cultural activities involved in obtaining them.</p>
Mana whenua	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) and in this RPS also refers to the people who hold customary authority</p>

¹²⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00101.044 Tōitu Te Whenua

¹²⁶ 00226.0038 Kāi Tahu ki Otago

Term	Definition
	<div style="border: 1px solid black; padding: 5px;"> <p>means customary authority exercised by an iwi or hapu in an identified area</p> </div>
<p><u>Māori Land</u>¹²⁷</p>	<p>for the purposes of this RPS, means land within the region that is:</p> <ol style="list-style-type: none"> (1) <u>Māori communal land gazetted as Māori reservation under s338 Te Ture Whenua Māori Act 1993;</u> (2) <u>Māori customary land and Māori freehold land as defined in s4 and s129 Te Ture Whenua Māori Act 1993;</u> (3) <u>Former Māori land or general land owned by Māori (as those terms are defined in Te Ture Whenua Māori Act 1993) that has at any time been acquired by the Crown or any local or public body for a public work or other public purpose, and has been subsequently returned to its former Kāi Tahu owners or their successors and remains in their ownership;</u> (4) <u>General land owned by Māori (as defined in Te Ture Whenua Māori Act 1993) that was previously Māori freehold land, has ceased to have that status under an order of the Māori Land Court made on or after 1 July 1993 or under Part 1 of the Māori Affairs Amendment Act 1967 on or after 1 April 1968, that is in the ownership of Kāi Tahu whānui;</u> (5) <u>Vested in a Trust or Māori incorporation under Te Ture Whenua Māori Act 1993;</u> (6) <u>Held or claimed by Te Rūnanga o Ngāi Tahu and/or related entities including by a person or persons with a whakapapa connection to Kāi Tahu, where the land was transferred or vested, is an entitlement, or is part of an ancillary claim:</u> <ol style="list-style-type: none"> (a) <u>as part of redress for the settlement of Treaty of Waitangi claims; or</u> (b) <u>by the exercise of rights under a Treaty settlement Act or Treaty settlement deed (as those terms are defined under the Urban Development Act 2020);</u> (7) <u>Owned by a person or persons with evidence of Kāi Tahu whakapapa connection to the land (where documentary evidence of whakapapa connection is provided from either the Māori Land Court or the Te Rūnanga o Ngāi Tahu Whakapapa Unit).</u>
<p>Mineral</p>	<p>has the same meaning as in section 2(1) of the Crown Minerals Act 1991 (as set out in the box below)</p> <div style="border: 1px solid black; padding: 10px; margin-top: 10px;"> <p>means a naturally occurring inorganic substance beneath or at the surface of the earth, whether or not under water; and includes all metallic minerals, non-metallic minerals, fuel minerals, precious stones, industrial rocks and building stones, and a prescribed substance within the meaning of the Atomic Energy Act 1945</p> </div>
<p>Mixing zone</p>	<p>has the same meaning as in the Glossary of the New Zealand Coastal Policy Statement 2010 (as set out in the box below)</p>

¹²⁷ 00234.009 Te Rūnanga o Ngāi Tahu, 00226.053 Kāi Tahu ki Otago, 00010.002 Cain whanau

Term	Definition
	<p>the area within which 'reasonable mixing' of contaminants from discharges occurs in receiving waters and within which the relevant water quality standards do not apply</p>
Multiple hazards	<p>means where two or more unrelated natural hazard events may occur.</p>
National grid	<p>has the same meaning as in the Interpretation section of the National Policy Statement on Electricity Transmission 2008 for Renewable Electricity Generation 2011¹²⁸ (as set out in the box below)</p> <div data-bbox="475 584 1254 678" style="border: 1px solid black; padding: 5px;"> <p>means the <u>assets lines and associated equipment</u> used or owned by Transpower <u>New Zealand Limited</u> to convey electricity</p> </div> <p style="text-align: right; margin-right: 20px;">¹²⁹</p>
National Objectives Framework	<p>has the same meaning as in clause 1.4 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p> <div data-bbox="475 792 1254 887" style="border: 1px solid black; padding: 5px;"> <p>means the framework for managing freshwater as described in subpart 2 of Part 3</p> </div>
Nationally significant infrastructure	<p>has, to the extent applicable to the Otago Region, the same meaning as in clause 1.4(1) of the National Policy Statement for Urban Development 2020 (as set out in the box below)</p> <div data-bbox="475 1032 1254 1686" style="border: 1px solid black; padding: 5px;"> <p>means all of the following:</p> <ul style="list-style-type: none"> (a) State highways (b) the national grid electricity transmission network (c) renewable electricity generation facilities that connect with the national grid (d) the high-pressure gas transmission pipeline network operating in the North Island (e) the refinery pipeline between Marsden Point and Wiri (f) the New Zealand rail network (including light rail) (g) rapid transit services (as defined in this clause) (h) any airport (but not its ancillary commercial activities) used for regular air transport services by aeroplanes capable of carrying more than 30 passengers (j) the port facilities (but not the facilities of any ancillary commercial activities) of each port company referred to in item 6 of Part A of Schedule 1 of the Civil Defence Emergency Management Act 2002 </div>
Natural and physical resources	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="475 1794 1254 1924" style="border: 1px solid black; padding: 5px;"> <p>includes land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures</p> </div>

¹²⁸ 00314.004 Transpower

¹²⁹ 00314.004 Transpower

Term	Definition
Natural hazard	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="472 331 1254 555" style="border: 1px solid black; padding: 5px;"> <p>means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment</p> </div>
Natural hazard works	<p>has the same meaning as in regulation 51(1) of the National Environmental Standard for Freshwater 2020 (as set out in the box below)</p> <div data-bbox="472 663 1254 898" style="border: 1px solid black; padding: 5px;"> <p>means works for the purpose of removing material, such as trees, debris, and sediment, that—</p> <p>(a) is deposited as the result of a natural hazard, and</p> <p>(b) is causing, or is likely to cause, an immediate hazard to people or property</p> </div>
Naturally rare	<p>has the same meaning as in the Glossary of the New Zealand Coastal Policy Statement 2010 (as set out in the box below)</p> <div data-bbox="472 1003 1254 1055" style="border: 1px solid black; padding: 5px;"> <p>originally rare: Rare before the arrival of humans in New Zealand</p> </div>
Natural wetland	<p>has the same meaning as in clause 3.21 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p> <div data-bbox="472 1167 1254 1496" style="border: 1px solid black; padding: 5px;"> <p>means a wetland (as defined in the Act) that is not:</p> <p>(a) a wetland constructed by artificial means (unless it was constructed to offset impacts on, or restore, an existing or former natural wetland); or</p> <p>(b) a geothermal wetland; or</p> <p>(c) any area of improved pasture that, at the commencement date, is dominated by (that is more than 50% of) exotic pasture species and is subject to temporary rain derived water pooling</p> </div> <p>means a wetland (as defined in the Act) that is not:</p> <p>(a) a deliberately constructed wetland, other than a wetland constructed to offset impacts on, or to restore, an existing or former natural wetland; or</p> <p>(b) a wetland that has developed in or around a deliberately constructed water body, since the construction of the water body; or</p> <p>(c) a geothermal wetland; or</p> <p>(d) a wetland that:</p> <p>(i) is within an area of pasture used for grazing; and</p> <p>(ii) has vegetation cover comprising more than 50% exotic pasture species (as identified in the National List of Exotic Pasture Species using the Pasture Exclusion Assessment Methodology (see clause 1.8 of the National Policy Statement for Freshwater Management)); unless</p>

Term	Definition
	(iii) <u>the wetland is a location of a habitat of a threatened species identified under clause 3.8 of the National Policy Statement for Freshwater Management, in which case the exclusion in (d) does not apply.</u> ¹³⁰
Nohoaka or nohoanga	means a site occupied by Kāi Tahu on a seasonal and temporary basis for mahika kai <u>mahika kai</u> ¹³¹ or other customary purposes.
Occupancy ¹³²	<u>means the number of sites occupied in Otago.</u>
Operational need	has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below) <div data-bbox="475 611 1254 734" style="border: 1px solid black; padding: 5px;"> <p>means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints</p> </div>
Other infrastructure	has the same meaning as in regulation 3 of the National Environmental Standard for Freshwater 2020 (as set out in the box below) <div data-bbox="475 846 1254 992" style="border: 1px solid black; padding: 5px;"> <p>means infrastructure, other than specified infrastructure, that was lawfully established before, and in place at, the close of 2 September 2020</p> </div>
Outstanding water body	has the same meaning as in clause 1.4 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below) <div data-bbox="475 1104 1254 1227" style="border: 1px solid black; padding: 5px;"> <p>means a water body, or part of a water body, identified in a regional policy statement, a <i>regional plan</i>, or a water conservation order as having one or more outstanding values</p> </div>
Over-allocation	has the same meaning as in clause 1.4 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below) <div data-bbox="475 1339 1254 1559" style="border: 1px solid black; padding: 5px;"> <p>in relation to both the quantity and quality of freshwater, is the situation where: (a) resource use exceeds a limit; or (b) if limits have not been set, an FMU or part of an FMU is degraded or degrading</p> </div>
Papakāika or papakāinga	means use and development by <i>mana whenua</i> of ancestral or tribal lands to sustain themselves in accordance with tikanga Māori, which may include residential activities and non-residential activities for cultural, social, <u>educational</u> , ¹³³ recreational, environmental or limited commercial purposes.
Pest ¹³⁴	<u>has the same meaning as in section 2 of the Biosecurity Act 1993 (as set out in the box below)</u>

¹³⁰ 00409.012 Ballance

¹³¹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

¹³² 00223.099 Ngāi Tahu ki Murihiku, 00226.215 Kāi Tahu ki Otago

¹³³ 00226.032 Kāi Tahu ki Otago

¹³⁴ 00239.007b Federated Farmers, 00411.017 Wayfare

Term	Definition
	<p>means an organism specified as a pest in a pest management plan.</p>
Plantation forestry	<p>has the same meaning as in regulation 3 of the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 (as set out in the box below)</p> <p>means a forest deliberately established for commercial purposes, being—</p> <ul style="list-style-type: none"> (a) at least 1 ha of continuous forest cover of forest species that has been planted and has or will be harvested or replanted; and (b) includes all associated forestry infrastructure; but (c) does not include— <ul style="list-style-type: none"> (i) a shelter belt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30 m; or (ii) forest species in urban areas; or (iii) nurseries and seed orchards; or (iv) trees grown for fruit or nuts; or (v) long-term ecological restoration planting of forest species; or (vi) willows and poplars space planted for soil conservation purposes
PM₁₀	<p>has the same meaning as in regulation 3 of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (as set out in the box below)</p> <p>means particulate matter that is—</p> <ul style="list-style-type: none"> (a) less than 10 micrometres in aerodynamic diameter; and (b) measured in accordance with the United States Code of Federal Regulations, Title 40—Protection of Environment, Volume 2, Part 50, Appendix J — Reference method for the determination of particulate matter as PM₁₀ in the atmosphere
PM_{2.5}	<p>means particulate matter that is less than 2.5 micrometres in aerodynamic diameter.</p>
Polluted airshed	<p>has the same meaning as in regulation 17(4) of the National Environmental Standards for Air Quality 2004 (as set out in the box below)</p>

Term	Definition
	<p>(a) an airshed becomes a polluted airshed on and from 1 September 2012 or any later day if, for the immediately prior 5-year period—</p> <p>(i) the airshed has meaningful PM10 data for at least a 12-month period; and</p> <p>(ii) the airshed’s average exceedances of PM10 (as calculated under regulation 16D) was more than 1 per year; and</p> <p>(b) an airshed stops being a polluted airshed on and from any day if the PM10 standard was not breached in the airshed in the immediately prior 5-year period</p>
Primary contact site	<p>has the same meaning as in clause 1.4 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p> <div data-bbox="472 734 1251 1030" style="border: 1px solid black; padding: 5px;"> <p>in relation to both the quantity and quality of freshwater, is the means a site identified by a regional council that it considers is regularly used, or would be regularly used but for existing freshwater quality, for recreational activities such as swimming, paddling, boating, or watersports, and particularly for activities where there is a high likelihood of water or water vapour being ingested or inhaled</p> </div>
Primary production	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="472 1137 1251 1590" style="border: 1px solid black; padding: 5px;"> <p>means:</p> <p>(a) an aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and</p> <p>(b) includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a);</p> <p>(c) includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but</p> <p>(d) excludes further processing of those commodities into a different product</p> </div>
<u>Productive capacity</u> ¹³⁵	<p><u>has the same meaning as in clause 1.3 of the National Policy Statement for Highly Productive Land (as set out in the box below)</u></p>

¹³⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00014.031 Mt Cardrona Station, 00209.01 Universal Developments, 00210.012 Lane Hocking, 00211.01 LAC Properties

Term	Definition
	<p><u>in relation to land, means the ability of the land to support land-based primary production over the long term, based on an assessment of:</u></p> <p><u>(a) physical characteristics (such as soil type, properties, and versatility); and</u></p> <p><u>(b) legal constraints (such as consent notices, local authority covenants, and easements); and</u></p> <p><u>(c) the size and shape of existing and proposed land parcels</u></p>
Public transport	<p>has the same meaning as in clause 1.4 of the National Policy Statement for Urban Development 2020 (as set out in the box below)</p> <p>means any existing or planned service for the carriage of passengers (other than an aeroplane) that is available to the public generally by means of:</p> <p>(a) a vehicle designed or adapted to carry more than 12 persons (including the driver), or</p> <p>(b) a rail vehicle, or</p> <p>(c) a ferry</p>
Receiving environment	<p>has the same meaning as in in clause 1.4 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p> <p>includes, but is not limited to, any water body (such as a river, lake, wetland or aquifer) and the coastal marine area (including estuaries)</p>
Reclamation	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <p>means the manmade formation of permanent dry land by the positioning of material into or onto any part of a waterbody, bed of a lake or river or the coastal marine area, and:</p> <p>(a) includes the construction of any causeway; but</p> <p>(b) excludes the construction of natural hazard protection structures such as seawalls, breakwaters or groynes except where the purpose of those structures is to form dry land</p>
Regional plan	<p>has the same meaning as in section 43AA of the Resource Management Act 1991 (as set out in the box below)</p> <p>(a) means an operative plan approved by a regional council under Schedule 1 (including all operative changes to the plan (whether arising from a review or otherwise)); and</p> <p>(b) includes a regional coastal plan</p>

Term	Definition
Regionally significant infrastructure	<p>means:</p> <ol style="list-style-type: none"> (1) roads classified as being of regional importance in accordance with the One Network Road Classification <u>One Network Framework</u>,^{136 137} (2) electricity sub-transmission infrastructure, (3) renewable electricity generation facilities that connect with the local distribution network but not including renewable electricity generation facilities designed and operated principally for supplying a single premise or facility, (4) telecommunication and radiocommunication <u>networks¹³⁸ facilities—as respectively defined in section 5 of the Telecommunications Act 2001 and in section 2 of the Radiocommunications Act 1989,¹³⁹</u> (5) facilities for public transport, including terminals and stations, (6) the following airports: Dunedin, Queenstown, Wanaka <u>Wānaka</u>,¹⁴⁰ Alexandra, Balclutha, Cromwell, Oamaru <u>Ōamaru</u>,¹⁴¹ Taieri. (7) navigation infrastructure associated with airports and commercial ports which are nationally or regionally significant, (8) defence facilities <u>for defence purposes in accordance with the Defence Act 1990</u>,¹⁴² (9) community drinking water abstraction, supply treatment and distribution infrastructure that provides no fewer than 25 households with drinking water for not less than 90 days each calendar year, and community water supply abstraction, treatment and distribution infrastructure (excluding delivery systems or infrastructure primarily deployed for the delivery of water for irrigation of land or rural agricultural drinking-water supplies) (10) community stormwater infrastructure, (11) wastewater and sewage collection, treatment and disposal infrastructure serving no fewer than 25 households, and <u>(11A) oil terminals, bulk fuel storage and supply infrastructure, and ancillary pipelines at Port Chalmers and Dunedin, and¹⁴³</u> (12) Otago Regional Council’s hazard mitigation works including flood protection infrastructure and drainage schemes. <u>(13) For the avoidance of doubt, any Any infrastructure identified as nationally significant infrastructure is also regionally significant infrastructure.</u>¹⁴⁴
Renewable electricity generation	<p>has the same meaning as in the Interpretation section of the National Policy Statement for Renewable Electricity Generation 2011 (as set out in the box below)</p>

¹³⁶ <https://www.nzta.govt.nz/roads-and-rail/road-efficiency-group/projects/onrc> (accessed 26 May 2021)

¹³⁷ <https://www.nzta.govt.nz/planning-and-investment/planning/one-network-framework> (Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00139.007 DCC)

¹³⁸ 00139.007 DCC

¹³⁹ 00310.002 Chorus, Spark and Vodafone

¹⁴⁰ 00230.011 Forest and Bird

¹⁴¹ 00226.024 Kāi Tahu ki Otago

¹⁴² 00230.011 Forest and Bird

¹⁴³ 00510.009 The Fuel Companies

¹⁴⁴ 00311.003 Trustpower, 00301.007 Port Otago

Term	Definition
	<p>means generation of electricity from solar, wind, hydroelectricity, geothermal, biomass, tidal, wave, or ocean current energy sources</p>
Renewable electricity generation activities	<p>has the same meaning as in the Interpretation section of the National Policy Statement for Renewable Electricity Generation 2011 (as set out in the box below)</p> <p>means the construction, operation and maintenance of structures associated with renewable electricity generation. This includes small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity</p>
Replanting	<p>has the same meaning as in regulation 3 of the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 (as set out in the box below)</p> <p>means the planting and growing of plantation forestry trees on land less than 5 years after plantation forestry harvesting has occurred</p>
Residual risk	<p>means the risk remaining after the implementation or undertaking of all available and practicable risk management measures.</p>
Resilient or resilience	<p>means the capacity and ability to withstand or recover quickly from adverse conditions.</p>
Resource consent	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <p>has the meaning set out in section 87; and includes all conditions to which the consent is subject</p>
<u>Reverse sensitivity</u> ¹⁴⁵	<p><u>means the potential for the operation of an existing lawfully established activity to be constrained or curtailed by the more recent establishment or intensification of other activities which are sensitive to the effects of the established activity.</u></p>
<u>Risk (in relation to natural hazards)</u> ¹⁴⁶	<p>has the same meaning as in the Glossary in the New Zealand Coastal Policy Statement 2010 (as set out in the box below)</p> <p>Risk is often expressed in terms of a combination of the consequences of an event (including changes in circumstances) and the associated likelihood of occurrence (AS/NZS ISO 31000:2009 <i>Risk management – Principles and guidelines</i>, November 2009)</p>
River	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p>

¹⁴⁵ 00233.005 Fonterra, 00305.005 Waka Kotahi

¹⁴⁶ 00230.013 Forest and Bird

Term	Definition
	<p>means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal)</p>
<p>Road</p>	<p>has the same meaning as in section 315 of the Local Government Act 1974; and includes a motorway as defined in section 2(1) of the Government Roding Powers Act 1989 (as set out in the boxes below)</p> <div style="border: 1px solid black; padding: 10px;"> <p>road means the whole of any land which is within a district, and which—</p> <p>(a) immediately before the commencement of this Part was a road or street or public highway; or</p> <p>(b) immediately before the inclusion of any area in the district was a public highway within that area; or</p> <p>(c) is laid out by the council as a road or street after the commencement of this Part; or</p> <p>(d) is vested in the council for the purpose of a road as shown on a deposited survey plan; or</p> <p>(e) is vested in the council as a road or street pursuant to any other enactment;—</p> <p>and includes—</p> <p>(f) except where elsewhere provided in this Part, any access way or service lane which before the commencement of this Part was under the control of any council or is laid out or constructed by or vested in any council as an access way or service lane or is declared by the Minister of Works and Development as an access way or service lane after the commencement of this Part or is declared by the Minister of Lands as an access way or service lane on or after 1 April 1988:</p> <p>(g) every square or place intended for use of the public generally, and every bridge, culvert, drain, ford, gate, building, or other thing belonging thereto or lying upon the line or within the limits thereof;—</p> <p>but, except as provided in the Public Works Act 1981 or in any regulations under that Act, does not include a motorway within the meaning of that Act or the Government Roding Powers Act 1989</p> </div>

Term	Definition
	<p>motorway—</p> <p>(a) means a motorway declared as such by the Governor-General in Council under section 138 of the Public Works Act 1981 or under section 71 of this Act; and</p> <p>(b) includes all bridges, drains, culverts, or other structures or works forming part of any motorway so declared; but</p> <p>(c) does not include any local road, access way, or service lane (or the supports of any such road, way, or lane) that crosses over or under a motorway on a different level</p>
Rural area	means any area of land that is not an <i>urban area</i>
Rural industry ¹⁴⁷	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="475 790 1390 891" style="border: 1px solid black; padding: 5px;"> <p>means an industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production.</p> </div>
Sensitive activities (in relation to the EIT Chapter) ^{148, [2]}	<p>where used in the EIT chapter,^{149[4]} has the same meaning as in the Interpretation section of the National Policy Statement on Electricity Transmission 2008 (as set out in the box below)</p> <div data-bbox="475 1016 1254 1077" style="border: 1px solid black; padding: 5px;"> <p>includes schools, residential buildings and hospitals</p> </div>
Sensitive activities (in relation to the UFD Chapter) ^{150[6]}	<p>where used in the UFD chapter, means activities that are affected by the adverse effects of a lawful activity.^{151[8]}</p>
Sewage	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="475 1335 1254 1395" style="border: 1px solid black; padding: 5px;"> <p>means human excrement and urine</p> </div>
Ship	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="475 1498 1254 1585" style="border: 1px solid black; padding: 5px;"> <p>has the same meaning as in section 2(1) of the Maritime Transport Act 1994</p> </div>

¹⁴⁷ 00233.007 Fonterra, 00221.001 Silver Fern Farms, 00411.019 Wafare Group and 00206.012 Trojan

¹⁴⁸ 00233.009 Fonterra

[2] Clause 10(2)(b)(i) - Consequential amendment arising from 00213.009 Fonterra

¹⁴⁹ 00233.009 Fonterra

[4] Clause 10(2)(b)(i) - Consequential amendment arising from 00213.009 Fonterra

¹⁵⁰ 00233.009 Fonterra

[6] Clause 10(2)(b)(i) - Consequential amendment arising from 00213.009 Fonterra

¹⁵¹ 00233.009 Fonterra

[8] Clause 10(2)(b)(i) - Consequential amendment arising from 00213.009 Fonterra

Term	Definition
<u>Significant electricity distribution infrastructure</u> ¹⁵²	<p>Means electricity infrastructure identified in a district plan which supplies:</p> <p>a) <u>essential public services (such as hospitals and lifeline facilities);</u></p> <p>b) <u>other regionally significant infrastructure or individual consumers requiring supply of 1MW or more;</u></p> <p>c) <u>700 or more consumers; or</u></p> <p>d) <u>communities that are isolated and which do not have an alternative supply in the event the line or cable is compromised and where the assets are difficult to replace in the event of failure.</u></p>
Significant natural area	means areas of significant indigenous vegetation and significant habitats of indigenous fauna that are located outside the coastal environment. ¹⁵³
Small and community scale distributed electricity generation	<p>has the same meaning as in the Interpretation section of the National Policy Statement for Renewable Electricity Generation 2011 (as set out in the box below)</p> <div data-bbox="472 763 1254 909" style="border: 1px solid black; padding: 5px;"> <p>means renewable electricity generation for the purpose of using electricity on a particular site, or supplying an immediate community, or connecting into the distribution network</p> </div>
Social and cultural buildings	<p>For the purposes of the consequence table within APP6, these are buildings that are of social and cultural importance. These include:</p> <p>(a) Places of worship;</p> <p>(b) Museums;</p> <p>(c) Art galleries;</p> <p>(d) Marae; and</p> <p>(e) Educational facilities</p>
Solid fuel	<p>has the same meaning as in regulation 3 of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (as set out in the box below)</p> <div data-bbox="472 1328 1254 1424" style="border: 1px solid black; padding: 5px;"> <p>means a solid substance that releases useable energy when burnt (for example, wood and coal)</p> </div>
<u>Specified infrastructure</u> ¹⁵⁴	<u>has the same meaning as in clause 3.21 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</u>

¹⁵² 00315.058 Aurora Energy, 00320.026 Network Waitaki and 00511.026 PowerNet

¹⁵³ 00137.016 DOC, 00226.035 Kāi Tahu ki Otago, 00120.011 Yellow-eyed Penguin Trust, 00230.016 Forest and Bird

¹⁵⁴ Clause 16(2), Schedule 1, RMA

Term	Definition
	<p><u>means any of the following:</u></p> <p><u>(a) infrastructure that delivers a service operated by a lifeline utility (as defined in the Civil Defence Emergency Management Act 2002),</u></p> <p><u>(b) regionally significant infrastructure identified as such in a regional policy statement or regional plan,</u></p> <p><u>(c) any public flood control, flood protection, or drainage works carried out:</u></p> <p><u>(i) by or on behalf of a local authority, including works carried out for the purposes set out in section 133 of the Soil Conservation and Rivers Control Act 1951, or</u></p> <p><u>(ii) for the purpose of drainage by drainage districts under the Land Drainage Act 1908</u></p>
Specified rivers and lakes	<p>has the same meaning as in Appendix 3 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p> <div data-bbox="472 920 1254 1178" style="border: 1px solid black; padding: 5px;"> <p>means:</p> <p>(a) rivers that are fourth order or greater, using the methods outlined in the River Environment Classification System, National Institute of Water and Atmospheric Research, Version 1, and</p> <p>(b) lakes with a perimeter of 1.5km or more</p> </div>
Stormwater	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="472 1283 1254 1469" style="border: 1px solid black; padding: 5px;"> <p>means run-off that has been intercepted, channelled, diverted, intensified or accelerated by human modification of a land surface, or run-off from the surface of any structure, as a result of precipitation and includes any contaminants contained within</p> </div>
Structure	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="472 1574 1254 1677" style="border: 1px solid black; padding: 5px;"> <p>means any building, equipment, device, or other facility made by people and which is fixed to land; and includes any raft</p> </div>
Structure plan	<p>means a framework to prescribe development of an area, including land use patterns, infrastructure, linkages and other key features and constraints that affect the development.</p>
Subdivision	<p>has the same meaning as “subdivision of land” in section 218 of the Resource Management Act 1991 (as set out in the box below)</p>

Term	Definition
	<p>(1) In this Act, the term subdivision of land means—</p> <p>(a) the division of an allotment—</p> <ul style="list-style-type: none"> (i) by an application to the Registrar-General of Land for the issue of a separate record of title for any part of the allotment; or (ii) by the disposition by way of sale or offer for sale of the fee simple to part of the allotment; or (iii) by a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years; or (iv) by the grant of a company lease or cross lease in respect of any part of the allotment; or (v) by the deposit of a unit plan, or an application to the Registrar-General of Land for the issue of a separate record of title for any part of a unit on a unit plan; or <p>(b) an application to the Registrar-General of Land for the issue of a separate record of title in circumstances where the issue of that record of title is prohibited by section 226,—</p> <p>and the term subdivide land has a corresponding meaning</p>
<p>Surf break</p>	<p>has the same meaning as in the Glossary in the New Zealand Coastal Policy Statement 2010 (as set out in the box below)</p> <div data-bbox="472 1151 1251 1671" style="border: 1px solid black; padding: 5px;"> <p>A natural feature that is comprised of swell, currents, water levels, seabed morphology, and wind. The hydrodynamic character of the ocean (swell, currents and water levels) combines with seabed morphology and winds to give rise to a ‘surfable wave’. A surf break includes the ‘swell corridor’ through which the swell travels, and the morphology of the seabed of that wave corridor, through to the point where waves created by the swell dissipate and become non-surfable. ‘Swell corridor’ means the region offshore of a surf break where ocean swell travels and transforms to a ‘surfable wave’. ‘Surfable wave’ means a wave that can be caught and ridden by a surfer. Surfable waves have a wave breaking point that peels along the unbroken wave crest so that the surfer is propelled laterally along the wave crest</p> </div>
<p>Takata whenua or tangata whenua</p>	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="472 1778 1251 1865" style="border: 1px solid black; padding: 5px;"> <p>in relation to a particular area, means the iwi, or hapu, that holds mana whenua over that area</p> </div>

Term	Definition
Taxa	<p>has the same meaning as in the Glossary of the New Zealand Coastal Policy Statement 2010 (as set out in the box below), and in this RPS applies to the whole region¹⁵⁵</p> <div data-bbox="472 331 1254 432" style="border: 1px solid black; padding: 5px;"> <p>Named biological classification units assigned to individuals or sets of species (eg species, subspecies, genus, order, variety)</p> </div>
Te Mana o te Wai	<p>has the same meaning as in clause 1.3 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below)</p>

¹⁵⁵ 00230.017 Forest and Bird

Term	Definition
	<p><i>Concept</i></p> <p>(1) Te Mana o te Wai is a concept that refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community.</p> <p>(2) Te Mana o te Wai is relevant to all freshwater management and not just to the specific aspects of freshwater management referred to in this National Policy Statement.</p> <p><i>Framework</i></p> <p>(3) Te Mana o te Wai encompasses 6 principles relating to the roles of tangata whenua and other New Zealanders in the management of freshwater, and these principles inform this National Policy Statement and its implementation.</p> <p>(4) The 6 principles are:</p> <ul style="list-style-type: none"> (a) <i>Mana whakahaere</i>: the power, authority, and obligations of tangata whenua to make decisions that maintain, protect, and sustain the health and well-being of, and their relationship with, freshwater (b) <i>Kaitiakitanga</i>: the obligation of tangata whenua to preserve, restore, enhance, and sustainably use freshwater for the benefit of present and future generations (c) <i>Manaakitanga</i>: the process by which tangata whenua show respect, generosity, and care for freshwater and for others (d) <i>Governance</i>: the responsibility of those with authority for making decisions about freshwater to do so in a way that prioritises the health and well-being of freshwater now and into the future (e) <i>Stewardship</i>: the obligation of all New Zealanders to manage freshwater in a way that ensures it sustains present and future generations (f) <i>Care and respect</i>: the responsibility of all New Zealanders to care for freshwater in providing for the health of the nation. <p>(5) There is a hierarchy of obligations in Te Mana o te Wai that prioritises:</p> <ul style="list-style-type: none"> (a) first, the health and well-being of water bodies and freshwater ecosystems (b) second, the health needs of people (such as drinking water) (c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future

Term	Definition
Territorial authority	<p>has the same meaning as in section 5 of the Local Government Act 2002 (as set out in the box below)</p> <div data-bbox="475 331 1254 439" style="border: 1px solid black; padding: 5px;"> <p>means a city council or a district council named in Part 2 of Schedule 2</p> </div>
Te Ture Whenua Maori land	<p>means land with the following status:</p> <ul style="list-style-type: none"> (a) Māori communal land gazetted as Māori reservation under s338 Te Ture Whenua Maori Act 1993; and (b) Māori customary land and Māori freehold land as defined in s4 and s129 Te Ture Whenua Maori Act 1993.
Threatened species	<p>means any indigenous species of flora or fauna that meets the criteria for nationally critical, nationally endangered, or nationally vulnerable species in the New Zealand Threat Classification System Manual (Townsend et al, 2008).</p>
Urban area	<p>means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that is, or is intended to be, predominantly urban in character. This includes but is not limited to any land identified in <i>District Plans</i> as being within any urban growth boundary or equivalent however described, any residential zone, commercial and mixed use zone, industrial zone and future urban zone as listed in the National Planning Standards or its present District Plan zone equivalent. <i>Urban environments</i> are a subset of <i>urban areas</i>.</p>
Urban environment	<p>has the same meaning as in clause 1.4 of the National Policy Statement on Urban Development 2020 (as set out in the box below)</p> <div data-bbox="475 1149 1254 1384" style="border: 1px solid black; padding: 5px;"> <p>means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that:</p> <ul style="list-style-type: none"> (a) is, or is intended to be, predominantly urban in character; and (b) is, or is intended to be, part of a housing and labour market of at least 10,000 people </div>
Vulnerability	<p>means the conditions determined by physical, social, economic and environmental factors or processes which increase the susceptibility of an individual, a community, assets or systems to the impacts of hazards.</p>
Wāhi tūpuna	<p>means landscapes and places that embody the relationship of manawhenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taoka.¹⁵⁶</p>
Waste	<p>has the same meaning as in regulation 3 of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (as set out in the box below)</p> <div data-bbox="475 1783 1254 1872" style="border: 1px solid black; padding: 5px;"> <p>means substances or objects that are disposed of or intended to be disposed of</p> </div>

¹⁵⁶ 00226.037 Kāi Tahu ki Otago

Term	Definition
	<p>has the same meaning as in the Waste Minimisation Act 2008 (as set out in the box below) ¹⁵⁷</p> <div data-bbox="488 342 1251 685" style="border: 1px solid black; padding: 5px;"> <p><u>(a) means any thing disposed of or discarded; and</u></p> <p><u>(b) includes a type of waste that is defined by its composition or source (for example, organic waste, electronic waste, or construction and demolition waste); and</u></p> <p><u>(c) to avoid doubt, includes any component or element of diverted material, if the component or element is disposed of or discarded</u></p> </div>
Wastewater	<p>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</p> <div data-bbox="472 786 1251 898" style="border: 1px solid black; padding: 5px;"> <p>means any combination of two or more the following wastes: sewage, greywater or industrial and trade waste</p> </div>
Water	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="472 1003 1251 1245" style="border: 1px solid black; padding: 5px;"> <p>(a) means water in all its physical forms whether flowing or not and whether over or under the ground:</p> <p>(b) includes fresh water, coastal water, and geothermal water:</p> <p>(c) does not include water in any form while in any pipe, tank, or cistern</p> </div>
Water body	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="472 1350 1251 1491" style="border: 1px solid black; padding: 5px;"> <p>means fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area</p> </div>

¹⁵⁷ 00121.013 Ravensdown

Term	Definition
Well-functioning urban environments	<p>has the same meaning as in Policy 1 of the National Policy Statement on Urban Development 2020 (as set out in the box below)</p> <div data-bbox="475 331 1260 1055" style="border: 1px solid black; padding: 10px;"> <p>well-functioning urban environments are urban environments that, as a minimum:</p> <ul style="list-style-type: none"> (a) Have or enable a variety of homes that: <ul style="list-style-type: none"> (i) meet the needs, in terms of type, price, and location, of different households; and (ii) enable Māori to express their cultural traditions and norms; and (b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and (c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and (d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and (e) support reductions in greenhouse gas emissions; and (f) are resilient to the likely current and future effects of climate change </div>
Wetland	<p>has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below)</p> <div data-bbox="475 1180 1252 1310" style="border: 1px solid black; padding: 10px;"> <p>includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions</p> </div>
Wetland utility structure	<p>has the same meaning as in regulation 3 of the National Environmental Standard for Freshwater 2020 (as set out in the box below)</p>

Term	Definition
	<p>(a) means a structure placed in or adjacent to a wetland whose purpose, in relation to the wetland, is recreation, education, conservation, restoration, or monitoring, and</p> <p>(b) for example, includes the following structures that are placed in or adjacent to a wetland for a purpose described in paragraph (a):</p> <ul style="list-style-type: none"> (i) jetties (ii) boardwalks and bridges connecting them, (iii) walking tracks and bridges connecting them, (iv) signs, (v) bird-watching hides, (vi) monitoring devices, (vii) maimai
Wilding conifer	<p>has the same meaning as in regulation 3 of the National Environmental Standard for Plantation Forestry 2017 (as set out in the box below)</p> <div data-bbox="472 949 1254 1095" style="border: 1px solid black; padding: 5px;"> <p>means a self-established conifer species tree resulting from seed spread from plantation forestry, shelter belts, amenity planting, or an already established wilding conifer species tree population</p> </div>

Abbreviations

Abbreviation	Full Terms
CDC	Clutha District Council
CODC	Central Otago District Council
DCC	DCC
FMU	Freshwater Management Unit
HAIL	Hazardous Activities and Industries List
LGA	Local Government Act 2002
NES	National Environmental Standard
NESAQ	National Environmental Standards for Air Quality 2004
NESCS	National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
NESETA	National Environmental Standard for Electricity Transmission Activities 2009
NESF	National Environmental Standards for Freshwater 2020
NESMA	National Environmental Standards for Marine Aquaculture 2020
NESPF	National Environmental Standards for Plantation Forestry 2017
NESHDW	National Environmental Standard for Sources of Human Drinking Water 2007
NESTF	National Environmental Standards for Telecommunication Facilities 2016
NOF	National Objectives Framework
NPS	National Policy Statement
NPSET	National Policy Statement on Electricity Transmission 2008
NPSFM	National Policy Statement for Freshwater Management 2020
NPSREG	National Policy Statement for Renewable Electricity Generation 2011
NPSUD	National Policy Statement on Urban Development 2020
NTCSA	Ngāi Tahu Claims Settlement Act 1998
NZCPS	New Zealand Coastal Policy Statement 2010
OCCRA	Otago Climate Change Risk Assessment Phase 1 report
ORC	Otago Regional Council
PORPS 2016	Proposed Otago Regional Policy Statement 2016 – Decisions version
PORPS 2019	Partially Operative Regional Policy Statement 2019
PORPS 2021	Proposed Otago Regional Policy Statement 2021

Abbreviation	Full Terms
QLDC	QLDC
RPS	Regional Policy Statement
RPS 1998	Regional Policy Statement for Otago 1998
RMA	Resource Management Act 1991
RMS	Regional Monitoring Strategy
TAs	Territorial authorities: Central Otago District Council, Clutha District Council, DCC, Queenstown-Lakes District Council and Waitaki District Council
Waste Plan	Regional Plan: Waste for Otago
Water Plan	Regional Plan: Water for Otago
WDC	Waitaki District Council

National direction instruments

National policy statements and New Zealand Coastal Policy Statement

National Policy Statements	
<p>National policy statements (NPSs) and the New Zealand Coastal Policy Statement (NZCPS) form part of the Resource Management Act’s policy framework and are prepared by central government. NPSs and the NZCPS contain objectives, polices and methods that must be given effect to by policy statements and plans. NPSs and the NZCPS must also be given regard to by consent authorities when making decisions on <i>resource consent</i> applications, alongside other considerations.</p> <p>The following table provides an overview of whether any relevant review/s of the Otago Regional Policy Statement has been undertaken in relation to NPSs and the NZCPS.</p>	
National Policy Statement on Electricity Transmission 2008	The policy statement has been reviewed in May 2021
New Zealand Coastal Policy Statement 2010	The policy statement has been reviewed in May 2021
National Policy Statement for Renewable Electricity Generation 2011	The policy statement has been reviewed in May 2021
National Policy Statement for Freshwater Management 2020	The policy statement has been reviewed in May 2021
National Policy Statement on Urban Development (2020)	The policy statement has been reviewed in May 2021

National environmental standards

National Environmental Standards
<p>National environmental standards (NESs) are prepared by central government and can prescribe technical standards, methods (including rules) and/or other requirements for environmental matters throughout the whole country or specific areas. If an activity doesn’t comply with an NES, it is likely to require a <i>resource consent</i>. NESs must be observed and enforced by <i>local authorities</i>. The following relevant NESs are currently in force:</p> <ul style="list-style-type: none"> • Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (amended 2011) • Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007 • Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009

- [Resource Management \(National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health\) Regulations 2011](#)
- [Resource Management \(National Environmental Standards for Telecommunications Facilities\) Regulations 2016](#)
- [Resource Management \(National Environmental Standard for Plantation Forestry\) Regulations 2017](#)
- [Resource Management \(National Environmental Standards for Freshwater\) Regulations 2020](#)
- [Resource Management \(National Environmental Standards for Marine Aquaculture\) Regulations 2020](#)

Regulations

Regulations

The regulations included in this chapter come under the Resource Management Act 1991 (excluding the national environmental standards listed above). These regulations are:

- [Resource Management \(Transitional, Fees, Rents, and Royalties\) Regulations 1991](#)
- [Resource Management \(Exemption\) Regulations 1996](#)
- [Resource Management \(Marine Pollution\) Regulations 1998](#)
- [Resource Management \(Infringement Offences\) Regulations 1999](#)
- [Resource Management \(Forms, Fees, and Procedure\) Regulations 2003](#)
- [Resource Management \(Discount on Administrative Charges\) Regulations 2010](#)
- [Resource Management \(Measurement and Reporting of Water Takes\) Regulations 2010](#)
- [Resource Management \(Network Utility Operations\) Regulations 2016](#)
- [Resource Management \(Exemption\) Regulations 2017.](#)
- [Resource Management \(Stock Exclusion\) Regulations 2020](#)

Water conservation orders

Water Conservation Orders

Regional policy statements, *regional plans* and *district plans* cannot be inconsistent with the provisions of a water conservation order. A water conservation order can prohibit or restrict a regional council issuing new water and discharge permits, although it cannot affect existing permits.

The following table provides an overview of whether any relevant review/s of the Otago Regional Policy Statement have been undertaken in relation to relevant water conservation orders.

Water Conservation (Kawarau) Order 1997	The policy statement has been reviewed in May 2021
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MW – *Mana whenua*

Recognition of hapū and iwi

Kāi Tahu¹⁵⁸

Kāi Tahu whānui¹⁵⁹ are *takata whenua* of the Otago region. Waitaha were the first people of Te Waipounamu, the South Island. Led by Rākaihautū, they explored and settled Te Waipounamu, and their exploits are reflected in enduring place names and histories across the motu. Waitaha were followed by the arrival of Kāti Māmoe and finally Kāi Tahu. Through warfare, intermarriage and political alliances a common allegiance to Kāi Tahu was forged. Kāi Tahu means the ‘people of Tahu’, linking them by name to their common ancestor Tahu Pōtiki.

The Kāi Tahu tribal area extends from the sub Antarctic islands in the south to Te Parinuiowhiti (White Cliffs, Blenheim) in the north and to Kahurangi Point on Te Tai o Poutini (the West Coast).

Relationship of Kāi Tahu with their rohe

Te Rūnanga o Ngāi Tahu (the iwi authority) is made up of 18 ~~Papatipu Rūnaka~~ papatipu rūnaka¹⁶⁰, of which seven have interests in the Otago region. ~~Papatipu Rūnaka~~ rūnaka¹⁶¹ are a focus for whānau and hapū (extended family groups) who have *mana whenua* status within their area. *Mana whenua* hold traditional customary authority and maintain contemporary relationships within an area determined by whakapapa (genealogical ties), resource use and ahikāroa (the long burning fires of occupation). Te ~~Rūnaka~~ Rūnanga¹⁶² o Ngāi Tahu encourages consultation with the ~~Papatipu Rūnaka~~ papatipu rūnaka¹⁶³ and takes into account the views of kā Rūnaka when determining its own position.

~~Four~~ Three Kāi Tahu ki Otago ~~Papatipu Rūnaka~~ papatipu rūnaka¹⁶⁴ ~~are have marae~~ based in Otago. ~~These are~~ Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, ~~and~~ Te Rūnanga o Ōtākou, ~~and whilst the fourth,~~ Hokonui Rūnanga, ~~is based in neighbouring Southland.~~¹⁶⁵ Three Ngāi Tahu ki Murihiku Rūnaka – Awarua Rūnanga, Waihopai Rūnanga and Ōraka-Aparima Rūnanga – are based in Southland but also share interests with Kāi Tahu ki Otago in South Otago, the Mata-au Clutha River, and the inland *lakes* and mountains. The areas of shared interest originate from the seasonal hunting and gathering economy that was a distinctive feature of the southern Kāi Tahu lifestyle. Seasonal mobility was an important means by which hapū and whānau maintained customary rights to the resources of the interior and ahi kā.

Te Rūnanga o Moeraki

The takiwā of Te Rūnanga o Moeraki is centred on Moeraki and extends from the Waitaki River to the Waihemo Shag River and inland to the Main Divide. The coastal interests of Te Rūnanga o Moeraki are

¹⁵⁸ In the south of the South Island, the local Māori dialect uses a 'k' interchangeably with 'ng'. The preference of Kāi Tahu ki Otago is to use a 'k' so southern Māori are known as Kāi Tahu, rather than Ngāi Tahu. In this document, the "ng" is used for the iwi in general, and the "k" for southern Māori in particular. Amendment attributed to 00223.024 Ngāi Tahu ki Murihiku

¹⁵⁹ 00226.039 Kāi Tahu ki Otago

¹⁶⁰ 00226.043 Kāi Tahu ki Otago

¹⁶¹ 00226.043 Kāi Tahu ki Otago

¹⁶² 00226.039 Kāi Tahu ki Otago

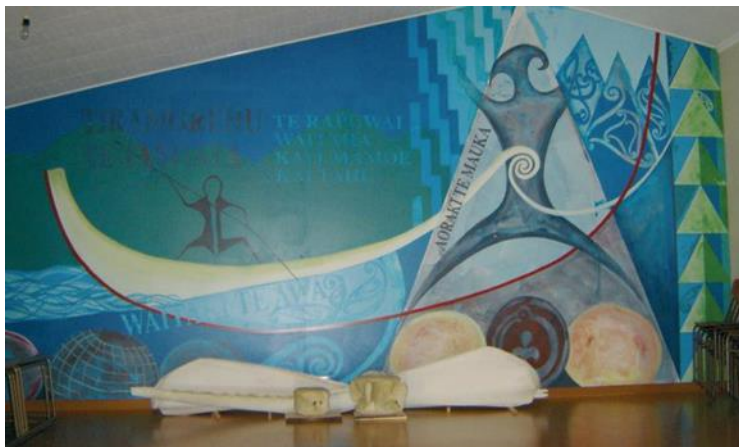
¹⁶³ 00226.043 Kāi Tahu ki Otago

¹⁶⁴ 00226.043 Kāi Tahu ki Otago

¹⁶⁵ 00223.024 Ngāi Tahu ki Murihiku

concentrated in the Moeraki Peninsula area and surrounds, including Te Raka-a-Hineatea Pā, Koekohe Hampden Beach, and Te Kai Hinaki with its famed boulders.

<https://www.terunangaomoeraki.org/>



Te Rūnanga o Moeraki Marae, Moeraki

Kāti Huirapa ki Puketeraki

The takiwā of Kāti Huirapa ki Puketeraki centres on Karitāne and extends from the Waihemo, Shag River to Purehurehu Heyward Point, and includes an interest in Ōtepoti and the greater harbour¹⁶⁶ of Ōtākou. The takiwā extends inland to the Main Divide sharing an interest in the *lakes* and mountains to Whakatipu-Waitai with kā Rūnaka to the south. The kaimoana resources of the coast from Karitāne to Okahau Blueskin Bay and Pūrākaunui, and the kai awa of the Waikouaiti¹⁶⁷ River and estuary are treasured and well utilised mahika kai¹⁶⁸ for Kāti Huirapa ki Puketeraki.

<http://www.puketeraki.nz/>



Puketeraki Marae

¹⁶⁶ 00120.007 Yellow-eyed Penguin Trust

¹⁶⁷ 00226.041 Kāi Tahu ki Otago

¹⁶⁸ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

Te Rūnanga o Ōtākou

The takiwā of Te Rūnanga o Ōtākou centres on ~~Muaupoko~~ Muaupoko¹⁶⁹ Otago Peninsula, and extends from Purehurehu Heyward Point, to Te Mata-au Clutha River, and inland, sharing an interest in the *lakes* and mountains to the western coast with kā Rūnaka to the north and south. The Otago ~~Harbor~~ harbour¹⁷⁰ has a pivotal role in the well-being of Ōtākou people. The ~~harbor~~ harbour¹⁷¹ is a source of identity, a bountiful provider of kaimoana, and it is the pathway to the fishing grounds beyond. Traditionally it was the mode for other hapū to visit, and in today's world it is the lifeline to the international trade that benefits the region. The ebb and flow of the ~~harbor~~ harbour¹⁷² tides is a valued certainty in a world of change, a taoka to be treasured and protected for the benefit of current and future generations.

<http://www.otakourunaka.co.nz/>



Ōtākou Marae, Otago Peninsula

Hokonui Rūnanga

The takiwā of Hokonui Rūnanga centres on the Hokonui region and includes a shared interest in the *lakes* and mountains between Whakatipu-Waitai and Tawhitarere with other Murihiku Rūnanga and those located from Waihemo southwards. Although Hokonui Rūnanga is based in Gore, their interests in the Otago area, especially South Otago, are significant. They hold this in common with other Otago Rūnaka through whakapapa, history and tradition.

<https://www.hokonuirunanga.org.nz/>

¹⁶⁹ 00226.024 Kāi Tahu ki Otago

¹⁷⁰ 00120.007 Yellow-eyed Penguin Trust

¹⁷¹ 00120.007 Yellow-eyed Penguin Trust

¹⁷² 00120.007 Yellow-eyed Penguin Trust



Hokonui Marae

Te Rūnanga o Awarua

The takiwa of Te Rūnanga o Awarua centres on Awarua and extends to the coasts and estuaries adjoining Waihopai sharing an interest in the *lakes* and mountains between Whakatipu-Waitai and Tawhitarere with other Murihiku Rūnanga and those located from Waihemo southwards.

Waihopai Rūnaka

The takiwa of Waihopai Rūnaka centres on Waihopai and extends northwards to Te Mata-au Clutha River, sharing an interest in the *lakes* and mountains to the western coast with other Murihiku Rūnaka and those located from Waihemo southwards.

Te Rūnanga o Ōraka Aparima

The takiwa of Te Rūnanga o Ōraka Aparima centres on Ōraka and extends from Waimatuku to Tawhitarere sharing an interest in the *lakes* and mountains from Whakatipu-Waitai to Tawhitarere with other Murihiku Rūnaka and those located from Waihemo southwards.

Environmental management perspectives and values of Kāi Tahu

He taura whiri kotahi mai anō te kōpunga tai nō ī te pū au

“From the source to the mouth of the sea, all things are joined together as one”

Te Tiriti o Waitangi establishes a partnership between Kāi Tahu and the Crown. The RMA ~~1991~~¹⁷³ requires that the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka, is ~~recognized~~ recognised¹⁷⁴ and provided for and that the principles of the Treaty of Waitangi are taken into account. In the spirit of this partnership and the Treaty principles,¹⁷⁵ the ORPS seeks to facilitate Kāi Tahu engagement in resource management processes and decision-making¹⁷⁶ in Otago.

This chapter acknowledges the principles of Te Tiriti o Waitangi and sets out general considerations for the incorporation of Kāi Tahu values and interests into resource management planning, consenting, and

¹⁷³ Clause 16(2), Schedule 1, RMA

¹⁷⁴ Clause 16(2), Schedule 1, RMA

¹⁷⁵ 00223.025 Ngāi Tahu ki Murihiku

¹⁷⁶ 00226.040 Kāi Tahu ki Otago

implementation processes. These are integrated throughout this document, and this chapter serves to tie the strands together. It reflects the philosophy embraced by Kāi Tahu of holistic resource management, *ki uta ki tai* – often described as “from the mountains to the sea”.

Kāi Tahu values

The following description is a guide to assist in understanding Kāi Tahu values. It is not a complete list of all the values held by Kāi Tahu.

Kāi Tahu do not see their existence as separate from ~~Te Ao Tūroa~~ te ao tūroa,¹⁷⁷ the natural world, but as an integral part of it through whakapapa (genealogy). Whakapapa is central to ~~Te Ao~~ te ao Māori (a Māori world view),¹⁷⁸ connecting the origins of everything, past and present. It is the foundation upon which all things are built, the web that connects all things together, the anchor which holds all things in place and the means by which all things link back to the beginning of time. It is through whakapapa that all things are intricately linked, as well as having their individual place in the world. Whakapapa binds Kāi Tahu to the mountains, forests and waters and the life supported by them, and this is reflected in attitudes towards the natural world and resource management.

Whakawhanaukataka, the process of maintaining relationships, embraces whakapapa through the relationship between people, and between people and the *environment*. The nature of these relationships defines people's rights and responsibilities in relation to the use and management of resources.

All things have the qualities of wairua (spiritual dimension) and mauri (life force)¹⁷⁹ and have a genealogical relationship with each other. Mauri is found in all things organic and inorganic. The nurturing of all taoka and protection of their mauri is a prime concern and a ~~kaitiaki~~ significant obligation for Kāi Tahu whānui as mana whenua and mana moana, and as an expression of rakatirataka.¹⁸⁰

Each ~~Papatipu Rūnaka~~ papatipu rūnaka¹⁸¹ has its own takiwā determined by whakapapa and its ahi-kā-roa (historical use and occupation). Takiwā are often defined by natural boundaries such as heads, mountain ranges and *rivers*. ~~This political~~ Political and operational authority over an area is undertaken by ~~mana whenua and encompasses kaitiakitaka and rakatirataka~~ Kāi Tahu as an expression of rakatirataka, mana whenua, and mana moana. The exercise of these powers in te taiao is through the action of kaitiakitaka.¹⁸² ~~An integral element of the concepts of kaitiakitaka and rakatirataka is the recognition that Kāi Tahu have their own traditional~~ Recognition of the rakatirataka and mana of Kāi Tahu as kaitiaki whenua can in part, be achieved by enabling Kāi Tahu to identify and exercise their preferred means of managing and maintaining resources and the environment (te taiao).¹⁸³ This system of rights and responsibilities (encompassing tikaka and kawa) is inherited from previous generations and has evolved over time.

The resources in any given area are a taoka; they are a¹⁸⁴ source of prestige for *mana whenua* of that area and are a statement of their identity. Traditionally, the abundance or lack of resources directly determines the welfare of every hapū, and so affects their mana.

¹⁷⁷ 00226.040 Kāi Tahu ki Otago

¹⁷⁸ 00226.040 Kāi Tahu ki Otago

¹⁷⁹ Clause 16(2), Schedule 1, RMA

¹⁸⁰ 00226.040 Kāi Tahu ki Otago

¹⁸¹ 00226.043 Kāi Tahu ki Otago

¹⁸² 00226.040 Kāi Tahu ki Otago

¹⁸³ 00226.040 Kāi Tahu ki Otago

¹⁸⁴ 00226.040 Kāi Tahu ki Otago

Ki uta ki tai

Ki uta ki tai is a philosophy that has become synonymous with the way Kāi Tahu think about natural resource management. Ki uta ki tai is the concept used to describe holistic natural resource management, recognising all environmental elements are interconnected and must be managed as a whole. It is a way of understanding the natural environment, including how it functions, how people relate to it and how it can be looked after appropriately.

Rakatirataka

Rakatirataka ~~is about having~~ refers to the exercise of mana or authority to give effect to Kāi Tahu culture and traditions across all spheres in their takiwā, including in the management of the natural world-te taiao.¹⁸⁵ Recognition of the relationship of Kāi Tahu and their culture and traditions with their ancestral lands, *water*, sites, wāhi tapu, and other taoka ~~are~~ is¹⁸⁶ embedded in the RMA ~~1991~~¹⁸⁷ and the Treaty of Waitangi.

Kaitiakitaka

Kaitiakitaka ~~means~~ refers to the exercise of guardianship over natural and physical resources. It is an expression of rakatirataka and mana,¹⁸⁸ and includes the ethic of stewardship. This statutory definition of *kaitiakitaka* is only a starting point for Kāi Tahu, as *kaitiakitaka* is a much wider cultural concept than guardianship.

Kaitiakitaka is fundamental to the relationship between Kāi Tahu and the *environment*. The objectives of *kaitiakitaka* are to protect the mauri and life supporting capacity of the *environment* and to pass the *environment* on to future generations in an enhanced state. For Kāi Tahu, *kaitiakitaka* is not passive custodianship, nor is it simply the exercise of traditional customary property rights, but it entails an active exercise of responsibility ~~in a manner beneficial to the resource and rakatirataka to ensure long-term sustainability of resources as taoka, and for the benefit to future generations – mō tātou, ā, mō kā uri a muri ake nei.~~¹⁸⁹

Hauora

Hauora is a holistic understanding of health and wellbeing. For Kāi Tahu, te hauora o te taiao (the health of the environment), te hauora o te wai (the health of the waterbody) and te hauora o te tangata (the health of the people) are all interconnected. Due to this connection, the state of health and wellbeing of wai māori and te taiao is seen as a reflection on the mana, health, and wellbeing of Kāi Tahu as mana whenua. Decline in te hauora o te wai and te hauora o te taiao is also understood by Kāi Tahu to adversely impact the health and well-being of the Otago community as a whole, tangata katoa.¹⁹⁰

Tikaka and kawa¹⁹¹

Tikaka and kawa Māori encompass encompasses¹⁹² the beliefs, values, practices, protocols,¹⁹³ and procedures that guide appropriate codes of conduct, or ways of behaving. In the context of natural

¹⁸⁵ 00226.040 Kāi Tahu ki Otago

¹⁸⁶ Clause 16(2), Schedule 1, RMA

¹⁸⁷ Clause 16(2), Schedule 1, RMA

¹⁸⁸ 00226.040 Kāi Tahu ki Otago

¹⁸⁹ 00226.040 Kāi Tahu ki Otago

¹⁹⁰ 00226.047 Kāi Tahu ki Otago

¹⁹¹ 00138.051 QLDC

¹⁹² 00138.051 QLDC

¹⁹³ 00138.051 QLDC

resource management, observing tikaka and kawa¹⁹⁴ is part of the ethic and exercise of kaitiakitaka. Tikaka and kawa are ~~it is~~¹⁹⁵ underpinned by a body of mātauraka (traditional knowledge) and are ~~is~~¹⁹⁶ based on a general understanding that people belong to the land and have a responsibility to care for and manage the land. These concepts and values incorporate ~~it incorporates~~¹⁹⁷ forms of social control to manage the relationship of people and the *environment*, including concepts such as tapu, noa and rāhui.

Tikaka and kawa are ~~is~~¹⁹⁸ based on traditional practices but are ~~is~~¹⁹⁹ dynamic and continue ~~continues~~²⁰⁰ to evolve in response to different situations.

Mātauraka

Mātauraka, within this region, is Kāi Tahu customary knowledge passed down from one generation to the next, used in the present, and will continue to be developed for the future. It involves observing, experiencing, participating, studying, and understanding the world from an indigenous cultural perspective. It is a tool for thinking, organising information, considering the ethics of knowledge, and informing us about our world and our place in it. Incorporation of mātauraka in resource management decision-making is important to ensure that cultural interests are appropriately recognised and provided for.²⁰¹

Taoka

All natural resources - air, *land, water*, and indigenous *biological diversity* - are taoka. Taoka are treasured resources that are highly valued by Kāi Tahu, derived from the atua (gods), linked to the people through whakapapa, and left by ~~the~~ tūpuna (ancestors) to provide for and sustain life.²⁰² In the management of natural resources, it is important that the habitats and wider needs of taoka species are sustainably managed and enhanced.

~~Mahika kai~~ Mahika kai²⁰³

~~Mahika kai~~ Mahika kai²⁰⁴ is one of the cornerstones of Kāi Tahu cultural identity. ~~Mahika kai~~ Mahika kai²⁰⁵ is a term that literally means "food workings" and refers to the customary gathering of food and natural materials and the places where those resources are gathered or produced. The term also embodies the traditions, customs and collection methods, and the gathering of natural resources for cultural use, including raraka (weaving) and rokoā (traditional medicines). Maintaining ~~mahika kai~~ mahika kai²⁰⁶ sites, gathering resources, and continuing to practice the tikaka that governs each resource, is an important means of maintaining and honouring whakapapa connections to land, taoka and tūpuna, and passing on cultural values and mātauraka to the next generation.²⁰⁷

¹⁹⁴ 00138.051 QLDC

¹⁹⁵ 00138.051 QLDC

¹⁹⁶ 00138.051 QLDC

¹⁹⁷ 00138.051 QLDC

¹⁹⁸ 00138.051 QLDC

¹⁹⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00138.051 QLDC

²⁰⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00138.051 QLDC

²⁰¹ 00420.007 Hopkins, Jim

²⁰² 00226.040 Kāi Tahu ki Otago

²⁰³ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

²⁰⁴ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

²⁰⁵ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

²⁰⁶ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

²⁰⁷ 00226.040 Kāi Tahu ki Otago

Resources of significance to Kāi Tahu

Wai Maori Māori²⁰⁸

Like all things, *water* has a whakapapa. All *water* is seen to have originated from the separation of Rakinui and Papatūānuku and their continuing tears for one another. Rain is Rakinui's tears for his beloved Papatūānuku and mist is regarded as Papatūānuku's tears for Rakinui.

From Rakinui and Papatūānuku came the offspring who were responsible for creating the elements that constitute our total world today, both animate and inanimate - the mountains, *rivers*, forests and seas, and all fish, bird and animal life. The realm of atua such as Rakinui and his many wives and offspring overarches and informs the Kāi Tahu whānui world view, values and beliefs.

Water plays a significant role in Kāi Tahu spiritual beliefs and cultural traditions. Kāi Tahu have an obligation through whakapapa to protect wai and all the life it supports, as *ko te wai te ora o kā mea katoa* (*water is the life giver of all things*). The condition of *water* is seen as a reflection of the condition of the people. *Toitū te Marae o Tane, toitū te Marae o Takaroa, toitū te Iwi* (*Protect and strengthen the realms of the land and sea, and they will protect and strengthen the people*). When the natural environment is strong and healthy, the people are strong and healthy and so too is their mana.

Taoka species and habitats

Taoka species and habitats are those that are treasured by Kāi Tahu, and Kāi Tahu regard all indigenous species as taoka. In many cases taoka species are also ~~ma hika kai~~ *ma hika kai*²⁰⁹, treasured for their use as a resource. The Ngāi Tahu Claims Settlement Act 1998 (NTCSA 1998) NTCSA²¹⁰ recognises the relationship Kāi Tahu has with some of these species through the Statutory Acknowledgement for Taonga Species. However, Kāi Tahu do not consider this list to be comprehensive as important taoka species such as tuna are not included.

Wāhi tūpuna

The value Kāi Tahu attached to land is evident from the fact that every part of the landscape is known and named. *Wāhi tūpuna* (ancestral landscapes) are made up of interconnected sites and areas reflecting the history and traditions associated with the long settlement of Kāi Tahu in Otago. The landscape of Otago includes many *wāhi tūpuna* and areas of significance, reflecting the relationship of Kāi Tahu with the land across the region. These places should not be seen in isolation from one another but are part of a wider cultural setting. For example, an archaeological site adjacent to a *wetland* is likely to be associated with ~~ma hika kai~~ *ma hika kai*²¹¹ resources in the *wetland*. The character of *wāhi tūpuna* in past times is retained in tribal memory, for example through songs, place names and proverbs. When these references to the character of the *wāhi tūpuna* become incorrect due to modification of the *environment*, it negatively affects the Kāi Tahu relationship with that landscape. For example, a waterway named Kaituna would be expected to contain many tuna. A waterway with this name used to exist in central Dunedin, but no longer exists because there is now a city where the waterway once was.

²⁰⁸ Clause 16(2), Schedule 1, RMA

²⁰⁹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

²¹⁰ Clause 16(2), Schedule 1, RMA

²¹¹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

Air and atmosphere (kōhauhau)

In Kāi Tahu traditions, air and atmosphere emerged through the creation traditions and the movement from Te Kore through Te Pō to Te Ao Marama. Following the separation of Raki and Papatūānuku, one of their many children, Tāwhirimātea, fled with Raki into the sky. From there he controls the wind and weather. The air and atmosphere are integral parts of the *environment* that must be valued, used with respect, and passed on intact to the next generation. Pollution of the air and atmosphere adversely affects and degrades the mauri of this taoka, of te taiao, and of other taoka such as plants and animals. Poor air quality damages and degrades ancestral lands, mahika kai sites, and other sites such as rock art, adversely affecting the mauri of the landscape and the mana of the people.²¹²

Coastal environment (taku tai moana me te wai māori)

~~The tūpuna of Kāi Tahu were great ocean travellers. Like many other Pacific peoples, Kāi Tahu are connected by whakapapa to those people who spread across Te Moana Nui a Kiwa, the Pacific Ocean. Takaroa is the atua who is central to these beliefs, which influence the way Kāi Tahu relate to and manage marine resources associated with the oceans and seas, and their ecosystems. The marine environment is a moving force, a reminder of the power of Takaroa. As one of the children of Rakinui and Papatūānuku, Kāi Tahu are connected to Takaroa by whakapapa, affording rights and responsibilities in relation to te takutai moana.~~

The tūpuna of Kāi Tahu were great ocean travellers, having navigated by waka across Te Moana – nui – a – Kiwa, the Pacific Ocean for generations before settling in Te Wai Pounamu. Knowledge and practices brought with the tūpuna were adapted to meet the challenges and opportunities of the new environment. Over time, Kāi Tahu whānui developed the tikaka and mātauraka of takutai moana and mahika kaimoana that is used today.²¹³

The coastal environment is particularly significant for Kāi Tahu in the southern South Island. Most of the permanent settlements were established on the coast due, in part, to the moderating influence of the sea on temperature, making the winters less bitter. The coast also had a bounty of kaimoana resources to support coastal settlements.

The *coastal waters* and processes were integral to the way of life tūpuna enjoyed, and the coastal environment continues to support significant ~~mahika kai~~ *mahika kai*²¹⁴ resources. The *coastal waters* are a *receiving environment* for fresh water, gravels and sediment from the terrestrial landscape, which are important to maintaining natural processes and the domain of Takaroa. Recognising the interconnection of the *land* and sea environments is consistent with the ki uta ki tai philosophy.

Pounamu

Kāi Tahu customs are intricately linked to this special taoka. The practice of gathering, using and trading pounamu bind Kāi Tahu identity to the landscape. Pounamu conveys mana and mauri from ages past, and is reflected in its exalted whakapapa lineage, an uri (descendant) of Takaroa.

As an interim measure, until a Regional Pounamu Management Plan is developed for Otago and Murihiku, a rāhui pounamu has been in place in the Otago region since the passing of the Ngāi Tahu (Pounamu

²¹² 00226.040 Kāi Tahu ki Otago

²¹³ 00226.040 Kāi Tahu ki Otago

²¹⁴ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

Vesting) Act 1997. This is subject to review by the collective Kaitiaki Rūnaka who will determine appropriate protection, access and use policies applicable to their membership and Ngāi Tahu whānui.

Ngāi Tahu Claims Settlement Act 1998 (NTCSA ~~1998~~²¹⁵)

The NTCSA ~~1998~~²¹⁶ was enacted to settle historical Ngāi Tahu claims against the Crown. The NTCSA ~~1998~~²¹⁷ provides redress for breaches of Te Tiriti o Waitangi and to signal a new age of co-operation of the Crown and its agencies with Kāi Tahu. The Crown apology recorded in section 4 of the NTCSA ~~1998~~²¹⁸ explicitly recognises the rakatirataka of Kāi Tahu within its takiwā, and the Act ~~NTCSA~~²¹⁹ includes specific provisions that provide for exercise of rakatirataka and *kaitiakitaka* by *mana whenua* in respect to ~~māhika kai~~ *māhika kai*²²⁰, taoka species and other resource management matters. These include rights in relation to the management of specified significant areas (statutory acknowledgement areas, tōpuni and *nohoaka*) and customary fisheries.

Statutory acknowledgement areas

Statutory acknowledgements are recorded in the NTCSA ~~1998~~²²¹ for several *water bodies*, mountains and coastal features in the Otago Region. These acknowledgements are statements by Te Rūnanga o Ngāi Tahu of the particular cultural, spiritual, historic and traditional association of Kāi Tahu with these areas.

Part 12 of the NTCSA ~~1998~~²²² provides details of statutory acknowledgements, and the responsibilities relating to them. Section 208 of the NTCSA ~~1998~~²²³ requires that *local authorities* have regard to these statutory acknowledgements in *resource consent* processing under Section 95 of the RMA in deciding whether Te Rūnanga o Ngāi Tahu may be adversely affected by the granting of a *resource consent* for activities within, adjacent to or impacting directly on the area.

Statutory acknowledgements were intended as a measure to improve opportunities for *mana whenua* engagement in resource management processes, pending broader provision for areas of significance to Kāi Tahu being incorporated into resource management plans in order to protect and restore associated rights, interests and values. The statutory acknowledgements are *wāhi tūpuna*, but *wāhi tūpuna* are not confined to these areas.

The following statutory acknowledgement areas in Otago are recognised in the NTCSA ~~1998~~²²⁴, and their values are described in Schedules to that Act:

- Ka Moana Haehae (Lake Roxburgh) - Schedule 22
- Kakaunui River - Schedule 23
- Kuramea (Lake Catlins) - Schedule 28
- Lake Hāwea - Schedule 30
- Lake Wānaka - Schedule 36
- Mata-Au (Clutha River) - Schedule 40

²¹⁵ Clause 16(2), Schedule 1, RMA

²¹⁶ Clause 16(2), Schedule 1, RMA

²¹⁷ Clause 16(2), Schedule 1, RMA

²¹⁸ Clause 16(2), Schedule 1, RMA

²¹⁹ Clause 16(2), Schedule 1, RMA

²²⁰ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

²²¹ Clause 16(2), Schedule 1, RMA

²²² Clause 16(2), Schedule 1, RMA

²²³ Clause 16(2), Schedule 1, RMA

²²⁴ Clause 16(2), Schedule 1, RMA

- Matakaea (Shag Point) - Schedule 41
- Pikirakatahi (Mount Earnslaw) - Schedule 51
- Pomahaka River - Schedule 52
- Te Tauraka Poti (Merton Tidal Arm) - Schedule 60
- Te Wairere (Lake Dunstan) - Schedule 61
- Tititea (Mount Aspiring) - Schedule 62
- Tokatā (The Nuggets) - Schedule 64
- Waiholā/-Waipōri Waipōuri²²⁵ Wetland - Schedule 70
- Waitaki River – Schedule 72²²⁶
- Whakatipu Wai Māori (Lake Wakatipu) - Schedule 75
- Te Tai O Arai Te Uru (Otago Coastal Marine Area) - Schedule 103.

Tōpuni

The concept of tōpuni derives from the traditional Kāi Tahu custom of persons of raketira status extending their mana and protection over a person or area by placing their cloak over them or it. A number of areas on public conservation land that have significant values to Kāi Tahu because of their cultural, spiritual, historic and traditional associations are recognised in the NTCSA-1998²²⁷ as tōpuni. Sections 240 to 246 of the NTCSA-1998²²⁸ provide for Kāi Tahu consultation on management of these areas, to protect their values. Although the specific provisions in the NTCSA-1998²²⁹ relate only to management of conservation land, the interests of Kāi Tahu should be recognised and provided for when considering activities in nearby areas that may impact on the values of tōpuni or *waters* flowing from them.

Tōpuni recognised in Otago are:

- Matakaea (Shag Point) – Schedule 83
- Maukaatua Scenic Reserve – Schedule 84
- Pikirakatahi (Mount Earnslaw) – Schedule 87
- Te Koroka (Dart/Slipstream) – Schedule 91
- Tititea (Mount Aspiring) – Schedule 92.

Nohoaka

Nohoanga (or *nohoaka*) entitlements provide a right of seasonal occupation and use for Kāi Tahu whānui on specified areas of Crown-owned land near *water bodies* for harvest of natural resources (sections 255 to 268 of the NTCSA-1998²³⁰). These rights are intended as partial redress for the loss of *mahika kai mahika kai* *kai*²³¹ through alienation of land.

Kāi Tahu interests in these areas should be recognised and provided for when considering management of associated *water bodies* or activities on nearby land. The ability of Kāi Tahu whānui to access and use *nohoaka* as intended is reliant upon protection and restoration of *mahika kai mahika kai* *kai*²³² values associated with them.

²²⁵ 00226.041 Kāi Tahu ki Otago

²²⁶ The Waitaki River lies within both the Otago and Canterbury regions.

²²⁷ Clause 16(2), Schedule 1, RMA

²²⁸ Clause 16(2), Schedule 1, RMA

²²⁹ Clause 16(2), Schedule 1, RMA

²³⁰ Clause 16(2), Schedule 1, RMA

²³¹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

²³² Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

Nohoaka entitlements are listed in Schedule 95 of the NTCSA-1998²³³. In Otago, sites are identified adjacent to the following *water bodies*:

- Waitaki River (two sites)
- Waianakarua River
- ~~Taiari~~ Taiari²³⁴ River (three sites)
- Lake Hāwea (three sites)
- Hāwea River
- Lake Wānaka (two sites)
- ~~Lake Wakatipu~~ Whakatipu Wai Māori²³⁵
- Shotover River (two sites)
- Mata-au Clutha River (four sites).²³⁶

Customary fisheries

Sections 297 to 311 of the NTCSA-1998²³⁷ include provisions recognising Kāi Tahu rights and interests in customary fisheries, and provide for involvement in management of these resources through the Conservation Act 1987 and the Fisheries Acts 1983 and 1996.

The interests of Kāi Tahu should be recognised and provided for when considering activities under the RMA-1991²³⁸ that may impact on customary fisheries, to enable protection and restoration of fisheries habitat. Mātaitai and taiāpure are mechanisms under the Fisheries Act that provide for management of customary fisheries areas and are applicable to both coastal and *freshwater* fisheries environments.

The East Otago Taiāpure is constituted by the Fisheries (East Otago Taiāpure) Order 1999. It includes the estuarine and inshore marine waters between Cornish Head and Potato Point.

There are also four mātaitai in Otago:

- Moeraki Mātaitai Reserve includes areas of *coastal waters* at Moeraki and Katiki (<https://www.mpi.govt.nz/dmsdocument/15220-Moeraki-North-Otago-Mataitai-Reserve>)
- ~~Waikouaiti~~ Waikōuaiti²³⁹ Mātaitai Reserve includes *freshwater* and estuarine waters of the ~~Waikouaiti~~ Waikōuaiti²⁴⁰ River (<https://www.mpi.govt.nz/dmsdocument/12954-Waikouaiti-South-Canterbury-Mataitai-Reserve->)
- Ōtākou Mātaitai Reserve includes most of the Otago ~~Harbor~~ Harbour²⁴¹ north of a line from Harwood to Pulling Point (<https://www.mpi.govt.nz/dmsdocument/14077-Otakou-mataitai-reserve>)
- Puna-wai-Tōriki (Hays Gap) Mātaitai Reserve includes an area of *coastal waters* north of Nugget Point (<https://www.mpi.govt.nz/dmsdocument/15223-Puna-wai-Toriki-Hays-Gap-South-Otago-Mataitai-Reserve>)

²³³ Clause 16(2), Schedule 1, RMA

²³⁴ 00234.005 Te Rūnanga o Ngāi Tahu

²³⁵ 00226.041 Kāi Tahu ki Otago

²³⁶ 00234.005 Te Rūnanga o Ngāi Tahu

²³⁷ Clause 16(2), Schedule 1, RMA

²³⁸ Clause 16(2), Schedule 1, RMA

²³⁹ 00226.041 Kāi Tahu ki Otago

²⁴⁰ 00226.041 Kāi Tahu ki Otago

²⁴¹ 00120.007 Yellow-eyed Penguin Trust

Māori Commercial Aquaculture Claims Settlement Act 2004

The Māori Commercial Aquaculture Claims Settlement Act 2004 provides full and final settlement of Māori commercial aquaculture claims since 21 September 1992. Settlement is delivered via Regional Aquaculture Agreements which may describe areas to be provided to iwi for the purposes of commercial aquaculture. Any future settlement outcomes will need to be provided for in *regional plans* and *district plans*.²⁴²

Māori Land Native²⁴³ reserves

A Native Reserve is any property or site that is a:

- Native Reserve excluded from the Ōtākou Land Purchases (1844)
- Native Reserve excluded from the Kemps Land Purchases (1848)
- Reserve granted by the Native Land Court (1868)
- Half Caste Reserve (1881)
- Landless Native Reserve (1896)
- Other reserve (1890 and 1900)

A number of **Māori native²⁴⁴** reserves exist that were excluded from the land sales of the 1840s. These reserves are steeped in history and association and are places of belonging. Remaining reserves are located at Moeraki, ~~Waikouaiti~~ Waikōuaiti,²⁴⁵ Ōtākou, Onumia, Taieri Mouth, and Te Karoro, Kaka Point. Other categories of **Māori²⁴⁶** land exist at ~~Koputai~~ Kōpūtai,²⁴⁷ Port Chalmers, and Ōtepoti, Dunedin, where tauraka waka, landing sites, were recognised. In addition, land was held at Manuhaea, Lake Hāwea, Aramoana, Clarendon, Taieri Mouth, Tautuku-Waikawa and Glenomaru amongst others. Landing reserves were allocated at Matainaka, ~~Waikouaiti~~ Waikōuaiti,²⁴⁸ and the former Lake Tatawai on the Taieri Plains.

The following table lists the reserves in Otago **which are also mapped in MAP0 – Native reserves**. Many of the sections within these Native Reserves now have the status of general land. While some of this general land is still in Māori ownership, many of the general titled sections have been sold to non-Māori or taken under various pieces of legislation such as the Public Works Act 1981. Although these sections are no longer in whānau ownership, descendants of the original owners retain an ancestral relationship with these lands.

Table 1 – Native reserves located within the Otago region

Location	Comments	Reserve Type
Tautuku	Southern block of Tautuku sections	South Island Landless Natives Act
	Northern sections are Reserved lands	Native Reserve

²⁴² 00234.006 Te Rūnanga o Ngāi Tahu

²⁴³ 00234.009 Te Rūnanga o Ngāi Tahu, 00226.053 Kāi Tahu ki Otago, 00010.002 Cain whanau

²⁴⁴ 00234.009 Te Rūnanga o Ngāi Tahu, 00226.053 Kāi Tahu ki Otago, 00010.002 Cain whanau

²⁴⁵ 00226.024 Kāi Tahu ki Otago

²⁴⁶ 00234.009 Te Rūnanga o Ngāi Tahu, 00226.053 Kāi Tahu ki Otago, 00010.002 Cain whanau

²⁴⁷ 00226.024 Kāi Tahu ki Otago

²⁴⁸ 00226.024 Kāi Tahu ki Otago

Glenomaru	Located south of Kaka Point	South Island Landless Natives Act
Maranuku	Granted in 1844 as part of the Otakou <u>Ōtākou</u> ²⁴⁹ Purchase. Originally called Te Karoro, split into two reserves	Native Reserve
Clarendon	Located inland from Taieri Mouth	Clarendon Half Caste Reserve
<u>Taiari</u> <u>Taiari</u> ²⁵⁰	Granted in 1844 as part of the Otakou <u>Ōtākou</u> ²⁵¹ Purchase Deed. Split into three reserves; A, B and C	Native Reserve
Lake Tatawai	Located on the Taiari <u>Taiari</u> ²⁵² Plain, south of the ²⁵³ Dunedin, <u>includes lake that is now drained.</u> ²⁵⁴	Native Reserve <u>and Landing Reserve</u>
Lake Tatawai ²⁵⁵	Lake that is now drained	Landing Reserve
Otago Heads Native Reserve	Granted in 1844 as part of the Ōtākou Purchase Deed. Split into four reserves	Native Reserve
Port Chalmers	Granted in 1848 as part of the Ōtākou Purchase Deed. A further grant adjacent to the Reserve was made in approximately 1888	Native Reserve
Aramoana	This reserve resulted from the Purakaunui <u>Pūrākaunui</u> ²⁵⁶ Half Caste grant	Half Caste Reserve
Purakaunui <u>Pūrākaunui</u> ²⁵⁷	Granted in 1848 as part of Kemp's Purchase Deed. Further allocations were made in 1868 at Wharauwerawera	Native Reserve
Brinns Point	Granted in the latter part of the nineteenth century	Half Caste Reserve
Karitane <u>Karitāne</u> (Waikouaiti <u>Waikōaiti</u> ²⁵⁸ Native Reserve)	Granted in 1848 as part of Kemp's Purchase Deed	Native Reserve
Matainaka and Hawksbury Fishing Easement	Two fishing easements fall under this reserve, Matainaka, located at Hawkesbury Lagoon at Waikouaiti <u>Waikōaiti</u> ²⁵⁹ and the Forks Reserve located inland from Karitane <u>Karitāne</u> . ²⁶⁰ The legal description for the latter reserve is Section 1N Town of Hawksbury	Fishing Easement

²⁴⁹ 00226.041 Kāi Tahu ki Otago

²⁵⁰ 00226.041 Kāi Tahu ki Otago

²⁵¹ 00226.041 Kāi Tahu ki Otago

²⁵² 00226.041 Kāi Tahu ki Otago

²⁵³ Clause 16(2), Schedule 1, RMA

²⁵⁴ 00226.329 Kāi Tahu ki Otago

²⁵⁵ 00226.329 Kāi Tahu ki Otago

²⁵⁶ 00226.041 Kāi Tahu ki Otago

²⁵⁷ 00226.041 Kāi Tahu ki Otago

²⁵⁸ 00226.041 Kāi Tahu ki Otago

²⁵⁹ 00226.041 Kāi Tahu ki Otago

²⁶⁰ 00226.041 Kāi Tahu ki Otago

Hawksbury	Located north of Waikouaiti <u>Waikōuaiti</u> ²⁶¹ , in the vicinity of Goodwood	Hawksbury Half Caste Reserve
Moeraki	Granted in 1848 as part of Kemp's Purchase Deed. Further awards were made in 1868	Native Reserve
Kuri Bush	10 acre reserve of timber	Native Reserve
Kakanui ²⁶²	Granted in 1848 as part of Kemp's Purchase Deed. By 1853, this Reserve was noted as being abandoned and the 75 acre allocation was added to the southern edge of the Moeraki Native Reserve	Native Reserve
Korotuaheka	Located south of the Waitaki River mouth. Now Reserved as an urupā <u>urupā</u> . ²⁶³ It appears this originated as an occupational reserve and Fishing Easement	Partitioned in 1895 Possibly awarded as part of the 1868 awards <u>Native Reserve</u> <u>Fishing Easement</u> ²⁶⁴
Punaomaru	376 acre reserve located approximately 14 miles from the Waitaki River mouth on the south bank of the river	Native Reserve
Lake Hāwea	Reserve of 100 acres situated in the western extremity of the middle arm of Lake Hāwea near a Lagoon. Part of the Reserve was taken for power development in 1962 and the balance of the land was alienated by the Māori Trustee in 1970	Fishing Easement
<u>Hāwea-Wānaka block (Wānaka Plantation Reserve)</u> ²⁶⁵	Known as Sticky Forest, 50.7 hectares of land granted by agreement between the Crown and Te Rūnanga o Ngāi Tahu (Te Rūnanga) to be made available for the successors or current living relatives of the original grantees of land at Manuhaea or "The Neck", which was allocated under the South Island Landless Natives Act but not transferred before SILNA was repealed. <u>Known as Sticky Forest and being 50.7 hectares more or less to be vested in the Successors as defined in and pursuant to Section 15 of the Deed of Settlement 1997 between Te Rūnanga o Ngāi Tahu and the Crown, and as enacted in Part 15 of the Ngāi Tahu Claims Settlement Act 1998.</u> ²⁶⁶	<u>South Island Landless Natives Act</u>

²⁶¹ 00226.041 Kāi Tahu ki Otago

²⁶² 00226.329 Kāi Tahu ki Otago

²⁶³ 00226.041 Kāi Tahu ki Otago

²⁶⁴ 00226.329 Kāi Tahu ki Otago

²⁶⁵ 00234.005 Te Rūnanga o Ngāi Tahu

²⁶⁶ 00226.329 Kāi Tahu ki Otago

Mana whenua – local authority relationships

Kāi Tahu relationships with local authorities

There are a number of relationship agreements between Kāi Tahu Ki Otago and *local authorities* in Otago. These include:

- Memorandum of Understanding and Protocol between Otago Regional Council, Te Rūnanga Ngāi Tahu and Kāi Tahu ki Otago for Effective Consultation and Liaison (2003)
- Te Roopū Taiao Otago Charter and Hui (ORC, QLDC, DCC, WDC, CDC, CODC)
- He Huarahi mō Ngā Uri Whakatupu – Charter of Understanding signed with 2016 between Te Ao Marama Incorporated, representing Ngāi Tahu ki Murihiku, and Southland Rūnanga (2016) councils.²⁶⁷

Kāi Tahu and Otago Regional Council use the Mana to Mana forum as a means to build a strengthened relationship between the two entities.

He Huarahi mō Ngā Uri Whakatupu²⁶⁸ is the Charter of Understanding between Ngāi Tahu ki Murihiku (Awarua Rūnanga, Waihopai Rūnanga, Ōraka-Aparima Rūnanga and Hokonui Rūnanga) and ~~the local authorities, including Otago Regional Council, and QLDC and Clutha District Council, are signatories to~~ Huarahi mō Ngā Uri Whakatupu as it applies in their areas of jurisdiction.²⁶⁹

~~Hapu Hapū~~²⁷⁰ and iwi planning documents

There are four iwi planning documents lodged with the *local authorities* in the Otago Region:

- Te Rūnanga o Ngāi Tahu Freshwater Policy 1999
- Kāi Tahu ki Otago Natural Resources Management Plan 2005
- Te Tangi a Taurira: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008
- Waitaki Iwi Management Plan 2019

How the iwi planning documents have been taken into account in this Regional Policy Statement

Objectives and policies of the iwi management plans are reflected in the Resource Management Issues of Significance to Kāi Tahu and have been taken into account in the development of provisions across the whole of this Regional Policy Statement.

How iwi planning documents are used in Otago

The iwi management plans are used to provide cultural context and guidance as to the natural resource values, concerns and issues of Kāi Tahu ki Otago and Ngāi Tahu ki Murihiku.

²⁶⁷ 00223.027 Ngāi Tahu ki Murihiku

²⁶⁸ Available from <https://www.es.govt.nz/repository/libraries/id:26gi9ayo517q9stt81sd/hierarchy/about-us/plans-and-strategies/regional-plans/iwi-management-plan/documents/The%20Charter%20of%20Understanding.pdf> (accessed 26 May 2021)

²⁶⁹ 00223.027 Ngāi Tahu ki Murihiku

²⁷⁰ 00226.042 Kāi Tahu ki Otago

The iwi planning documents are to be used in the development of planning policy and assist decision-makers to make informed decisions, recognising the local knowledge of the *environment* held by ~~Papatipu Rūnaka~~ papatipu rūnaka²⁷¹ and the significance of the natural resource values to Kāi Tahu.

The iwi planning documents are also used to guide consultation with ~~Rūnaka rūnaka~~²⁷² and set out the expectations for consultation. The iwi management plans are not a substitute for direct communication with ~~Papatipu Rūnaka~~ papatipu rūnaka²⁷³.

Involvement and participation with *mana whenua*

ORC and the *local authorities* will establish and maintain effective resource management relationships with Kāi Tahu based on a mutual obligation to act reasonably and in good faith. The *local authorities* and Otago Regional Council will consult Kāi Tahu at an early stage in resource management processes and implementation, and facilitate efficient and effective processes for applicants to consult Kāi Tahu on *resource consent* applications and private plan change requests.

Local authorities may also ~~delegate and transfer~~ transfer and delegate²⁷⁴ any one or more of their functions, powers or duties to an iwi authority in accordance with ~~section~~ sections 33 (transfer) and 34A (delegation)²⁷⁵ of the RMA, and where this provides an effective service.

Mana whenua consultancy services

The ~~Papatipu Rūnaka~~ papatipu rūnaka²⁷⁶ consultancy services, Aukaha, representing Kāi Tahu ki Otago, and Te Ao Marama Inc, representing Ngāi Tahu ki Murihiku, facilitate Kāi Tahu engagement in resource management processes and provide a first point of contact for the public seeking to engage with ~~Papatipu Rūnaka~~ papatipu rūnaka²⁷⁷.

Other iwi, hapū and mātāwaka

Otago is also home to Māori from other iwi, hapū, and mātāwaka. The Araiteuru marae in Dunedin and Te Whare Koa in ~~Oamaru~~ Ōamaru²⁷⁸ are important pan-tribal cultural centres for mātāwaka and sit within the manaakitaka of *takata whenua*.

Provisions

Objectives

MW-O1 – Principles of Te Tiriti o Waitangi

²⁷¹ 00226.043 Kāi Tahu ki Otago

²⁷² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.043 Kāi Tahu ki Otago

²⁷³ 00226.043 Kāi Tahu ki Otago

²⁷⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00509.024 Wise Response

²⁷⁵ 00509.024 Wise Response

²⁷⁶ 00226.043 Kāi Tahu ki Otago

²⁷⁷ 00226.043 Kāi Tahu ki Otago

²⁷⁸ 00226.043 Kāi Tahu ki Otago

The principles of Te Tiriti o Waitangi are given effect in resource management processes and decisions, utilising a partnership approach between councils and Papatipu Rūnaka papatipu rūnaka²⁷⁹ to ensure that what is valued by *mana whenua* in relation to their taoka tuku iho²⁸⁰ is actively protected in the region.

Policies

MW-P1 – Treaty obligations

Promote awareness and understanding of the obligations of *local authorities* in regard to the principles of Te Tiriti o Waitangi, tikaka Māori and kaupapa Māori.

MW-P2 – Treaty principles

Local authorities exercise their functions and powers in accordance with the principles of Te Tiriti o Waitangi Treaty principles²⁸¹, by:

- (1) recognising the status of Kāi Tahu as mana whenua²⁸² and facilitating Kāi Tahu involvement in decision-making as a Treaty partner under Te Tiriti o Waitangi,²⁸³
- (2) including Kāi Tahu in resource management processes, and implementation and decision-making to the extent desired by mana whenua,²⁸⁴
- (3) recognising and providing for Kai Tahu values, and addressing resource management issues of significance to Kāi Tahu, as identified by *mana whenua*, in resource management processes and plan implementation,²⁸⁵
- (4) recognising and providing for the relationship of Kāi Tahu culture and traditions with their ancestral lands, water, encompassing wai māori and wai tai, significant sites, wāhi tūpuna, wāhi tapu and wāhi taoka, and other taoka by ensuring that Kāi Tahu have the ability to identify these relationships and determine how best to express them,²⁸⁶
- (5) ensuring that *regional plans*²⁸⁷ and *district plans* recognise and provide for Kāi Tahu relationships with Statutory Acknowledgement Areas, tōpuni, *nohoaka* and customary fisheries identified in the NTCSA 1998²⁸⁸, including by actively protecting the mauri of these areas,
- (6) having particular regard to the responsibility ability of Kāi Tahu to exercise their role as kaitiaki kaitiakitaka as an expression of mana and rakatirataka,²⁸⁹
- (7) actively pursuing opportunities for:
 - (a) delegation or transfer of functions to Kāi Tahu, and

²⁷⁹ 00226.044 Kāi Tahu ki Otago

²⁸⁰ 00223.028 Ngāi Tahu ki Murihiku

²⁸¹ 00226.046 Kāi Tahu ki Otago

²⁸² 00226.046 Kāi Tahu ki Otago

²⁸³ 00226.046 Kāi Tahu ki Otago

²⁸⁴ 00226.046 Kāi Tahu ki Otago

²⁸⁵ 00223.029 Ngāi Tahu ki Murihiku

²⁸⁶ 00226.046 Kāi Tahu ki Otago

²⁸⁷ Clause 16(2), Schedule 1, RMA

²⁸⁸ Clause 16(2), Schedule 1, RMA

²⁸⁹ 00226.046 Kāi Tahu ki Otago

- (b) partnership or joint management arrangements, ~~and~~²⁹⁰
- (8) taking into account iwi management plans when making resource management decisions, ~~and~~²⁹¹
- ~~(8A) regional plans and district plans recognising and providing for aquaculture settlement outcomes identified under the Māori Commercial Aquaculture Claims Settlement Act 2004,²⁹² ,and~~
- ~~(8B) recognising and providing for mātauraka and tikaka in environmental and resource management.²⁹³~~

MW-P3 – Supporting Kāi Tahu well-being

The natural environment is managed to support Kāi Tahu well-being by:

- (1A) recognising that Kāi Tahu hold an ancestral and enduring relationship with all whenua, wai māori and coastal waters within their takiwā,²⁹⁴
- (1) protecting customary uses, Kāi Tahu values and relationships of Kāi Tahu as identified by Kāi Tahu²⁹⁵ to resources and areas of significance, and restoring these uses and values where they have been degraded by human activities,
- (2) safeguarding the mauri and life-supporting capacity of natural resources, recognising the whakapapa connections of Kāi Tahu with these resources as taoka, and the connections to practices such as mahika kai, and²⁹⁶
- (3) working with Kāi Tahu to incorporate mātauraka ~~in~~ into²⁹⁷ resource management processes and decision-making.²⁹⁸

MW-P4 – Sustainable use of ~~Māori land~~ Native Reserves and Māori land²⁹⁹

Kāi Tahu are able to ~~protect,~~³⁰⁰ develop and use *land* and resources within native reserves and ~~land held under Te Ture Whenua Māori Act 1993~~ Māori land³⁰¹ in accordance with mātauraka and tikaka, ~~a way consistent with their culture and traditions and to provide for their economic, cultural and social aspirations, including for papakāika, marae and marae related activities. ,~~ while:

- ~~(1) — avoiding adverse effects on the health and safety of people,~~
- ~~(2) — avoiding significant adverse effects on matters of national importance, and~~
- ~~(3) — avoiding, remedying, or mitigating other adverse effects.³⁰²~~

²⁹⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00234.008 Te Rūnanga o Ngāi Tahu

²⁹¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00234.008 Te Rūnanga o Ngāi Tahu

²⁹² 00234.008 Te Rūnanga o Ngāi Tahu

²⁹³ 00234.008 Te Rūnanga o Ngāi Tahu

²⁹⁴ 00226.277 Kāi Tahu ki Otago

²⁹⁵ 00226.047 Kāi Tahu ki Otago

²⁹⁶ 00226.047 Kāi Tahu ki Otago

²⁹⁷ 00223.029 Ngāi Tahu ki Murihiku

²⁹⁸ 00226.047 Kāi Tahu ki Otago

²⁹⁹ 00234.009 Te Rūnanga o Ngāi Tahu, 00226.053 Kāi Tahu ki Otago, 00010.002 Cain whanau

³⁰⁰ 00226.047 Kāi Tahu ki Otago, 00226.048 Kāi Tahu ki Otago, 00234.009 Te Rūnanga o Ngāi Tahu, 00010.004 Cain Whānau

³⁰¹ 00234.009 Te Rūnanga o Ngāi Tahu, 00226.053 Kāi Tahu ki Otago, 00010.002 Cain whanau

³⁰² 00226.047 Kāi Tahu ki Otago, 00226.048 Kāi Tahu ki Otago, 00234.009 Te Rūnanga o Ngāi Tahu, 00010.004 Cain Whānau

Methods

MW-M1 – Collaboration with Kāi Tahu

Local authorities must collaborate with Kāi Tahu to:

- (1) ~~identify, and map~~ record (including by mapping),³⁰³ and protect³⁰⁴ manage, in accordance with tikaka, kawa, and mātauraka, those³⁰⁵ places, areas, or landscapes, waters, taoka and other elements of cultural, spiritual or traditional significance to them mana whenua³⁰⁶ by:
 - (a) identifying, recording, and assessing these elements using methods determined by mana whenua (which may include mapping), and
 - (b) protecting the values of, and mana whenua relationships to, these elements,³⁰⁷
- (2) ~~protect such places, areas, or landscapes, and the values that contribute to their significance,~~
- (3) identify indigenous species and ecosystems that are taoka in accordance with ECO-M3, ~~and³⁰⁸~~
- (4) ~~identify and map outstanding natural features, landscapes and seascapes, and highly valued natural features, landscapes and seascapes and record their values.~~
- (4A) determine appropriate naming for places of significance in Otago, and
- (4B) share information relevant to Kāi Tahu interests.³⁰⁹

MW-M2 – ~~Work with Kāi Tahu~~ Mātauraka Māori³¹⁰

Local authorities must work in partnership ~~consult³¹¹~~ with Kāi Tahu to:

- (1) ~~determine appropriate naming for places of significance in Otago,~~
- (2) ~~share information relevant to Kāi Tahu interests, and~~
- (2A) incorporate mātauraka into resource management processes,
- (2B) enable use of mātauraka in decision-making where appropriate, and³¹²
- (3) develop research and monitoring programmes that incorporate mātauraka and are led by *mana whenua*.

MW-M3 – Kāi Tahu relationships

Local authorities must develop processes to:

- (1) establish and maintain effective resource management relationships with Kāi Tahu based on a mutual obligation to act reasonably and in good faith,

³⁰³ 00223.031 Ngāi Tahu ki Murihiku

³⁰⁴ 00226.049 Kāi Tahu ki Otago

³⁰⁵ 00223.031 Ngāi Tahu ki Murihiku, 00010.005 Cain whanau

³⁰⁶ 00226.049 Kāi Tahu ki Otago

³⁰⁷ 00223.031 Ngāi Tahu ki Murihiku, 00010.005 Cain whanau

³⁰⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.049 Kāi Tahu ki Otago

³⁰⁹ 00226.049 Kāi Tahu ki Otago

³¹⁰ 00226.050 Kāi Tahu ki Otago

³¹¹ 00226.050 Kāi Tahu ki Otago

³¹² 00226.050 Kāi Tahu ki Otago

- (2) involve Kāi Tahu at an early stage and throughout resource management processes, decision-making,³¹³ and implementation, and
- (3) facilitate efficient and effective processes for applicants to consult Kāi Tahu on *resource consent* applications, private plan change requests, notices of requirement, and notices of requirement for heritage orders.

MW-M4 – Kāi Tahu rakatirataka involvement in resource management³¹⁴

Local authorities must facilitate Kāi Tahu involvement in resource management (including decision making) to the extent desired by mana whenua, including³¹⁵ by:

- (1) including accredited Kāi Tahu commissioners on hearing panels for *resource consent* applications, notices of requirements,³¹⁶ plan changes or plans where Kāi Tahu values may be affected,
- (2) resourcing Kāi Tahu participation in resource management decision making, including funding,
- (3) joint management agreements and full or partial transfers of functions, duties or powers from *local authorities* to iwi authorities in accordance with section 33 of the RMA-1991,³¹⁷ and
- (4) entering into a Mana Whakahono ā Rohe with one or more iwi authorities.

MW-M5 – Regional plans³¹⁸ **and district plans**

Local authorities must amend their *regional plans*³¹⁹ and *district plans* to:

- (1) take into account ~~iwi Management Plans~~ iwi management plans and address resource management issues of significance to Kāi Tahu ~~(RMA) into account,~~³²⁰
- (2) provide for the use of native reserves and Māori³²¹ land in accordance with MW-P4,³²² and, if such use may have adverse effects on a matter of national importance, enable development of alternative approaches, led by Kāi Tahu, to preserving the values protected by this Regional Policy Statement,³²³
- (3) incorporate active protection of areas and resources recognised in the NTCSA-1998³²⁴, and³²⁵
- (3A) provide for the outcomes of settlements under the Māori Commercial Claims Aquaculture Settlement Act 2004.³²⁶

MW-M6 – Incentives and education

³¹³ 00226.051 Kāi Tahu ki Otago

³¹⁴ 00226.052 Kāi Tahu ki Otago

³¹⁵ 00223.034 Ngāi Tahu ki Murihiku

³¹⁶ 00223.034 Ngāi Tahu ki Murihiku

³¹⁷ Clause 16(2), Schedule 1, RMA

³¹⁸ Clause 16(2), Schedule 1, RMA

³¹⁹ Clause 16(2), Schedule 1, RMA

³²⁰ 00223.035 Ngāi Tahu ki Murihiku

³²¹ 00234.009 Te Rūnanga o Ngāi Tahu, 00226.053 Kāi Tahu ki Otago, 00010.002 Cain whanau

³²² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00234.010 Te Rūnanga o Ngāi Tahu

³²³ 00226.047 Kāi Tahu ki Otago, 00226.048 Kāi Tahu ki Otago, 00234.009 Te Rūnanga o Ngāi Tahu, 00010.004 Cain Whānau

³²⁴ Clause 16(2), Schedule 1, RMA

³²⁵ Clause 10(2)(b)(i), Schedule 1, RMA – Consequential amendment arising from 00234.010 Te Rūnanga o Ngāi Tahu

³²⁶ 00234.010 Te Rūnanga o Ngāi Tahu

Local authorities are encouraged to use other mechanisms or incentives to assist in achieving Policies MW-P1 to MW-P4, promoting awareness and improving knowledge of tikaka and the principles of Te Tiriti o Waitangi among staff and stakeholders, including through hiring practices, induction programmes, key performance indicators and training activities.

MW-M7 – Advocacy and facilitation

Local authorities may facilitate negotiations with landowners to provide Kāi Tahu access to sites of significance to Kāi Tahu that do not have suitable access.

Explanation

MW-E1 – Explanation

The policies in this section are designed to achieve MW-O1 by setting out the actions that must be undertaken by *local authorities* to ensure the principles of Te Tiriti o Waitangi are given effect in resource management processes and decisions, and mana whenua values and taoka tuku iho are actively protected, supporting Kāi Tahu wellbeing.³²⁷ The policies also require the development and implementation of planning tools and other mechanisms that³²⁸ ~~which~~ recognise the role of Kāi Tahu in resource management and ensure mana whenua engagement with and participation in resource management in partnership with local authorities.³²⁹

Principal reasons

MW-PR1 – Principal reasons

Te Tiriti o Waitangi creates a special relationship between *takata whenua* and the Crown, which the Crown expresses in part through the provisions of the RMA and national instruments created in accordance with the RMA. This, in turn, creates responsibilities for *local authorities*. Providing for cultural well-being is a feature of the sustainable management purpose of the RMA.³³⁰ Section 8 of the RMA 1991³³¹ requires *local authorities* to take the principles of Te Tiriti o Waitangi into account. These principles include kāwanataka, rakatirataka, partnership, participatory decision making and active protection of Kāi Tahu resources. Section 7(a) of the RMA 1991³³² requires decision makers to have particular regard to *kaitiakitaka*. Effective *kaitiakitaka* is dependent upon the extent to which Kāi Tahu can exercise rakatirataka, which requires the authority and ability to make decisions relating to management of resources.

Local authorities need to incorporate Treaty principles into their decision making and ensure they are properly applied, to account for the *effects* of resource management decisions on Kāi Tahu values, including those described in iwi resource management plans. Deliberate measures need to be taken to ensure the principles are ~~well~~ clearly articulated and readily³³³ understood. The principles are broadly expressed, so a measure of flexibility is needed in applying them.

³²⁷ 00223.036 Ngāi Tahu ki Murihiku

³²⁸ 00223.036 Ngāi Tahu ki Murihiku

³²⁹ 00235.017 OWRUG.

³³⁰ 00223.037 Ngāi Tahu ki Murihiku

³³¹ Clause 16(2), Schedule 1, RMA

³³² Clause 16(2), Schedule 1, RMA

³³³ 00239.017 Federated Farmers

The provisions in this chapter assist in implementing sections 6(e), 7(a) and 8 of the RMA-1991³³⁴ by requiring a partnership approach which involves Kāi Tahu and considers *mana whenua* rights, interests and values in decision making processes, and enables Treaty principles to be ~~taken into account~~ applied³³⁵ in an appropriate way.

Implementation of the provisions in this chapter will occur primarily, but not exclusively,³³⁶ through *regional plans*³³⁷ and *district plan* provisions. ~~However, Local authorities may also adopt additional~~ a range of methods, utilising statutory mechanisms and³³⁸ non-regulatory methods to implement the policies and support achievement of the objective.

Anticipated environmental results

- MW-AER1** Resource management processes and decisions reflect the principles of Te Tiriti o Waitangi.
- MW-AER2** Strong relationships between Kāi Tahu and *local authorities* facilitate the exercise of *rakatirataka* and *kaitiakitaka* by *mana whenua* in relation to their taoka tuku iho.

³³⁴ Clause 16(2), Schedule 1, RMA

³³⁵ 00223.037 Ngāi Tahu ki Murihiku

³³⁶ 00223.037 Ngāi Tahu ki Murihiku

³³⁷ Clause 16(2), Schedule 1, RMA

³³⁸ 00223.037 Ngāi Tahu ki Murihiku

PART 2 – RESOURCE MANAGEMENT OVERVIEW

SRMR – Significant resource management issues for the region

Introduction

Otago's people and communities rely on the natural resources that Otago's *environment* provides to enable their social, economic, and cultural well-being. Natural resources include *freshwater* (i.e. surface and *groundwater, wetlands, estuaries*), *land and soil*³³⁹, terrestrial, and *freshwater* ecosystems, coastal and marine ecosystems, and air, landscapes, vegetation and natural landforms.

From an economic perspective natural resources support, and are impacted by, agricultural industries (e.g. grazing, cropping, horticulture, viticulture), urban development, industrial development, *infrastructure*, energy generation, transport, marine industries (fishing and aquaculture), tourism and mineral extraction. From a social and cultural perspective natural resources support and are impacted by recreation, housing, and cultural activities (Refer Figure 2).

³³⁹ 00239.019 Federated Farmers, 00236.021 Horticulture NZ

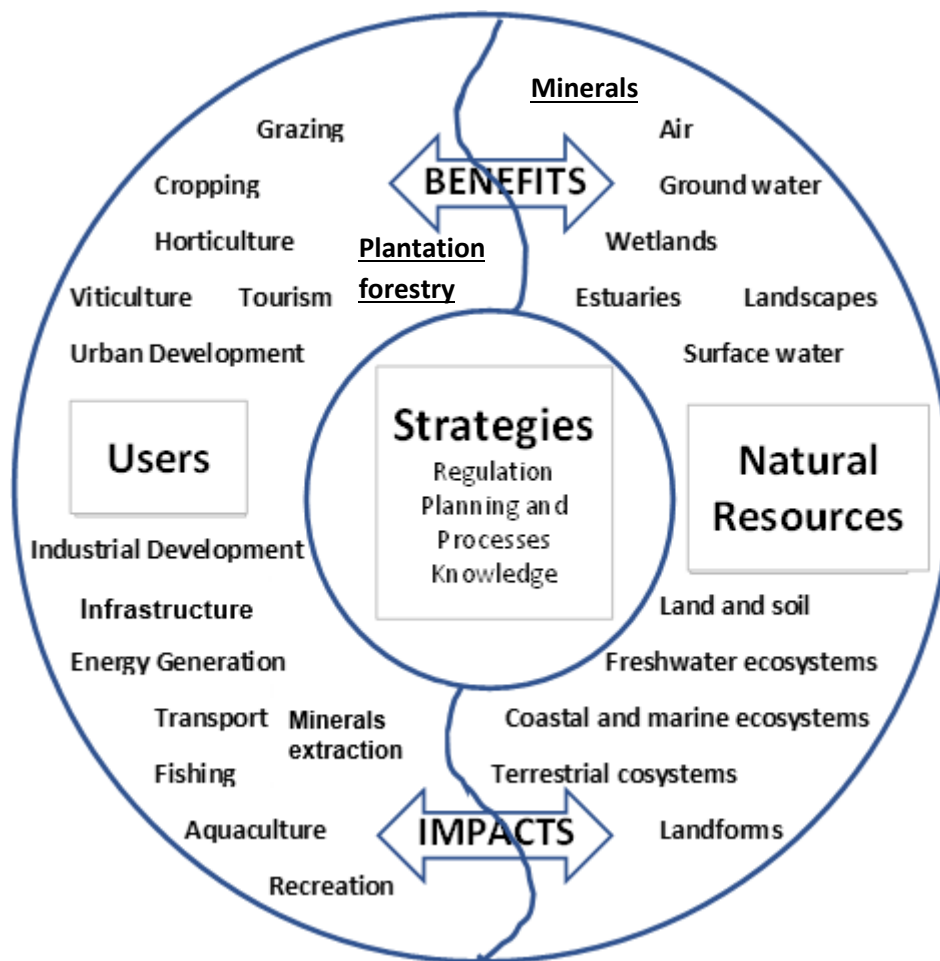


Figure 2 - Relationships between natural resources, resource use and strategies³⁴⁰

This RPS identifies the eleven most significant issues impacting the Otago region. Issues firstly considered include *natural hazards*, *climate change*, *pest species*, *water* quantity and quality, and *biodiversity loss*, collectively the “natural asset-based issues”. Two “place-based issues” of regional significance are then addressed - being Otago’s coast and Otago’s lake areas. Finally, issues of economic and domestic pressures, cumulative impacts and *resilience* are considered.

While the issues in this section are considered individually, this RPS considers and responds to them in a joined-up manner as part of a complex system with ~~biophysical~~ **environmental** limits,³⁴¹ inherent uncertainty, potentially irreversible and sometimes catastrophic impacts, and interdependent behaviours.

Each issue is considered in the following manner:

- an issue statement
- context
- impacts on the *environment*, economy, and society

³⁴⁰ 00115.005 Oceana Gold (to add “Minerals”), 00020.003 Rayonier Matariki Forests (to add “Plantation forestry”)

³⁴¹ 00231.009 Fish and Game

SRMR-11 – *Natural hazards pose a risk to many Otago communities*

Statement

~~An earthquake on the Alpine Fault would cause potentially catastrophic impacts on the entire region. Particular areas in Otago are prone to flooding. A major hazard event could isolate all or parts of Otago for an extended time. Otago is prone to a range of natural hazards that pose a risk to Otago communities, property, infrastructure, and the wider environment. A major event could cause severe damage and may isolate Otago communities for an extended time. Major events of concern include flooding, an earthquake on the Alpine fault, tsunami, coastal erosion, wildfires, and extreme weather events.~~³⁴²

Context

The Otago region is exposed to a wide variety of *natural hazards* that impact on people, property, *infrastructure*, historic heritage and the wider *environment*. ~~When a natural hazard event occurs, it is usually sometimes difficult and costly for a community to recover.~~³⁴³ The *natural hazard* threats range from coastal erosion and flooding in lowland coastal areas to alluvial fan deposition, landslip, rock fall, seismic events (earthquake and tsunami), wind, snow, drought and riverbank breaches. The risk resulting from natural hazards is not only due to the hazards themselves, but also to whether human activities are located and operated in ways which make them vulnerable to those hazards.³⁴⁴ ~~When a natural hazard event occurs, it is sometimes difficult and costly for a community to recover. Efficiently managed and appropriately located infrastructure has a critical role to play in responding to natural hazards.~~³⁴⁵

Frequent heavy rainstorms, the steep gradients of many *river* catchments and human occupation of floodplains combine to make flooding the most frequently occurring *natural hazard* event in the Otago region. For example, flooding can affect Otago's main urban centres causing damage to housing and business disruption, and ~~agriculture—primary production~~³⁴⁶ can be disrupted in Otago's floodplains (including³⁴⁷ lower Clutha, Lower Waitaki³⁴⁸ and Taieri).

Seismic *risks* are widespread in Otago as evidenced by the region's active faults, being the Cardrona, Dunstan, Rough Ridge, Hyde, Taieri Ridge, Waihemo and Akatore faults. The Alpine Fault in the Queenstown Lakes District has an estimated 75% probability of causing a major earthquake in the next 50 years with associated large-scale destruction.

Otago's coastline is exposed to tsunamis, from local offshore faults and nearby subduction zones, such as the Puysegur Trench (south of the South Island). The stretch of the Otago coastline north of the Otago Peninsula has a greater level of exposure to tsunamis generated from South America.

Natural hazards may be exacerbated by the *effects* of *climate change*, which include sea level rise, and greater frequency and intensity of extreme weather events. Elevated sea levels resulting in flooding can

³⁴² 00239.020 Federated Farmers

³⁴³ 00315.015 Aurora Energy, 00314.09 Transpower, 00310.003 The Telecommunications Companies

³⁴⁴ 00137.033 DOC

³⁴⁵ 00315.015 Aurora Energy, 00314.09 Transpower, 00310.003 The Telecommunications Companies

³⁴⁶ 00140.010 Waitaki DC

³⁴⁷ 00239.020 Federated Farmers

³⁴⁸ 00140.010 Waitaki DC

occur as a result of a combination of tides, storm surge, and waves. There are several low-lying areas in relatively close proximity to the coast that have been identified as being at *risk*, such as South Dunedin.

Parts of the Otago coastline (which is a soft coast formed by material such as sand or gravel) are also prone to significant coastal erosion. Coastal erosion is an *risk issue*³⁴⁹ in Waitaki District, Dunedin City and along the Clutha River Delta, ~~potentially~~³⁵⁰ affecting communities and *infrastructure* near the coast.

Impact snapshot

Environmental

Ecosystems (from the mountains to the coast), *water bodies* and *water quality* (*rivers, lakes, wetlands* and *ground water*) are variously at *risk* of increased frequency and intensity of flooding and landslides. Seismic events result in liquefaction of land and associated soil disturbance, elevated sea levels and associated flooding, potential permanent inundation and coastal³⁵¹ erosion. While *effects* are localised, *natural hazard* impacts can be significant where threatened ecosystems or species are involved.

Economic

Otago's primary industries, *infrastructure*, energy and transport systems, and urban areas are exposed to the full range of hazards noted above, with potential for major-to-catastrophic economic consequences, including damage to production, *infrastructure* such as transport routes (highways, bridges), the built environment and communications, and often resulting in supply chain disruptions. Natural hazards could also impact on renewable electricity generation ~~in and its transmission and distribution the region~~ with ~~subsequent impact on electricity generation capacity. the potential for significant national and regional consequences. Where possible new infrastructure should be located in areas where it is less vulnerable to natural hazards.~~³⁵²

For individuals and households this can result in changes to employment, income, assets and consumption patterns, disruption to social protection, services, social safety net mechanisms and institutions.

For industry, hazards can damage production assets and *infrastructure* with associated costs, disrupt service delivery and limit availability and access to goods and services, and cause decline in sales and increased costs. Loss or changes in production flows can be either temporary or permanent depending on financial *resilience* of businesses, which is a function of their existing loan commitments, credit worthiness and insurance cover. Food security can also be affected. Whilst the community and its businesses have substantial resilience to severe weather events and supply chain disruptions, there can be cumulative impacts from repeated events.³⁵³

Social

Social impacts can be direct (e.g. physical destruction of housing or transport route, human physical harm) but equally important are indirect ~~and secondary~~³⁵⁴ impacts of disasters, including the destruction of communities and the negative impacts on people. Physical impacts and community dislocation can also

³⁴⁹ 00140.010 Waitaki DC

³⁵⁰ 00140.010 Waitaki DC

³⁵¹ 00223.040 Ngāi Tahu ki Murihiku

³⁵² 00315.015 Aurora Energy, 00314.09 Transpower, 00310.003 The Telecommunications Companies

³⁵³ 00239.020 Federated Farmers

³⁵⁴ 00101.006 Toitū Te Whenua

cause long term psychological stresses affecting people's coping mechanisms, recovery sources and capacity which can test the *resilience* of a community. There can also be cumulative impacts from events on physical and mental health.³⁵⁵

Social impacts of events can result in immediate impacts on livelihoods for individuals and families, particularly for lower socio-economic groups. Health services disruptions can occur, including access to and changes in demand for services. Similarly, there can be disruptions to education service delivery. Housing impacts may require urgent provision for basic human needs including replacement shelter and housing, and food and *water* immediately following an event.

Damage to *infrastructure* and assets may have varying impacts on different groups, for example those with less resources may have less capacity to respond to hazard events and be more impacted as a result. The relationship between affected people and their cultural assets may also be affected, for example customs and traditions related to housing, health, livelihoods, and nutrition.

SRMR-I2 – ~~Climate change is likely to will~~³⁵⁶ impact our economy and environment

Statement

Otago's climate is changing, and these changes will continue for the foreseeable future. Central Otago is likely to see more varied precipitation, leading to increased flooding and reduced *water* reliability. This will be compounded by stronger winds, increased temperatures and longer dry periods, which may affect the number and types of crops and animals that the land can sustain, and the potential for renewable electricity generation.³⁵⁷ On the coast, low lying areas like South Dunedin are at *risk* of inundation from rising sea levels. This will also exacerbate coastal erosion, which could damage coastal *infrastructure* (including *roads*), damage historic heritage, particularly *wāhi tūpuna*, and expose old waste dumps (e.g. at Middle Beach). *Climate change* will also affect native animals and plants, compounding the impacts of existing pests and stresses and providing opportunities for new pests to establish themselves due to changed conditions. The impact of other *climate change* threats is unpredictable.

Context

The rate of future *climate change* depends on how fast *greenhouse gas* concentrations increase. These changes are expected to result in higher temperatures, changes in precipitation, drought, fire weather, extreme weather events, inland and coastal flooding, landslides and soil erosion, salinity, sea level rise, erosion, reduced snow and ice, and marine heatwaves.

It is expected temperatures will increase across Otago, and by 2090, Otago is projected to have from 4 to 25 extra days per year where maximum temperatures exceed 25°C, with around 13 to 45 fewer frosts per year (and consequently less snow). Precipitation overall will increase slightly (by up to 10%), more so in the western part of the region, with less precipitation in central and eastern Otago. There will be an increase in average annual flows across the region, apart from the Taieri and North Otago, and flooding

³⁵⁵ 00239.020 Federated Farmers

³⁵⁶ 00236.023 Horticulture NZ, 00235.028 OWRUG, 00230.023a Forest and Bird

³⁵⁷ 00306.015 Meridian

will be more severe – there will be an increase in the mean annual flood by 100% in some locations by the end of the century.

Rainfall and temperature change may result in drier soils and changes to river flow (low flow and floods), as well as increased occurrence of slips/landslides. Sea level rise will have impacts on coastal communities, infrastructure and habitats, while the risk of wildfire will also increase. Changing climate also risks increased biosecurity issues of increased plant, fungal and animal *pests* and diseases.³⁵⁸

Impact snapshot

Climate change impacts arising from changes in temperature, rainfall, *river* flows and flooding have been assessed in the Otago Regional Council’s commissioned report: Otago Climate Change Risk Assessment Phase 1 report (OCCRA report)³⁵⁹.³⁶⁰ The following discussion is based on potential *climate change* impacts at 2050.

Environment

For terrestrial ~~native~~³⁶¹ ecosystems and species, higher frequency of severe events (e.g. high/low temperatures, intense rainfall, drought, fire weather) could reduce *resilience* of ~~native~~³⁶² terrestrial ecosystems and species over time with adverse impacts on biodiversity. Native species (including *threatened species*) and ecosystems are also likely to be affected by increased competition with invasive species/pests favoured by warmer temperatures, particularly with milder winters. This could be a contributory *risk* factor (but not sole cause) for native species that are threatened or close to extinction.

For marine and coastal ecosystems and species, potential climate impacts include lower ocean productivity and impacts on feeding grounds (e.g. decreasing the population of yellow-eyed penguins); ocean acidification; and changes in species diversity/distribution (e.g. reducing kelp forests). Increased intensity of flooding would result in an increase in sediment which will change the physical composition of *freshwater* and marine waters and, for example, may reduce light availability, smother fragile habitats, or impact on the foraging ability of some species, particular those that rely on vision (e.g. yellow-eyed penguins). New pests and disease threats may arise from marine heatwaves/warmer ocean temperatures. Warmer temperatures could also reduce oxygen and cause stratification in shallow bays (resulting in *water* quality impacts). Sea level rise will also affect coastal habitats and ecosystems (inter-tidal zones, sand dunes). *Groundwater* impacts will include coastal aquifers being affected by salinisation, and reduced rainfall in some areas will affect *groundwater* recharge, flow and surface *water discharges*, with potential adverse impacts on ecosystems and species dependent on *groundwater*.

By 2090, the time spent in drought ranges from minimal change through to more than double, depending on the climate model and emissions scenario considered. More frequent droughts are likely to lead to *water* shortages, increased demand for irrigation and increased *risk* of wildfires. Reduced snowfalls may affect *water* availability since snow acts as a storage mechanism until the *water* is required in summer.³⁶³ As a result, *river* ecosystems could be altered through reduced flows during drought periods with

³⁵⁸ 0239.021 Federated Farmers

³⁵⁹ Clause 16(2), Schedule 1, RMA

³⁶⁰ Tonkin+Taylor, 2020, Otago Climate Change Risk Assessment (Commissioned by the Otago Regional Council)

³⁶¹ 00231.023 Fish & Game

³⁶² 00231.023 Fish & Game

³⁶³ <https://www.mfe.govt.nz/climate-change/likely-impacts-of-climate-change/how-could-climate-change-affect-my-region/otago> (Accessed 26 May 2021)

associated declining *water* quality, reduced food resources, and availability of habitats. This would affect ecosystems for key species, such as *river* nesting birds and endemic *freshwater* fish species.

Lakes could be subject to temperature increases. This can impact on the health of *lake* ecosystems, for example algal blooms. *Wetland* plant species and *wetland* habitats, and other species reliant on *wetlands* (including threatened bird species) are at *risk* of being negatively impacted. There are also likely to be cascading impacts on surrounding *environments* and ecosystems from hydrological changes (e.g. increased flood *risk*/changing *water* flows due to *wetland* loss). Coastal *wetlands* are particularly at *risk* due to salinisation from sea level rise and coastal flooding. Human adaptation to climate change, such as building or expanding dams or flood protection schemes, may give rise to adverse impacts on ecosystems, in addition to those imposed by climate change itself, and may also exacerbate the original risk.³⁶⁴

Economy

Regional industry

Climate change impacts will result in both impacts and opportunities for regional industry in terms of jobs, business income and profitability. Key industries likely to be impacted include sheep, beef, dairy and deer farming, cropping and viticulture, forestry, fisheries and aquaculture, as well as tourism. For example, agriculture may benefit from warmer temperatures, longer growing seasons and elevated carbon dioxide concentrations leading to better pasture and crop growth. *Climate change* may also result in shifting land-use activities to adapt to altered climate conditions, which will incur costs, and potentially enable resources previously unviable to come into production.

However, these benefits may be limited by negative *effects* of *climate change* such as prolonged drought and increased flood *risk*. Some of these impacts can be mitigated by adaptation, for example, planting new crops that are better suited to new climatic conditions or through changes in crop intensification, or *water* harvesting practices. Pests and diseases could spread in range and severity, and pasture composition is likely to change with uncertain impacts on animal productivity and nutrient balances.

For tourism, there will be negative impacts on skiing where the number of snow days experienced annually could decrease by as much as 30-40 days in some parts of the region. The duration of snow cover is also likely to decrease, particularly at lower elevations. This will also lead to reduced summer waterflows.

Built environment

For Otago, by 2050, the built environment will experience high to extreme impact *risks* to *wastewater* and *stormwater infrastructure*, *roads* and bridges, airports, stop banks and flood management schemes, and rural drainage. Medium to extreme impact *risks* are expected to affect urban and rural housing, *water* supply, *landfill* areas; and medium level *risks* are likely for commercial and public *buildings*, open space, rail, and ports.

The main threat to the *urban environment* comes from possible increases in heavy rainfall, which would put pressure on drainage and *stormwater* systems and increase the *risk* of flooding in some areas. Erosion could also increase *road* maintenance costs. There is greater risk of wastewater network overflows, and wastewater treatment plants being compromised.

³⁶⁴ 00231.024 Fish & Game

Warmer conditions will substantially reduce home heating costs, leading to reduced electricity demand during the peak winter season, but possibly increase demand for air conditioning during summer. A reduced winter demand for electricity, combined with an increased availability of *water* in hydroelectric storage *lakes* from projected rainfall increases over the Main Divide, would provide the opportunity for a more balanced annual cycle in electricity supply and demand.³⁶⁵

Areas of particular concern include inland areas of flooding *risk* including South Dunedin, Mosgiel, and Milton; coastal erosion *risk* areas including St Kilda, St Clair, Clutha Delta, Moeraki, and Oamaru Ōamaru;³⁶⁶ sea level rise and salinity *risk* areas including South Dunedin, Harbour³⁶⁷ Basin, Aramoana, and Kaka Point.

Social

Changes to the economy generally and in relation to local shift in economic activity because of *climate change* may impact on community cohesion and *resilience*, and mental well-being and health. Higher temperatures could reduce illness in winter but can increase heat stress in summer. Higher levels and duration of ultraviolet radiation could increase skin cancer *risks*. Insect pests could increase, adversely impacting outdoor recreation experiences. Additionally, the visual and recreational values of Otago's landscape may be adversely impacted by the effects of climate change.³⁶⁸

Differentiation may occur between highly *resilient* (high social capital, high income and politically empowered) and non-*resilient* communities (especially those with low adaptive capacity, such as low-income and marginalised groups) which has the potential to increase socio-economic—and intergeneration³⁶⁹ and intrageneration inequality.

SRMR-I3 – Pest species pose an ongoing threat to indigenous biodiversity, economic activities and landscapes

Statement

Pest species can be found throughout Otago, from alpine to marine environments. Rabbits are changing Central Otago's landscape, eroding soils and affecting agriculture. Wallabies are an increasing risk with incursion beyond their containment zone and illegal liberations resulting in an expanding range within Otago, particularly Waitaki, Central Otago and Queenstown Lakes.³⁷⁰ *Wilding conifers* threaten high country and tussock grassland, changing the landscape and impacting ~~on~~ primary production,³⁷¹ recreational, hydrological and conservation values. Aquatic pests and weeds such as didymo, lake snow and *lagarosiphon* affect our *lakes* and *rivers*. Invasive marine species affect our marine waters. Native aquatic plants are displaced, impacting ecosystem and indigenous biodiversity health and recreation activities.

³⁶⁵ <https://environment.govt.nz/assets/Publications/Files/impacts-report-jun01.pdf> (Accessed 28 May 2021)

³⁶⁶ 00226.024 Kāi Tahu ki Otago

³⁶⁷ Clause 16(2), Schedule 1, RMA

³⁶⁸ 00138.003 QLDC

³⁶⁹ Clause 16(2), Schedule 1, RMA

³⁷⁰ 00235.033 OWRUG

³⁷¹ 00239.022 Federated Farmers

Context

Otago's landscape, water³⁷² and climate support many plants and animals considered to be pests. This includes weeds, vertebrate pests (e.g. rabbits), invertebrate pests, and diseases³⁷³ (e.g. pathogenic pest diseases (e.g. foot and mouth disease, pine needle diseases)), and *freshwater* and marine pests which are all biosecurity threats in the Otago region.

There are 35 listed weed species in Otago, and 11 listed animal pests. Pest management approaches include exclusion and surveillance (e.g. African feather grass), attempted eradication (e.g. wallabies and rooks), containment (e.g. *bomarea*) and sustained control (e.g. rabbits, gorse and broom). The approach deployed depends on the degree to which species are entrenched.

The Otago Pest Management Plan 2019-2029³⁷⁴ seeks to meet ORC's responsibilities under Part 2 of the Biosecurity Act 1992 to provide regional leadership through activities that prevent, reduce, or eliminate adverse *effects* resulting from harmful species that are present in the region. That plan details which approaches are to be used for which pest species, and the methods to be used for control.

In conjunction with that Plan, ORC has also established a Biosecurity Strategy (the Strategy) which sets out ORC's objectives for biosecurity management in the region using the full range of statutory and non-statutory tools available. Strategy priorities provide for protection of indigenous biodiversity, protection of landscape, recreation, cultural and *amenity values* and minimising the impact on agricultural production. The Strategy also supports pest management and seeks to integrate the regulatory and non-regulatory programmes. Collaborative partnership models of pest management are increasingly being developed and adopted in conjunction with community groups and land holders.

Impact snapshot

Environmental

Otago is one of the most biodiverse regions in New Zealand, with high levels of endemism. It is also one of the most modified regions in New Zealand. Both plant and animal species pests have significant impacts on biodiversity. Pests can also adversely impact waterways,³⁷⁵ natural features and landscapes.

Vertebrate browsing pests such as rabbits, ~~and~~ wallabies and goats³⁷⁶ cause erosion and damage to land in both introduced pastures and native tussock communities, impacting significant lands and taoka species³⁷⁷. Severe erosion can have adverse *effects* on *water* quality. Rats and stoats predate on native birds, while deer destroy native vegetation, and possums compete with native birds for hollows and have also been known to predate on chicks. Possums spread viruses and diseases such as bovine tuberculosis, which can have severe impacts on stock.

Weeds smother and compete with native vegetation, taking up available nutrients, *water*, space and sunlight. They reduce natural diversity and prevent native plants growing back after clearing, fire and other disturbance. Nationally, weeds will potentially affect 7% of the conservation estate within a decade,

³⁷² 00239.022 Federated Farmers

³⁷³ 00239.022 Federated Farmers

³⁷⁴ https://www.orc.govt.nz/media/8029/orc-pest-management-plan-2019_final_digital.pdf (accessed 26 May 2021)

³⁷⁵ 00239.022 Federated Farmers

³⁷⁶ 00223.042 Ngāi Tahu ki Murihiku

³⁷⁷ 00223.042 Ngāi Tahu ki Murihiku

corresponding to a loss of native biodiversity equivalent to \$1.3 billion.³⁷⁸ For example, *wilding pines conifers*³⁷⁹ are a significant issue for the Otago region as well as nationally, where they threaten high country and tussock grassland, increase fire risk, and reduce water yield in water short catchments, impact soil nutrient cycling,³⁸⁰ change the landscape and negatively impact recreational, hydrological and conservation values.

Pest species destabilise aquatic habitats and negatively modify water flow with consequences for drainage, irrigation, power generation and recreational activities. The introduction of the freshwater diatom didymo (*Didymosphenia geminata*) in South Island streams is an example.³⁸¹

Economic

Pests can cause economic losses because of reduction in production, quality, efficiency and or functionality. This can include lost crop or animal³⁸² production, higher water requirements and reductions in animal health. Weeds can affect wool quality, impact the quality of leather,³⁸³ taint meat and milk, damage the feet of stock and, in some instances, be toxic.

Costs to agriculture, business and government to control pests and mitigate impacts are considerable, as are biosecurity costs to prevent pest incursion which are reflected in biosecurity fees and taxes. Biosecurity failure can have serious economic impacts on existing industries e.g. through the importation of fruit infected with fruitfly in a traveller's bag. Pests also adversely affect tourism through loss of landscape values (e.g. wilding pinesconifers³⁸⁴) and *amenity values* (e.g. didymo compromising fishing) which lead to reduced visitor experiences. Human health problems caused by pests can have a related economic cost.³⁸⁵

Weeds, for example, are conservatively estimated to cost the New Zealand economy \$1.6 billion per annum³⁸⁶ in terms of loss of economic production, management and control costs. They also affect landscape amenity value and tourism experiences relied upon by the tourism sector. Weeds, including didymo and lake snow,³⁸⁷ can also adversely impact *infrastructure*, for example, water systems including irrigation, dams, and levies; ~~power systems (e.g. generation penstock, gates, valves, surge tanks, transmission lines);~~ electricity generation infrastructure³⁸⁸ and transportation systems (e.g. road beds, lake and river transportation, airstrips).

Social

Recreation values can be impacted through loss of amenity, access or landscape values. Pests can also cause human health problems. For example, some weed pollens can induce asthma and cause allergies

³⁷⁸ <https://www.royalsociety.org.nz/news/pests-costing-economy-and-environment-billions> (accessed 26 May 2021)

³⁷⁹ 00033.002 Port Blakely NZ Ltd

³⁸⁰ 00239.022 Federated Farmers

³⁸¹ SL Goldson, GW Bourdôt, EG Brockerhoff, AE Byrom, MN Clout, MS McGlone, WA Nelson, AJ Popay, DM Suckling & MD Templeton (2015) New Zealand pest management: current and future challenges, *Journal of the Royal Society of New Zealand*, 45:1, 31-58, DOI: 10.1080/03036758.2014.1000343

³⁸² 00239.022 Federated Farmers

³⁸³ 00239.022 Federated Farmers

³⁸⁴ 00033.002 Port Blakely NZ Ltd

³⁸⁵ 00239.021 Federated Farmers

³⁸⁶ <https://www.tandfonline.com/doi/abs/10.1080/14735903.2017.1334179?journalCode=tags20> (accessed 26 May 2021)

³⁸⁷ 00411.103 Wayfare Group Ltd

³⁸⁸ 00306.016 Meridian

(e.g. hay fever).³⁸⁹ Zoonoses (bacterium, viruses, parasites, prions) can result in diseases being transferred from animals to humans and include, for example, leptospirosis and campylobacter.

SRMR-14 – Poorly managed urban and residential growth affects productive *land*, treasured natural assets, *infrastructure* and community well-being

Statement

Natural resources used for urban development are permanently transformed – with the opportunity cost of removing urban activity being too high for land to revert to productive uses. Frequently, places that are attractive for urban growth also have landscape and productive values all of which must be balanced and where possible protected. The growth of ~~Wanaka~~ *Wānaka*³⁹⁰ and Queenstown is changing the natural landscape. Mosgiel's *and Cromwell's*³⁹¹ growth is occurring on some of Otago's most highly productive soil, which removes the option for agriculture. Towns like Arrowtown, Clyde and Milton experience poor air quality in winter, while experiencing pressure to grow.

Context

How urban areas function and grow now and in the future can directly impact on a significant proportion of the current and future urban population and correspondingly future environmental, economic, social and cultural outcomes and well-being. Most of Otago's population (87% or 225,186³⁹² in 2018) live in urban areas, while non-urban areas comprise 99% of the region.³⁹³ Otago's total population under a medium scenario is projected to increase by 20% between 2018 and 2048, with Queenstown-Lakes population projected to grow by 60%, Central Otago by 42%, Dunedin and Waitaki by 8%, and Clutha by 4% over the same period.³⁹⁴

Otago's urban areas, like its people and landscapes, are also diverse. The attraction of urban areas results from the benefits of proximity and access to a variety of other people, experiences, goods, services (e.g. shopping, education, specialist service providers, recreation and leisure facilities and *infrastructure* (usually described as agglomeration effect)). These are generally considered to exceed the inconveniences such as congestion, pollution, and noise. Growth in some urban areas and demand for living in and visiting Otago can also be driven by proximity and access to highly valued natural features, such as the coast, mountains, *lakes*, and *rivers*. The open space and landscapes provided in rural areas also drives demand for rural *residential living lifestyle development*,³⁹⁵ particularly in areas with these qualities that are also in relative proximity to urban services.

³⁸⁹ <http://www.allergy.org.nz/site/allergynz/files/Annual%20Pollen%20Calendar.pdf> (accessed 26 May 2021)

²³ Statistics New Zealand Subnational Population Projections, 2018 base, published 31 March 2021 (accessed 26 May 2021)

³⁹⁰ 00226.024 Kāi Tahu ki Otago

³⁹¹ 00236.025 Horticulture NZ

³⁹² 2018 Census place summaries: Stats NZ. (n.d.). Retrieved June 29, 2020, from <https://www.stats.govt.nz/tools/2018-census-place-summaries/otago-region> (accessed 26 May 2021)

³⁹³ The rural/urban area definitions in this paragraph are taken from Statistics New Zealand Urban/Rural Classification at the SA2 geographic level using usually resident population data from the 2018 Census.

³⁹⁴ Statistics New Zealand Subnational Population Projections, 2018 base, published 31 March 2021 (accessed 26 May 2021)

³⁹⁵ Clause 10(2)(b)(i), Schedule 1, RMA – Consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

Well-functioning urban places need to be dynamic and efficient, enable human social interactions and provide a wide variety of housing, employment, service and recreational opportunities that meet changing needs and preferences, in a way that maximises the well-being of all its present and future inhabitants, and respects its history and historic heritage, its setting and the *environment*. This requires well located development, supported by the necessary infrastructure.

Urban growth, especially if it exceeds *infrastructure* capacity (either through sheer pace and scale or by lack of planning) or if it occurs in a way or at a rate that mean that appropriate *infrastructure* is not provided, is lagging or is inefficient, can result in adverse impacts on the *environment*, existing residents, business and wider society. Quality urban environments are those that maximise the positive aspects of urban areas and minimise the negative.³⁹⁶

In addition, the productive land in Otago contributes to the social and economic wellbeing of the community through production of food and other rural production-based products. However, where development occurs in a place or manner that removes or reduces the potential to use productive land, including through reverse sensitivity effects, the productive capacity of the land is compromised.³⁹⁷

Impact snapshot

Environmental

Urban areas and associated concentration of human activity result in adverse impacts on the natural environment, as a result of land consumption, landscape, waterway and vegetation modification for housing, industry, transport of goods and people and recreation areas, the diversion and use of *water*, and waste disposal and effluent and pollution *discharges* to air, *land* and *water*. All of these can also impact *mana whenua* values. These impacts can also result in loss or impediment of access to important resources including significant biodiversity or natural features and landscapes. Poorly managed urban growth can lead to additional carbon emissions, this can create tensions between the need to increase residential housing stock and the need to meet carbon reduction targets.³⁹⁸

Urban development growth within rural areas can also lead to reverse-sensitivity effects on existing primary production activities, because urban activities can be sensitive to the effects generated by primary production activities, whereby traditional methods of pest management or the undertaking of rural production activities cannot be deployed due the proximity of urban populations and the potential for adverse impacts on those populations.³⁹⁹ Urban growth can also impact air quality, through increased vehicle use, but also particularly where *solid fuel* burners are used, noting they are the heating of choice in Otago. Urban areas such as Arrowtown, Cromwell, Alexandra, Clyde, Milton, and Mosgiel already do not meet National Environment Standards for Air Quality (NESAQ), for example. Emissions from existing domestic fuel burners account for more than 95% of winter *PM₁₀* emissions in all of these towns but Milton.²⁴ Air quality in urban areas in Otago therefore needs to be addressed from two perspectives, dealing with existing problems and, in areas where further development is planned, addressing the additional impact that development may have.

³⁹⁶ 00411.105 Wayfare

³⁹⁷ 00236.025 Horticulture NZ

³⁹⁸ QLDC (not captured on SODR)

³⁹⁹ 00208.004 AgResearch, 00410.002 Rural Contractors NZ

Economic

While potentially providing short term commercial returns, poorly managed urban growth and development may result in long term impacts including:

- the loss of land for primary production activities ~~productive land~~⁴⁰⁰ (either directly through building on it, or indirectly through reverse sensitivity effects);
- the consequences of previous decisions (low density development, including rural **residential lifestyle**,⁴⁰¹ in the short term can preclude higher density development in the medium to longer term);
- increased capital and operational costs for *infrastructure* which can foreclose other more suitable investments or spending, increased costs from less efficient spatial arrangements (such as increased transportation and *infrastructure* costs to both users and operators), and loss of valued natural capital and future opportunities; and
- housing affordability can be negatively affected by urban growth where demand outpaces supply.

~~In Otago, housing has been more affordable for homeowners than the NZ average in recent years, however house value growth has been higher in Otago (12.6% per annum) than the NZ average (7%) since 2017.~~⁴⁰²

The costs and negative impacts from ‘over planning’ for growth are much lower than the direct and wider costs and risks of under-planning, and largely relate to the provision of infrastructure ahead of demand. While this can cause financial and operational issues for infrastructure providers, undersized or delayed infrastructure also generates impacts for those providers, and the wider economy, through delayed, foregone, or less appropriate or efficient development, and contributes to rising housing and land costs.

Social

Adverse impacts from inefficient or poorly planned urban development affect the well-being of both individuals and communities. This shows up as health risks as a result of increased air pollution and *water* pollution, decreased social capital and mental health in fragmented, disconnected and dispersed communities and inequality impacts arising from less-competitive land and house markets and reduced housing choice and access to affordable housing.

Changes in the overall number of people and changes in preferences can alter the relative balance between supply and demand for housing and where supply is unable to respond in a timely way to demand, this can impact on prices for housing, including rent. These impacts can disproportionately affect people on lower incomes who may already face affordability issues, and accordingly have less options. While Otago has traditionally been relatively affordable, house prices have risen rapidly across almost all districts, at a rate higher than the national average.

Transportation of goods and people between and within urban areas can also generate impacts on humans. For example, increased traffic congestion and lack of safe and attractive alternatives within

⁴⁰⁰ 00322.006 Fulton Hogan

⁴⁰¹ Clause 10(2)(b)(i), Schedule 1, RMA – Consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

⁴⁰² 00138.004 QLDC

urban areas impacts people and businesses living near to high volume traffic routes, resulting in lost time for family and other activities for those who use them, and *road* fatalities on rural highways.

Urban growth has the potential, through good development planning and provision of appropriate infrastructure, to improve well-being by providing an increased range of housing types in more locations, resulting in greater range of prices. Well planned subdivisions provide opportunities to increase public access to natural environments, including to the coast (e.g. via esplanades, *lakes*, *rivers* and their margins), to protect areas of cultural or historic significance and to provide means or other measures for their protection, such as through restrictive covenants. Poorly managed growth can compromise both access to and protection of natural and cultural environments, and as subdivision and development is effectively permanent and irreversible, it is important that it is done well with an eye to the longer term.

SRMR–15 – *Freshwater* demand exceeds capacity in some places

Statement

In *water*-short catchments, *freshwater* availability may not be able to meet competing demands from the health and well-being needs of the *environment*, the health and well-being needs of people, and the ability of people and communities to provide for their social, economic and cultural well-being. Many of these catchments are also experiencing urban growth, changes in rural *land* uses, and increased demand for hydro-electric generation. Individually and cumulatively these can alter demand including further increases in demand on *freshwater* supply. Some catchments are complex, making it challenging to identify or mitigate these *effects*.

Context

Freshwater, including *rivers* and streams, *lakes*, *groundwater* systems, and *wetlands*, is a finite resource, critical to the environment, society and the economy. In Otago, access to, allocation, and *use* of *freshwater* reflects current demands and historical development associated with “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.

Population growth and land-use intensification in urban and rural environments can create increased demand for *freshwater* for human consumption, irrigation and other economic uses. *Freshwater* resources in some places are reaching, or are beyond, their sustainable abstraction 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.

On 3 September 2020, new National Environmental Standards for Freshwater (NESF) and a new National Policy Statement for Freshwater Management (NPSFM)⁴⁰³ came into force. They have a goal of improving *freshwater* quality within five years, reversing past damage 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

⁴⁰³ <https://www.mfe.govt.nz/fresh-water/freshwater-acts-and-regulations/national-policy-statement-freshwater-management> (accessed 26 May 2021)

health and needs of people (such as *drinking water*); and finally the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

Impact snapshot

Environmental

Freshwater abstraction can reduce *water* level or flow and connections between different *water bodies*. This can negatively impact ecosystems by affecting⁴⁰⁴ *freshwater* habitat size and the shape and condition of the *water 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. How much an ecosystem is affected by taking *freshwater* is determined by departure from natural flow regimes, taking into account magnitude, frequency, timing, duration and rate of change, and ecosystem capacity to recover.

Economic

Freshwater in the Otago region is a factor of production that directly contributes to human needs (urban *water* supply), agriculture (including irrigation), hydro-electric power supply, and mineral extraction. *Freshwater* also indirectly contributes to the tourism industry through maintenance of *freshwater* assets for aesthetic and commercial recreational purposes. Lack of *freshwater* can negatively impact economic output of those industries that rely on *water* in the production process. To varying degrees these impacts can be mitigated through *water* efficiency measures and innovation. At the same time other industries, such as tourism that rely on the aesthetic characteristic of *rivers* and *lakes*, do not have such opportunities available to them and instead rely on management regimes that sustain flows and *water* levels suitable for their activities.

Social

Ensuring appropriate *freshwater* supply for human *use* is available as part of planned urban growth is essential. It is possible this may require consideration of additional *freshwater* storage in the future. The region's *freshwater* assets also support a range of recreation uses, for example camping, fishing, *water* sports, and swimming. These values are strongly linked to environmental values and as such, reduced environmental flows have a corresponding negative impact on social and cultural values.

SRMR–I6 – Declining *water* quality has adverse *effects* on the *environment*, our communities, and the economy

Statement

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 be attributed to *discharges* from *land use* intensification (both rural and urban) and *land* management practices. Erosion, run-off and soil loss can lead to sediment and nutrients being deposited into *freshwater* bodies resulting in declining *water* quality.

⁴⁰⁴ Clapcott, 2018, Our Freshwater 2020

Context

The health of *water* is vital for the health of the *environment*, people and the economy. It is at the heart of culture and identity. Nationally, and in parts of Otago, *freshwater* is facing significant pressure. Population growth and land-use intensification in urban and rural environments has impacted the quality of *water*, increasing contamination from nutrients and sediment.

Water quality affects a wide range of environmental health factors, human survival needs, and cultural, social, recreational, and economic uses. Some of the biggest impacts on *water* quality in Otago are considered to come from agriculture and urbanisation, through diffuse *discharges* and point source *discharges*.

On 3 September 2020, new National Environmental Standards (NESF) and a new National Policy Statement (NPSFM)⁴⁰⁵ came into force to improve *water* quality within five years; and reverse past damage and bring New Zealand's *freshwater* resources, waterways and ecosystems to a healthy state within a generation.

Impact snapshot

Environmental

Despite the region's *lakes* and *rivers* being highly valued by Otago communities, reports indicate there are reasons for concern about *water* quality and its trends with consequent potential impact on ecosystems and people.

Water quality across Otago is variable. *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*. *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, Kaikorai Stream, and the lower Clutha catchment, have some of the worst *water* quality in the region; Otago's central lakes are impacted by increased population, urban development and tourism demand; other areas, such as urban streams in Dunedin, intensified catchments in North Otago and some tributaries, also have poor *water* quality.⁴⁰⁶ Between 2006 and 2017, trends in a number of *water* quality parameters were worsening.⁴⁰⁷

For *E. coli*, for example, 30% of sites had a probable or significant worsening trend compared to 7% of sites that had either stable or improving trends. In urban streams in Dunedin, intensified catchments in North Otago and some tributaries of the Pomahaka, *E. coli* was the worst performing variable⁴⁰⁸. In many cases, the specific source of contamination is unknown.

There are many different types and sizes of *lakes* in Otago. ORC monitors *water* quality in *lakes*, of which eight have generally shown good *water* quality. There have been concerns within the community about the quality of *water* in Lakes Wānaka, Wakatipu and Hayes.

⁴⁰⁵ <https://www.mfe.govt.nz/fresh-water/freshwater-acts-and-regulations/national-policy-statement-freshwater-management> (accessed 26 May 2021)

⁴⁰⁶ Rachel Ozanne and Adam Uytendaal (2017) *State of the Environment Surface Water Quality in Otago 2006 to 2017*: Otago Regional Council p ii

⁴⁰⁷ Ibid.

⁴⁰⁸ Ibid.

Groundwater quality also varies across the region, with some areas having elevated *E. coli* and nitrate concentrations above the NZ Drinking Water Standards. The main areas with elevated nitrate concentrations are North Otago and the Lower Clutha. Some bores across the region have exceeded the drinking water standards for *E. coli*; highlighting localized problems, likely due to inadequate bore head security. In addition to human sources of poorer groundwater quality, low groundwater quality from natural or geologic sources may also affect the potability of bore water throughout Otago (e.g. naturally occurring arsenic or boron concentrations found in bores associated with particularly geologies).

Stock entering *water bodies* can lead to pugging and destruction of riparian soils and *beds* that play an important role in filtering *contaminants*, 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.⁴⁰⁹

Sediment is a key issue for *freshwater* quality throughout Otago, including coastal estuaries where it can significantly impact the life supporting capacity of waterways. Urban development is a key generator of sediment input to *lakes* and *rivers* in Central Otago, from *building* platforms and from *stormwater* contamination. Activities such as agricultural intensification, mining, and forestry also contribute.

Agricultural intensification also contributes to nutrients (nitrogen and phosphorus) leaching into underlying *groundwater* or running off into surface *water bodies*, and can also increase the risk of *E.coli* contamination from animal waste.

Urban environmental *contaminants* include hydrocarbons, and metals from *roads* and *structures*. They often wash into urban *stormwater* systems and pass unfiltered into *water bodies*, or the *coastal marine area*. *Stormwater effects*, particularly in urban areas, are poorly understood. *Wastewater* and *stormwater* systems may not be adequate in some places due to aging *infrastructure*, rapid growth pressure, or insufficient investment in replacement or upgrades. Overflows of *wastewater* (*sewage* and waste products) create significant *risks* for *water* quality. These can enter the *environment* either directly or through *stormwater* systems, particularly in flood events.

Economic

Water pollution (from nutrients, chemicals, pathogens and sediment) can have far-reaching *effects* potentially impacting tourism, property values, commercial fishing, recreational businesses, and many other sectors that depend on clean *water*.⁴¹⁰

These impacts can be direct (varying the quality of primary production outputs such as fish); increasing costs of production through mitigation or remediation costs (*drinking water* treatment cost, riparian restoration); loss of enjoyment and benefit from tourism uses, and indirect such as cost to human health and associated medical costs, or reduction in brand value (e.g. Brand New Zealand).

Social

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

⁴⁰⁹ Science Staff Survey, June 2020.

⁴¹⁰ <https://www.epa.gov/nutrientpollution/effects-economy> (accessed 26 May 2021)

swimmable.⁴¹¹ Where *water* quality cannot support these activities, the lifestyle of those living in Otago is impacted.

Degraded *water* quality reduces the mauri of the *water* and the habitats and species it supports, therefore also negatively affecting mahika kai and taoka species and places. This constitutes a loss of Kāi Tahu culture, affecting the intergenerational transfer of knowledge handed down from tūpuna over hundreds of years; and it culminates in a loss of rakatirataka and mana.

SRMR-17 – Rich and varied *biodiversity* has been lost or degraded due to human activities and the presence of pests and predators

Statement

Fragmentation, loss and isolation of populations and communities of indigenous species has been ongoing across New Zealand, and Otago is no exception. *Biodiversity* mapping indicates Otago is one of the most modified regions in New Zealand.⁴¹² This can be attributed to habitat loss, land use changes, vegetation clearance and the presence of pests and predators. Further, many of these *effects* are a result of the cumulative changes of past and current development. These cumulative *effects* have often not been identified, managed or measured. Leadership and coordination of the various initiatives to address *biodiversity* loss has also been lacking.

Context

Otago is notable for the diversity of its landscapes, ecosystems, and climatic conditions. With that comes a diverse range of important *biodiversity* values which are at *risk*. These include rare ecosystems such as inland saline habitats, nationally rare *lake* and *river* systems, endemic and threatened lizard and fish species and important and diverse marine and coastal habitats.

Ecosystems are an interacting system of living and non-living parts such as sunlight, air, *water*, *minerals* and nutrients. *Biological diversity* (hereafter called *biodiversity*) describes the variety of all living things, including the range of species living in our *environments*, their genetics, and the ecosystems where they live. New Zealand's high level of indigenous *biodiversity* makes a unique contribution to the world's *biodiversity*. Otago is a good example of the enormous diversity in New Zealand's natural environment from toroa (albatross) and hoiho (yellow-eyed penguins) on the Otago Peninsula to the endangered species (for example, skinks) of Central Otago, the kea of the Southern Alps, galaxias species as well as the internationally significant braided *rivers* and their ecosystems.

The health of New Zealand's *biodiversity* has declined significantly since the arrival of humans. Environment Aotearoa 2019⁴¹³ found that our indigenous *biodiversity* is under significant pressure from introduced species, pollution, physical changes to our *environment* and harvesting of wild species.

⁴¹¹ This estimate applies to larger rivers and lakes, defined as “rivers that are fourth order in the River Environment Classification system and lakes with a perimeter of 1.5km or more” – ORC Policy Committee Report – 29 Nov 2018 - PPRM1843

⁴¹² Wildlands (2020). Unpublished Consultancy Report to Otago Regional Council R5015a. Mapping of potential natural ecosystems and current ecosystems in Otago region. (New footnote attributed to 00239.026 Federated Farmers)

⁴¹³ <https://environment.govt.nz/assets/Publications/Files/environment-aotearoa-2019.pdf> (accessed 26 May 2021)

Almost 4,000 native species are currently threatened with, or at *risk* of, extinction. The information available indicates Otago's *biodiversity* faces the same challenges.

Impact snapshot

Environmental

Threats to *biodiversity* in Otago include invasive species (weeds and predators), vegetation clearing, land fragmentation and grassland "improvement", poor *water* quality (nutrients and sediments), dredging and overfishing.

There are ~~6261~~⁴¹⁴ ecosystems in the Otago region.⁴¹⁵ Whilst the average ecosystem extent compared to pre-European settlement is 62%, over 17 communities have been reduced to less than 40% extent. Forest communities have declined substantially, for example kahikatea forests have been reduced to 3.9% of pre-European extent. Matai, totara, broadleaved forest (6.5%) and Kirk's scurvy grass herbfield/loamfield (7.1%) have also been significantly reduced. ~~There are six ecosystems with less than 10 hectares remaining.~~⁴¹⁶

Impacts of human activities are evident both in terms of species and ecosystems. Some 44% of Otago's bird species are threatened or at *risk*; 88% of lizard species; and 72% of indigenous fish species. Inland Otago has degraded native fish communities, due to anthropogenic alteration of waterways (such as damming, abstraction, bed manipulation, draining wetlands), the discharge of contaminants ~~the presence of the Clutha dams and their effects on eel populations~~⁴¹⁷ and trout predation on native galaxiids. This is illustrated by the low scores for Otago's *rivers* in the *freshwater* fish index of biotic integrity.

The extent of impacts on marine species and environments is not well understood. Sedimentation and nutrients entrapped in land run-off⁴¹⁸ is known to have contributed to the loss of kelp forests.⁴¹⁹ In addition to sedimentation, other human impacts on kelp forests include rising sea surface temperatures associated with climate change, the introduction of invasive species and fishing ~~and trophic cascades from fishing pressure; together with downward trends in fish and crayfish catches.~~⁴²⁰ There has been a 70% decline in the abundance of hoiho (yellow-eyed penguin) on the Otago coast since 2008⁴²¹ ~~and downward trends in ngohi (fish) and koura (crayfish) catches.~~⁴²² The effects of *climate change* will add significantly to *risks* of continuing *biodiversity* decline.

Economic

⁴¹⁴ Clause 16(2), Schedule 1, RMA

⁴¹⁵ Wildlands (2020). Unpublished Consultancy Report to Otago Regional Council R5015a. Mapping of potential natural ecosystems and current ecosystems in Otago region.

⁴¹⁶ Clause 16(2), Schedule 1, RMA

⁴¹⁷ 00231.027 Fish & Game

⁴¹⁸ 00303.001 Fisheries New Zealand

⁴¹⁹ Schiel et al. 2006, Sediment on rocky intertidal reefs: Effects on early post-settlement stages of habitat-forming seaweeds, *Journal of Experimental Marine Biology and Ecology* 331(2):158-172 (reference provided by Department of Conservation)

⁴²⁰ 00303.001 Fisheries New Zealand, 00125.023 Otago Rock Lobster

⁴²¹ Department of Conservation, 2008, Unpublished data.

⁴²² 00125.023 Otago Rock Lobster

Biodiversity and ecosystem services underpin agriculture ~~primary production~~⁴²³ (ecosystem services such as *water*, soil *biodiversity*, pest protection, pollination) and tourism (the “clean green” image of “pure New Zealand” is related to a public perception of Otago’s healthy *environment* and biodiversity).

Short-term impacts of loss of productivity or increased costs of pest management occur and longer-term impacts of net loss of natural capital in the region over time are also of concern. The economic costs of lost productivity due to pests, erosion and damage to land, are likely to be significant and there is potential for loss of *biodiversity* to adversely impact on the economy.

Social

Biodiversity is a significant contributor to the community’s recreational experiences and intrinsic values. *Biodiversity* loss will adversely impact those values and experiences. Some introduced species such as trout, deer and pigs have social and recreation values but ~~may~~⁴²⁴ also have impacts on native ecosystems and species.

SRMR-I8 – Otago’s coast is a rich natural, cultural and economic resource that is under threat from a range of terrestrial and marine activities

Statement

Otago’s coast provides habitat for rare species (including toroa and hoiho), comprises some of the region’s outstanding natural⁴²⁵ landscapes, is a rich food source, provides many recreation opportunities, is the location for some industries, and has potential for further economic use (aquaculture). Threats to it are not always well understood and not always well managed. From the sedimentation *effects* of inland development to waste disposal, human activity puts stress on the marine and coastal environment. Some of those activities, like port activities and tourism, are also vital to the region’s economic well-being.

Context

Otago’s coastal environment includes land adjoining the coast where coastal characteristics apply (as outlined in NZCPS Policy 1), and the coastal marine area is generally considered to extend from the land that forms the first significant ridgeline⁴²⁶ out to the twelve nautical mile seaward limit. The coastal environment is a finite resource which is sensitive to change. Recent rapid expansion of some types of coastal development is a significant issue for the sustainable management of the coastal environment of Otago.

Activities occurring within or affecting the coastal environment include urban development, recreational activities, transport *infrastructure*, energy generation and transmission, land and marine based (e.g. aquaculture) food production industries and other rural industry activities, carbon forestry and⁴²⁷ *plantation forestry*, fishing, tourism, and *mineral* extraction. Such activities can be important contributors

⁴²³ 00239.026 Federated Farmers

⁴²⁴ 00230.026 Forest and Bird

⁴²⁵ 00411.116 Wayfare

⁴²⁶ 00137.035 DOC

⁴²⁷ 00239.027 Federated Farmers

to the existing and future health and well-being of communities, when they are located and managed appropriately. A number of these activities provide a significant contribution to the regional economy.

Dunedin is a major coastal city with increasing urban development. It also hosts *infrastructure* of national significance such as Port Otago and associated *road* transport networks servicing the Otago region and beyond which contribute to and facilitate regional economic and social development.

The community values the coast for its landscapes, natural character, recreational uses and associated habitat for biodiversity. Recreational activities such as boating, fishing, swimming and general beach access are interconnected with coastal values. Conserving coastal biodiversity and marine reserves are associated with coastal values.⁴²⁸ A key challenge is the protection of the coast's natural and cultural assets while enabling economic and social development opportunities to be realised.

Impact snapshot

Impacts of hazards, climate change, pests, fresh⁴²⁹ water, and biodiversity loss, which have been discussed above, all impact the coast. Urban development and population pressure can amplify these effects.

Environmental

These impacts can affect natural processes. For example, poor water quality can result in degradation of estuarine and ocean chemistry with adverse impacts on ecosystems, including coastal *wetlands* and marshes, benthic muds, subtidal and inter-tidal area muds/sands, reefs, and marine vegetation areas (e.g. sea grasses, kelp). Ecosystems and indigenous biodiversity, and their flora and fauna (from zooplankton to whales) can be impacted by urban and industrial development, pests, and climate change leading to biodiversity loss.

Natural features, and landscapes and (including seascapes), and *surf breaks* of national significance can be affected by human activity, climate change, and natural hazards. Susceptibility Vulnerability⁴³⁰ to these impacts is determined by susceptibility, spatial scale, frequency, functional impact/consequence, recovery capacity/time, and likelihood of the impact's occurrence. Around Dunedin, for example, impacts include nutrients and contaminants from Dunedin stormwater which impact on coastal waters and estuaries; declining hoiho (yellow-eyed penguins) numbers due to introduced predators and domestic pets; whilst recovering seal and sealion numbers can create conflict with recreational *uses* on the coast; and beach erosion at St. Clair in Dunedin⁴³¹ can impact social values and beach recreation use.

Economic

Deterioration of coastal assets and values causes loss of production and income, increases *infrastructure* costs and costs of production, and loss of property values. There are also costs associated with mitigation, for example in the case of coastal erosion. Other economic impacts include recreation and tourism industries being adversely impacted by degraded coastal environments; marine industry production suffering because of poor *water* quality; dredging of sedimentation; and costs of mitigating adverse impacts, e.g. combatting invasive pests.

⁴²⁸ ORC Committee Report, RPS Consultation Summary, ORC Agenda 27 May 2020

⁴²⁹ 00223.047 Ngāi Tahu ki Murihiku

⁴³⁰ 00230.020 Forest and Bird

⁴³¹ 00120.022 Yellow-eyed Penguin Trust

Social

Impacts on the coastal environment and its associated unique values include those on its landscapes and landforms, those on it as a place to live and work and for recreation activities, those on access, and those which give rise to coastal deterioration and which compromise general enjoyment and amenity for communities.

SRMR–I9 – Otago lakes are subject to pressures from tourism and population growth

Statement

The beauty, recreational opportunities and regional climate of Lakes Wanaka, Wakatipu, Hāwea and Dunstan and their environs attract visitors and residents from around the region, the country and the world. This influx brings economic opportunity, but the activities and services created to take advantage of it can degrade the *environment* and undermine the experience that underpins their attractiveness.

Context

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*, and renewable energy production.

Urban growth is adversely affecting the natural features and landscapes around the lakes. The amount of growth is demonstrated in the Queenstown Lakes District, including Queenstown and Wanaka, where the population tripled in the last 20 years from 16,750 in 1999 to 47,400 in 2020.⁴³² Continued growth is projected over the 30 years from 2020 to 2050 (by 63%)⁴³³.

This desire of New Zealanders and international visitors to enjoy the outstanding natural environments of the Otago *lakes* has placed significant pressures on the *environment*, transport, energy and other *infrastructure*, health services and social structures. At the same time the economy of the Otago lakes area is heavily dependent on tourism. For example in 2020, tourism employment accounted for an estimated 56% (or 17,758) of the jobs in the Queenstown-Lakes district; tourism GDP accounted for 43.7% (or NZ \$1.7 billion) of the district's GDP and international tourism contributed 64% (or NZ \$1.89 billion).⁴³⁴ The Otago-Lakes area also supplies significant renewable energy for *use* in Otago and beyond.

Impact snapshot

Environmental

Population pressures arising from urban development, and tourism population pressures are impacting on the *environment*. Lake Wanaka, Lake Hāwea, and Lake Wakatipu, as well as the Kawarau River and

⁴³² Infometrics online database (February 2021)

⁴³³ Queenstown-Lakes District Council demand projections by Utility

⁴³⁴ Infometrics online database; (February 2021)

upper reaches of the Clutha Mata-au and Taieri Rivers all have good *water* quality which equates to the “A” band (being top/best level) for the *National Objectives Framework*.⁴³⁵

However, *water* quality is being adversely impacted by increased population, urban development and tourism demand which is straining existing waste management infrastructure. In addition, localised degradation of some areas is occurring due to overuse and unregulated use (e.g. freedom camping). The amenity of these areas is being compromised in some places by over-crowding.

Recreation *use* impacts on the *environment* can be a *risk*, for example the distribution of pest species can be accelerated as has occurred for lake snow and *Lagarosiphon* weeds being spread by recreation boating movements. Natural features and landscape values are also adversely impacted by tourism and urban growth, and energy production.

Economic

The economic benefits of urban development, tourism, agriculture, energy production and *water* supply can be positive for the Otago-Lakes’ communities and visitors. It also impacts on the region’s natural assets with a growing cost to the region that puts at *risk* the *environment* highly prized by residents and visitors. There are also impacts between industry sectors.

For example, the clean green image of New Zealand, of which the Otago Lakes area is symbolic, is at *risk* of being compromised because of over-crowding in peak tourism seasons. This has the potential to adversely affect the existing regional economy and future economic development; and the tourism industry’s social licence to operate. At the same time tourism can negatively impact on how agriculture can operate, potentially limiting its contribution to the regional economy.

Urban development brings economic development and improved opportunities and standards of living to the Otago lakes area but can adversely impact on both the *environment* and how agriculture can operate.

Social

Over-crowding impacts adversely affect recreation experiences of both tourists and residents, such as fishing and *water* sports, and urban amenity. *Infrastructure* capacity limits can, for example, result in an increased number of wastewater overflows to the environment when demand on the network exceeds capacity. These can have significant adverse impacts on human health as well as recreational amenity.

SRMR-I10 – Economic and domestic activities in Otago use natural resources but do not always properly account for the environmental stresses or the future impacts they cause

Statement

Sediment from development and ~~forestry~~ *primary production*⁴³⁶ activities flows⁴³⁷ into streams and builds up in the coastal environment, smothering kelp forests and affecting rich underwater habitats. *Water* abstraction and wastewater and stormwater discharges adversely affect the natural environment, cultural

⁴³⁵ Land, Air, Water, Aotearoa: <https://www.lawa.org.nz/explore-data/otago-region/> (accessed 26 May 2021).

⁴³⁶ 00020.005 Rayonier Matariki

⁴³⁷ Clause 16(2), Schedule 1, RMA

and amenity values, and recreation. Agriculture, fishing⁴³⁸ and minerals extraction support employment and economic well-being but also change landscapes and habitats. Otago's port moves freight to and from Otago and Southland, but operates alongside sensitive environments, including the Aramoana saltmarsh. Tourism, which relies on the environment, can also put pressure on natural environments.

Context

The Otago regional economy GDP totals \$13.2 billion and supports a population of 236,200 residents (over half of which are in Dunedin). A significant part of the economy relies on the region's natural resources (air, vegetation, biodiversity, *water*, *land*, marine and *minerals*). This supports agriculture, forestry, fishing (6.9% of GDP), mining (4.5% of GDP), electricity, gas, *water* and waste services (4.4% of GDP), as well as conservation activities and hunting. Tourism (18.1% of GDP) also partially relies on the natural values of the region.⁴³⁹

However, economic activity needs to more effectively account for and manage its impacts on the region's natural resources.⁴⁴⁰ Where business and social activity does not account for its impacts on natural resources in the long term, not only is the sustainability of the region's natural resources threatened, but equally the associated long term economic, social and cultural values are also threatened.

Impact snapshot

Environmental

Economic activities can lead to, for example, biodiversity loss, poor *water* quality, coastal and marine degradation, and loss of natural features and landscapes. These and other matters are considered in further detail elsewhere in this chapter.

Negative impacts on the *environment* can also compromise the ecosystems and the services economic activities depend on (ecosystem services), for example loss of *wetlands* which provide flood attenuation services, loss of biodiversity which provide pest control and pollination services, and loss of soil biodiversity. Economic activity also has the potential to compromise or destroy natural features and landscapes. Such impacts are both immediate and cumulative. Cumulative impacts that are not addressed have the potential to lead to tipping points beyond which systems can no longer properly function.

Economic

The costs of production can rise because of poor quality natural resources, for example, through higher input costs (e.g. fertiliser, weed and pest control); and remediation requirements (e.g. riverbank restoration, erosion control). Some land management practices can compromise productive capacity of agricultural land, for example, loss of soil through erosion or soil structure through compaction. Marine industries (e.g. fishing and aquaculture) can also be adversely affected.

⁴³⁸ 00126.001 Harbour Fish, Southern Fantastic and Fantastic Holdings, 00124.001 Southern Inshore Fisheries Management Company Limited

⁴³⁹ Infometrics, August 2020.

⁴⁴⁰ <https://www.orc.govt.nz/media/8882/community-consultation-summary-report-draft.pdf> (accessed 26 May 2021)

Business environmental performance is becoming increasingly important in terms of providing access to investment. Poor business environmental performance can also lead to increased regulatory requirements and associated higher costs of doing business.

Social

Damage to or loss of natural features and landscapes compromises *amenity values*. Failure of business to sustainably manage their impact on natural resources can compromises⁴⁴¹ the social licence of a business sector to operate. This adversely impacts social capital (trust) and can create community division. In extreme cases it can lead to calls for reduced access to resources.

SRMR-I11 – Cumulative impacts and *resilience* – the environmental costs of our activities in Otago are adding up with tipping points potentially being reached

Statement

How and where we currently live, and the activities we undertake, are is⁴⁴² likely to change significantly in coming years. To respond to all the issues identified in this RPS, it is essential to consider changes to how we travel, the industries our economy relies on, the use we currently make of the natural and physical resources of the region, and how we provide for personal and community well-being, all while protecting our natural environment. Consideration must include the rate at which change or adaptation is required to occur, the nature of place-specific and activity-specific responses required, and the timeframes for action.⁴⁴³

Context

The long term environmental, economic, and social well-being of the Otago region requires anticipating and minimising cumulative environmental impacts before they reach a tipping point, beyond which systems can no longer properly function. This requires *resilient* frameworks that take account of the dynamic relationship between the *environment*, economy and people while acknowledging that the future is always uncertain, and knowledge is imperfect. Should a tipping point be reached a *resilient* Otago society will have the ability to absorb, respond to, adapt to, and recover from disruptive events.⁴⁴⁴

Impact snapshot

Environmental

While many ecosystems have a degree of *resilience*, increasing pressures on the *environment*, typically as a result of human activities (for example economic development), can have an adverse cumulative *effect*. *Climate change* also has the potential to seriously challenge ecosystem adaptive capacity. Much work is

⁴⁴¹ 00206.093 Trojan, 00411.126 Wayfare

⁴⁴² 00236.055 Horticulture NZ, 00235.058 OWRUG

⁴⁴³ 00236.055 Horticulture NZ, 00235.058 OWRUG

⁴⁴⁴ <https://www.civildefence.govt.nz/cdem-sector/plans-and-strategies/national-disaster-resilience-strategy/national-disaster-resilience-strategy-summary-version/> (accessed 26 May 2021)

being undertaken to address this challenge, but it is still possible that permanent changes may occur (tipping point).

The first and best response is to ensure sustainable management of our natural resources and avoid immediate and long-term cumulative *effects* that degrade the *environment*. At the same time a *resilience* approach is needed that identifies ~~thresholds~~ and sets **environmental limits**⁴⁴⁵ on the use of natural resources to avoid permanent and potentially catastrophic changes occurring, as would occur if a tipping point is reached.

Indicators and tools for measuring *resilience* and tipping points remain in the early stages of understanding and development. Even though regulatory agencies and proponents for natural resource development and environmental rehabilitation projects have difficulties interpreting and verifying the potential for environmental recovery and *resilience* (particularly in relation to the regulatory context of impact assessment in order to provide consenting decisions for regulated activities)⁴⁴⁶ that should not be taken as a reason to delay acting.

Social and economic

The well-being of Otago's people and communities in the long term will be sustained by the enduring ecological health and *resilience* of the *environment* and by human activity providing for the *environment* in equal or greater measure than is taken from it (in other words, net impact determines net well-being). It will also be sustained through community *resilience* so that it can adapt and nimbly respond to future challenges.

⁴⁴⁵ 00231.009 Fish and Game

⁴⁴⁶ <https://par.nsf.gov/servlets/purl/10047476> (accessed 26 May 2021)

RMIA – Resource management issues of significance to iwi authorities in the region

Introduction

The MW – *Mana Whenua* chapter describes the integral relationship between Kāi Tahu and the natural world, including the relationship with particular resources, and the values that influence the Kāi Tahu approach to resource management. The issues and concerns described in this chapter should be read and understood in the context of the explanations in the MW – *Mana Whenua* chapter.

RMIA-WAI – Wai Māori

Context

Water plays a significant role in Kāi Tahu spiritual beliefs and cultural traditions. Kāi Tahu have an obligation through whakapapa to protect wai and all the life it supports. Whānau have observed the health of *water* degrade through time and consider it is crucial that this degradation is reversed.

RMIA-WAI-I1 – The loss and degradation of *water* resources through drainage, abstraction, pollution, and damming has resulted in material and cultural deprivation for Kāi Tahu ki Otago

The drainage of *wetlands*, *water* abstraction, degraded *water* quality, barriers to fish passage and changes to flow regimes as a result of damming have had significant negative impacts on Kāi Tahu. These activities degrade the mauri of the *water* and the habitats and species it supports, therefore also degrading mahika kai and taoka species and places.

These changes to the *environment* have meant that Kāi Tahu have had to adapt and change their *use* of the *environment*. As traditional mahika kai places and species have declined, mahika kai must now be carried out in artificial habitats such as reservoirs, and whānau have had to switch to exotic species such as trout and salmon. The mātauraka associated with traditional mahika kai species and places cannot be passed on, and the intergenerational transfer of knowledge that has occurred for over 800 years is broken. Place names that carry tribal history are no longer reflective of their places – for example no one would now claim that the Waiareka is ‘sweet water’ to drink.

RMIA-WAI-I2 – Current *water* management does not adequately address Kāi Tahu cultural values and interests

Kāi Tahu values and interests are not properly considered in current *land* and *water* resource management. The well-being of ~~mahika kai~~ *mahika kai*⁴⁴⁷ and taoka and protection of other cultural values is rarely given effect to in environmental policy or decision-making processes and these considerations are often compromised in favour of other values, including economic values. The mana of *mana whenua* and of the *water* is not recognised because *water* quality and quantity have been allowed to be degraded. Resource management in Otago has failed to meet its obligation to recognise Kāi Tahu

⁴⁴⁷ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

values and provide for the relationship of Kāi Tahu with the *water bodies* within their rohe. The understanding of cultural values by many is still developing and, as a result, Kāi Tahu values and interests are often not well represented in plans and decision-making.

RMIA-WAI-13 – The *effects of land and water use activities on freshwater habitats have resulted in adverse effects on the diversity and abundance of mahika kai resources and harvesting activity*

Mahika kai is the gathering of foods and other resources, the places where they are gathered, and the practices used in doing so. Mahika kai is an intrinsic part of Kāi Tahu identity and economic well-being. Kāi Tahu fishing rights were explicitly protected by the Treaty of Waitangi. Not only was the right to engage in mahika kai activity confirmed, so too was the expectation that such activity will continue to be successful as measured by reference to past practice. However, as described in evidence provided to the Waitangi Tribunal in the Ngāi Tahu claim, there has been a dramatic loss of mahika kai resources and places of procurement since the Treaty was signed. This loss is greater than the loss of kai. It is a loss of Kāi Tahu culture, as it affects the intergenerational transfer of mātauraka handed down from tūpuna over hundreds of years. It represents a loss of rakatirataka and of mana. Mahika kai continues to be degraded through the *effects of land and water use activities on freshwater habitats*. Activities such as the construction of barriers to fish passage, drainage, altered flow regimes, reduced *water* quality and removal of riparian vegetation all impact on access to and use of resources.

RMIA-WAI-14 – Effective participation of Kāi Tahu in *freshwater* management is hampered by poor recognition of mātauraka

The term ‘mātauraka Māori’ includes all branches of Māori knowledge, past, present, and still developing. It involves observing, experiencing, studying, and understanding the world from an indigenous cultural perspective. It is a tool for thinking, organising information, considering the ethics of knowledge, and informing us about our world and our place in it. Incorporation of mātauraka in resource management decision-making is important to ensure that cultural interests are appropriately recognised and provided for. Resource managers do not always appreciate the depth and value of mātauraka held by members of Kāi Tahu Whānui. Even where mātauraka is valued there may be difficulty in determining how best to apply the knowledge.

RMIA-WAI-15 – Poor integration of *water* management, across agencies and across a catchment, hinders effective and holistic *freshwater* management

Kāi Tahu place emphasis on the holistic management of resources. Cultural values such as whakapapa and concepts such as ki uta ki tai recognise the interconnectedness of all things, and that *effects* on one part of the whole will be felt throughout the whole. Management of *water* in Otago is not holistic. Catchments are often managed by multiple councils, and the Waitaki (a most significant *river* to Kāi Tahu) is managed by two regional councils with policies and management approaches that include some significant differences. Regional councils are responsible for managing *land use effects on land* and at sea up to 12 nautical miles offshore, but beyond that the Environmental Protection Authority manages *effects* through a separate piece of legislation. District councils, although not specifically responsible for managing *freshwater*, are responsible for managing activities that affect *freshwater*.

In Otago there are separate plans for *freshwater* and the coastal area, and they are not consistent with each other. These divisions in the management of the *environment* fail to recognise that all *water*, in *rivers*, underground, in the air and in the ocean is connected, and what occurs in the headwaters and on

land will have an impact in the ocean. This lack of holistic *freshwater* management also makes it difficult to understand and address the cumulative *effects* of different activities and decisions on cultural values.

Specific concerns related to RMIA-WAI-11 to RMIA-WAI-15 are interrelated, and include:

- *Water* quality concerns:
 - Deterioration in *water* quality resulting from poor *land* management practices.
 - The cultural and *water* quality impacts of point and non-point source *discharge* of human waste and other *contaminants* to *water*. Whānau cannot gather kai from places where human waste (whether treated or not) has been *discharged*, or where herbicides and pesticides have been used. Reliance on dilution rates to mitigate the *effects* of *discharges* is culturally inappropriate.
 - The *water* quality impacts of *discharges* from mining activities.
- *Water* allocation concerns:
 - Kāi Tahu consider that many of the waterways in the region are over-allocated from a cultural perspective.
 - Abstractions of greater volumes of *water* than are required, lack of *water* harvesting and continuation of inefficient methods of *water* use.
 - The implications of increased *water* demand for domestic use which will put additional pressure on the already scarce *water* resource.
 - The *effects* of long durations for *water* take consents which lock in a pattern of resource use for a long time, limiting the ability for of Kāi Tahu to exercise ~~kaitiakitaka responsibilities~~ their role as kaitiaki as an expression of mana and rakatirataka.⁴⁴⁸
 - The impact of cross mixing of *water* from different catchments on the distinctive mauri of the *water bodies*.
 - The lack of understanding of the interactions between *groundwater* and surface *water*.
- Concerns about channel modification and *river* works:
 - The *effects* of damming on disruption of natural flow patterns, loss of *freshwater* habitats and migration of indigenous fish species.
 - The *effects* on the mauri of the water body from diversion of watercourses upstream and downstream of mines.
 - Impacts of activities such as channel maintenance and channel cleaning on *water* quality and on disruption of species living in the channel and their habitat.
 - Impacts of channel reshaping, in particular straightening, on *river* flow and habitats, and the mauri of the *water body*.
 - The *effects* of *bed* disturbance, including suction dredging and gravel extraction, on stream morphology and habitats.
 - Impacts of willow removal on *water* quality, *water* temperature and mahika kai *mahika kai*⁴⁴⁹ habitat.
 - Introduction of exotic weeds through poorly cleaned machinery, and the subsequent impact on bank habitat and *water* ecosystems.

⁴⁴⁸ 00226.064 Kāi Tahu ki Otago

⁴⁴⁹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

- The *effects* of changes in vegetation cover, including clearance of *indigenous vegetation* and exotic *afforestation*, on the *water* retention capacity of *land* and consequent flow patterns, which can negatively affect ~~mahika kai~~ *mahika kai*⁴⁵⁰ and taoka species through a reduction in their habitat.

RMIA-MKB – ~~Mahika kai~~ *Mahika kai*⁴⁵¹ and biodiversity

Context

The cold climate in southern Te Waipounamu, and the consequent difficulty of growing crops, made it difficult for tūpuna to establish permanent settlements and as a result Kāi Tahu in this area traditionally had a hunter-gatherer lifestyle, and went where the ~~mahika kai~~ *mahika kai*⁴⁵² was abundant and in season. This lifestyle was unique to southern Kāi Tahu and ~~mahika kai~~ *mahika kai*⁴⁵³ retains a central place in Kāi Tahu cultural identity. All indigenous species and habitats are treasured by Kāi Tahu as taoka in their own right, as well as for the ~~mahika kai~~ *mahika kai*⁴⁵⁴ values associated with some species.

RMIA-MKB-I1 – The diversity and abundance of terrestrial and aquatic indigenous species has been reduced due to adverse *effects* of resource use and development

Resource *use* and development in Otago has led to degradation of taoka and ~~mahika kai~~ *mahika kai*⁴⁵⁵ places. This has occurred in a myriad of ways, contributing to a significant negative cumulative *effect* on many species and habitats. The decrease in diversity and abundance of indigenous species causes a negative impact on the mauri and health of the natural environment.

The Kāi Tahu perspective recognises that species within ecosystems are connected, and effects on one species will be felt throughout the rest of the system. Effects on ~~mahika kai~~ *mahika kai*⁴⁵⁶ and taoka species diversity and abundance affect the relationship of Kāi Tahu with these species. Whānau are unable to access traditional ~~mahika kai~~ *mahika kai*⁴⁵⁷ and taoka species and places because in many cases they no longer exist, or no longer provide resources that were once abundant there.

Specific concerns include:

- Degradation of ~~mahika kai~~ *mahika kai*⁴⁵⁸ due to the impacts of *contaminants* from both point and non-point source *discharges*, including human waste disposal to ~~mahika kai~~ *mahika kai*⁴⁵⁹ areas.
- The effects of soil contamination from poorly managed landfills, industrial sites and waste disposal sites.
- Continued urban spread encroaching on ~~mahika kai~~ *mahika kai*⁴⁶⁰ sites.

⁴⁵⁰ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁴⁵¹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁴⁵² Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁴⁵³ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁴⁵⁴ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁴⁵⁵ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁴⁵⁶ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁴⁵⁷ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁴⁵⁸ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁴⁵⁹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁴⁶⁰ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

- Genetic modification of indigenous flora and fauna, which represents deliberate alteration of whakapapa.
- The impact on ~~māhika kai~~ māhika kai⁴⁶¹ and indigenous *biodiversity* from weed and pest invasion.
- Loss of indigenous fish freshwater⁴⁶² species, many of which are taoka and ~~māhika kai~~ māhika kai⁴⁶³, through displacement and predation.
- Loss of indigenous flora and fauna remnants and lack of co-ordinated management of habitat corridors.
- Impacts on ~~māhika kai~~ māhika kai⁴⁶⁴ and aquatic ecosystems from a lack of effective catchment-wide riparian management.
- Loss of recruitment of indigenous flora in remnant bush areas due to continuous stock grazing.
- The impact of inappropriate forestry developments, conversion of tussock lands and other intensification of farming on indigenous flora and fauna values, including ecological disturbance and displacement of species.
- A persistent lack of recognition of Kāi Tahu perspectives, values and mātauraka in indigenous species and habitat management, planning, and decision-making.
- The loss of cultural knowledge, mātauraka, and tikaka that has accompanied the loss of māhika kai, and indigenous biodiversity.⁴⁶⁵

RMIA-MKB-12 – Regulatory and physical barriers have impeded the ability of Kāi Tahu to access ~~māhika kai~~ māhika kai⁴⁶⁶ and to undertake customary harvest

The ability for Kāi Tahu to exercise customary rights to ~~māhika kai~~ māhika kai⁴⁶⁷ has been impeded by obstacles to accessing ~~māhika kai~~ māhika kai⁴⁶⁸ sites. Obstacles include lack of physical access and the sites no longer being safe to access due to the site becoming polluted, or a change in flow velocity and/or depth.

RMIA-MKB-13 – Impacts of *climate change* on both species/habitat viability and increasing pest (flora/fauna) encroachments

Climate change is now affecting and will continue to affect habitat availability and suitability for species in Otago. In some cases, this will mean that species will be able to increase their distribution, which will encourage spread of pest/weed species. *Climate change* will also reduce habitat and distributions for some species and affect habitat quality. These *effects* may also accumulate; for example, a native species may have worse and less habitat and its pest/predator's distribution and population may increase due to *climate change effects*. Where possible, environmental management should include planning for these effects should be planned for in environmental management and having regard for their impacts on Kāi Tahu and mana whenua values.⁴⁶⁹

⁴⁶¹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁴⁶² 00137.037 DOC

⁴⁶³ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁴⁶⁴ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁴⁶⁵ 00226.066 Kāi Tahu ki Otago

⁴⁶⁶ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁴⁶⁷ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁴⁶⁸ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁴⁶⁹ 00226.068 Kāi Tahu ki Otago

RMIA-MKB-I4 – Shortage of protected and secure areas for biodiversity

Currently there are not enough protected and secure areas for biodiversity in Otago. To ensure the long-term survival of our region's most *threatened species*, a series of protected areas must be established, ideally in a network connected by corridors so that each individual population is more *resilient* as well as the species' overall population.

RMIA-MKB-I5 – Inconsistent approaches to biodiversity protection amongst regulatory authorities

Biodiversity is managed by several entities who have different approaches and powers through their separate governing legislation. For example, regional and district councils have obligations under the Resource Management Act 1991 and the Department of Conservation has obligations under the Conservation Act 1987 and the Wildlife Act 1953.⁴⁷⁰ Different pieces of legislation are not always consistent with each other. There can also be confusion about who is responsible for different aspects of biodiversity management as it is not managed by one entity.

RMIA-MKB-I6 – Lack of information on species health and viability

In many instances there is a lack of information on species. This absence of information on matters such as life histories, current and previous distributions and habitat preferences makes it difficult to make decisions about how best to manage these species.

RMIA-WTU – *Wāhi tūpuna*

Context

Wāhi tūpuna (ancestral landscapes) across Otago are made up of interconnected sites and areas reflecting the history and traditions associated with the long settlement of Kāi Tahu in Otago. Areas of significance that form part of *wāhi tūpuna* include, but are not limited to:

- Wāhi tapu
- Kāika *nohoaka* (settlements)
- Wāhi kohātu and wāhi mahi kohātu (quarry sites)
- Wāhi ikoa (place names)
- Ara tawhito (traditional travel routes)
- Mauka (mountains), awa (rivers), roto (lakes), tai (coasts), and moana (seas)⁴⁷¹

It is important that resource management recognises the wider cultural setting by considering effects of activities on the broader *wāhi tūpuna* rather than just on discrete sites.

⁴⁷⁰ 00411.132 Wayfare

⁴⁷¹ 00226.072 Kāi Tahu ki Otago

RMIA-WTU-I1 – The values of *wāhi tūpuna* are poorly recognised in resource management in Otago

Land, freshwater, and coastal⁴⁷² management regimes have failed to adequately provide for Kāi Tahu interests in *wāhi tūpuna*. Attention has been too narrowly focused on the cultural redress components of the ~~Ngāi Tahu Claims Settlement Act 1998~~ NTCSA⁴⁷³ (statutory acknowledgements, place names, tōpuni areas and *nohoaka* sites), whereas *wāhi tūpuna* are considerably broader than the areas described in the legislation. The values of ~~these areas~~ *wāhi tūpuna*⁴⁷⁴ can be adversely affected by inappropriate ~~land~~ use and development and by a range of activities that affect land, freshwater and coastal environments when those activities are poorly managed. Cumulative adverse effects on *wāhi tūpuna* values can result, impacting on the intergenerational relationship of Kāi Tahu with these areas.⁴⁷⁵

Specific land management⁴⁷⁶ concerns include:

- Changes to the recognisable character of *wāhi tūpuna* resulting from intensified *land use*, spread of exotic wilding trees and other woody weeds, forestry, subdivision, development of *buildings* and *structures*.
- Impacts on the integrity of *wāhi tūpuna* from extension and maintenance of *infrastructure* such as transport, telecommunications and other utility networks.
- Modification of landforms by *earthworks*, particularly on ridgelines and upper slopes and near waterways.
- Impacts on *wāhi tapu* and archaeological sites from *earthworks*.
- Sedimentation of *water bodies* within *wāhi tūpuna* from *earthworks*.
- Poor land management and inappropriate *land use* degrades the *whenua* itself.
- Failure to recognise Kāi Tahu connections to the land through use of traditional names for landscape features and sites.

Freshwater, biodiversity, coastal management and air and atmosphere issues that affect Kāi Tahu relationship with *wāhi tūpuna* are outlined in the RMIA-WAI, RMIA-MKB, RMIA-CE and RMIA-AA sections.⁴⁷⁷

RMIA-WTA – *Wāhi tapu* and *wāhi taoka*

Context

~~Tribal Ancestral~~⁴⁷⁸ land was not just the source of economic well-being. For Māori it was also the burial ground of the placenta and of the bones of ancestors, the abode of tribal *atua* and a storybook through place names and traditions. This is reflected in ~~Te Reo~~ *te reo*⁴⁷⁹ Māori, as the word ‘*whenua*’ means both ‘placenta’ and ‘land’. Ancestral lands were therefore regarded with deep veneration. For Kāi Tahu, the

⁴⁷² 00223.050 Ngāi Tahu ki Murihiku

⁴⁷³ Clause 16(2), Schedule 1, RMA

⁴⁷⁴ 00223.050 Ngāi Tahu ki Murihiku

⁴⁷⁵ 00223.050 Ngāi Tahu ki Murihiku

⁴⁷⁶ 00223.050 Ngāi Tahu ki Murihiku

⁴⁷⁷ 00223.050 Ngāi Tahu ki Murihiku

⁴⁷⁸ Clause 16(2), Schedule, RMA

⁴⁷⁹ 00226.073 Kāi Tahu ki Otago

terms wāhi tapu and wāhi taoka refers to places with elevated mana and tapu due to their close association with atua and tūpuna. For example: that hold the respect of the people in accordance with tikaka or history including:⁴⁸⁰

- Mauka (mountains)
- Urupā (burial places)
- Tuhituhi neherā (rock art)
- Umu (ovens)
- *Nohoaka* (seasonal camp sites)

RMIA-WTA-I1 – ~~Land use a~~Activities⁴⁸¹ have resulted in disturbance and degradation of wāhi tapu and wāhi taoka sites and the cultural and spiritual values associated with these areas

Wāhi tapu and wāhi taoka sites are vulnerable to disturbance or destruction from ~~the both~~ direct and indirect⁴⁸² effects of resource use and development. ~~This is through~~ Direct effects can include those resulting from⁴⁸³ activities that require earthworks in proximity. as well as from aNatural⁴⁸⁴ or human-induced changes to biophysical processes can threaten these sites, such as for example⁴⁸⁵ coastal erosion. Wāhi tapu and wāhi taoka values can also be adversely affected by the encroachment of culturally offensive activities e.g. it is inappropriate to have a wastewater treatment plant at or near a wāhi tapu or wāhi taoka. Nohoaka, as sites where mahika kai is gathered or was gathered in the past, are particularly at risk from the combination of direct and indirect effects, and from cumulative adverse effects. Nohoaka sites are degraded when mahika kai can no longer be gathered there.⁴⁸⁶

Specific concerns include:

- Disturbance, modification or destruction of wāhi tapu or wāhi taoka by *earthworks*.
- Degradation of the cultural value and integrity of wāhi tapu or wāhi taoka through contamination by *discharges*, inappropriate development, and culturally inappropriate activities such as mining/quarrying, *landfills* or *wastewater* disposal.
- The resurfacing of kōiwi takata (human remains) through natural and human-induced processes, such as climate change,⁴⁸⁷ and ensuring that these are kept safe and returned to Kāi Tahu so that they can be reinterred in accordance with tikaka.
- Ineffective management of *effects* due to inappropriate and inaccurate recording of wāhi tapu and wāhi taoka, and misinterpretation of the status and importance of sites.

RMIA-WTA-I2 – Access to wāhi tapu and wāhi taoka and the ability to undertake customary activities on these sites has been impeded

Access to culturally important sites has been impeded in many ways, affecting the ability of mana whenua to carry out customary activities and maintain relationships with wāhi tapu and wāhi taoka.⁴⁸⁸ Many sites are privately owned and cannot be accessed. Some sites no longer exist, or the customary activities

⁴⁸⁰ 00226.073 Kāi Tahu ki Otago

⁴⁸¹ 00223.051 Ngāi Tahu ki Murihiku

⁴⁸² 00223.051 Ngāi Tahu ki Murihiku

⁴⁸³ 00223.051 Ngāi Tahu ki Murihiku

⁴⁸⁴ 00223.051 Ngāi Tahu ki Murihiku

⁴⁸⁵ 00223.051 Ngāi Tahu ki Murihiku

⁴⁸⁶ 00223.051 Ngāi Tahu ki Murihiku

⁴⁸⁷ 00226.074 Kāi Tahu ki Otago

⁴⁸⁸ 00223.051 Ngāi Tahu ki Murihiku

associated with them⁴⁸⁹ cannot be undertaken. ~~for~~ For⁴⁹⁰ example, nohoaka sites associated with mahika kai mahika kai gathering cannot be used if ~~the mahika kai mahika kai is no longer there. there is no way to reach the site or no safe way to harvest when at the site.~~⁴⁹¹ A limited number of *nohoaka* sites were granted to Kāi Tahu through the ~~Ngāi Tahu Claims Settlement Act 1998~~ NTCSA⁴⁹² as redress for loss of traditional sites. Some of these were traditional sites, but others were in new locations. Some *nohoaka* have also become dissociated from their customary use due to land use change, freshwater management practices,⁴⁹³ and hazard management. For example, if the *river* channel has moved and the *nohoaka* has not, whānau visiting the *nohoaka* are not able to fish there.

RMIA-AA – Air and atmosphere

Context

As discussed in Part 1, the air and atmosphere are resources of significance to Kāi Tahu. In Kāi Tahu traditions, air and atmosphere emerged through the creation traditions and Te Ao Marama. The air is an integral part of the environment that must be valued, used with respect, and passed on intact to the next generation. Pollution of the atmosphere adversely affects the mauri of this taoka and other taoka such as plants and animals.

RMIA-AA-I1 –The cultural impacts of *discharges* to air are poorly recognised in resource management

The cultural impacts of air pollution and *discharges* to air are poorly understood and seldom recognised. *Discharges* to air can adversely affect health and can be culturally offensive. Clean air is important to the health of ~~mahika kai mahika kai~~⁴⁹⁴ and people, and odour and other emissions impact on the tapu of wāhi tapu sites. Air emissions can also reduce the visibility of cultural landscape features and of the moon, stars and rainbows.

Specific concerns include:

- Potential impacts of climate change which could ~~potentially~~ negatively affect taoka such as wai māori māori and wai tai,⁴⁹⁵ ~~mahika kai mahika kai~~⁴⁹⁶ and biodiversity, *wāhi tūpuna*, *wāhi tapu*, and wāhi taoka, the coastal environment⁴⁹⁷ and⁴⁹⁸ the well-being of all people, and the environment as an integrated system.⁴⁹⁹
- Insufficient data has been collected and distributed about the *effects* of *discharges* to air.

⁴⁸⁹ 00223.051 Ngāi Tahu ki Murihiku

⁴⁹⁰ 00223.051 Ngāi Tahu ki Murihiku

⁴⁹¹ 00223.051 Ngāi Tahu ki Murihiku

⁴⁹² Clause 16(2), Schedule 1, RMA

⁴⁹³ 00223.051 Ngāi Tahu ki Murihiku

⁴⁹⁴ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁴⁹⁵ 00226.077 Kāi Tahu ki Otago

⁴⁹⁶ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁴⁹⁷ 00226.077 Kāi Tahu ki Otago

⁴⁹⁸ Clause 16(2), Schedule 1, RMA

⁴⁹⁹ 00226.077 Kāi Tahu ki Otago

- The *effects* of *discharges* to air on the health of people and ~~mahika kai~~ *mahika kai*⁵⁰⁰, including *discharges* from industrial or trade premises, agrichemical spray drift, vehicle emissions and emissions from domestic fires in built up areas prone to inversion layers.
- Culturally offensive *discharges* from crematoriums, if located in close proximity to ~~mahika kai~~ *mahika kai*⁵⁰¹ and wāhi taoka.
- Adverse *effects* of vegetation burning on the integrity and the tapu of wāhi tapu sites.
- Impacts of odour on wāhi tapu, ~~mahika kai~~ *mahika kai*⁵⁰² sites and *nohoaka*.
- Impacts of urban settlement and *discharges* to air on the visibility of the sky and *wāhi tūpuna* features.
- The impact of dust on the integrity of rock art sites.

RMIA-CE – Coastal environment (te takutai ~~Taku tai~~ moana me te wai Māori tai)⁵⁰³

Context

The coastal environment is particularly significant for Kāi Tahu in the southern South Island. The spiritual and cultural significance of taku tai moana me te wai māori (saltwater and *freshwater*) and the interconnection between *land* and sea environments are not always well recognised in management of the coastal environment.

RMIA-CE-I1 – ~~Mahika kai~~ *Mahika kai*⁵⁰⁴ and coastal systems are adversely affected by lack of integrated management across the land-water interface

Management of ~~mahika kai~~ *mahika kai*⁵⁰⁵ species and their habitats varies and is not holistic. Many important indigenous ~~mahika kai~~ *mahika kai*⁵⁰⁶ fish species are diadromous and move between *freshwater* and the ocean during different parts of their life cycle. The interconnection between *land* and marine environments needs to be carefully considered in order to manage *effects* that cross the *coastal marine area* boundary.

Specific concerns include:

- *Effects* on the coastal environment and natural systems resulting from modifications to waterways, such as damming and artificial openings of *river* mouths, estuary and lagoon systems.
- The *effects* of reductions in *river* flows on ingress of saltwater to *river* systems and conditions for inaka spawning.
- Barriers to species migration, and hence lifecycles, created by changes to *river* mouths from reductions in *river* flow.
- Impacts of changes in sediment transport on coastal ecosystems.

⁵⁰⁰ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁰¹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁰² Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁰³ 00226.078 Kāi Tahu ki Otago

⁵⁰⁴ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁰⁵ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁰⁶ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

- The *effects of land reclamation* on water quality and flow in enclosed ~~harbours~~ harbours⁵⁰⁷ and estuarine ecosystems.
- *Effects of land use* activities and poor management of coastal margins on *coastal water* quality.
- *Climate change effects* occur across the land-water interface and the *freshwater-saltwater* interface, and cause changes to ~~māhika kai~~ māhika kai⁵⁰⁸ species distribution and the quality and locations of ~~māhika kai~~ māhika kai⁵⁰⁹ habitat.

RMIA-CE-I2 – Discharges into coastal waters and marine dumping of waste degrade ~~māhika kai~~ māhika kai⁵¹⁰ and the mauri of the waters

The practice of using the marine environment as a sink for disposal of waste from ~~both land development and marine vessels~~ activities that occur on land and in the marine environment⁵¹¹ is culturally offensive and has resulted in degradation of kaimoana resources. Leaching and overland runoff of *contaminants* from activities occurring near the coast have also contributed to the adverse *effects* on the marine area.

Specific concerns include:

- Point source industrial *discharges* to the coastal environment.
- Contamination of *coastal waters* by leachate from inappropriately sited *landfills* and other waste disposal sites and runoff from coastal subdivisions.
- *Discharges of sewage* from marine outfalls, poorly designed or inadequate coastal sewerage *infrastructure* and freedom camping.
- The *effects of contaminants* such as oil and carbon particles in *discharges of stormwater* from urban roads.
- *Discharges of sewage* and contaminated bilge and ballast *water* from *ships*.
- Proliferation of rubbish in the coastal environment and in lakes and rivers,⁵¹² including materials such as lengths of rope from boats and moorings, plastic packaging strips, discarded and lost fishing gear, glass and plastic bottles as well as other dumped material.
- *Discharge* or disposal of waste products from the processing of marine species.
- Oil and chemical spills negatively affecting the natural environment.
- Inappropriate disposal of human wastes, including indiscriminate⁵¹³ *discharge* of human ashes in sensitive areas such as kaimoana areas, or without the knowledge of *takata whenua*, and discharge of washdown wastes from mortuaries and funeral homes to coastal waters through stormwater drains.⁵¹⁴

RMIA-CE-I3 – The ability for Kāi Tahu ki Otago to access and harvest kaimoana has been impeded by the effects of activities in the coastal and marine environment

Parts of the coastal environment in Otago have been heavily modified since the arrival of settlers. Many parts of the coast around Dunedin have been reclaimed to establish the city, and the harbor has been

⁵⁰⁷ Clause 16(2), Schedule 1, RMA

⁵⁰⁸ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁰⁹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵¹⁰ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵¹¹ 00126.002 Harbour Fish; 00124.002 Southern Inshore Fisheries

⁵¹² 00411.134 Wayfare

⁵¹³ 00226.080 Kāi Tahu ki Otago

⁵¹⁴ 00226.080 Kāi Tahu ki Otago

dredged to enable the growth of the port. This has limited the ability for whānau to carry out customary harvest of kaimoana resources and to access sites of significance for customary fishing. Whānau are often unable to physically access the foreshore and seabed for the collection of kaimoana, or find that kai is no longer safe to eat due to pollution.

Specific concerns include:

- Impacts on kaimoana and associated habitats from the *effects* of waterway modifications on estuarine systems and the *freshwater/saltwater* interface.
- Modification or loss of marine habitats as a result of *reclamation*, dredging and dumping.
- Disturbance of intertidal habitats by vehicle access along beaches.
- Potential for modification and displacement of habitats by *aquaculture activities*.
- The negative *effects* of point and non-point source *discharges* on *water* quality.
- The introduction and spread of exotic species, such as the invasive seaweed *undaria*, through ballast, hull cleaning, and other shipping activities.
- Loss of access due to development of coastal *land*.

RMIA-CE-I4 – Habitat disturbance and modification has contributed to decline in populations of indigenous marine species, including marine mammals

Indigenous marine species, including marine mammals, are regarded as taoka by Kāi Tahu, and in many cases these are recognised through the NTCSA-1998⁵¹⁵. The health and abundance of marine species populations are threatened by modification and loss of natural habitat as a result of the impacts identified in RMIA-CE-I2 and RMIA-CE-I3.

RMIA-CE-I5 – Wāhi tapu and wāhi tūpuna values in the coastal environment are poorly recognised and protected

The coastal environment is the domain of Takaroa and includes the *coastal waters* of Te Tai-o-Ara-Te-Uru Tai-o-Araiteuru⁵¹⁶ as well as the adjoining land. Tauraka waka (waka landing places) occur up and down the coast in their hundreds and wherever a tauraka waka is located there is also likely to be a *nohoaka*, fishing ground, kaimoana resource, or rimurapa (seaweed) with the sea trail linked to a land trail or ~~māhika kai~~ *māhika kai*⁵¹⁷ resource. Burial sites and other wāhi tapu are also associated with these *wāhi tūpuna*. Seascapes such as reef systems also form part of *wāhi tūpuna*.

Wāhi tapu and the broader *wāhi tūpuna* can be adversely affected by inappropriate activities and developments on coastal land and in the *coastal marine areas*.

Specific concerns include:

- Damage to and disturbance of wāhi tapu resulting from coastal erosion and the impacts of climate change,⁵¹⁸ earthworks associated with *subdivisions*, and development of coastal walkways.
- The *effects* of *land* fragmentation on access to sites of significance.
- Loss of the integrity of cultural landscapes by *reclamation* and the inappropriate location of *structures* and activities associated with aquaculture, tourism activities, *infrastructure*, and vessel moorings.

⁵¹⁵ Clause 16(2), Schedule 1, RMA

⁵¹⁶ 00226.083 Kāi Tahu ki Otago

⁵¹⁷ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵¹⁸ 00226.083 Kāi Tahu ki Otago

- Disturbance from mining of the seabed and foreshore.
- Restriction of access to tauraka waka and associated trails due to *land* development.
- The cumulative *effect* of incremental, uncoordinated *subdivisions, land use* change and building within the coastal environment.
- Failure to recognise and provide for the *effects of climate change and*⁵¹⁹ of changing sea levels on coastal landscapes.

RMIA-PO – Pounamu

Context

Kāi Tahu customs are intricately linked to this special taoka. ~~There is currently no Regional Pounamu Plan for Otago. Many ara tāwhito, ancient trails, in Otago lead from coastal settlements to inland pounamu resources.⁵²⁰ Management of this taoka is currently dependent on the provisions of the Ngāi Tahu (Pounamu Vesting) Act 1997 and a rāhui pounamu is in place in the Otago region, which vests pounamu with Te Rūnanga o Ngāi Tahu. Papatipu rūnaka act as kaitiaki pounamu. There is currently no Regional Pounamu Plan for Otago. However, a rāhui pounamu is in place in the Otago region.⁵²¹~~

RMIA-PO-I1 – Pounamu resources need protection ~~from the effects of land use activities~~⁵²²

Pounamu is a taoka for Kāi Tahu, ~~but~~ and pounamu management according to mātauraka, tikaka and kawa is a tribal priority. ~~a lack~~ Lack⁵²³ of recognition and protection of pounamu resources may lead to these resources, the areas where they are found and Kāi Tahu relationship with them being unknowingly⁵²⁴ degraded, ~~–~~. Pounamu resources may be present on land or in waterways. Kāi Tahu relationship with these resources can be affected by extractive activities,⁵²⁵ for example by extraction of material for *road* aggregate, and by reduced water quality and poor water body management.⁵²⁶

⁵¹⁹ 00226.083 Kāi Tahu ki Otago

⁵²⁰ 00223.052 Ngāi Tahu ki Murihiku

⁵²¹ 00223.052 Ngāi Tahu ki Murihiku

⁵²² 00223.052 Ngāi Tahu ki Murihiku

⁵²³ 00223.052 Ngāi Tahu ki Murihiku

⁵²⁴ 00223.052 Ngāi Tahu ki Murihiku

⁵²⁵ 00223.052 Ngāi Tahu ki Murihiku

⁵²⁶ 00223.052 Ngāi Tahu ki Murihiku

IM – Integrated management

Objectives

IM-O1 – Long term vision

The management of *natural and physical resources in Otago*,⁵²⁷ by and for the people of Otago, ~~including in partnership with~~⁵²⁸ Kāi Tahu, ~~and as expressed in all resource management plans and decision making,~~⁵²⁹ achieves a healthy, and resilient, and safeguarded⁵³⁰ natural systems environment,⁵³¹ ~~and including~~⁵³² the ecosystem services ~~they offer it provides~~,⁵³³ and supports the well-being of present and future generations, (mō tātou, ā, mō kā uri ā muri ake nei).⁵³⁴

IM-O2 – Ki uta ki tai

~~The management of n~~*Natural and physical resources management and decision making in Otago*⁵³⁵ embraces ki uta ki tai, recognising that the *environment* is an interconnected system,⁵³⁶ which depends on its connections to flourish,⁵³⁷ and must be ~~considered~~ managed⁵³⁸ as an interdependent whole.

IM-O3 – ~~Environmentally s~~Sustainable impact⁵³⁹

Otago's communities ~~carry out their activities in a way~~ provide for their social, economic, and cultural well-being in ways⁵⁴⁰ that ~~support or restore~~ preserves⁵⁴¹ environmental integrity, form, function, and *resilience*, so that the life-supporting capacities of air, *water, soil, and ecosystems* ~~are safeguarded, and indigenous biodiversity endure~~⁵⁴² for future generations.

⁵²⁷ 00239.034 Federated Farmers

⁵²⁸ 00226.085 Kāi Tahu ki Otago

⁵²⁹ 00121.015 Ravensdown

⁵³⁰ 00211.004 LAC, 00210.004 Lane Hocking, 00209.004 Universal Developments, 00118.005 Maryhill, 00014.005 Mt Cardrona Station

⁵³¹ 00231.03 Fish and Game

⁵³² 00139.022 DCC

⁵³³ 00239.034 Federated Farmers

⁵³⁴ 00239.034 Federated Farmers

⁵³⁵ 00121.016 Ravensdown

⁵³⁶ Clause 16(2), Schedule 1, RMA

⁵³⁷ Clause 16(2), Schedule 1, RMA

⁵³⁸ 00137.039 DOC

⁵³⁹ 00231.031 Fish and Game, 00411.024 Wayfare

⁵⁴⁰ 00121.017 Ravensdown

⁵⁴¹ 00211.005 LAC, 00210.005 Lane Hocking, 00118.006 Maryhill, 00114.006 Mt Cardrona Station, 00209.005 Universal Developments

⁵⁴² 00121.017 Ravensdown

IM-O4 – Climate change⁵⁴³

Otago's communities, including Kāi Tahu, understand what *climate change* means for their future, and responses to climate change responses⁵⁴⁴ in the region, (including *climate change adaptation* and *climate change mitigation actions*);⁵⁴⁵

- (1) are aligned with national level *climate change* responses,
- (2) assist with achieving the national target for emissions reduction,⁵⁴⁶ and
- (3) are recognised as integral to achieving the outcomes sought by this RPS.

Policies

IM-P1 – Integrated approach to decision-making⁵⁴⁷

Giving effect to the integrated package of objectives and policies in this RPS requires decision-makers to consider all provisions relevant to an issue or decision and apply them according to the terms in which they are expressed, and if there is a conflict between provisions that cannot be resolved by the application of higher order documents, prioritise:

- (1) the life-supporting capacity and mauri of the natural environment and the health needs of people, and then
- (2) the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.⁵⁴⁸

~~The objectives and policies in this RPS form an integrated package, in which:~~

- ~~(1) all activities are carried out within the environmental constraints of this RPS,~~
- ~~(2) all provisions relevant to an issue or decision must be considered,~~
- ~~(3) if multiple provisions are relevant, they must be considered together and applied according to the terms in which they are expressed, and~~
- ~~(4) notwithstanding the above, all provisions must be interpreted and applied to achieve the integrated management objectives IM-O1 to IM-O4.~~

~~IM-P2 – Decision priorities~~

~~Unless expressly stated otherwise, all decision making under this RPS shall:~~

- ~~(1) firstly, secure the long-term life-supporting capacity and mauri of the natural environment,~~

⁵⁴³ All formatting amendments recommended: Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendments arising from 00120.025 Yellow-eyed Penguin Trust, 00509.038 Wise Response

⁵⁴⁴ Clause 16(2), Schedule 1, RMA

⁵⁴⁵ Clause 10(2)(b)(i), Schedule 1, RMA – Consequential amendment arising from 00509.015 Wise Response

⁵⁴⁶ 00120.025 Yellow-eyed Penguin Trust, 00509.038 Wise Response

⁵⁴⁷ Clause 16(2), Schedule 1, RMA

⁵⁴⁸ 00139.026 DCC, 00235.062 OWRUG, 00314.011 Transpower, 00239.036 Federated Farmers, 00139.027 DCC, 00231.033 Fish and Game, 00314.011 Transpower, 00230.032 Forest and Bird, 00230.033 Forest and Bird, 00206.016 Trojan, 00411.026 Wayfare, 00306.020 Meridian

- (2) — secondly, promote the health needs of people, and
- (3) — thirdly, safeguard the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.⁵⁴⁹

IM-P3 – Providing for *mana whenua* cultural values in achieving integrated management

Recognise and provide for the relationship of Kāi Tahu 's relationship⁵⁵⁰ with natural resources by:

- (1) enabling *mana whenua* to exercise rakatirataka and *kaitiakitaka*,
- (2) facilitating active participation of *mana whenua* in resource management processes and⁵⁵¹ decision-making,
- (3) incorporating mātauraka Māori in processes and⁵⁵² decision-making⁵⁵³, and
- (4) ensuring resource management provides for the connections of Kāi Tahu to *wāhi tūpuna*, ~~water and water bodies~~, the coastal environment, wai māori (including awa [rivers] and roto [lakes]) and wai tai (including te takutai moana [coastal marine area]) and⁵⁵⁴ ~~mahika kai~~ *mahika kai*⁵⁵⁵ and habitats of taoka species.⁵⁵⁶

IM-P4 – Setting a strategic approach to ecosystem health

Healthy and resilient⁵⁵⁷ ecosystems and ecosystem services are achieved by developing regional and district plans through a planning framework that:⁵⁵⁸

- (1) ~~protects~~ having have⁵⁵⁹ particular regard to ~~their the~~ intrinsic values of ecosystems,⁵⁶⁰
- (2) ~~takes~~ taking take⁵⁶¹ a long-term strategic approach that recognises ~~changing environments and ongoing environmental change~~,⁵⁶² including the impacts of climate change,⁵⁶³
- (3) ~~recognises~~ recognising recognise⁵⁶⁴ and provides providing provide⁵⁶⁵ for ecosystem complexity and interconnections, and

⁵⁴⁹ 00121.020 Ravensdown, 00315.016 Aurora Energy, 00322.007 Fulton Hogan, 00235.063 OWRUG, 00314.011 Transpower, 00016.001 Alluvium and Stoney Creek, 00017.001 Danny Walker and Others, 00023.003 Waterfall Park, 00025.016 Boxer Hill Trust, 00320.013 Network Waitaki, 00511.013 PowerNet, 00313.005 Queenstown Airport, 00311.009 Trustpower, 00240.012 NZ Pork, 00301.013 Port Otago, 00236.036 Horticulture NZ, 00115.010 Oceana Gold, 00138.008 QLDC

⁵⁵⁰ Clause 16(2), Schedule 1, RMA

⁵⁵¹ 00226.091 Kāi Tahu ki Otago

⁵⁵² 00226091 Kāi Tahu ki Otago

⁵⁵³ Clause 16(2), Schedule 1 RMA

⁵⁵⁴ 00226.091 Kāi Tahu ki Otago

⁵⁵⁵ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁵⁵⁶ 00226.091 Kāi Tahu ki Otago

⁵⁵⁷ 00231.034 Fish and Game, 00230.034 Forest and Bird

⁵⁵⁸ 00121.021 Ravensdown

⁵⁵⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential to 00121.021 Ravensdown

⁵⁶⁰ 00211.006 LAC, 00210.006 Lane Hocking, 00118.007 Maryhill, 00014.007 Mt Cardrona Station, 00209.006 Universal Developments, 00121.021 Ravensdown, 00235.064 OWRUG; Clause 16(2), Schedule 1, RMA.

⁵⁶¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential to 00121.021 Ravensdown

⁵⁶² Clause 16(2), Schedule 1, RMA

⁵⁶³ 00226.092 Kāi Tahu ki Otago

⁵⁶⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential to 00121.021 Ravensdown

⁵⁶⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential to 00121.021 Ravensdown

- (4) anticipates anticipating anticipate,⁵⁶⁶ or responds responding respond⁵⁶⁷ swiftly to, changes in activities, pressures, and trends.

IM-P5 – Managing environmental interconnections

In resource management decision-making, manage the use and development ~~Coordinate the management~~⁵⁶⁸ of interconnected *natural and physical resources* by recognising ~~and providing for~~:⁵⁶⁹

- (1) situations where the value and function of a *natural or physical resource* extends beyond the immediate, or directly adjacent, area of interest,
- (2) the effects of activities on a *natural or physical resource* as a whole, or on the environment,⁵⁷⁰ when that resource is managed as sub-units, ~~and~~
- (3) the impacts of management of one *natural or physical resource* on the values of another, or on the *environment*, ~~and~~

(4) the impact of individual and cumulative effects on the form, function, and resilience of Otago’s environment and the opportunities available for future generations.⁵⁷¹

IM-P6 – Acting on best available information

Avoid unreasonable delays and manage uncertainties⁵⁷² in decision-making processes by using the best information available at the time, including ~~but not limited to~~ complete and scientifically robust data, mātauraka Māori, local knowledge, and reliable partial data. ~~and~~:⁵⁷³

- (1) in the absence of complete and scientifically robust data, using information obtained from modelling, reliable partial data, and local knowledge, but in doing so:
- (a) prefer sources of information that provide the greatest level of certainty, and
- (b) take all practicable steps to reduce uncertainty, and⁵⁷⁴
- (2) adopt a precautionary approach towards activities whose effects are uncertain, unknown, or little understood, but potentially significantly adverse.⁵⁷⁵

⁵⁶⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential to 00121.021 Ravensdown

⁵⁶⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential to 00121.021 Ravensdown

⁵⁶⁸ Clause 16(2), Schedule 1, RMA

⁵⁶⁹ 00223.056 Ngāi Tahu ki Murihiku

⁵⁷⁰ 00407.014 Greenpeace

⁵⁷¹ 00013.006 Environment Canterbury, 00137.045 DOC

⁵⁷² 00239.038 Federated Farmers, 00235.065 OWRUG

⁵⁷³ 00137.042 DOC, 00014.022 John Highton, 00239.038 Federated Farmers, 00235.065 OWRUG, 00233.023 Fonterra, 00406.005 Lauder Creek Farming, 00120.024 Yellow-eyed Penguin Trust, 00509.036 Wise Response

⁵⁷⁴ 00137.042 DOC, 00014.022 John Highton, 00239.038 Federated Farmers, 00235.065 OWRUG, 00233.023 Fonterra, 00406.005 Lauder Creek Farming, 00120.024 Yellow-eyed Penguin Trust, 00509.036 Wise Response

⁵⁷⁵ 00139.040 DCC, 00121.027 Ravensdown,

IM-P7 – Cross boundary management

Coordinate the management of Otago's⁵⁷⁶ natural and physical resources and the environment⁵⁷⁷ across jurisdictional boundaries and, whenever possible, between overlapping or related agency responsibilities.

IM-P8 – Effects of climate change impacts⁵⁷⁸

Recognise and provide for the effects of climate change processes and risks by:⁵⁷⁹

- (1)⁵⁸⁰ identifying the effects of climate change impacts⁵⁸¹ in Otago, including impacts from a te ao Māori the perspectives of Kāi Tahu as mana whenua,⁵⁸²
- (2) assessing how the impacts effects⁵⁸³ are likely to change over time, and
- (3) anticipating taking into account⁵⁸⁴ those changes in resource management processes and decisions.

IM-P9 – Community response to climate change impacts

~~By 2030 Otago's communities have established responses for adapting to the impacts of climate change, are adjusting their lifestyles to follow them, and are reducing their greenhouse gas emissions to achieve net-zero carbon emissions by 2050.~~⁵⁸⁵

IM-P10 – Climate change adaptation and climate change mitigation⁵⁸⁶

Identify and implement climate change adaptation and climate change mitigation⁵⁸⁷ methods for Otago that:

- (1) minimise the effects of climate change processes or risks⁵⁸⁸ ~~to existing activities on the environment,~~⁵⁸⁹ and on existing activities⁵⁹⁰ (including in accordance with HAZ-NH-P4),⁵⁹¹
- (2) ~~prioritise avoiding~~⁵⁹² the establishment of new activities in areas subject to significant⁵⁹³ risk from the effects of climate change, unless those activities reduce, or are resilient to, those significant⁵⁹⁴ risks, and

⁵⁷⁶ Clause 16(2) Schedule 1 RMA

⁵⁷⁷ 00231.036 Fish and Game

⁵⁷⁸ 00509.044 Wise Response

⁵⁷⁹ 00509.044 Wise Response

⁵⁸⁰ Clause 16(2), Schedule 1, RMA

⁵⁸¹ 00509.044 Wise Response

⁵⁸² 00226.096 Kāi Tahu ki Otago

⁵⁸³ 00509.044 Wise Response

⁵⁸⁴ 00239.039 Federated Farmers, 00139.033 DCC

⁵⁸⁵ 00213.011 Waitaki Irrigators, 00239.040 Federated Farmers

⁵⁸⁶ Clause 10(2)(b)(i), Schedule 1, RMA – Consequential amendment arising from 00509.015 Wise Response

⁵⁸⁷ Clause 10(2)(b)(i), Schedule 1, RMA – Consequential amendment arising from 00509.015 Wise Response

⁵⁸⁸ 00509.044 Wise Response

⁵⁸⁹ 00137.044 DOC, 00226.098 Kāi Tahu ki Otago

⁵⁹⁰ 00137.044 DOC

⁵⁹¹ 00138.009 Queenstown Lakes District Council

⁵⁹² 00137.044 DOC

⁵⁹³ 00119.002 Blackthorn Lodge, 00206.018 Trojan, 00411.029 Wayfare

⁵⁹⁴ 00119.002 Blackthorn Lodge, 00206.018 Trojan, 00411.029 Wayfare

- (3) provide Otago’s communities, including Kāi Tahu, with the best chance to thrive, even under the most extreme *climate change* scenarios-, and
- (4) enhance environmental, social, economic, and cultural⁵⁹⁵ *resilience* to the adverse *effects* of *climate change*, including⁵⁹⁶ by facilitating activities that reduce negative⁵⁹⁷ human impacts on the *environment*.⁵⁹⁸

IM-P11 – Enhancing environmental *resilience* to effects of *climate change*

Enhance environmental *resilience* to the adverse *effects* of *climate change* by facilitating activities that reduce human impacts on the *environment*.⁵⁹⁹

IM-P12 – Contravening *environmental bottom lines limits*⁶⁰⁰ for *climate change mitigation*

Despite other provisions in this RPS, ~~Where~~⁶⁰¹ a proposed activity provides or will provide enduring regionally or nationally significant *climate change mitigation*~~mitigation~~⁶⁰² of *climate change* impacts, with commensurate benefits for the well-being of people and communities and the wider *environment*, decision makers may, at their discretion, allow non-compliance with an *environmental bottom line limit*⁶⁰³ set in, or resulting from,⁶⁰⁴ any policy or method of this RPS only if they are satisfied that:

- (1) ~~the activity is designed and carried out to have the smallest possible environmental impact consistent with its purpose and *functional needs*, adverse effects on the environment resulting from the activity are avoided, remedied, or mitigated so that they are reduced to the smallest amount reasonably practicable,~~⁶⁰⁵
- (2) the activity is consistent and coordinated with other regional and national *climate change mitigation* activities,
- (3) adverse *effects* on the *environment* that cannot be avoided, remedied, or mitigated are offset, or compensated for, and for adverse *effects* on indigenous biodiversity: if an offset is not possible, in accordance with any specific criteria for using offsets or compensation, and ensuring that any offset is:
 - (aa) where there are residual adverse *effects* after avoidance, remediation, and mitigation, residual adverse *effects* are offset in accordance with APP3, and
 - (ab) if biodiversity offsetting of residual adverse *effects* is not possible, then those residual adverse *effects* are compensated for in accordance with APP4,
 - (a) ~~undertaken where it will result in the best ecological outcome,~~

⁵⁹⁵ 00322.008 Fulton Hogan

⁵⁹⁶ 00307.011 CIAL

⁵⁹⁷ 00235.068 OWRUG

⁵⁹⁸ 00509.040 Wise Response

⁵⁹⁹ 00509.040 Wise Response

⁶⁰⁰ 00119.003 Blackthorn Lodge, 00231.009 Fish and Game, 00231.038 Fish and Game, 00306.025 Meridian, 00206.019 Trojan, 00411.030 Wayfare

⁶⁰¹ 00306.025 Meridian

⁶⁰² 00301.014 Port Otago

⁶⁰³ 00231.009 Fish and Game

⁶⁰⁴ 00306.025 Meridian

⁶⁰⁵ 00306.025 Meridian, 00311.011 Trustpower

- (b) ~~close to the location of the activity, and~~
- (c) ~~within the same ecological district or coastal marine biogeographic region,~~⁶⁰⁶
- (4) the activity will not impede either the achievement of the objectives of this RPS ~~or the objectives of regional policy statements in neighbouring regions,~~⁶⁰⁷ and
- (5) the activity will not contravene ~~a bottom line~~ an environmental limit set in⁶⁰⁸ a national policy statement or national environmental standard.

IM-P13 – Managing cumulative effects

~~Otago’s environmental integrity, form, function, and resilience, and opportunities for future generations, are protected by recognising and specifically managing the cumulative effects of activities on natural and physical resources in plans and explicitly accounting for these effects in other resource management decisions.~~⁶⁰⁹

IM-P14 – Human impact

~~When preparing regional plans and district plans, P~~preserve⁶¹⁰ opportunities for future generations by:

- (1) identifying environmental limits⁶¹¹ ~~wherever practicable,~~⁶¹² to both growth and adverse effects of human activities beyond which the environment will be degraded,
- (2) requiring that activities are established in places, and carried out in ways, that are within those environmental limits⁶¹³ and are compatible with the natural capabilities and capacities of the resources they rely on, ~~and~~
- (3) regularly assessing and adjusting environmental limits and thresholds⁶¹⁴ for activities over time in light of the actual and potential environmental impacts, ~~including those related to climate change, and~~⁶¹⁵
- (4) promoting activities that reduce, mitigate, or avoid adverse effects on the environment.⁶¹⁶

IM-P15 – Precautionary approach

~~Adopt a precautionary approach towards proposed activities whose effects are uncertain, unknown or little understood, but could be significantly adverse, particularly where the areas and values within Otago have not been identified in plans as required by this RPS.~~⁶¹⁷

⁶⁰⁶ 00119.003 Blackthorn Lodge, 00206.019 Trojan, 00411.030 Wayfare, 00306.025 Meridian, 00311.011 Trustpower, 00318.009 Contact

⁶⁰⁷ 00306.025 Meridian

⁶⁰⁸ 00231.009 Fish and Game

⁶⁰⁹ 00235.070 OWRUG, 00121.026 Ravensdown

⁶¹⁰ 00235.071 OWRUG

⁶¹¹ 00231.009 Fish and Game

⁶¹² 00235.071 OWRUG

⁶¹³ 00231.009 Fish and Game

⁶¹⁴ 00231.009 Fish and Game

⁶¹⁵ 00226.102 Kāi Tahu ki Otago

⁶¹⁶ 00137.046 DOC

⁶¹⁷ 00137.042 DOC, 00014.022 John Highton

Methods

IM-M1 – Regional plans⁶¹⁸ and district plans

Local authorities must prepare or amend and maintain their regional plans⁶¹⁹ and district plans to:

- (1) ~~establish, by December 2030, policy frameworks designed to achieve~~ ensure that regional plans and district plans contribute to achieving the objectives for Otago set out in IM-O1 to IM-O4,⁶²⁰
- (2) ~~give effect to any response to climate change developed under this RPS, if applicable, include provisions to manage the effects, resources, and communities identified in accordance with IM-M3,⁶²¹~~
- (3) provide for activities that support climate change adaptation and climate change mitigation in accordance with IM-P10 ~~seek to mitigate or adapt to the effects of climate change or reduce greenhouse gas emissions,~~⁶²²
- (4) ensure cumulative *effects* of activities on natural and physical resources the environment⁶²³ are accounted for in resource management decisions by recognising and managing such effects recognised and managed, including:⁶²⁴
 - (a) the same *effect* occurring multiple times,
 - (b) different *effects* occurring at the same time,
 - (c) different *effects* occurring multiple times,
 - (d) one *effect* leading to different *effects* occurring over time,
 - (e) different *effects* occurring sequentially over time,
 - (f) *effects* occurring in the same place,
 - (g) *effects* occurring in different places,
 - (ga) effects occurring across regional boundaries,⁶²⁵
 - (h) *effects* that are spatially or temporally distant from their cause or causes, and,
 - (i) more than minor cumulative *effects* resulting from minor or transitory *effects*,
- (5) adopt a ki uta ki tai approach to resource management by establishing policy and implementation frameworks that treat Otago’s *environments* as an integrated system, including collaboration between local authorities to achieve consistent management of resources or *effects* that cross jurisdictional boundaries, and

⁶¹⁸ Clause 16(2), Schedule 1, RMA

⁶¹⁹ Clause 16(2), Schedule 1, RMA

⁶²⁰ 00139.042 DCC, 00239.046 Federated Farmers

⁶²¹ 00119.006 Blackthorn Lodge, 00509.044 Wise Response

⁶²² 00139 DCC (uncoded submission point)

⁶²³ 00119.006 Blackthorn Lodge, 00206.023 Trojan, 00411.034 Wayfare, 00231.042 Fish and Game

⁶²⁴ 00239.046 Federated Farmers, 00119.006 Blackthorn Lodge, 00206.023 Trojan, 00411.034 Wayfare

⁶²⁵ 00226.104 Kāi Tahu ki Otago

- (6) establish environmental limits wherever practicable to support⁶²⁶ clear thresholds for, and limits on, activities that have the potential to adversely affect healthy ecosystem services and *intrinsic values*.

IM-M2 – Relationships

~~Starting immediately,~~ Local authorities must:⁶²⁷

- (1) partner with Kāi Tahu to ensure *mana whenua* involvement in resource management processes and decision-making,⁶²⁸
- (2) work together and with other agencies (including local authorities in neighbouring regions)⁶²⁹ to ensure enable⁶³⁰ consistent implementation of the objectives, policies and methods of this RPS where appropriate,⁶³¹ and
- (3) consult with Otago’s communities to ensure policy frameworks adequately respond to the diverse facets of environmental, social, cultural, and economic well-being.

IM-M3 – Identification ~~of climate change impacts~~⁶³² and community guidance

By December 2025, ~~Otago Regional Council~~ local authorities⁶³³ must:

- (1) identify the specific types and locations of the effects of climate change impacts⁶³⁴ in Otago by undertaking a *climate change risk* assessment, including an assessment that incorporates a Kāi Tahu approach to *climate change risk* identification and evaluation, ~~and~~
 - (1A) identify natural and built resources vital to environmental (including indigenous biodiversity and ecosystems)⁶³⁵ and community resilience and well-being,⁶³⁶
 - (1B) identify vulnerable resources and communities and develop adaptation pathways for them where possible, and⁶³⁷
- (2) develop guidance to support communities to be prepared and *resilient*.

IM-M4 – ~~Climate change response~~

~~By January 2027, local authorities (led by Otago Regional Council) must together, in partnership with Kāi Tahu and in consultation with Otago’s communities, develop climate change responses for the region that achieve climate change adaptation and mitigation, and that include:~~

⁶²⁶ 00231.009 Fish and Game

⁶²⁷ 00239.047 Federated Farmers

⁶²⁸ 00226.105 Kāi Tahu ki Otago

⁶²⁹ 00013.008 ECan

⁶³⁰ 00139.043 DCC

⁶³¹ 00139.043 DCC

⁶³² 00119.006 Blackthorn Lodge, 00509.044 Wise Response

⁶³³ 00139.044 DCC

⁶³⁴ Clause 10(2)(b)(i), Schedule 1, RMA – Consequential amendment arising from 00509.044 Wise Response

⁶³⁵ 00230.037 Forest and Bird

⁶³⁶ 00119.006 Blackthorn Lodge, 00509.044 Wise Response

⁶³⁷ 00119.006 Blackthorn Lodge, 00509.044 Wise Response

- ~~(1) identifying natural and built resources vital to environmental and community *resilience* and well-being,~~
- ~~(2) identifying vulnerable resources and communities and developing adaptation pathways for them where possible, and~~
- ~~(3) developing plans and agreements for implementation.⁶³⁸~~

IM-M5 – Other methods

Local authorities should:

- (1) at their next plan review or by December 2030, whichever is sooner, align (to the extent ~~possible~~ practicable⁶³⁹) all strategies and management plans prepared under other legislation to contribute to the attainment of the long-term vision for Otago, and
- (2) facilitate community involvement in ~~realising~~ achieving the long-term vision for Otago stated in⁶⁴⁰ IM-O1 through non-regulatory means,
- (3) encourage changes to business practice that will enable businesses and communities⁶⁴¹ to function in a net-zero carbon economy, and
- (4) advocate for and incentivise activities that reduce, mitigate, or eliminate risk of environmental degradation.

Explanation

IM-E1 – Explanation

The policies in this chapter provide direction on integrated management across the region, to achieve the revitalisation, *resilience* and safeguarding of Otago’s environment and ensure that it supports ~~ka takata~~ people⁶⁴² and the community’s cultural, social, and economic well-being. The policies seek to apply a ki uta ki tai approach and ensure that the *effects of climate change* are understood and responded to across the region. Further, they are designed to ensure that environmental integrity, form, function, and *resilience*, including *resilience to climate change*,⁶⁴³ are at the centre of all resource management decision making and that changes are made where necessary to ensure the environment’s life-supporting capacity continues to support people’s health and well-being both now and into the future.

The policies in this chapter include direction for resolving issues when multiple Regional Policy Statement provisions need to be applied simultaneously. This direction reinforces the primacy of national legislation and regulation, as some provisions of National Policy Statements and National Environmental Standards are prescriptive enough that they do not need a regional interpretation and are only referred to in the

⁶³⁸ Clause 10(2)(b)(i), Schedule 1, RMA – Consequential amendment arising from 00119.006 Blackthorn Lodge, 00509.044 Wise Response, 00235.066 OWRUG

⁶³⁹ 00119.008 Blackthorn Lodge, 00206.026 Trojan, 00411.037 Wayfare

⁶⁴⁰ 00139.046 DCC

⁶⁴¹ 00226.108 Kāi Tahu ki Otago

⁶⁴² 00226.109 Kāi Tahu ki Otago

⁶⁴³ 00226.109 Kāi Tahu ki Otago

RPS when necessary. Further, some direction in the ~~New Zealand Coastal Policy Statement 2010~~ NZCPS⁶⁴⁴, such as in Policy 3, is considered appropriate to apply to the management of resources throughout Otago, rather than solely within the coastal environment.

Principal reasons

IM-PR1 – Principal reasons

Integrated management is at the core of the RMA 1991.⁶⁴⁵ The provisions in this chapter set out core facets of integration - the interconnections and interdependencies within the environment, involvement of *mana whenua* in resource management, the fundamental importance of environmental health to human well-being, and holistic assessment of human *effects* on the *environment*. They also address the *effects of climate change* as the key threat to environmental stability.

~~The provisions seek to enshrine an explicit recognition and implementation of these facets into plan making and resource consenting processes. They~~⁶⁴⁶ set an expectation of integrated resource management that flows through to all other provisions of the RPS, and informs the limits ~~and thresholds~~⁶⁴⁷ we set on human activities for protecting environmental health. It sets explicit expectations that local authorities will work with each other and with other agencies to ensure management approaches are clear, coordinated, and able to support Otago's communities into the future. This applies to plan making and resource consenting processes.⁶⁴⁸

Anticipated environmental results

- IM-AER1** Monitoring shows the ~~environmental~~ limits and thresholds⁶⁴⁹ set for human activities are adhered to and are resulting in ~~environmental well-being and resilience in the natural environment.~~⁶⁵⁰
- IM-AER2** ~~Environmental well-being and r~~Resilience in the natural environment⁶⁵¹ is resulting in sustainable social, cultural, and economic well-being for all communities including Kāi Tahu.⁶⁵²
- IM-AER3** Communities, including Kāi Tahu,⁶⁵³ are aware of the potential impacts of *climate change* and there are observable changes in community behaviour towards more sustainable lifestyles.
- IM-AER4** Plan development and decision-making processes demonstrate improved awareness of the interdependencies and interconnectedness of *natural and*

⁶⁴⁴ Clause 16(2), Schedule 1, RMA

⁶⁴⁵ Clause 16(2), Schedule 1, RMA

⁶⁴⁶ 00236.041 Horticulture NZ, 00235.075 OWRUG

⁶⁴⁷ 00231.009 Fish and Game

⁶⁴⁸ 00236.041 Horticulture NZ

⁶⁴⁹ 00231.009 Fish and Game

⁶⁵⁰ 00223.059 Ngāi Tahu ki Murihiku

⁶⁵¹ 00223.060 Ngāi Tahu ki Murihiku

⁶⁵² 00226.111 Kāi Tahu ki Otago

⁶⁵³ 00226.112 Kāi Tahu ki Otago

*physical resources within the region, and across regional and jurisdictional boundaries.*⁶⁵⁴

⁶⁵⁴ 00226.113 Kāi Tahu ki Otago

PART 3 – DOMAINS AND TOPICS

DOMAINS

AIR – Air

Objectives

AIR-O1 – Ambient air quality

Ambient air quality provides for the health and well-being of the people of Otago, *amenity values*⁶⁵⁵ and *mana whenua values*, and the life-supporting capacity of ecosystems.

AIR-O2 – Discharges to air

Human health, *amenity values*⁶⁵⁶ and *mana whenua values* and the life-supporting capacity of ecosystems are protected from the adverse effects of discharges to air.

Policies

AIR-P1 – Maintain ~~good~~ ambient air quality

~~Where Good~~ ambient air quality is at or better than the limits set, that air quality is maintained at least at the existing quality by only allowing discharges to air across Otago by:

- ~~(1) — ensuring discharges to air comply with ambient air quality limits where those limits have been set, and~~
- ~~(2) — where limits have not been set, only allowing discharges to air if the adverse effects of the discharge, including cumulative effects on ambient air quality are no more than minor and any limits are not exceeded.~~⁶⁵⁷

AIR-P2 – Improve ~~poor~~ degraded⁶⁵⁸ ambient air quality

~~Poor~~ Degraded⁶⁵⁹ ambient air quality is improved across Otago by:

- (1) establishing, maintaining and enforcing plan provisions that set limits and timeframes for improving ambient air quality, including by managing the spatial distribution of activities and

⁶⁵⁵ 00226.114 Kāi Tahu ki Otago

⁶⁵⁶ 00226.115 Kāi Tahu ki Otago

⁶⁵⁷ 00121.031 Ravensdown, 00138.014 QLDC

⁶⁵⁸ 00121.032 Ravensdown

⁶⁵⁹ 00121.032 Ravensdown

transport, and

- (2) prioritising actions to reduce *PM₁₀* and *PM_{2.5}* concentrations in *polluted airsheds*, including phasing out existing domestic *solid fuel* burning appliances and preventing any *discharges* from new domestic *solid fuel* burning appliances that do not comply with the standards set in the NESAQ.

AIR-P3 – Providing for discharges to air

Allow discharges to air provided they do not adversely affect human health, *amenity values*, and⁶⁶⁰ *mana whenua* values and the life supporting capacity of ecosystems.

AIR-P4 – Avoiding certain discharges

~~Generally Avoid discharges to air that cause noxious or dangerous effects and avoid, as the first priority, discharges to air that cause offensive, or objectionable, noxious or dangerous effects.~~⁶⁶¹

AIR-P5 – Managing certain discharges

Manage the adverse⁶⁶² effects of *discharges* to air beyond the boundary of the property of origin from activities that include but are not limited to:

- (1) outdoor burning of organic material,
- (2) agrichemical and fertiliser spraying applications,⁶⁶³
- (3) ~~farming~~ primary production⁶⁶⁴ activities,
- (4) activities that produce dust, and
- (5) industrial and trade activities.

AIR-P6 – Impacts on *mana whenua* values

Avoid *discharges* to air that adversely affect *mana whenua* values by having particular regard to values and areas of significance to *mana whenua*, including wāhi tūpuna, wāhi tapu, and wāhi taoka.⁶⁶⁵

Methods

AIR-M1 – Review *airshed* boundaries

Prior to implementing AIR-M2, and no later than 31 December 2022, the Otago Regional Council must review existing *airshed* boundaries and apply to the Ministry for the Environment to gazette amended boundaries where *airsheds* do not account for:

⁶⁶⁰ 00226.118 Kāi Tahu ki Otago

⁶⁶¹ 00213.029 Fonterra, 00115.013 Oceana Gold, 00121.034 Ravensdown

⁶⁶² 00233.030 Fonterra, 00022.014 Graymont

⁶⁶³ 00236.045 Horticulture NZ

⁶⁶⁴ 00236.045 Horticulture NZ, 00240.015 New Zealand Pork Industry

⁶⁶⁵ 00226.121 Kāi Tahu ki Otago and 00223.062 Ngāi Tahu ki Murihiku

- (1) current or anticipated areas of development,
- (2) weather patterns and geography, or
- (3) existing areas of degraded ~~poor~~⁶⁶⁶ air quality.

AIR-M2 – Regional plans

No later than 31 December 2024, Otago Regional Council must prepare or amend and maintain its *regional plans* to:

- (1) avoid ~~offensive, objectionable, noxious or dangerous~~ discharges to air that cause noxious or dangerous effects and avoid, as the first priority, discharges to air that cause offensive or objectionable effects,⁶⁶⁷
- (1A) set limits (including any ambient air quality standards) to maintain ambient air quality in accordance with AIR-P1, and improve ambient air quality in accordance with AIR-P2,⁶⁶⁸
- (2) include provisions to mitigate the adverse *effects* from *discharges* to air beyond the boundary of the property of origin,
- (3) implement the prioritisation of actions set out in AIR-P2,
- (4) mitigate the adverse *effects* of *discharges* to air in areas adjacent to *polluted airsheds* where the *discharge* will adversely affect air quality in the *polluted airshed*, ~~and~~
- (5) give effect to the Air Quality Strategy for Otago and any subsequent amendments or updates, ~~and~~
- (6) include measures to avoid adverse effects of discharges to air on *mana whenua* values and wāhi tūpuna.⁶⁶⁹

AIR-M3 – Territorial authorities

No later than 31 December 2029, *territorial authorities* must prepare or amend and maintain their *district plans* to include provisions that direct an urban form that assists in achieving good air quality by:

- (1) ~~reducing~~ encouraging or facilitating a reduced⁶⁷⁰ reliance on private ~~non-electric~~⁶⁷¹ motor vehicles and enabling the adoption of *active transport*, shared transport and *public transport* options to assist in achieving good air quality, and
- (2) managing the spatial distribution of activities.

AIR-M4 – Monitoring and reporting

Otago Regional Council must monitor and report no less frequently than annually on:

- (1) air quality in accordance with the NESAQ to identify changes in ambient air quality within *airsheds*,

⁶⁶⁶ 00138.020 QLDC

⁶⁶⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00213.029 Fonterra, 00115.013 Oceana Gold, 00121.034 Ravensdown

⁶⁶⁸ 00121.031 Ravensdown, 00138.014 QLDC

⁶⁶⁹ 00226.122 Kāi Tahu ki Otago and 00234.012 Te Rūnanga o Ngāi Tahu

⁶⁷⁰ 00239.056 Federated Farmers

⁶⁷¹ 00411.038 Wayfare

and

- (2) progress towards attainment of the *ambient air quality standards*.

AIR-M5 – Incentives and other mechanisms

In partnership with Kāi Tahu ki Otago and iwi⁶⁷² collaboration with *territorial authorities*, *iwi authorities*,⁶⁷³ key stakeholders and industry, Otago Regional Council must, on an on-going basis, use other mechanisms or incentives to assist with achieving the air quality objectives, including:

- (1) improving community awareness of air quality issues in Otago associated with home heating,
- (2) educating communities and promoting the use of alternative methods for home heating including the use of new technology (including low emission or ultra-low emission home heating appliances) and cleaner fuels or energy sources,
- (3) advocating, promoting and supporting upgrading Otago’s housing stock and changes to the Building Act 2004 and Building Code to require houses to create and maintain warmth more efficiently and reduce reliance on non-compliant domestic *solid fuel* burning appliances as described in AIR-P2,
- (4) advocating to energy providers to improve the *resilience and reliability*⁶⁷⁴ of electricity infrastructure so alternative sources of heating are available and reliable,
- (5) measures to encourage the use of *active transport*, shared transport and *public transport* over the use of private motor vehicles, and
- (6) providing financial incentives (such as funding schemes, subsidies or rates relief) and support to improve home heating efficiency and assist with the transition towards cleaner heating, improved energy efficiency and home insulation, including the replacement of *solid fuel* burners that do not comply with the NESAQ standards.

Explanation

AIR-E1 – Explanation

The policies in this chapter are designed to achieve and maintain good air quality for Otago by requiring improvements where air quality is poor, maintaining it where it is good. Managing air quality does not include emissions from ships which are managed under separate national regulation. The policies in this chapter focus on preventing further decline in air quality by preventing use of new domestic *solid fuel* burning appliances that do not comply with the NESAQ, and phasing out the use of existing domestic *solid fuel* burning appliances that are non-compliant. The policies also require the boundaries of *airsheds* be amended to accurately reflect current and anticipated areas of urban growth. This is required to ensure monitoring of ambient air quality is accurate and that all activities that contribute to poor ambient air quality within an *airshed* are subject to the same measures to improve ambient air quality. This policy

⁶⁷² 00226.125 Kāi Tahu ki Otago

⁶⁷³ 00226.125 Kāi Tahu ki Otago

⁶⁷⁴ 00306.026 Meridian

framework also directs future reviews of the Regional Plan: Air to manage the adverse effects of discharges to air.

In addition to the objectives and policies in this chapter, the air quality outcomes are also provided for in the objectives and policies listed within the following chapters of the RPS where they provide direction on the management of *environments* and activities that may affect air quality:

- IM – Integrated management
- EIT – Energy, *infrastructure* and transport
- UFD – Urban form and development

Principal reasons

AIR-PR1

Clean air is vital for supporting a healthy population and *environment*. Air quality monitoring shows that for most of the year air quality in the Otago Region is very good. During winter months however, temperatures drop and emissions from home heating increase. This, coupled with the topography of some areas and cold, calm conditions, leads to poor winter air quality in many towns and cities across the region. At times, parts of Otago have some of the poorest air quality in New Zealand. This is intensifying through urban growth.

The provisions in this chapter set out the framework for a review of the Air Plan and supports ORC's obligation to both observe and enforce the NESAQ. Implementation of the provisions in this chapter will occur primarily through *regional plans*⁶⁷⁵ and *district plan* provisions, however a collaborative approach with central government, other *local authorities*, stakeholders, communities⁶⁷⁶ and industry, and in partnership with Kāi Tahu as mana whenua,⁶⁷⁷ will support the achievement of the objectives over time.

Anticipated environmental results

AIR-AER1	Where air quality is poor, there is a decreasing trend in concentrations of <i>PM₁₀</i> and <i>PM_{2.5}</i> .
AIR-AER2	Otago has an urban form that takes into account the <i>effects</i> of activities, and any <i>discharges</i> to air they create, on Otago's air quality.
AIR-AER3	Homes have cleaner forms of heating and non-compliant burners are no longer in use.
AIR-AER4	There is a decrease in the number of complaints regarding offensive, objectionable, noxious or dangerous <i>discharges</i> into air.
AIR-AER5	Where air quality is good it is maintained.
AIR-AER6	Otago is compliant with NESAQ requirements.

⁶⁷⁵ Clause 16(2), Schedule 1, RMA

⁶⁷⁶ 00226.127 Kāi Tahu ki Otago

⁶⁷⁷ 00226.127 Kāi Tahu ki Otago

CE – Coastal environment

Objectives

CE-O1 – Safeguarding the coastal environment (Te Hauora o Te Tai o Arai-te-uru)⁶⁷⁸

The health,⁶⁷⁹ integrity, form, functioning and resilience of Otago's coastal environment is safeguarded so that:

- (1) the mauri of coastal water and its health and well-being⁶⁸⁰ is protected, and restored where it has *degraded*,
- (2) *coastal water* quality supports healthy ecosystems, natural habitats, water-based recreational activities, existing activities, and customary uses, including practices associated with ~~mahika kai~~ *mahika kai*⁶⁸¹ and kaimoana,
- (3) the dynamic and interdependent natural biological and physical processes in the coastal environment are maintained or enhanced,
- (4) the diversity of indigenous coastal flora and fauna is maintained, and areas of representative or significant indigenous biodiversity are protected, ~~areas of biodiversity are protected,~~⁶⁸² and
- (5) *surf breaks* of national significance are protected,
- (6) the interconnectedness of wai Māori and wai tai, and the effects of terrestrial and freshwater uses and activities on coastal waters and ecosystems, are recognised, and understood, and protected,⁶⁸³ and⁶⁸⁴
- (7) the ongoing effects of climate change within the coastal environment are identified and planned for.⁶⁸⁵

CE-O2 – Public access and recreation ~~Maintaining or enhancing highly valued areas of the coastal environment~~

Public access, and recreation opportunities, ~~and highly valued natural features and landscapes~~⁶⁸⁶ in the coastal environment are maintained or enhanced.

⁶⁷⁸ 00226.131 Kāi Tahu Ki Otago

⁶⁷⁹ 00226.131 Kāi Tahu Ki Otago

⁶⁸⁰ 00226.130 Kāi Tahu Ki Otago

⁶⁸¹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁶⁸² 00137.049 DOC, 00230.046 Forest and Bird

⁶⁸³ 00226.131 Kāi Tahu Ki Otago

⁶⁸⁴ 00226.131 Kāi Tahu Ki Otago

⁶⁸⁵ 00226.131 Kāi Tahu Ki Otago, 00234.015 Te Rūnanga o Ngāi Tahu

⁶⁸⁶ 00121.039 Ravensdown, 00230.047 Forest and Bird, 00239.057 Federated Farmers, 00306.027 Meridian Energy, 00124.015 Southern Inshore Fisheries

CE-03 – Natural character, features and landscapes

Areas of natural character, are preserved and⁶⁸⁷ natural features, and landscapes ~~and~~ (including seascapes) within the coastal environment are protected from inappropriate activities, and restoration is encouraged where the values of these areas have been compromised.

CE-04 – ~~Kāi Tahu associations with Otago's coastal environment~~ Mana moana⁶⁸⁸

The enduring cultural association of Kāi Tahu with Otago's coastal environment is recognised and provided for, and *mana whenua* are able to exercise their kaitiaki rakatirataka role, manaakitaka and their kaitiaki duty of care⁶⁸⁹ within the coastal environment.

CE-05 – Activities in the coastal environment

Activities in the coastal environment:

- (1) make efficient use of space occupied in the *coastal marine area*,
- (2) are of a scale, density and design compatible with their location,
- (3) are only provided for within appropriate locations and limits constraints,⁶⁹⁰ and
- (4) maintain or enhance public access to and along the *coastal marine area*, including for customary uses, except where public access needs to be restricted for reasons of health and safety or ecological or cultural sensitivity.⁶⁹¹

Policies

CE-P1 – Links with other chapters

Implement an integrated approach to managing Otago's coastal environment which recognises⁶⁹² that:

- (1) coastal hazards must be identified ~~in accordance with CE-P2(4)~~⁶⁹³ and managed in accordance with the HAZ–NH – Natural hazards section of this RPS;
- (2) commercial⁶⁹⁴ *port activities* must be managed in accordance with EIT-TRAN-P23 ~~the TRAN – Transport section of this RPS~~⁶⁹⁵; and
- (3) ~~historic heritage~~ must be managed in accordance with the HCV – Historical and cultural values section of this RPS.
- (4) where relevant, the provisions within the following chapters of this RPS also apply within the coastal environment, unless expressly excluded:

⁶⁸⁷ 00226.133 Kāi Tahu Ki Otago

⁶⁸⁸ 00226.134 Kāi Tahu Ki Otago

⁶⁸⁹ 00226.134 Kāi Tahu Ki Otago

⁶⁹⁰ 00231.009 Fish and Game

⁶⁹¹ 00234.017 Te Rūnanga o Ngāi Tahu

⁶⁹² 00226.136 Kāi Tahu ki Otago

⁶⁹³ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00301.047 Port Otago

⁶⁹⁴ 00301.018 Port Otago

⁶⁹⁵ 00301.018 Port Otago

- (a) IM – Integrated management,
- (aa) MW – Mana whenua,⁶⁹⁶
- (b) AIR – Air,
- (c) LF – Land and freshwater,
- (d) ECO – Ecosystems and indigenous biodiversity,
- (e) EIT – Energy, infrastructure and transport,
- (f) HAZ – Hazards and risks,
- (g) HCV – Heritage and historical values,
- (h) NFL – Natural features and landscapes, and
- (i) UFD – Urban form and development.⁶⁹⁷

CE-P2 – Identification

Identify the following in the coastal environment:

- (1) the landward extent of the coastal environment, recognising that the coastal environment includes:
 - (a) the *coastal marine area*,
 - (b) islands within the *coastal marine area*,
 - (c) areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands, and the margins of these,
 - (d) areas at risk from coastal hazards as identified in CE-P2(4), HAZ-NH-P1A,⁶⁹⁸
 - (e) coastal vegetation and the habitat of indigenous coastal species including migratory birds,
 - (f) elements and features that contribute to the natural character, landscape, visual qualities or *amenity values*,
 - (g) items of Kāi Tahu⁶⁹⁹ cultural association⁷⁰⁰ and *historic heritage* in the *coastal marine area* or on the coast,
 - (h) inter-related coastal marine and terrestrial systems, including the intertidal zone, and
 - (i) physical resources and built facilities, including *infrastructure*, that have modified the coastal environment.
- (2) areas of *water* quality in the *coastal marine area* that are considered to have deteriorated so that

⁶⁹⁶ 00137.0048 DOC

⁶⁹⁷ 00137.052 DOC

⁶⁹⁸ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00301.047 Port Otago

⁶⁹⁹ 00226.137 Kāi Tahu ki Otago

⁷⁰⁰ 00226.137 Kāi Tahu ki Otago

it is having a significant adverse *effect* on ecosystems, natural habitats, or water-based recreational activities, or is restricting existing uses, such as aquaculture, shellfish gathering, and cultural activities such as ~~māhika kai~~ *māhika kai*⁷⁰¹ and harvesting of kaimoana,

- (3) areas of *coastal water* where *takata whenua* have a particular interest, including Mātaitai and Taiapure,⁷⁰²
- ~~(4) areas that are potentially affected by coastal hazards (including tsunami), giving priority to the identification of areas at high risk of being affected, and~~
- (5) the nationally significant *surf breaks* at Karitane, Papatowai, The Spit, and Whareakeke and any regionally significant *surf breaks*.

CE-P3 – Coastal water quality

~~Improve coastal water quality~~ ~~Coastal water quality is improved~~,⁷⁰³ where it is considered to have deteriorated to the extent described within CE-P12(2),⁷⁰⁴ and otherwise managed water quality⁷⁰⁵ by so that:

- (1) maintaining or enhancing⁷⁰⁶ healthy coastal ecosystems, indigenous habitats provided by the coastal environment, and the migratory patterns of indigenous *coastal water* species ~~are maintained or enhanced~~,⁷⁰⁷
- (2) sustaining⁷⁰⁸ Kāi Tahu relationships with and customary uses of *coastal water* ~~are sustained~~,⁷⁰⁹
- (3) maintaining or enhancing⁷¹⁰ recreation opportunities and existing uses of *coastal water* ~~are maintained or enhanced~~⁷¹¹, and
- ~~(4) within identified areas where *takata whenua* have a particular interest, adverse effects on these areas and values are remedied or where remediation is not practicable, are mitigated.~~⁷¹²
- (5) managing activities outside the coastal marine area that have an effect on coastal water quality,⁷¹³
- (6) maintaining or enhancing water quality within areas of coastal water identified in CE-P2(3) where *mana whenua* have a particular cultural interest, and⁷¹⁴

⁷⁰¹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁷⁰² 00234.018 Te Runanga o Ngāi Tahu

⁷⁰³ 00139.064 DCC, 00226.138 Kāi Tahu Ki Otago, 00223.070 Ngāi Tahu ki Murihiku

⁷⁰⁴ 00226.138 Kāi Tahu Ki Otago, 00137.054 DOC, 00301.020 Port Otago, 00121.043 Ravensdown, 00223.070 Ngāi Tahu ki Murihiku, 00234.019 Te Runanga o Ngāi Tahu

⁷⁰⁵ 00139.064 DCC, 00226.138 Kāi Tahu Ki Otago, 00223.070 Ngāi Tahu ki Murihiku

⁷⁰⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.138 Kāi Tahu Ki Otago

⁷⁰⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.138 Kāi Tahu Ki Otago

⁷⁰⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.138 Kāi Tahu Ki Otago

⁷⁰⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.138 Kāi Tahu Ki Otago

⁷¹⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.138 Kāi Tahu Ki Otago

⁷¹¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.138 Kāi Tahu Ki Otago

⁷¹² 00226.138 Kāi Tahu Ki Otago, 00234.019 Te Rūnanga o Ngāi Tahu

⁷¹³ 00230.053 Forest and Bird

⁷¹⁴ 00226.138 Kāi Tahu Ki Otago, 00234.019 Te Rūnanga o Ngāi Tahu

(7) setting appropriate *environmental* limits⁷¹⁵ for coastal water quality, including ecosystem health, sediment, kaimoana gathering, contact recreation and habitats of taoka species.716

CE-P4 – Natural character

Identify, preserve and restore the natural character of the coastal environment by:

- (1) identifying areas and values of high and outstanding natural character which may include matters such as:
 - (a) natural elements, processes and patterns,
 - (b) biophysical, ecological, geological and geomorphological aspects,
 - (c) natural landforms such as headlands, peninsulas, cliffs, dunes, *wetlands*, estuaries, reefs, *freshwater* springs and *surf breaks*,
 - (d) the natural movement of *water* and sediment,
 - (e) the natural darkness of the night sky,
 - (f) places or areas that are wild or scenic,
 - (g) a range of natural character from pristine to modified,
 - (h) experiential attributes, including the sounds and smell of the sea, and their context or setting,
- (2) avoiding adverse *effects* on natural character in areas identified as having outstanding natural character,
- (3) avoiding significant adverse *effects* and avoiding, remedying or mitigating other adverse *effects* on natural character outside the areas in (2) above,
- ~~(4) encouraging de-reclamation of redundant reclaimed *land* where it would restore the natural character and resources of the *coastal marine area* and provide for more public open space, and⁷¹⁷~~
- (5) promoting *activities* and ~~restoration~~⁷¹⁸ projects that will restore or rehabilitate⁷¹⁹ natural character in the coastal environment where it has been reduced or lost.

CE-P5 – Coastal indigenous *biodiversity*

Protect indigenous *biodiversity* in the coastal environment by:

- (1) identifying and avoiding adverse effects on the following ecosystems, vegetation types and areas:
 - (a) indigenous taxa that are listed as threatened or at risk in the New Zealand Threat

⁷¹⁵ 00231.009 Fish and Game

⁷¹⁶ 00226.138 Kāi Tahu Ki Otago, 00234.019 Te Rūnanga o Ngāi Tahu

⁷¹⁷ 00226.139 Kāi Tahu ki Otago

⁷¹⁸ 00226.139 Kāi Tahu ki Otago

⁷¹⁹ 00226.139 Kāi Tahu ki Otago

Classification System lists,

- (b) taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened,
 - (c) indigenous ecosystems and vegetation types in the coastal environment that are threatened or are naturally rare,
 - (d) habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare,
 - (e) areas containing nationally significant examples of indigenous community types, ~~and~~
 - (f) areas set aside for full or partial protection of indigenous *biodiversity* under other legislation, ~~and~~
 - (g) significant natural areas identified in accordance with APP2, and⁷²⁰
 - (h) indigenous species and ecosystems identified as taoka in accordance with ECO-M3, and⁷²¹
- (2) identifying and avoiding significant adverse *effects* and avoiding, remedying or mitigating other adverse *effects* on the following ecosystems, vegetation types and areas:
- (a) areas of predominantly indigenous vegetation in the coastal environment,
 - (b) habitats in the coastal environment that are important during the vulnerable life stages of indigenous species,
 - (c) indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable,
 - (d) areas sensitive to modification, including estuaries, lagoons, coastal *wetlands*, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh,
 - (e) habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes,
 - (f) habitats, including areas and routes, important to migratory species, and
 - (g) ecological corridors, and areas important for linking or maintaining biological values identified under this policy.

CE-P6 – Natural features, ~~and~~ landscapes ~~and~~ (including seascapes)

Protect natural features, ~~and~~ landscapes ~~and~~ (including seascapes) in the coastal environment by:

- (1) identifying their areas and values, at minimum by land typing, soil characterisation and landscape characterisation,⁷²² in accordance with APP9,

⁷²⁰ 00137.055 DOC, 00120.042 Yellow-eyed Penguin Society

⁷²¹ 00226.223 Kāi Tahu ki Otago

⁷²² 00230.056 Forest & Bird, 00122.018 Sanford

- (2) avoiding adverse *effects* of activities on outstanding natural features, ~~and~~ landscapes ~~and~~ (including seascapes),
- (3) avoiding significant adverse *effects* and avoiding, remedying, or mitigating other adverse *effects* of activities on other natural features, ~~and~~ natural landscapes ~~and~~ (including seascapes), and
- (4) promoting restoration or enhancement of natural features, ~~and~~ landscapes ~~and~~ (including seascapes) where they have been reduced or lost.

CE-P7 – Surf breaks

Manage Otago’s nationally and regionally significant *surf breaks* so that:

- (1) nationally significant *surf breaks* are protected by avoiding adverse *effects* on the *surf breaks*, including on access to and use and enjoyment of them, and
- (2) the values of and access to regionally significant *surf breaks* are maintained.

CE-P8 – Public access

~~Maintain or enhance~~ Manage public walking and vehicle access to, ~~and~~ along and adjacent to the *coastal marine area* by unless restricting public access is necessary:

(1A) maintaining or enhancing public walking access,

(1B) controlling vehicle access, and

(1C) restricting public walking and vehicle access where necessary:

(a) to protect public health and safety,

(b) to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna,

(c) to protect dunes, estuaries and other sensitive natural areas or habitats,

(d) to protect places or areas containing *historic heritage* of regional or national significance,

(e) to protect places or areas of significance to *mana whenua*, including wāhi tapua, wāhi tapu and wāhi taoka,

(f) for defence purposes in accordance with the Defence Act 1990,

(g) for temporary activities or special events, or

(h) to ensure a level of security consistent with the operational requirements of a lawfully established activity.

~~(1) to protect public health and safety,~~

~~(2) to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna,~~

~~(3) to protect dunes, estuaries and other sensitive natural areas or habitats,~~

- (4) — to protect places or areas containing *historic heritage* of regional or national significance,
- (5) — to protect places or areas of significance to *takata mana whenua*, including wāhi tapua, wāhi tapu and wāhi tūpuna,
- (6) — for defence purposes in accordance with the Defence Act 1990,
- (7) — for temporary activities or special events, or
- (8) — to ensure a level of security consistent with the operational requirements of a lawfully established activity.⁷²³

CE-P9 – Activities on *land* within the coastal environment

The strategic and co-ordinated use of *land* within the coastal environment is achieved by:

- (1) encouraging the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth; avoiding sprawling or sporadic patterns of subdivision, use and development,⁷²⁴
- (2) considering the rate at which built development should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the values of the coastal environment,
- (2A) recognising and providing for the functional needs and operational needs of nationally significant infrastructure and regionally significant infrastructure where appropriate,⁷²⁵
- (3) recognising the importance of the provision of *infrastructure*, and food production, and pastoral farming activities⁷²⁶ to the social, economic and cultural well-being of people and communities,
- (4) requiring development be set back from the coastal marine area and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment; maintaining or enhancing public access to the coastal environment, and⁷²⁷
- (5) considering where activities that maintain the character of the existing built environment should be encouraged, and where activities resulting in a change in character would be acceptable, and;
- (6) taking into account the risks of climate change and coastal hazards.⁷²⁸

CE-P10 – Activities within the *coastal marine area*

Use and development in the *coastal marine area* must:

⁷²³ 00226.143 Kāi Tahu Ki Otago, 00230.058 Forest and Bird

⁷²⁴ 00139.071 DCC

⁷²⁵ 00305.013, 00305.014, 00305.015 Waka Kotahi

⁷²⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential to 00021.002 Matakanui Gold Limited, 00016.009 Alluvium Limited and Stoney Creek Mining, 00017.007 Danny Walker and others, 00226.033 Kāi Tahu ki Otago

⁷²⁷ 00139.071 DCC

⁷²⁸ 00139.071 DCC

- (1) enable multiple uses of the *coastal marine area* wherever reasonable and practicable,
- (2) maintain or improve the health,⁷²⁹ integrity, form, function and *resilience* of the *coastal marine area*, ~~and~~⁷³⁰
- (3) have a *functional need*⁷³¹ or *operational need* to be located in the *coastal marine area*, or
- (4) have a public benefit or opportunity for public recreation that cannot practicably be located outside the *coastal marine area*.

CE-P11 – Aquaculture

Provide for the development and operation of *aquaculture activities* within appropriate locations and limits, taking into account:

- (1A) risks to biosecurity from disease or introduced pest species,⁷³²
- (1B) the effects of aquaculture on cultural values, including effects on *mahika kai* and kaimoana practices, and customary fisheries, including *mātaitai* reserves and *taiāpure*,⁷³³
 - (1) the need for high quality *water* required for an *aquaculture activity*,
 - (2) the need for *land*-based facilities and infrastructure required to support the operation of *aquaculture activities*, and
 - (3) the potential social, economic and cultural benefits associated with the operation and development of *aquaculture activities*.

CE-P12 – Reclamation and de-reclamation⁷³⁴

Manage reclamation and de-reclamation by.⁷³⁵

- (1A) Avoiding⁷³⁶ reclamation in the *coastal marine area*, unless:
 - ~~(1)~~(a) *land* outside the *coastal marine area* is not available for the proposed activity,
 - ~~(2)~~(b) the activity to be established on the reclamation can only occur immediately adjacent to the *coastal marine area*,
 - ~~(3)~~(c) there are no practicable alternative methods of providing for the activity, ~~and~~
 - ~~(4)~~(d) the reclamation will provide significant regional or national benefit-, and
- (1B) Encouraging de-reclamation of redundant reclaimed land where it would restore natural character, resources of the coastal marine area, and provide for more public open space.⁷³⁷

⁷²⁹ 00226.145 Kāi Tahu Ki Otago

⁷³⁰ 00315.025 Aurora Energy

⁷³¹ Clause 16(2), Schedule 1, RMA

⁷³² 00226.146 Kai Tahu Ki Otago

⁷³³ 00226.146 Kai Tahu Ki Otago

⁷³⁴ 00226.147 Kāi Tahu ki Otago

⁷³⁵ 00226.147 Kāi Tahu ki Otago

⁷³⁶ 00226.147 Kāi Tahu ki Otago

⁷³⁷ 00226.147 Kāi Tahu ki Otago

CE-P13 – Rakatirataka and kaitiakitaka ⁷³⁸

Recognise and give practical effect to Kāi Tahu rakatirataka and provide for⁷³⁹ the role of Kāi Tahu as kaitiaki of the coastal environment by:

- (1) facilitating partnership with, and actively⁷⁴⁰ involving *mana whenua* in decision making and management processes in respect of the coast,
- (2) identifying, protecting, and improving where degraded, sites, areas and values of importance to Kāi Tahu within the coastal environment, and managing these in accordance with tikaka,
- (3) providing for customary uses, including ~~mahika kai~~ *mahika kai*⁷⁴¹ and the harvesting of kaimoana,
- (4) incorporating the impact of activities on customary fisheries, mātaitai reserves and taiāpure⁷⁴² in decision making, and
- (5) incorporating mātauraka Maōri in the management and monitoring of activities in the coastal environment.

Methods

CE-M1A – Mana whenua/mana moana involvement

Otago Regional Council must partner with Kāi Tahu in coastal management by actively identifying and pursuing opportunities for mana whenua to exercise their rakatirataka role, manaakitaka and their kaitiaki duty of care kaitiaki role within the coastal environment.⁷⁴³

CE-M1 – Identifying the coastal environment

Local authorities must:

- (1) no later than 31 May 2023, work collaboratively, including with local authorities in neighbouring regions,⁷⁴⁴ to:
 - (a) identify the landward extent of the coastal environment, in accordance with CE-P2(1),
 - (b) map the landward extent of the coastal environment area in the relevant *regional plans*⁷⁴⁵ and *district plans*.

⁷³⁸ 00226.148 Kāi Tahu ki Otago

⁷³⁹ 00226.148 Kāi Tahu Ki Otago

⁷⁴⁰ 00226.148 Kāi Tahu Ki Otago

⁷⁴¹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁷⁴² 00226.148 Kāi Tahu Ki Otago

⁷⁴³ 00226.156 Kāi Tahu Ki Otago

⁷⁴⁴ 00013.009 ECan

⁷⁴⁵ Clause 16(2), Schedule 1, RMA

CE-M2 – Identifying other areas

Local authorities must work collaboratively, with Kāi Tahu⁷⁴⁶ and local authorities in neighbouring regions,⁷⁴⁷ together to:

- (1) identify areas and values of high and outstanding natural character within their jurisdictions in accordance with CE-P4(1), map the areas and describe their values in the relevant *regional plans*⁷⁴⁸ and *district plans*, and identify their capacity to accommodate change through use or development while protecting the values that contribute to the natural character of the area being considered high or outstanding,
- (2) identify, at an appropriate scale,⁷⁴⁹ areas and values of outstanding natural features, ~~and~~ and landscapes ~~and (including seascapes)~~ (including seascapes) (in the coastal environment) within their jurisdictions in accordance with CE-P6(1), map the areas and describe their values in the relevant *regional plans*⁷⁵⁰ and *district plans*, and identify their capacity to accommodate change through use or development while protecting the values that contribute to the natural features, and landscapes ~~and (including seascapes)~~ being considered outstanding,
- (3) identify areas and values of indigenous *biodiversity* within their jurisdictions in accordance with CE-P5, map the areas and describe their values in the relevant *regional plans*⁷⁵¹ and *district plans*, and
- (4) prioritise identification under (1) – (3) in areas that are:
 - (a) likely to face development or growth pressure over the life of this RPS, or
 - (b) likely to contain outstanding natural character areas, outstanding natural features or landscapes, and areas of significant indigenous *biodiversity*, including the areas in the table below.

⁷⁴⁶ 00226.149 Kāi Tahu ki Otago

⁷⁴⁷ 00013.010 ECan

⁷⁴⁸ Clause 16(2), Schedule 1, RMA

⁷⁴⁹ 00122.018 Sanford

⁷⁵⁰ Clause 16(2), Schedule 1, RMA

⁷⁵¹ Clause 16(2), Schedule 1, RMA

Table 2 – Areas likely to contain significant values

Oamaru Harbour Breakwater	Te Whakarekaiwi
Moeraki Beach	Papanui Inlet
Moeraki Peninsula	Hoopers Inlet
Shag Point & Shag River Estuary	Kaikorai Estuary
Stony Creek Estuary	Brighton
Pleasant River Estuary	Akatore Creek Estuary
Hawksbury Inlet	Tokomairiro Estuary
Waikouaiti River Estuary	Wangaloa
Karitane Headland	Clutha River Mata-au, Matau Branch
Puketeraki	Nugget Point
Blueskin Bay	Surat Bay
Orokonui Inlet	Catlins Lake Estuary
Mapoutahi	Jacks Bay
Purakanui Inlet	Waiheke Beach
Aramoana	Tahakopa Estuary
Otago Harbour Historic Walls	Oyster Bay
Otakou & Taiaroa Head	Tautuku Estuary
Pipikaretu Point	Waipati Estuary & Kinakina Island

<u>Cape Wanbrow</u>	<u>Nugget Point</u>
<u>All Day Bay Lagoon</u>	<u>Sandy Bay</u>
<u>Te Hikapureirei Beach</u>	<u>False Islet</u>
<u>Moeraki Point and adjacent coast</u>	<u>Penguin Bay</u>
<u>Kātiki Point</u>	<u>Cosgrove Island</u>
<u>Kātiki Beach</u>	<u>Long Point</u>
<u>Shag Point (incl. Shag River estuary & Cliffs between Shag and Stoney Rivers)</u>	<u>Tahakopa Bay</u>
<u>Cliffs south of Stoney Creek</u>	<u>Mahaka Point</u>
<u>Bobbys Head</u>	<u>Frances Pillars / Cathedral Caves</u>
<u>Cliffs south of Tavora</u>	<u>Makatī</u>
<u>Pleasant River spit</u>	<u>Waianakarua</u>
<u>Pleasant River estuary</u>	<u>Goodwood</u>
<u>Tumai</u>	<u>Pūrākaunui</u>
<u>Karitāne Headland</u>	<u>Lower Otago Harbour</u>
<u>Seacliff</u>	<u>Smaills / Tomahawk</u>
<u>Māpoutahi</u>	<u>Brighton</u>
<u>Potato Point</u>	<u>Taieri River Gorge</u>
<u>Heyward Point (incl. Long Beach & Aramoana)</u>	<u>Outer Otago Peninsula</u>
<u>Harbour Islands / Portobello Peninsula</u>	<u>Southern Otago Peninsula</u>
<u>Taiaroa Head</u>	<u>Outer Otago Peninsula</u>
<u>Harington Point</u>	<u>Taieri Mouth</u>
<u>Pīpikāretu</u>	<u>Akatore Coast</u>
<u>Okia (incl. Victory Beach & Papanui Inlet)</u>	<u>Toko Mouth</u>
<u>Allans Beach / Hoopers Inlet</u>	<u>Wangaloa</u>
<u>Seal Point</u>	<u>Clutha Mouth</u>
<u>Boulder Beach</u>	<u>Kaka Point</u>
<u>St Clair cliffs</u>	<u>Jacks Bay / Penguin Bay</u>
<u>Kuri Bush</u>	<u>Hinahina</u>
<u>Cape Saunders</u>	<u>Waipātī (incl. Waipātī Beach & Waipātī Estuary)</u>
<u>Sandfly Bay</u>	<u>Wallace Head</u>
<u>Sandymount</u>	<u>Waitaki River mouth</u>
<u>Highcliff / Pudneys Cliff</u>	<u>Cape Wanbrow wave cut notch and platform</u>
<u>White Island</u>	<u>Bridge Point</u>
<u>Tunnel Beach</u>	<u>Moeraki Boulders</u>
<u>Green Island</u>	<u>Warrington Spit / Rabbit Island</u>
<u>Coutts Gully wetland</u>	<u>Matanaka</u>
<u>Taieri Beach</u>	<u>Karitāne Peninsula</u>
<u>Akatore gorge</u>	<u>Goat Island – Rakiriri</u>
<u>Akatore wetland</u>	<u>Quarantine Island</u>
<u>Quoin Point</u>	<u>Pyramids</u>
<u>Measly Beach</u>	<u>Wharekākahu Island</u>
<u>Cannibal / Surat Bay</u>	<u>Lovers leap and the Chasm</u>
<u>Caitlins Lake</u>	<u>Blackhead organ pipes</u>
<u>Caitlins Heads</u>	<u>Chrystalls Beach</u>
<u>Pūrākaunui Bay</u>	<u>Cooks Head Rock</u>
<u>Haywards Point</u>	<u>Jacks Blowhole</u>
<u>Pillans Head</u>	<u>Tuhawaiki Island</u>

<u>Tahakopa River</u>	<u>Cosgrove Island</u>
<u>Tautuku (incl. Tautuku Peninsula (incl. Tautuku Bay & Tautuku River)</u>	<u>Rainbow Isles</u>
<u>Lower Taieri River</u>	<u>Lake Wilkie</u>
<u>Moturata</u>	<u>Cathedral Caves</u>
	<u>Kinakina Island</u> ⁷⁵²

CE-M3 – Regional plans

Otago Regional Council must prepare or amend and maintain its *regional plans* no later than 31 December 2028 to:

- (1) map areas of deteriorated *water* quality in the coastal environment, in accordance with CE-P2(2) and ~~CE-P2(3)~~,⁷⁵³
- (1A) identify, protect, and improve where degraded, areas of coastal water where mana whenua have a particular cultural interest, including wāhi tupuna, statutory acknowledgement areas, tōpuni and nohoaka identified in the NTCSA, and customary fisheries,⁷⁵⁴
- (1B) set water quality targets for coastal waters in accordance with CE-P3,⁷⁵⁵
- (2) map the areas and characteristics of, and access to, ~~nationally~~ surf breaks of national significance⁷⁵⁶ and regionally significant *surf breaks*,
- (3) require development to be set back from the *coastal marine area* where practicable to protect the natural character, open space, public access and *amenity values* of the coastal environment,
- (4) manage the *discharge of contaminants* into *coastal water* to achieve ~~environmental limits~~ for water quality⁷⁵⁷ by:
 - (a) minimising the size of the mixing zone only enabling the use of small mixing zones⁷⁵⁸ before the *water* quality standards need to be met in the *receiving environment* and minimising adverse *effects* on the life-supporting capacity of *water* within any mixing zone,
 - (b) prohibiting any new ~~the~~⁷⁵⁹ *discharge* of untreated human *sewage* directly to water in the coastal environment,
 - (bb) requiring the implementation of methods to progressively reduce the volume and frequency of existing discharges of untreated human sewage from reticulated wastewater system in the event of a system failure or overloading the system, including by minimising stormwater inflows and infiltration into wastewater systems,⁷⁶⁰
 - (bc) encouraging methods and actions to reduce contaminant discharges at source,⁷⁶¹

⁷⁵² 00226.151 Kāi Tahu ki Otago

⁷⁵³ 00226.153 Kāi Tahu ki Otago

⁷⁵⁴ 00226.153 Kāi Tahu ki Otago

⁷⁵⁵ 00226.153 Kāi Tahu ki Otago

⁷⁵⁶ Clause 16(2), Schedule 1 RMA

⁷⁵⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.153 Kāi Tahu ki Otago

⁷⁵⁸ 00139.076 DCC

⁷⁵⁹ 00139.076 DCC

⁷⁶⁰ 00139.076 DCC

⁷⁶¹ 00510.020 Fuel Companies

- (c) prohibiting the *discharge* of treated human *sewage* directly to water in the coastal environment unless:
 - (i) there has been adequate consideration of alternative methods, sites and routes for undertaking the *discharge*, and
 - (ii) it can be demonstrated that the proposal has been informed by consultation with *tangata whenua* and the affected community, and
- (d) reducing the *discharge* of sediment by:
 - (i) requiring that *subdivision*, use, or development will not increase sedimentation of the *coastal marine area* or other *coastal water*,
 - (ii) controlling the impacts of vegetation removal on sedimentation including the impacts of harvesting *plantation forestry*, and
 - (iii) reducing sediment loadings in runoff and in *stormwater* systems through controls on *land* use activities, and
- (e) designing installing, operating and maintaining new reticulated wastewater systems to avoiding cross-contamination between *sewage* and *stormwater* systems where new systems are proposed and remedying cross-contamination where they it currently exists in established systems, and⁷⁶²
- (f) having particular regard to:
 - (i) the sensitivity of the receiving environment,
 - (ii) the nature of the *contaminants* to be *discharged*, the *contaminant* concentration thresholds not to be exceeded to achieve the required *water* quality in the receiving environment, and the risks if that concentration of *contaminants* is exceeded,
 - (iii) the capacity of the receiving environment to assimilate the *contaminants*, and
 - (iv) avoiding significant adverse *effects* on ecosystems and habitats after reasonable mixing,
- (5) control the use and development of the *coastal marine area*, in order to:
 - (a) preserve the coastal water quality; natural character; natural features, and landscapes and (including seascapes); wāhi tūpuna and indigenous *biodiversity* of the *coastal marine area* in accordance with CE-P3, CE-P4, CE-P5, and CE-P6 and HCV-WT-P2⁷⁶³, and
 - (b) manage Otago's surf breaks of national significance nationally⁷⁶⁴ and regionally significant *surf breaks* in accordance with CE-P7,
- (6) include provisions requiring the adoption of a precautionary approach to assessing the *effects* of activities in the coastal environment in accordance with IM-P156⁷⁶⁵ where:

⁷⁶² 00139.076 DCC

⁷⁶³ 00226.153 Kāi Tahu ki Otago

⁷⁶⁴ Clause 16(2), Schedule 1, RMA

⁷⁶⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.042 DOC, 00014.022 John Highton

- (a) there is scientific uncertainty, or
 - (b) there are potentially significant or irreversible adverse *effects*, or
 - (c) coastal resources are potentially vulnerable to effects from climate change.⁷⁶⁶
- (7) identify areas appropriate for aquaculture and the forms and ~~limits constraints~~⁷⁶⁷ associated with providing for aquaculture that will enable achievement of objectives CE-O1 to CE-O5,
 - (8) provide for walking access to ~~and~~ and adjacent to⁷⁶⁸ the coastal marine area in accordance with Policy 19 of the NZCPS,
 - (9) control vehicle access to ~~and~~ and adjacent to⁷⁶⁹ the coastal marine area in accordance with Policy 20 of the NZCPS,
 - (10) manage reclamation and de-reclamation⁷⁷⁰ activities in accordance with CE-P12, and when *reclamation* is considered suitable in accordance with CE-P12, have particular regard to the matters listed in Policy 10(2) and (3) of the NZCPS,
 - (11) require stock to be excluded from the *coastal marine area*, adjoining intertidal areas and other *water bodies* and riparian margins in the coastal environment, and
 - (12) provide for and encourage activities undertaken for the primary purpose of enhancing coastal water quality, coastal habitats and ecosystems, customary fisheries, mahika kai and kaimoana activities, and⁷⁷¹ restoring natural features, or landscapes ~~and~~ (including seascapes) in accordance with CE-P3,⁷⁷² CE-P4, CE-P5, and⁷⁷³ CE-P6, and CE-P13⁷⁷⁴.

CE-M4 – District plans

Territorial authorities must prepare or amend and maintain their *district plans* to:

- (1) control the location, density and form of *subdivision* in the coastal environment (outside the *coastal marine area*),
- (2) control the location, scale and form of *buildings* and *structures* in the coastal environment (outside the *coastal marine area*),
- (3) control the location and scale of *earthworks* and vegetation planting, modification and removal in the coastal environment (outside the *coastal marine area*),
- (3A) achieve the integrated management of, and control over, land use activities which could cause direct or indirect effects on the *coastal marine area*,⁷⁷⁵
- (4) require *resource consent* for uses of *land* on reclamations that have occurred after the date this RPS becomes operative,

⁷⁶⁶ 00230.063 Forest and Bird

⁷⁶⁷ 00231.009 Fish and Game

⁷⁶⁸ Consequential amendment to 00230.058 Forest and Bird

⁷⁶⁹ Consequential amendment to 00230.058 Forest and Bird

⁷⁷⁰ 00226.147 Kāi Tahu ki Otago

⁷⁷¹ 00226.153 Kāi Tahu ki Otago

⁷⁷² 00226.153 Kāi Tahu ki Otago

⁷⁷³ 00226.153 Kāi Tahu ki Otago

⁷⁷⁴ 00226.153 Kāi Tahu ki Otago

⁷⁷⁵ 00137.059 DOC, 00226.154 Kāi Tahu ki Otago

- (5) provide for the establishment of *esplanade reserves* and *esplanade strips*,
- (6) include provisions requiring the adoption of a precautionary approach to assessing the *effects* of activities in the coastal environment in accordance with IM-P615⁷⁷⁶ where:
 - (a) there is scientific uncertainty, or
 - (b) there are potentially significant or irreversible adverse *effects*, or
 - (c) coastal resources are potentially vulnerable to effects from climate change.⁷⁷⁷
- (7) provide for walking access to, ~~and~~ and adjacent to⁷⁷⁸ the coastal marine area in accordance with Policy 19 of the NZCPS,
- (8) control vehicle access to, ~~and~~ and adjacent to⁷⁷⁹ the coastal marine area in accordance with Policy 20 of the NZCPS,
- (9) recognise *takata whenua* needs for *papakāika*, marae and associated developments within the coastal environment and make appropriate provision for them,
- (10) provide access to surf breaks of national significance nationally⁷⁸⁰ and regionally significant *surf breaks*, and
- (11) provide for and encourage activities undertaken for the primary purpose of restoring natural character, features, or landscapes in accordance with CE-P4 and CE-P6.

CE-M5 – Other incentives and mechanisms

~~Local authorities are encouraged to~~ shall⁷⁸¹ consider the use of other mechanisms or incentives to assist in achieving Policies CE-P2 to CE-P123,⁷⁸² including:

- (1) identifying areas and opportunities within the coastal environment for restoration or rehabilitation,
- (2) identifying opportunities to enhance or restore public walking access in accordance with Policy 19(c) of the NZCPS,
- (3) promoting the removal of abandoned or redundant structures that have no heritage, amenity or reuse value,
- (4) funding assistance for restoration projects (for example, through Otago Regional Council’s ECO Fund),
- (5) development or design guidelines (for example, colour palettes for *structures* in the coastal environment),
- (6) rating differentials for *land* that is protected due to its status as a high or outstanding natural character area,

⁷⁷⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.042 DOC, 00014.022 John Highton 00230.064 Forest and Bird

⁷⁷⁸ Consequential amendment to 00230.058 Forest and Bird

⁷⁷⁹ Consequential amendment to 00230.058 Forest and Bird

⁷⁸⁰ Clause 16(2), Schedule 1, RMA

⁷⁸¹ 00137.060 DOC

⁷⁸² Clause 16(2), Schedule 1, RMA

- (7) education and advice,
- (8) research relevant to the *effects* of activities on:
 - (a) coastal network *infrastructure*,
 - (b) coastal values,
 - (c) coastal hazards,
 - (d) riparian vegetation cover or any *land* cover that contributes to supporting coastal values or mitigating coastal hazards, ~~or~~
 - (e) areas particularly sensitive to *land* use changes,
 - (f) coastal water quality, or⁷⁸³
 - (g) coastal habitats and ecosystems,⁷⁸⁴
- (9) facilitating the restoration, rehabilitation or creation of coastal habitats, particularly when it:
 - (a) encourages the natural regeneration of indigenous species,
 - (b) buffers or links ecosystems, habitats and areas of significance that contribute to ecological corridors, ~~or~~
 - (c) maintains or enhances the provision of indigenous ecosystem services, ~~and~~
 - (d) benefits *mahika kai* and kaimoana species or customary fisheries areas, or⁷⁸⁵
 - (e) will lead to the improvement of areas of deteriorated water quality, and⁷⁸⁶
- (10) bylaws controlling vehicle access to and along the *coastal marine area* in accordance with Policy 20 of the NZCPS.

CE-M6 – Monitoring

Otago Regional Council must:

- (1) establish a long-term monitoring programme for coastal waters and coastal ecosystems that incorporates cultural health monitoring,
- (2) record information (including monitoring data) about the state of coastal waters and coastal ecosystems and the challenges to their health and well-being,
- (3) regularly prepare reports on the matters in (1) and (2) and publish those reports, and
- (4) take action where the results of monitoring show that this is necessary to achieve the objectives of this policy statement.⁷⁸⁷

⁷⁸³ 00226.155 Kai Tahu Ki Otago

⁷⁸⁴ 00226.155 Kāi Tahu ki Otago

⁷⁸⁵ 00226.155 Kāi Tahu ki Otago

⁷⁸⁶ 00226.155 Kai Tahu Ki Otago

⁷⁸⁷ 00226.157 Kāi Tahu Ki Otago

Explanation

CE-E1 – Explanation

The provisions in this chapter recognise that the coastal environment is a finite resource with a range of values that need to be preserved. The policies within the chapter are designed to protect the coastal environment from inappropriate activities. The coastal environment is also recognised as dynamic and the policies, in association with others in the ORPS, seek to prevent increasing *risks* to life, *infrastructure* and property.

The policies in this chapter require the identification and management of a range of values within the coastal environment. They also set out a number of environmental bottom lines that give effect to the requirements of the NZCPS. Provided these environmental bottom lines are achieved, the chapter also acknowledges that there are a range of activities including port activities, aquaculture, and appropriately designed and located *subdivision*, use and development that can be undertaken within the coastal environment. The policies also provide specific direction on how activities in the coastal environment are to be undertaken. The ~~balance~~ combination⁷⁸⁸ of protective and enabling policies within this chapter are designed to implement the objectives by requiring that activities in the coastal environment are undertaken in a manner that preserves or restores the values of the coastal environment.

Kāi Tahu tūpuna had an extensive knowledge of the coastal environment and weather patterns, passed from generation to generation. This knowledge continues to be held by whānau and hapū and is regarded as a taoka. The seasonal lifestyle of Kāi Tahu led to their dependence on the resources of the coast. This enduring relationship with the coastal environment, arising from long whakapapa associations and the use of tikaka to guide resource management practices, is manifested in the rakatirataka and *kaitiakitaka* responsibilities that Kāi Tahu hold as *mana whenua*.

Coastal waters can be influenced by activities which are undertaken beyond the coastal environment. This interconnectedness between coastal and freshwater environments means provisions contained within the LF – Land and freshwater chapter may also need to be considered to manage the coastal environment.⁷⁸⁹

Some of the policies in the NZCPS are highly prescriptive and will be most effectively implemented through *regional plans*⁷⁹⁰ and *district plans*. In those cases, the policies in this RPS have included additional region-specific context where that is possible, but have not sought to restate the content of NZCPS policies with the expectation that those policies will be implemented by the *regional plans*⁷⁹¹ and *district plans*.

In addition to the policies in this chapter, the values of the coastal environment are recognised and provided for in a number of other ~~the following~~ chapters of the ORPS, as set out in CE-P1. ~~where they provide direction on the management of the coastal environment or activities within the coastal environment:~~

- ~~ECO – Ecosystems and indigenous biodiversity~~

⁷⁸⁸ 00230.066 Forest and Bird

⁷⁸⁹ 00230.066 Forest and Bird

⁷⁹⁰ Clause 16(2), Schedule 1, RMA

⁷⁹¹ Clause 16(2), Schedule 1, RMA

- LF – Land and freshwater
- EIT – Energy, infrastructure and transport
- HCV – Historical and cultural values
- NFL – Natural features and landscapes
- HAZ – Hazards and risks⁷⁹²

Principal reasons

CE-PR1 – Principal reasons

The coastal environment includes the *coastal marine area*, islands within the *coastal marine area* and the area landward of the line of mean high-water springs. The landward extent of the coastal environment is determined by the natural and physical elements, features and processes set out in Policy 1(2) of the NZCPS. The importance of the coastal environment is reflected in the statutory resource management framework, particularly as identified in sections 6 and 7 of the RMA ~~1991~~⁷⁹³ and as set out in the NZCPS.

A number of activities occur within or affect the coastal environment including urban development, recreational activities, transport infrastructure, port activities, *infrastructure*, energy generation and transmission, food production and other farming activities, *plantation forestry*, rural industry and *mineral* extraction. These activities can be important contributors to the existing and future health and well-being of communities. However, poorly located or managed activities can have adverse *effects* that compromise the values of the coastal environment such as natural character, biophysical processes, *water* quality, *surf breaks*, indigenous *biodiversity* and natural landscapes.

The coastal environment is highly valued by Kāi Tahu *mana whenua*, with a number of areas in the coastal environment recognised in statutory acknowledgments in the NTCSA ~~1998~~⁷⁹⁴. The marine environment is a moving force, a reminder of the power of Takaroa. The *coastal waters* and processes were integral to the way of life *tūpuna* enjoyed, and the coastal environment supports significant ~~mahika kai~~ *mahika kai*⁷⁹⁵/kaimoana resources and *wāhi tūpuna*. This environment was traditionally important for settlement and travel and continues to provide for settlement and ~~mahika kai~~ *mahika kai*⁷⁹⁶ and fisheries resources. Kaimoana is essential to coastal iwi and hapū relationships with the *environment* and in particular as part of the tikaka of food gathering and as indicators of the health of coastal environments.

The *coastal waters* are a *receiving environment* for *freshwater*, gravels, sediment and *contaminants* from the terrestrial landscape - of particular concern are the significant *discharges* of sediments, transported by *rivers* and waterways, that have a smothering effect on the benthic systems of the coastal area, including the important kelp beds. The interconnection of the *land* and sea environments is central to the ki uta ki tai ('mountains to the sea') philosophy. This interconnection requires careful consideration in managing the *effects* of *land* use activities.

⁷⁹² 00301.027 Port Otago, 00230.066 Forest and Bird

⁷⁹³ Clause 16(2), Schedule 1, RMA

⁷⁹⁴ Clause 16(2), Schedule 1, RMA

⁷⁹⁵ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁷⁹⁶ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

Other chapters of the Regional Policy Statement are also relevant for managing the coastal environment as land-based activities can have a significant *effect* on the health of the marine environment. Sediment, *contaminants* and litter that are carried by waterways or pipes into the sea affect *water* quality and the ecological health of the coastal environment.

Implementation of the provisions in this chapter will occur primarily through *regional plans*⁷⁹⁷ and *district plan* provisions, however *local authorities* may also choose to adopt additional non-regulatory methods to support the achievement of the objectives.

Anticipated environmental results

CE-AER1	The values of the coastal environment are not adversely affected or lost because of inappropriate uses of the <i>natural and physical resources</i> in the coastal environment.
CE-AER2	There is no reduction in the extent of identified areas of high and outstanding natural character in the coastal environment.
CE-AER3	Areas where natural character has been reduced or lost are restored.
CE-AER4	There is an improvement in the quality of <i>water</i> in areas identified as having deteriorated <i>water</i> quality.
CE-AER5	The quality of <i>coastal water</i> supports healthy coastal ecosystems and provides for contact recreation and customary uses.
CE-AER6	New building and development in the coastal environment is consistent with the character of the area and avoids <u>increasing the or minimises</u> ⁷⁹⁸ risks from <i>natural hazards</i> to people and communities.
CE-AER7	The public have improved access to, along, and adjacent to the <i>coastal marine area</i> .
CE-AER 8	<u>The mauri of the coastal environment is protected, and restored where it has been degraded.</u> ⁷⁹⁹
CE-AER 9	<u>Customary uses, including practices associated with <i>mahika kai</i> and <i>kaimoana</i>, are supported, and <i>mana</i> whenua exercise their <i>kaitiaki</i> role within the coastal environment.</u> ⁸⁰⁰

⁷⁹⁷ Clause 16(2), Schedule 1, RMA

⁷⁹⁸ 00239.067 Federated Farmers

⁷⁹⁹ 00234.014 Ngāi Tahu ki Murihiku

⁸⁰⁰ 00234.014 Ngāi Tahu ki Murihiku

LF – Land and freshwater

LF-WAI – Te Mana o te Wai

Objectives

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.

Policies

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,⁸⁰¹
- (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 well-being, now and in the future.

LF-WAI-P2 – Mana whakahaere

Recognise and give practical effect to Kāi Tahu rakatirataka in respect of *fresh water* by:

- (1) facilitating partnership with, and the active involvement of, *mana whenua* in *freshwater* management and decision-making processes,
- (2) sustaining the ~~environmental, social, cultural and economic~~⁸⁰² relationships of Kāi Tahu with *water bodies*,

⁸⁰¹ In matters of mana, the associated spiritual and cultural responsibilities connect natural resources and *mana whenua* in a kinship relationship that is reciprocal and stems from the time of creation.

⁸⁰² 00239.071 Federated Farmers

- (3) providing for a range of customary uses, including ~~māhika kai~~ māhika kai,⁸⁰³ specific to each *water body*, ~~and~~
- (4) incorporating mātauraka into decision making, management and monitoring processes, ~~and~~
- (5) managing wai and its connections with whenua in a holistic and interconnected way – ki uta ki tai.⁸⁰⁴

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

Manage the use of *freshwater* and *land*, in accordance with tikanga and kawa, using an integrated approach that:

- (1) recognises, ~~and~~ sustains and, where degraded or lost, restores⁸⁰⁵ the natural⁸⁰⁶ 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~~ where degraded or lost, restores the natural⁸⁰⁷ connections and interactions between *land* and *water*, from the mountains to the sea,
- (3) sustains and, wherever possible, restores the habitats of ~~māhika kai~~ māhika kai⁸⁰⁸ and indigenous species, including taoka species associated with the ~~water body~~ bodies,⁸⁰⁹
- (4) manages the *effects* of the use and development of *land* to maintain or enhance the health and well-being of ~~freshwater, and coastal water and associated ecosystems~~,⁸¹⁰
- (5) encourages the coordination and sequencing of regional or urban growth to ensure it is sustainable,
- (6) has regard to foreseeable *climate change* risks and the potential effects of climate change on water bodies, including on their natural functioning,⁸¹¹ ~~and~~
- (7) has regard to cumulative *effects*, and
- (8)⁸¹² ~~the need to apply~~ applies⁸¹³ a precautionary approach where there is limited available information or uncertainty about potential adverse *effects*.⁸¹⁴

LF-WAI-P4 – Giving effect to *Te Mana o te Wai*

All persons exercising functions and powers under this regional policy statement and all persons who use, develop or protect resources to which this regional policy statement 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*,

⁸⁰³ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁸⁰⁴ 00234.026 Te Rūnanga o Ngāi Tahu

⁸⁰⁵ 00234.027 Te Rūnanga o Ngāi Tahu

⁸⁰⁶ 00026.161 Moutere Station

⁸⁰⁷ 00026.161 Moutere Station

⁸⁰⁸ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁸⁰⁹ 00226.161 Kāi Tahu ki Otago, 00234.027 Te Rūnanga o Ngāi Tahu

⁸¹⁰ 00226.161 Kāi Tahu ki Otago, 00234.027 Te Rūnanga o Ngāi Tahu

⁸¹¹ 00226.161 Kāi Tahu ki Otago, 00234.027 Te Rūnanga o Ngāi Tahu

⁸¹² 00231.047 Fish and Game

⁸¹³ 00231.047 Fish and Game

⁸¹⁴ 00239.072 Federated Farmers, 00022.016 Graymont, 00409.005 Ballance

and must be given effect to when making decisions affecting *freshwater*, including when interpreting and applying the provisions of the LF chapter.

Methods

LF-WAI-M1 – *Mana whenua* involvement Kāi Tahu rakatirataka⁸¹⁵

Otago Regional Council must partner with Kāi Tahu in *freshwater* management by:

- (1) implementing the actions in MW-M3 and MW-M4,
- (2) actively identifying and pursuing opportunities for *mana whenua* to be involved in *freshwater* governance, including through use of available mechanisms such as transfers of functions (under section 33 of the RMA-1991)⁸¹⁶ and supporting the establishment of *freshwater* mātaimai,
- (3) implementing actions to foster the development of *mana whenua* capacity to contribute to the Council’s decision-making processes, including resourcing,
- (4) supporting *mana whenua* initiatives that contribute to maintaining or improving the health and well-being of *water bodies*, and
- (5) providing relevant information to *mana whenua* for the purposes of (1), (2), (3) and (4), and
- (6) developing a kaupapa Kāi Tahu monitoring programme and facilitating the use of mātauraka to inform freshwater management decision-making processes, methods and outcomes, in combination with environmental science.⁸¹⁷

LF-WAI-M2 – Other methods

In addition to method LF-WAI-M1, the methods in the LF-VM, LF-FW, and LF-LS sections are also applicable.

Explanation

LF-WAI-E1 – Explanation

Water is a central element in Kāi Tahu creation traditions. It was present very early in the whakapapa of the world: in the beginning there was total darkness, followed by the emergence of light and a great void of nothingness. In time Maku mated with Mahoronuiatea which resulted in great expanses of water, then Papatūānuku Papatūānuku⁸¹⁸ and Takaroa met and had children after which Takaroa took a long absence. Papatūānuku Papatūānuku⁸¹⁹ met Rakinui and they had many children who conspired to force their parents’ coupled bodies apart to let the light in. They were also responsible for creating many of the elements that constitute our world today - the mountains, rivers, forests and seas, and all fish, bird and animal life. To Kāi Tahu, the⁸²⁰ whakapapa and spiritual source of *water* and *land* are

⁸¹⁵ 00226.163 Kāi Tahu ki Otago

⁸¹⁶ Clause 16(2), Schedule 1, RMA

⁸¹⁷ 00223.081 Ngāi Tahu ki Murihiku

⁸¹⁸ 00226.024 Ngāi Tahu ki Murihiku

⁸¹⁹ 00226.024 Ngāi Tahu ki Murihiku

⁸²⁰ 00226.165 Kāi Tahu ki Otago

connected, and *water bodies* are the central unifying feature that connects our landscapes together. The spiritual essence of *water* derives from the atua and the life it exudes is a reflection of the atua.

To Kāi Tahu, the⁸²¹ whakapapa of *mana whenua* and water are also integrally connected. There is a close kinship relationship, and *mana whenua* and the wai (water)⁸²² cannot be separated. The tūpuna relationship with water, and the different uses made of the *water*, provide a daily reminder of greater powers – of both the atua (gods)⁸²³ and tūpuna (ancestors).⁸²⁴ This relationship continues into the present and future and is central to the identity of Kāi Tahu. The mana of wai is sourced from the time of creation and the work of kā Atua, invoking a reciprocal relationship with *mana whenua* based in kawa, tikaka (customary practices or values)⁸²⁵ and respect for *water's* life-giving powers and its sanctity.

The kinship connection engenders a range of rights and responsibilities for *mana whenua*, including rakatirataka rights and the responsibility of kaitiakitaka. Kaitiakitaka encompasses a high duty to uphold and maintain the mauri (life-force)⁸²⁶ of the wai. If the mauri is degraded it has an impact not only on the mana of the wai but also on the kinship relationship and on *mana whenua*. The mauri expresses mana and connection, which can only be defined by *mana whenua*. Recognising rakatirataka enables *mana whenua* to enjoy their rights over *water bodies* and fulfil their responsibilities to care for the wai and the communities it sustains.

The condition of *water* is seen as a reflection of the condition of the people - when the wai is healthy, so are the people. Kawa and tikaka have been developed over the generations, based on customs and values associated with the Māori world view that span the generations, ~~recognising and honouring~~ Implementing te mana-Te Mana o te wai Wai and upholding upholds the mauri of the wai and is consistent with this value base.⁸²⁷

To Kāi Tahu, ~~Each~~ each⁸²⁸ *water body* is unique. This is a reflection of its unique whakapapa and characteristics, and it means that each *water body* has different needs. Management and use must recognise and reflect this.

The concept of Te Mana o te Wai aligns closely with the Kāi Tahu approach to freshwater management, but it is not confined to Kāi Tahu.⁸²⁹ Water is valued by the community.⁸³⁰ The life-giving qualities of freshwater support the health and well-being of the whole community and all people have a shared responsibility to respect and care for the health and well-being of freshwater bodies.⁸³¹ Access to water, within appropriate environmental limits,⁸³² is an important contributor achieving social, cultural and economic well-being within Otago.⁸³³

⁸²¹ 00226.165 Kāi Tahu ki Otago

⁸²² 00239.192 Federated Farmers; 00236.111 Horticulture NZ; 00140.003 Waitaki DC

⁸²³ 00239.192 Federated Farmers; 00236.111 Horticulture NZ; 00140.003 Waitaki DC

⁸²⁴ 00239.192 Federated Farmers; 00236.111 Horticulture NZ; 00140.003 Waitaki DC

⁸²⁵ 00239.192 Federated Farmers; 00236.111 Horticulture NZ; 00140.003 Waitaki DC

⁸²⁶ 00239.192 Federated Farmers; 00236.111 Horticulture NZ; 00140.003 Waitaki DC

⁸²⁷ 00235.082 OWRUG

⁸²⁸ 00226.165 Kāi Tahu ki Otago

⁸²⁹ 00226.165 Kāi Tahu ki Otago

⁸³⁰ 00235.082 OWRUG

⁸³¹ 00226.165 Kāi Tahu ki Otago

⁸³² 00231.009 Fish and Game

⁸³³ 00235.082 OWRUG

Principal reasons

LF–WAI–PR1 – Principal reasons

In accordance with the NPSFM, councils are required to implement a framework for managing *freshwater* that gives effect to *Te Mana o te Wai*. This places the mauri (life-force) of the *water* at the forefront of decision making, recognising *te hauora o te wai* (the health of the *water*) is the first priority, and supports *te hauora o te taiao* (the health of the environment) and *te hauora o te takata* (the health of the people). It is only after the health of the *water* is sustained that *water* can be used for economic purposes. Giving effect to *Te Mana o te Wai* requires actively involving *takata whenua* in *freshwater* planning and management.

The NZCPS also recognises the interconnectedness of *land* and *water*. It notes inland activities can have a significant impact on *coastal water* quality which, in many areas around New Zealand, is in decline. This is a consequence of point and diffuse sources of contamination which can have environmental, social, cultural and economic implications. For example, poor *water* quality adversely affects aquatic life and opportunities for ~~mahika kai~~ *mahika kai*⁸³⁴ gathering and recreational uses such as swimming and kayaking.

Anticipated environmental results

LF-WAI-AER1 Kāi Tahu are actively involved in the management of freshwater and able to effectively exercise their *rakatirataka*, *manaakitaka* and *kaitiakitaka*.

LF–WAI–AER2 The mauri of Otago’s *water bodies* and their health and well-being is protected.

LF-VM – Visions and management

Objectives

LF–VM–O2 – Clutha Mata-au *FMU* vision

In the Clutha Mata-au *FMU*:

- (1) management of the *FMU* recognises that:
 - (a) the Clutha Mata-au is a single connected system *ki uta ki tai*, and
 - (b) the source of the *wai* is pure, coming directly from Tawhirimatea to the top of the *mauka* and into the *awa*,
- (2) *fresh water* is managed in accordance with the LF–WAI objectives and policies,
- (3) the ongoing relationship of Kāi Tahu with *wāhi tūpuna* is sustained,
- (4) *water bodies* support thriving *mahika kai* and Kāi Tahu *whānui* have access to *mahika kai*,
- (5) indigenous species migrate easily and as naturally as possible along and within the *river* system,

⁸³⁴ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

(6) the national significance of the Clutha hydro-electricity generation scheme is recognised,

(7) in addition to (1) to (6) above:

(a) 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,

(b) in the Dunstan, Manuherehia and Roxburgh rohe:

(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

(ii) innovative and sustainable *land* and *water* management practices support food production in the area and reduce discharges of nutrients and other *contaminants* to *water bodies* so that they are safe for human contact, and

(iii) sustainable abstraction occurs from main stems or *groundwater* in preference to tributaries,

(c) in the Lower Clutha rohe:

(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,

(ii) the ecosystem connections between *freshwater*, *wetlands* and the coastal environment are preserved and, wherever possible, restored,

(iii) *land* management practices reduce discharges of nutrients and other *contaminants* to *water bodies* so that they are safe for human contact, and

(iv) there are no direct *discharges* of *wastewater* to *water bodies*, and

(8) the outcomes sought in (7) are to be achieved within the following timeframes:

(a) by 2030 in the Upper Lakes rohe,

(b) by 2045 in the Dunstan, Roxburgh and Lower Clutha rohe, and

(c) by 2050 in the Manuherehia rohe.

LF-VM-03 – North Otago FMU vision

By 2050 in the North Otago FMU:

(1) *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,

(2) the ongoing relationship of Kāi Tahu with *wāhi tūpuna* is sustained and Kāi Tahu maintain their connection with and use of the *water bodies*,

(3) healthy riparian margins, *wetlands*, estuaries and lagoons support thriving mahika kai, indigenous habitats and downstream coastal ecosystems,

- (4) indigenous species can migrate easily and as naturally as possible to and from the coastal environment,
- (5) *land* management practices reduce *discharges* of nutrients and other *contaminants* to *water bodies* so that they are safe for human contact, and
- (6) innovative and sustainable *land* and *water* management practices support food production in the area and improve resilience to the *effects* of *climate change*.

LF-VM-04 – Taieri FMU vision

By 2050 in the Taieri FMU:

- (1) *fresh water* is managed in accordance with the LF-WAI objectives and policies,
- (2) the ongoing relationship of Kāi Tahu with *wāhi tūpuna* is sustained,
- (3) 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,
- (4) the *gravel bed* of the lower Taieri is restored and sedimentation of the Waipori/Waihola complex is reduced,
- (5) creative ecological approaches contribute to reduced occurrence of didymo,
- (6) *water bodies* support healthy populations of *galaxiid* species,
- (7) there are no direct *discharges* of *wastewater* to *water bodies*, and
- (8) innovative and sustainable *land* and *water* management practices support food production in the area and improve resilience to the *effects* of *climate change*.

LF-VM-05 – Dunedin & Coast FMU vision

By 2040 in the Dunedin & Coast FMU:

- (1) *fresh water* is managed in accordance with the LF-WAI objectives and policies,
- (2) the ongoing relationship of Kāi Tahu with *wāhi tūpuna* is sustained,
- (3) healthy estuaries, lagoons and *coastal waters* support thriving mahika kai and downstream coastal ecosystems, and indigenous species can migrate easily and as naturally as possible to and from these areas,
- (4) 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
- (5) *discharges* of *contaminants* from urban environments are reduced so that *water bodies* are safe for human contact.

LF-VM-06 – Catlins FMU vision

By 2030 in the Catlins FMU:

- (1) *fresh water* is managed in accordance with the LF-WAI objectives and policies,

- (2) the ongoing relationship of Kāi Tahu with *wāhi tūpuna* is sustained,
- (3) *water bodies* support thriving mahika kai and access of Kāi Tahu whānui to mahika kai,
- (4) the high degree of naturalness and ecosystem connections between the forests, *freshwater* and coastal environment are preserved,
- (5) *water bodies* and their catchment areas support the health and well-being of *coastal water*, ecosystems and indigenous species, including downstream kaimoana, and
- (6) healthy, clear and clean *water* supports opportunities for recreation and sustainable food production for future generations.

LF-VM-O7 – Integrated management

~~Land and water management apply the ethic of ki uta ki tai and are managed as integrated natural resources, recognising the connections and interactions between fresh water, land and the coastal environment, and between surface water, groundwater and coastal water.⁸³⁵~~

Policies

LF-VM-P5 – Freshwater Management Units (FMUs) and rohe

Otago's *fresh water* resources are managed through the following *freshwater management units* or rohe which are shown on MAP1:

Table 3 – Freshwater Management Units and rohe

Freshwater Management Unit	Rohe
Clutha Mata-au	Upper Lakes Dunstan Manuherekia Roxburgh Lower Clutha
Taieri	n/a
North Otago	n/a
Dunedin & Coast	n/a
Catlins	n/a

LF-VM-P6 – Relationship between FMUs and rohe

Where rohe have been defined within *FMUs*:

- (1) *environmental outcomes* must be developed for the *FMU* within which the rohe is located,
- (2) if additional *environmental outcomes* are included for rohe, those *environmental outcomes*:

⁸³⁵ 00121.056 Ravensdown

- (a) set target *attribute* states that are no less stringent than the parent *FMU environmental outcomes* if the same *attributes* are adopted in both the rohe and the *FMU*, and
 - (b) may include additional *attributes* and target *attribute* states provided that any additional *environmental outcomes* give effect to the *environmental outcomes* for the *FMU*,
- (3) *limits* and action plans to achieve *environmental outcomes* may be developed for the *FMU* or the rohe or a combination of both,
- (4) any *limit* or action plan developed to apply within a rohe:
- (a) prevails over any *limit* or action plan developed for the *FMU* for the same *attribute*, unless explicitly stated to the contrary, and
 - (b) must be no less stringent than any *limit* set for the parent *FMU* for the same *attribute*, and
 - (c) must not conflict with any *limit* set for the underlying *FMU* for *attributes* that are not the same, and
- (5) the term “no less stringent” in this policy applies to *attribute states* (numeric and narrative) and any other metrics and timeframes (if applicable).

Methods

LF-VM-M3 – Community involvement

Otago Regional Council must work with Kāi Tahu and⁸³⁶ communities to achieve the objectives and policies in this chapter, including by:

- (1) engaging with Kāi Tahu,⁸³⁷ communities and stakeholders⁸³⁸ to identify values and⁸³⁹ *environmental outcomes* for Otago’s *FMUs* and rohe and the methods to achieve those outcomes,
- (2) encouraging community stewardship of *water* resources and programmes to address *freshwater* issues at a local catchment level, including through catchment groups,⁸⁴⁰
- (3) supporting community initiatives, industry-led guidelines, codes of practice and environmental accords that contribute to maintaining or improving the health and well-being of *water bodies*,⁸⁴¹ and
- ~~(4) supporting industry led guidelines, codes of practice and environmental accords where these would contribute to achieving the objectives of this RPS.~~⁸⁴¹

LF-VM-M4 – Other methods

⁸³⁶ 00226.175 Kāi Tahu ki Otago

⁸³⁷ 00226.175 Kāi Tahu ki Otago

⁸³⁸ 00139.096 DCC

⁸³⁹ 00237.031 Beef + Lamb and DINZ

⁸⁴⁰ 00014.052 John Highton, 00235.089 OWRUG

⁸⁴¹ 00231.051 Fish and Game

In addition to method LF-VM-M3, the methods in the LF-WAI, LF-FW, and LF-LS sections are also applicable.

Explanation

LF-VM-E2 – Explanation

Implementing the NPSFM requires Council to identify *Freshwater Management Units (FMUs)* that include all *freshwater bodies* within the region. Policy LF-VM-P5 identifies Otago's five *FMUs*: Clutha Mata-au *FMU*, Taieri *FMU*, North Otago *FMU*, Dunedin & Coast *FMU* and Catlins *FMU*. The Clutha Mata-au *FMU* is divided into five sub-*FMUs* known as 'rohe'. Policy LF-VM-P6 sets out the relationship between *FMUs* and rohe which, broadly, requires rohe provisions to be no less stringent than the parent *FMU* provisions. This is to avoid any potential for rohe to set lower standards than others which would affect the ability of the *FMU* to achieve its stated outcomes.

Principal reasons

LF-VM-PR2 – Principal reasons

To support the implementation of the NPSFM, the Council is required to develop long-term visions for *fresh water* across the Otago region. *Fresh water* visions for each *FMU* and rohe have been developed through engagement with Kāi Tahu and communities. They set out the long-term goals for the *water bodies* (including *groundwater*) and *fresh water* ecosystems in the region that reflect the history of, and environmental pressures on, the *FMU* or rohe. They also establish ambitious but reasonable timeframes for achieving these goals. The Council must assess whether each *FMU* or rohe can provide for its long-term vision, or whether improvement to the health and well-being of *water bodies* (including *groundwater*) and *fresh water* ecosystems is required to achieve the visions. The result of that assessment will then inform the development of *regional plan* provisions in the *FMU*, including *environmental outcomes*, *attribute states*, *target attribute states* and *limits* (*in relation to freshwater*).⁸⁴²

Anticipated environmental outcomes

LF-VM-AER3

The *fresh water* visions in this section underpin Otago's planning framework implement Te Mana o Te Wai according to the particular characteristics of freshwater management units and rohe,⁸⁴³ and the outcomes they seek are achieved within the timeframes specified.

⁸⁴² 00231.009 Fish and Game

⁸⁴³ 00223.087 Ngāi Tahu ki Murihiku

LF-FW – Fresh water

Objectives

LF-FW-O8 – Fresh water

In Otago's *water bodies* and their catchments:

- (1) the health of the *wai* supports the health of the people and thriving *mahika kai*,
- (2) *water* flow is continuous throughout the whole system,
- (3) the interconnection of *fresh water* (including *groundwater*) and *coastal waters* is recognised,
- (4) native fish can migrate easily and as naturally as possible and *taoka* species and their habitats are protected, and
- (5) the significant and outstanding values of Otago's *outstanding water bodies* are identified and protected.

LF-FW-O9 – Natural wetlands

Otago's *natural wetlands* are protected or restored so that:

- (1) *mahika kai* and other *mana whenua* values are sustained and enhanced now and for future generations,
- (2) there is no decrease in the range and diversity of indigenous ecosystem types and habitats in *natural wetlands*,
- (3) there is no reduction in their ecosystem health, hydrological functioning, *amenity values*, extent or *water* quality, and if degraded they are improved, and
- (4) their flood attenuation capacity is maintained.

LF-FW-O10 – Natural character

The natural character of *wetlands*, *lakes* and *rivers* and their margins is preserved and protected from inappropriate subdivision, use and development.

Policies

LF-FW-P7 – Fresh water

Environmental outcomes, *attribute* states (including target *attribute* states) and limits ensure that:

- (1) the health and well-being of *water bodies* is maintained or, if *degraded*, improved,
- (2) the habitats of indigenous species associated with *water bodies* are protected, including by providing for fish passage,
- (3) *specified rivers and lakes* are suitable for primary contact within the following timeframes:
 - (a) by 2030, 90% of *rivers* and 98% of *lakes*, and
 - (b) by 2040, 95% of *rivers* and 100% of *lakes*, and

- (4) mahika kai and *drinking water* are safe for human consumption,
- (5) existing *over-allocation* is phased out and future *over-allocation* is avoided, and
- (6) *fresh water* is allocated within environmental limits and used efficiently.

LF-FW-P8 – Identifying *natural wetlands*

By 3 September 2030, identify ~~identify~~⁸⁴⁴ and map *natural wetlands* that are:

- (1) 0.05 hectares or greater in extent, or
- (2) of a type that is naturally less than 0.05 hectares in extent (such as an ephemeral *wetland*) and known to contain threatened species.

LF-FW-P9 – Protecting *natural wetlands*

Protect *natural wetlands* by:

- (1) avoiding a reduction in their values or extent unless:
 - (a) the *loss of values* or extent arises from:
 - (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*,
 - (vi) the maintenance of operation of *specific infrastructure*, or *other infrastructure*,
 - (vii) *natural hazard works*, or
 - (b) the Regional Council is satisfied that:
 - (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
- (2) not granting resource consents for activities under (1)(b) unless the Regional Council is satisfied that:

⁸⁴⁴ 00230.088 Forest and Bird

- (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).

LF-FW-P10 – Restoring *natural wetlands*

Improve the ecosystem health, hydrological functioning, *water* quality and extent of *natural wetlands* that have been degraded or lost by requiring, where possible:

- (1) an increase in the extent and quality of habitat for indigenous species,
- (2) the restoration of hydrological processes,
- (3) control of pest species and vegetation clearance, and
- (4) the exclusion of stock.

LF-FW-P11 – ~~Identifying~~ Otago's outstanding water bodies⁸⁴⁵

Otago's *outstanding water bodies* are:

- (1) the Kawarau River and tributaries described in the Water Conservation (Kawarau) Order 1997,
- (2) Lake Wanaka and the outflow and tributaries described in the Lake Wanaka Preservation Act 1973,
- (3) any *water bodies* ~~body or part of a water body~~⁸⁴⁶ identified as being ~~wholly or partly~~⁸⁴⁷ within an outstanding natural feature or landscape in accordance with NFL-P1, and
- (4) any other *water bodies* identified in accordance with APP1.

LF-FW-P12 – ~~Protecting~~ Identifying and managing⁸⁴⁸ *outstanding water bodies*

The significant and outstanding values of *outstanding water bodies* are:

- ~~(1) identified in the relevant *regional and district plans*, and~~
- ~~(2) protected by avoiding adverse effects on those values.~~⁸⁴⁹

Identify *outstanding water bodies* and their significant and outstanding values in the relevant *regional plans and district plans* and protect those values ~~by avoiding adverse effects on them, except as provided by EIT-INF-P13 and EIT-INF-P13A.~~^{850 851}

LF-FW-P13 – Preserving natural character and instream values⁸⁵²

⁸⁴⁵ Clause 16(2), Schedule 1, RMA

⁸⁴⁶ 00237.037 Beef + Lamb and DINZ, 00239.087 Federated Farmers

⁸⁴⁷ 00237.037 Beef + Lamb and DINZ, 00239.087 Federated Farmers

⁸⁴⁸ Clause 16(2), Schedule 1, RMA

⁸⁴⁹ 00230.091 Forest and Bird

⁸⁵⁰ 00235.095 OWRUG, 00315.032 Aurora Energy, 00305.023 Waka Kotahi,

⁸⁵¹ 00230.091 Forest and Bird, 00119.011 Blackthorn Lodge, 00206.033 Trojan, 00411.045 Wayfare,

⁸⁵² 00231.058 Fish and Game

Preserve the natural character and instream values⁸⁵³ of *lakes* and *rivers* and the natural character of⁸⁵⁴ their *beds* and margins by:

- (1) avoiding the *loss of values* or extent of a *river*, unless:
 - (a) there is a *functional need* for the activity in that location, and
 - (b) the *effects* of the activity are managed by applying:
 - (i) for *effects* on indigenous *biodiversity*, either ECO-P3 or the effects management hierarchy (in relation to indigenous biodiversity) in⁸⁵⁵ ECO-P6 (whichever is applicable), and
 - (ii) for other *effects* (excluding those managed under (1)(b)(i)),⁸⁵⁶ the *effects management hierarchy (in relation to natural wetlands and rivers)* in LF-FW-P13A,⁸⁵⁷
- (2) not granting resource consent for activities in (1) unless ~~Otago Regional Council~~ the consent authority⁸⁵⁸ is satisfied that:
 - (a) the application demonstrates how each step of the *effects management hierarchies hierarchy (in relation to indigenous biodiversity)*⁸⁵⁹ in (1)(b)(i) and the effects management hierarchy (in relation to natural wetlands and rivers) in (1)(b)(ii)⁸⁶⁰ will be applied to the *loss of values* or extent of the *river*, and
 - (b) any consent is granted subject to conditions that apply the *effects management hierarchies hierarchy (in relation to indigenous biodiversity)*⁸⁶¹ in (1)(b)(i) and the effects management hierarchy (in relation to natural wetlands and rivers) in (1)(b)(ii)⁸⁶² in respect of any *loss of values* or extent of the *river*,⁸⁶³
 - (c) if aquatic offsetting or aquatic compensation is applied, the applicant has complied with principles 1 to 6 in Appendix 6 and 7 of the NPSFM, and has had regard to the remaining principles in Appendix 6 and 7 of the NPSFM, as appropriate, and

⁸⁵³ 00231.058 Fish and Game

⁸⁵⁴ Clause 10(2)(b)(i), Schedule 1, RMA - consequential amendment arising from 00231.058 Fish and Game

⁸⁵⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00315.014 Aurora Energy, 00235.125 OWRUG, 00511.012 PowerNet, 00320.012 Network Waitaki

⁸⁵⁶ Clause 16(2), Schedule 1, RMA

⁸⁵⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00315.014 Aurora Energy, 00235.125 OWRUG, 00511.012 PowerNet, 00320.012 Network Waitaki

⁸⁵⁸ 00137.074 DOC

⁸⁵⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00315.014 Aurora Energy, 00235.125 OWRUG, 00511.012 PowerNet, 00320.012 Network Waitaki

⁸⁶⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00315.014 Aurora Energy, 00235.125 OWRUG, 00511.012 PowerNet, 00320.012 Network Waitaki

⁸⁶¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00315.014 Aurora Energy, 00235.125 OWRUG, 00511.012 PowerNet, 00320.012 Network Waitaki

⁸⁶² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00315.014 Aurora Energy, 00235.125 OWRUG, 00511.012 PowerNet, 00320.012 Network Waitaki

⁸⁶³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00119.010 Blackthorn, 00206.031 Trojan, 00411.043 Wayfare

(d) if aquatic offsetting or aquatic compensation is applied, any consent granted is subject to conditions that will ensure that the offsetting or compensation will be maintained and managed over time to achieve the conservation outcomes,⁸⁶⁴

- (3) establishing environmental flow and level regimes and *water* quality standards that support the health and well-being of the *water body*,
- (4) wherever possible, sustaining the form and function of a *water body* that reflects its natural behaviours,
- (5) recognising and implementing the restrictions in Water Conservation Orders,
- (6) preventing the impounding or control of the level of Lake Wanaka,
- (7) preventing permanent⁸⁶⁵ modification that would reduce the braided character of a *river*, and
- (8) controlling the use of *water* and *land* that would adversely affect the natural character of the *water body*, and
- (9) maintaining or enhancing the values of riparian margins to support habitat and biodiversity and reduce sedimentation of *water bodies*.⁸⁶⁶

LF-FW-P13A – Effects management hierarchy (in relation to natural wetlands and rivers)⁸⁶⁷

The *effects management hierarchy* (in relation to *natural wetlands* and *rivers*) referred to in LF-FW-P9 and LF-FW-P13 is the approach to managing adverse *effects* of activities that requires that:

- (1) adverse *effects* are avoided where practicable, then⁸⁶⁸
- (2) where adverse *effects* cannot be avoided, they are minimised where practicable, then⁸⁶⁹
- (3) where adverse *effects* cannot be minimised, they are remedied where practicable, then⁸⁷⁰
- (4) where more than minor residual adverse *effects* cannot be avoided, minimised, or remedied, *aquatic offsetting* is provided where possible, then⁸⁷¹
- (5) if *aquatic offsetting* of more than minor residual adverse *effects* is not possible, *aquatic compensation* is provided, and then⁸⁷²
- (6) if *aquatic compensation* is not appropriate, the activity itself is avoided.

LF-FW-P14 – Restoring natural character and instream values⁸⁷³

Where the natural character or instream values⁸⁷⁴ of *lakes* and *rivers* and or the natural character of⁸⁷⁵ their margins has been reduced or lost, promote actions that:

⁸⁶⁴ 00230.005 Forest and Bird

⁸⁶⁵ 00206.034 Trojan, 00411.046 Wayfare, 00119.012 Blackthorn Lodge

⁸⁶⁶ 00226.187 Kāi Tahu ki Otago

⁸⁶⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00315.014 Aurora Energy, 00235.125 OWRUG, 00511.012 PowerNet, 00320.012 Network Waitaki

⁸⁶⁸ Clause 16(2), Schedule 1, RMA.

⁸⁶⁹ Clause 16(2), Schedule 1, RMA.

⁸⁷⁰ Clause 16(2), Schedule 1, RMA.

⁸⁷¹ Clause 16(2), Schedule 1, RMA.

⁸⁷² Clause 16(2), Schedule 1, RMA.

⁸⁷³ 00230.093 Forest and Bird, 00231.059 Fish and Game

⁸⁷⁴ 00230.093 Forest and Bird, 00231.059 Fish and Game

⁸⁷⁵ Clause 19(1)(b)(i), Schedule 1, RMA - consequential amendment arising from 00230.093 Forest and Bird, 00231.059 Fish and Game

- (1) restore a form and function that reflect the natural behaviours of the *water body*,
- (2) improve *water* quality or quantity where it is *degraded*,
- (3) increase the presence, *resilience* and abundance of indigenous flora and fauna, including by providing for fish passage within *river* systems and creating fish barriers to prevent predation where necessary,⁸⁷⁶
- (4) improve *water body* margins by naturalising bank contours and establishing indigenous vegetation and habitat, and
- (5) restore *water* pathways and natural connectivity between and within⁸⁷⁷ *water* systems.

LF-FW-P15 – Stormwater and wastewater discharges

Minimise the adverse *effects* of direct and indirect *discharges* of *stormwater* and *wastewater* to *fresh water* by:

- (1) except as required by LF-VM-O2 and LF-VM-O4, preferring *discharges* of *wastewater* to *land* over *discharges* to *water*, unless adverse *effects* associated with a *discharge* to *land* are greater than a *discharge* to *water*, and
- (2) requiring:
 - (a) all sewage, industrial or trade waste to be *discharged* into a reticulated *wastewater* system, where one is available,
 - (b) all *stormwater* to be *discharged* into a reticulated system, where one is available,
 - (c) implementation of methods to progressively reduce the frequency and volume of wet weather overflows and minimise the likelihood of dry weather overflows occurring for reticulated *stormwater* and *wastewater* systems,
 - (d) on-site *wastewater* systems to be designed and operated in accordance with best practice standards,
 - (e) *stormwater* and *wastewater discharges* to meet any applicable water quality standards set for *FMUs* and/or *rohe*, and
 - (f) the use of water sensitive urban design techniques to avoid or mitigate the potential adverse *effects* of *contaminants* on receiving *water bodies* from the *subdivision*, use or development of *land*, wherever practicable, and
- (3) promoting the reticulation of *stormwater* and *wastewater* in urban areas.

Methods

LF-FW-M5 – Outstanding water bodies

No later than 31 December 2023, Otago Regional Council must:

⁸⁷⁶ 00223.088 Ngāi Tahu ki Murihiku

⁸⁷⁷ 00509.080 Wise Response

- (1) undertake a review based on existing information and develop a list of *water bodies* likely to contain outstanding values, including those *water bodies* listed in ~~LF-VM-P6~~ LF-FW-P11,⁸⁷⁸
- (2) identify the outstanding values of those *water bodies* (if any) in accordance with APP1,
- (3) consult with the public and relevant local authorities⁸⁷⁹ during the identification process,
- (4) map *outstanding water bodies* and identify their outstanding and significant values in the relevant *regional plan(s)*, and
- (5) include provisions in *regional plans* ~~that protect to avoid the adverse effects of activities on~~⁸⁸⁰ the significant and outstanding values of *outstanding water bodies*.

LF-FW-M6 – Regional plans

Otago Regional Council must publicly notify a Land and Water *Regional Plan* no later than 31 December 2023 and, after it is made operative, maintain that *regional plan* to:

- (1) identify the compulsory and, if relevant, other values for each *Freshwater Management Unit*,
- (2) state *environmental outcomes* as objectives in accordance with clause 3.9 of the NPSFM,
- (3) identify *water bodies* that are *over-allocated* in terms of either their *water* quality or quantity,
- (4) include environmental flow and level regimes for *water bodies* (including *groundwater*) that give effect to *Te Mana o te Wai* and provide for:
 - (a) the behaviours of the *water body* including a base flow or level that provides for variability,
 - (b) healthy and resilient mahika kai,
 - (c) the needs of indigenous fauna, including taoka species, and aquatic species associated with the *water body*,
 - (d) the hydrological connection with other *water bodies*, estuaries and coastal margins,
 - (e) the traditional and contemporary relationship of Kāi Tahu to the *water body*, and
 - (f) community *drinking water* supplies, and
- (5) include limits on resource use that:
 - (a) differentiate between types of uses, including *drinking water*, and social, cultural and economic uses, in order to provide long-term certainty in relation to those uses of available *water*,
 - (b) for *water bodies* that have been identified as *over-allocated*, provide methods and timeframes for phasing out that *over-allocation*,
 - (c) control the *effects* of existing and potential future development on the ability of the *water body* to meet, or continue to meet, *environmental outcomes*,

⁸⁷⁸ 00013.012 CRC, 00213.020 Waitaki Irrigators

⁸⁷⁹ 00013.012 ECan

⁸⁸⁰ 00230.091 Forest and Bird, 00119.011 Blackthorn Lodge, 00206.033 Trojan, 00411.045 Wayfare,

(d) manage the adverse *effects* on *water bodies* that can arise from the use and development of *land*, and

(6) provide for the off-stream storage of surface *water* where storage will:

(a) support *Te Mana o te Wai*,

(b) give effect to the objectives and policies of the LF chapter of this RPS, and

(c) not prevent a surface *water body* from achieving identified *environmental outcomes* and remaining within any limits on resource use, and

(7) identify and manage *natural wetlands* in accordance with LF–FW–P7, LF–FW–P8 and LF–FW–P9 while recognising that some activities in and around *natural wetlands* are managed under the NESF, and

(8) manage the adverse *effects* of *stormwater* and *wastewater* in accordance with LF–FW–P15.

LF–FW–M7 – District plans

Territorial authorities must prepare or amend and maintain their *district plans* no later than 31 December 2026 to:

(1) map *outstanding water bodies* and identify their outstanding and significant values using the information gathered by Otago Regional Council in LF–FW–M5, and

(2) include provisions to avoid the adverse *effects* of activities on the significant and outstanding values of *outstanding water bodies*,

(3) require, wherever practicable, the adoption of water sensitive urban design techniques when managing the *subdivision*, use or development of *land*, and

(4) reduce the adverse *effects* of *stormwater discharges* by managing the *subdivision*, use and development of *land* to:

(a) minimise the peak volume of *stormwater* needing off-site disposal and the load of *contaminants* carried by it,

(b) minimise adverse *effects* on *fresh water* and *coastal water* as the ultimate receiving environments, and the capacity of the *stormwater* network,

(c) encourage on-site storage of rainfall to detain peak *stormwater* flows, and

(d) promote the use of permeable surfaces.

LF-FW-M8 – Action plans

Otago Regional Council:

(1) must prepare an action plan for achieving any target *attribute* states for *attributes* described in Appendix 2B of the NPSFM,

(2) may prepare an action plan for achieving any target *attribute* states for *attributes* described in Appendix 2A of the NPSFM, and

(3) must prepare any action plan in accordance with clause 3.15 of the NPSFM.

LF-FW-M9 – Monitoring

Otago Regional Council, for every *FMU*, must:

- (1) establish a long-term monitoring programme that incorporates cultural health monitoring,
- (2) record information (including monitoring data) about the state of *water bodies* and *freshwater* ecosystems and the challenges to their health and well-being, ~~and~~⁸⁸¹
- (3) regularly prepare reports on the matters in (1) and (2) and publish those reports in accordance with clause 3.30 of the NPSFM,⁸⁸² and⁸⁸³
- (4) where the results of monitoring show the objectives of this regional policy statement are not being met, take the necessary action to achieve the objectives.⁸⁸⁴

LF-FW-M10 – Other methods

In addition to methods LF-FW-M5 to LF-FW-M9, the methods in the LF-WAI, LF-VM and LF-LS sections are also applicable.

Explanation

LF-FW-E3 – Explanation

This section of the LF chapter outlines how the Council will manage *fresh water* within the region. To give effect to *Te Mana o te Wai*, the *freshwater* visions, and the policies set out the actions required in the development of *regional plan* provisions to implement the NPSFM.

The outcomes sought for *natural wetlands* are implemented by requiring identification, protection and restoration. The first two policies reflect the requirements of the NPSFM for identification and protection but apply that direction to all *natural wetlands*, rather than only inland natural wetlands (those outside the *coastal marine area*) as the NPSFM directs. This reflects the views of *takata whenua* and the community that *fresh* and *coastal water*, including *wetlands*, should be managed holistically and in a consistent way. While the NPSFM requires promotion of the restoration of natural inland wetlands, the policies in this section take a stronger stance, requiring improvement where *natural wetlands* have been *degraded* or lost. This is because of the importance of restoration to Kāi Tahu and in recognition of the historic loss of *wetlands* in Otago.

The policies respond to the NPSFM by identifying a number of *outstanding water bodies* in Otago that have previously been identified for their significance through other processes. Additional *water bodies* can be identified if they are wholly or partly within an outstanding natural feature or landscape or if they meet the criteria in APP1 which lists the types of values which may be considered outstanding: cultural and spiritual, ecology, landscape, natural character, recreation and physical. The significant values of *outstanding water bodies* are to be identified and protected from adverse *effects*.

Preserving the natural character of *lakes* and *rivers*, and their *beds* and margins, is a matter of national importance under section 6 of the RMA ~~1991~~.⁸⁸⁵ The policies in this section set out how this is to occur in Otago, reflecting the relevant direction from the NPSFM but also a range of additional matters that

⁸⁸¹ Clause 16(2) Schedule 1, RMA

⁸⁸² 00139.116 DCC

⁸⁸³ Clause 16(2) Schedule 1, RMA

⁸⁸⁴ 00226.194 Kāi Tahu ki Otago

⁸⁸⁵ Clause 16(2), Schedule 1, RMA

are important in Otago, such as recognising existing Water Conservation Orders, the Lake Wanaka Act 1973 and the particular character of braided *rivers*. Natural character has been reduced or lost in some *lakes* or *rivers*, so the policies require promoting actions that will restore or otherwise improve natural character.

The impact of *discharges of stormwater and wastewater on freshwater bodies* is a significant issue for *mana whenua* and has contributed to *water* quality issues in some *water bodies*. The policies set out a range of actions to be implemented in order to improve the quality of these *discharges* and reduce their adverse *effects* on receiving environments.

Principal reasons

LF–FW–PR3 – Principal reasons

Otago’s *water bodies* are significant features of the region and play an important role in Kāi Tahu beliefs and traditions. A growing population combined with increased *land* use intensification has heightened demand for *water*, and increasing nutrient and sediment contamination impacts *water* quality. The legacy of Otago’s historical mining privileges, coupled with contemporary *land* uses, contribute to ongoing *water* quality and quantity issues in some *water bodies*, with significant cultural effects.

This section of the LF chapter contains more specific direction on managing *fresh water* to give effect to *Te Mana o te Wai* and contributes to achieving the long-term *freshwater* visions for each *FMU* and *rohe*. It also reflects key direction in the NPSFM for managing the health and well-being of *fresh water*, including *wetlands* and *rivers* in particular, and matters of national importance under section 6 of the RMA 1991. The provisions in this section will underpin the development of the Council’s *regional plans* and provide a foundation for implementing the requirements of the NPSFM, including the development of *environmental outcomes*, *attribute* states, target *attribute* states and limits.

Anticipated environmental results

LF–FW–AER4	<i>Fresh water</i> is allocated within limits that contribute to achieving specified <i>environmental outcomes</i> for <i>water bodies</i> within timeframes set out in <i>regional plans</i> that are no less stringent than the timeframes in the LF–VM section of this chapter.
LF–FW–AER5	<i>Specified rivers</i> and <i>lakes</i> are suitable for primary contact within the timeframes set out in LF–FW–P7.
LF–FW–AER6	<i>Degraded water</i> quality is improved so that it meets specified <i>environmental outcomes</i> within timeframes set out in <i>regional plans</i> that are no less stringent than the timeframes in the LF–VM section of this chapter.
LF–FW–AER7	<i>Water</i> in Otago’s aquifers is suitable for human consumption, unless that <i>water</i> is naturally unsuitable for consumption.
LF–FW–AER8	Where <i>water</i> is not <i>degraded</i> , there is no reduction in <i>water</i> quality.
LF–FW–AER9	The frequency of <i>wastewater</i> overflows is reduced.

LF-FW-AER10	The quality of <i>stormwater discharges</i> from existing <i>urban areas</i> is improved.
LF-FW-AER11	There is no reduction in the extent or quality of Otago's <i>natural wetlands</i> .

LF-LS – Land and soil

Objectives

LF-LS-O11 – ~~Land and soil~~ Soil⁸⁸⁶

The life-supporting capacity of Otago’s soil resources is safeguarded ~~or enhanced,~~⁸⁸⁷ and soil quality is maintained,⁸⁸⁸ ~~and the availability and productive capacity of highly productive land for primary production~~ food and fibre production⁸⁸⁹ is maintained,⁸⁹⁰ now and for future generations.

LF-LS-O11A – Highly productive land

The availability and productive capacity of highly productive land for land-based primary production food and fibre production⁸⁹¹ is maintained⁸⁹² now and for future generations.⁸⁹³

LF-LS-O12 – ~~Use of land~~ Land and fresh water⁸⁹⁴

The use of *land* in Otago ~~maintains soil quality and~~⁸⁹⁵ contributes to achieving *environmental outcomes* for *fresh water*.

Policies

LF-LS-P16 – ~~Integrated management~~ Maintaining soil quality⁸⁹⁶

~~Recognise that maintaining~~ Maintain soil quality ~~requires the integrated management of~~ by managing both⁸⁹⁷ *land* and *freshwater* resources, including the interconnections between soil health, vegetative cover and *water* quality and quantity.

LF-LS-P17 – Soil values

Maintain the mauri, health and productive potential of soils by managing the use and development of *land* in a way that is suited to the natural soil characteristics and that sustains healthy:

- (1) soil biological activity and *biodiversity*,
- (2) soil structure, and
- (3) soil fertility.

LF-LS-P18 – Soil erosion

⁸⁸⁶ Clause 10(2)(b)(i) – consequential to 00136.008 Minister for the Environment

⁸⁸⁷ 00239.093 Federated Farmers

⁸⁸⁸ 00136.008 Minister for the Environment

⁸⁸⁹ 00235.008 OWRUG

⁸⁹⁰ 00239.093 Federated Farmers

⁸⁹¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00021.002 Matakanui Gold Limited, 00016.009 Alluvium Limited and Stoney Creek Mining, 00017.007 Danny Walker and others, 00226.033 Kāi Tahu ki Otago, 00223.094 Ngāi Tahu ki Murihiku

⁸⁹² 00239.093 Federated Farmers

⁸⁹³ 00322.021 Fulton Hogan, 00322.022 Fulton Hogan, 00509.068 Wise Response

⁸⁹⁴ Clause 10(2)(b)(i) – consequential to 00136.008 Minister for the Environment

⁸⁹⁵ 00136.008 Minister for the Environment

⁸⁹⁶ 00226.201 Kāi Tahu ki Otago, 00121.0062 Ravensdown

⁸⁹⁷ 00226.201 Kāi Tahu ki Otago, 00121.0062 Ravensdown

Minimise soil erosion, and the associated risk of sedimentation in water bodies, resulting from *land* use activities by:

- (1) implementing effective management practices to retain topsoil in-situ and minimise the potential for soil to be *discharged* to *water bodies*, including by controlling the timing, duration, scale and location of soil exposure,
- (2) maintaining vegetative cover on erosion-prone *land*, and
- (3) promoting activities that enhance soil retention.

LF-LS-P19 – *Highly productive land*

Maintain the availability and *productive capacity*⁸⁹⁸ of *highly productive land* by:

- (1) identifying *highly productive land* based on the following criteria:
 - ~~(a) the capability and versatility of the *land* to support *food and fibre production* primary production⁸⁹⁹ based on, including using⁹⁰⁰ the Land Use Capability classification system,~~
 - ~~(b) the suitability of the climate for *food and fibre production* primary production,⁹⁰¹ particularly crop production, and~~
 - ~~(c) the size and cohesiveness of the area of *land* for use for *food and fibre production* primary production,⁹⁰² and⁹⁰³~~
 - (d) land must be identified as *highly productive land* if:
 - (i) it is in a general rural zone or rural production zone, and
 - (ii) it is predominantly *LUC 1, 2, or 3 land*, and
 - (iii) it forms a large and geographically cohesive area,
 - (e) land may be identified as *highly productive land* if:
 - (i) it is in a general rural zone or rural production zone, and
 - (ii) it is not *LUC 1, 2, or 3 land*, and
 - (iii) it is or has the potential to be highly productive for *land-based primary production* in Otago, having regard to the soil type, the physical characteristics of the land and soil, and the climate, and
 - (f) land must not be identified as *highly productive land* if it was identified for future urban development on or before 17 October 2022, and⁹⁰⁴

⁸⁹⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00014.031 Mt Cardrona Station, 00209.01 Universal Developments, 00210.012 Lane Hocking, 00211.01 LAC Properties

⁸⁹⁹ 00235.008 OWRUG

⁹⁰⁰ 00114.025-031 Mt Cardrona Station, 00118.025-031 Maryhill Limited, 00209.012-015 Universal Developments, 00210.011-013 & 015 Lane Hocking, 00211.011-013 & 015 LAC Properties Trustees Limited

⁹⁰¹ 00235.008 OWRUG

⁹⁰² 00235.008 OWRUG

⁹⁰³ 00101.044 Tōitu Te Whenua

⁹⁰⁴ 00101.044 Tōitu Te Whenua

- (2) prioritising the use of *highly productive land* for *land-based primary production in accordance with the National Policy Statement for Highly Productive Land 2022*⁹⁰⁵ ~~*food and fibre production*~~⁹⁰⁶ *primary production*⁹⁰⁷ ~~ahead of other land uses,~~⁹⁰⁸ *except as provided by EIT-INF-P12 and EIT-INF-P16,*⁹⁰⁹ and
- (3) managing urban development in rural areas, ~~including rural lifestyle and rural residential areas,~~⁹¹⁰ in accordance with UFD-P4, UFD-P7 and UFD-P8.

LF-LS-P20 – Land use change

Promote changes in *land* use or *land* management practices that support and⁹¹¹ improve:

- (1) the sustainability and efficiency of *water* use,
- (2) resilience to the impacts of *climate change*, ~~or~~
- (3) the health and quality of soil, ~~or~~
- (4) *water* quality.⁹¹²

LF-LS-P21 – Land use and fresh water

Achieve the improvement or maintenance of *fresh water* quantity or quality to meet *environmental outcomes* set for *Freshwater Management Units* and/or rohe by:

- (1) reducing direct and indirect *discharges of contaminants* to *water* from the use and development of *land*, and
- (2) managing *land* uses that may have adverse *effects* on the flow of *water* in *surface water bodies* or the recharge of *groundwater*.

LF-LS-P22 – Public access

Provide for public access to and along *lakes* and *rivers* by:

- (1) maintaining existing public access,
- (2) seeking opportunities to enhance public access, including access⁹¹³ by *mana whenua* in their role as kaitiaki and for gathering of ~~*mahika kai*~~ *mahika kai*⁹¹⁴, and
- (3) encouraging landowners to ~~only avoid~~ restricting access ~~where~~ unless⁹¹⁵ it is necessary to protect:⁹¹⁶

⁹⁰⁵ Clause 16(2), Schedule 1, RMA

⁹⁰⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00021.002 Matakanui Gold Limited, 00016.009 Alluvium Limited and Stoney Creek Mining, 00017.007 Danny Walker and others, 00226.033 Kāi Tahu ki Otago, 00223.094 Ngāi Tahu ki Murihiku

⁹⁰⁷ 00235.008 OWRUG

⁹⁰⁸ 00413.004 New Zealand Cherry Corp, 00414.002 Infinity Investment Group

⁹⁰⁹ 00314.027 Transpower

⁹¹⁰ 00413.004 New Zealand Cherry Corp, 00414.002 Infinity Investment Group

⁹¹¹ 00223.096 Ngāi Tahu ki Murihiku

⁹¹² 00409.015 Ballance

⁹¹³ 00226.206 Kāi Tahu ki Otago

⁹¹⁴ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁹¹⁵ 00231.065 Fish and Game

⁹¹⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendments arising from 00314.028 Transpower

- (a) ~~public~~⁹¹⁷ health and safety,
- (b) *significant natural areas*,
- (c) areas of outstanding natural character,
- (d) outstanding natural features and landscapes,
- (e) places or areas with special or outstanding *historic heritage* values, or
- (f) places or areas of significance to ~~takata whenua~~ Kāi Tahu, including wāhi taoka,⁹¹⁸ wāhi tapu and wāhi tūpuna,
- (g) establishing vegetation, or⁹¹⁹
- (h) a level of security consistent with the operational requirements of a lawfully established activity.⁹²⁰

Methods

LF-LS-M11A – Identification of highly productive land⁹²¹

- (1) In collaboration with territorial authorities and in consultation with tangata whenua, Otago Regional Council must identify *highly productive land* in Otago in accordance with LF-LS-P19(1), and
- (2) Otago Regional Council must include maps of the *highly productive land* identified in accordance with (1) in the Regional Policy Statement by 17 October 2025.

LF-LS-M11 – Regional plans

Otago Regional Council must publicly notify a Land and Water *Regional Plan* no later than 31 December 2023 and then, when it is made operative, maintain that *regional plan* to:

- (1) manage *land* uses that may affect the ability of *environmental outcomes* for *water* quality to be achieved by requiring:
 - (a) the development and implementation of *certified freshwater farm plans* as required by the RMA and any regulations,
 - (b) the adoption of practices that reduce the *risk* of sediment and nutrient loss to *water*, including by minimising the area and duration of exposed soil, using buffers, and actively managing critical source areas,
 - (c) effective management of effluent storage and applications systems, and
 - (d) *earthworks* activities to implement effective sediment and erosion control practices and setbacks from *water bodies* to reduce the *risk* of sediment loss to *water*, and

⁹¹⁷ 00239.094 Federated Farmers

⁹¹⁸ 00226.207 Kāi Tahu ki Otago

⁹¹⁹ 00206.041 Trojan, 00411.053 Wayfare

⁹²⁰ 00237.047 Beef + Lamb and DINZ

⁹²¹ 00201.018 CODC, 00201.019 CODC, 00206.040 Trojan, 00235.110 OWRUG

- (2) provide for changes in *land* use that improve the sustainable and efficient allocation and use of *fresh water*, and
- (3) implement policies LF–LS–P16 to LF–LF–P22.

LF-LS-M12 – *District plans*

Territorial authorities must prepare or amend and maintain their *district plans* no later than 31 December 2026 to:

- (1) manage *land* use change by:
 - (a) controlling the establishment of new or any spatial extension of existing *plantation forestry activities or permanent forestry activities*⁹²² where necessary to give effect to an objective developed under the NPSFM, and
 - (b) minimising ~~avoiding~~⁹²³ the removal of *montane*⁹²⁴ tall tussock grasslands, to recognise their ability to capture and hold precipitation,⁹²⁵
- (2) provide for and ~~encourage~~ promote⁹²⁶ the creation and enhancement of vegetated riparian margins and constructed *wetlands*, and maintain these where they already exist, ~~and~~
- (3) facilitate public access to and along⁹²⁷ *lakes* and *rivers* by:
 - (a) requiring the establishment of *esplanade reserves* and *esplanade strips*, and
 - (b) promoting the use of legal *roads*, including paper *roads*, that connect with *esplanade reserves* and *esplanade strips*, and
- (4) maintain the availability and *productive capacity*⁹²⁸ of *highly productive land identified and mapped under LF-LS-M11A*⁹²⁹ in accordance with LF-LS-P19.⁹³⁰

LF-LS-M13 – Management of *beds* and riparian margins

Local authorities must prepare or amend and maintain their *regional plans*⁹³¹ and *district plans* to manage the condition of the *bed* and banks of *water bodies*, riparian margins and associated *lands*, including vegetative cover, to:

- (1) maintain or enhance⁹³² existing *indigenous*⁹³³ *biodiversity* values,

⁹²² 00226.209 Kāi Tahu ki Otago,

⁹²³ 00230.95 Forest and Bird

⁹²⁴ Clause 16(2), Schedule 1, RMA

⁹²⁵ 00509.092 Wise Response

⁹²⁶ 00509.092 Wise Response

⁹²⁷ 00206.042 Trojan, 00411.054 Wayfare, 00231.097 Fish and Game

⁹²⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00014.031 Mt Cardrona Station, 00209.01 Universal Developments, 00210.012 Lane Hocking, 00211.01 LAC Properties

⁹²⁹ Clause 16(2), Schedule 1, RMA

⁹³⁰ 00140.023 Waitaki DC

⁹³¹ Clause 16(2), Schedule 1, RMA

⁹³² 00509.093 Wise Response

⁹³³ 00137.079 DOC

- (2) increase the presence, resilience and abundance of indigenous flora and fauna, particularly taoka species, including by providing for wetlands and⁹³⁴ *biodiversity* corridors within *river* systems, and requiring riparian buffers that are sufficient to maintain indigenous *biodiversity*,
- (3) support improvement in the functioning of catchment processes where these have been adversely affected by changes in margins and connected *lands* over time, and
- (4) reduce unnatural sedimentation of *water bodies*.

LF-LS-M14 – Other methods

In addition to methods LF-LS-M11 to LF-LS-M13, the methods in the LF-WAI, LF-VM and LF-FW sections are also applicable.

Explanation

LF-LS-E4 – Explanation

The policies in this section of the LF chapter seek to maintain the health of Otago’s soils and manage *land* uses as part of an integrated approach to sustaining soil and *water* health. The connections and interactions between these resources require a holistic approach to management.

Managing soil resources, in particular, cannot be undertaken in isolation. The policies require managing the use and development of *land* and *fresh water* to maintain soil values, recognising that soil can be valued for more than its productive use and those values should be maintained. Soil erosion is problematic for both soil and *water* health. The policies provide direction on managing erosion resulting from *land* use activities to, primarily, retain soil and prevent its *discharge* to *water*.

Highly productive land is *land* used for land-based primary production ~~food and fibre production~~⁹³⁵ ~~primary production~~⁹³⁶ that provides economic and employment benefits. Providing for and managing such *land* types is essential to ensure its sustainability. The policies seek to identify and prioritise *land* used for productive purposes managing urban encroachment into rural environments where appropriate.

Responding to *climate change* and achieving *freshwater* visions is likely to require changes in *land* uses and land management practices in parts of Otago. This is recognised in the policies which seek to promote changes in *land* use or management that improve efficient use of *water*, *resilience* to *climate change* ~~and~~, the health and quality of soil, and water quality.⁹³⁷ The policies also require reducing *discharges* to *water* from the use and development of *land* and managing *land* uses that are unsupportive of *environmental outcomes* for *fresh water* as identified by each *FMU*.

Maintaining public access to and along *lakes* and *rivers* is a matter of national importance under section 6 of the RMA ~~1991~~.⁹³⁸ The policies in this section seek to maintain existing public access

⁹³⁴ 00509.093 Wise Response

⁹³⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00021.002 Matakanui Gold Limited, 00016.009 Alluvium Limited and Stoney Creek Mining, 00017.007 Danny Walker and others, 00226.033 Kāi Tahu ki Otago, 00223.094 Ngāi Tahu ki Murihiku

⁹³⁶ 00235.008 OWRUG

⁹³⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00409.015 Ballance

⁹³⁸ Clause 16(2), Schedule 1, RMA

opportunities⁹³⁹ and where appropriate promote enhanced⁹⁴⁰ public access to and along *lakes* and *ivers*. Circumstances which restrict public access are set out where, for example, public⁹⁴¹ health and safety is at *risk* or valued parts of the *environment* may be compromised.

Principal reasons

LF-LS-PR4 – Principal reasons

Population growth and *land* use intensification in urban and rural environments has increased demand for *land* and soil resources. It has also impacted on the quality of our *water*, increasing contamination such as by nutrients and sediment and harming ecosystems. In Otago, historical and contemporary *land* uses have *degraded* some *water bodies*, both in terms of their quantity and quality, leading to adverse effects on the mauri of *water* and the diversity and abundance of ~~maḥika kai~~ maḥika kai⁹⁴² resources.

Soil health is vital to wider ecological health, human health, and economic *resilience*. Otago has a rich and long history of varied forms of land-based primary production food and fibre production⁹⁴³ ~~primary production~~⁹⁴⁴ on a wide range of soil types and in variable climatic conditions. Otago's highest quality soils (in terms of suitability for land-based primary production food and fibre production⁹⁴⁵ ~~primary production~~⁹⁴⁶) are mainly on the Taieri Plain, North Otago downlands, South Otago lowlands, parts of Central Otago and the Strath Taieri, and along some *river* margins. Their extent is limited and use of these soils can be constrained by external factors such as economics, erosion, natural and human induced hazards, animal, and plant pests.

Managing *land* uses is a critical component of implementing the NPSFM due to the effects of *land* use on the health and well-being of *water*. This chapter assists the Council to recognise and provide for the connections and interactions between Otago's *land* and *fresh water*, while managing the use and development of this *land*, and its effects on *fresh water*.

Riparian areas, in particular, play a key role in supporting the *water* quality and ecosystem values of *water bodies*, and it is important that this role is maintained.⁹⁴⁷

Anticipated environmental results

LF-LS-AER12 The life-supporting capacity of soil is maintained or improved throughout Otago.

⁹³⁹ 00226.212 Kāi Tahu ki Otago

⁹⁴⁰ 00226.212 Kāi Tahu ki Otago

⁹⁴¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00239.094 Federated Farmers

⁹⁴² Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

⁹⁴³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00021.002 Matakanui Gold Limited, 00016.009 Alluvium Limited and Stoney Creek Mining, 00017.007 Danny Walker and others, 00226.033 Kāi Tahu ki Otago, 00223.094 Ngāi Tahu ki Murihiku

⁹⁴⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00235.008 OWRUG

⁹⁴⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00021.002 Matakanui Gold Limited, 00016.009 Alluvium Limited and Stoney Creek Mining, 00017.007 Danny Walker and others, 00226.033 Kāi Tahu ki Otago, 00223.094 Ngāi Tahu ki Murihiku

⁹⁴⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00235.008 OWRUG

⁹⁴⁷ 00226.213 Kāi Tahu ki Otago

LF-LS-AER13

The availability and capability of Otago's *highly productive land* is maintained.

LF-LS-AER14

The use of *land* supports the achievement of *environmental outcomes* and objectives in Otago's *FMUs* and rohe.

ECO – Ecosystems and indigenous *biodiversity*

Objectives

ECO-O1 – Indigenous *biodiversity*

Otago's indigenous *biodiversity* is healthy and thriving and any net⁹⁴⁸ decline in quality condition,⁹⁴⁹ quantity and diversity is halted.

ECO-O2 – Restoring ~~or~~ and⁹⁵⁰ enhancing

Restoration ~~or~~ and⁹⁵¹ enhancement activities result in a ~~A~~⁹⁵² net increase in the extent and occupancy⁹⁵³ of Otago's indigenous *biodiversity* ~~results from restoration or enhancement~~.⁹⁵⁴

ECO-O3 – *Kaitiakitaka*⁹⁵⁵ and stewardship

Mana whenua are able to exercise their role ~~recognised~~⁹⁵⁶ as kaitiaki of Otago's indigenous *biodiversity*, and Otago's communities are recognised as stewards, who are responsible for:

- (1) te hauora o te koiora (the health of indigenous *biodiversity*), te hauora o te taoka (the health of species and ecosystems that are taoka), and te hauora o te taiao (the health of the wider *environment*), while
- (2) providing for te hauora o te takata (the health of the people).

Policies

ECO-P1 – *Kaitiakitaka*

~~Recognise the role of~~ Enable⁹⁵⁷ Kāi Tahu to exercise their role⁹⁵⁸ as kaitiaki of Otago's indigenous *biodiversity* by:

- (1) involving Kāi Tahu in the management of indigenous *biodiversity*, ~~and~~
- (1A) working with Kāi Tahu in⁹⁵⁹ the identification of indigenous species and ecosystems that are taoka,

⁹⁴⁸ 00024.010 City Forests Limited

⁹⁴⁹ 00306.042 Meridian

⁹⁵⁰ 00226.215 Kāi Tahu ki Otago

⁹⁵¹ 00226.215 Kāi Tahu ki Otago

⁹⁵² 00322.026 Fulton Hogan Limited

⁹⁵³ 00223.099 Ngāi Tahu ki Murihiku, 00226.215 Kāi Tahu ki Otago

⁹⁵⁴ 00322.026 Fulton Hogan

⁹⁵⁵ 00234.031 Te Rūnanga o Ngāi Tahu

⁹⁵⁶ 00226.216 Kāi Tahu ki Otago, 00234.031 Te Rūnanga o Ngāi Tahu

⁹⁵⁷ 00226.217 Kāi Tahu ki Otago

⁹⁵⁸ 00226.217 Kāi Tahu ki Otago

⁹⁵⁹ 00226.217 Kāi Tahu ki Otago

- (2) incorporating the use of mātauraka Māori in the management and monitoring of indigenous *biodiversity*, and
- (3) ~~providing for~~ facilitating⁹⁶⁰ access to and use of indigenous biodiversity by Kāi Tahu, including *mahika kai*,⁹⁶¹ according to tikaka.

ECO-P2 – Identifying *significant natural areas* and taoka

Identify and map:⁹⁶²

- (1) the areas and indigenous biodiversity⁹⁶³ values of *significant natural areas* in accordance with APP2, and
- (2) where appropriate,⁹⁶⁴ indigenous species and ecosystems that are taoka in accordance with ECO-M3.

ECO-P3 – Protecting *significant natural areas* and taoka

Except as provided for by ECO-P4 and ECO-P5, protect *significant natural areas* (outside the coastal environment)⁹⁶⁵ and indigenous species and ecosystems that are taoka by:

- (1) first⁹⁶⁶ avoiding adverse *effects* that result in:
 - (a) any reduction of the area or indigenous biodiversity⁹⁶⁷ values identified and mapped under ECO-P2(1),⁹⁶⁸ (even if those values are not themselves significant but contribute to an area being identified as a significant natural area⁹⁶⁹) ~~identified under ECO-P2(1), or~~⁹⁷⁰ and
 - (b) any loss of Kāi Tahu taoka⁹⁷¹ values identified and mapped under ECO-P2(2)⁹⁷², and
- (2) after (1), applying the biodiversity effects management hierarchy (in relation to indigenous biodiversity)⁹⁷³ in ECO-P6, and
- (3) prior to *significant natural areas* and indigenous species and ecosystems that are taoka being identified and mapped⁹⁷⁴ in accordance with ECO-P2, adopt a precautionary approach towards activities in accordance with ~~IM-P15~~ IM-P6(2).⁹⁷⁵

⁹⁶⁰ 00239.099 Federated Farmers

⁹⁶¹ 00226.0038 Kāi Tahu ki Otago

⁹⁶² 00020.018 Rayonier Matariki

⁹⁶³ 00226.218 Kāi Tahu ki Otago, 00230.101 Forest and Bird

⁹⁶⁴ 00226.218 Kāi Tahu ki Otago

⁹⁶⁵ 00237.007 Beef & Lamb and DINZ, 00137.016 DOC, 00226.035 Kāi Tahu ki Otago, 00120.011 Yellow-eyed Penguin Trust, 00230.016 Forest and Bird

⁹⁶⁶ 00223.100 Ngāi Tahu ki Murihiku

⁹⁶⁷ 00226.219 Kāi Tahu ki Otago

⁹⁶⁸ 00230.102 Forest and Bird

⁹⁶⁹ 00230.102 Forest and Bird

⁹⁷⁰ 00230.102 Forest and Bird

⁹⁷¹ 00139.129 DCC

⁹⁷² 00138.033 QLDC

⁹⁷³ 00016.013 Alluvium and Stoney Creek, 0017.011 Danny Walker and Others, 00321.022 Te Waihanga, 00137.009 DOC

⁹⁷⁴ 00020.018 Rayonier Matariki

⁹⁷⁵ 00139.040 DCC, 00121.027 Ravensdown

ECO-P4 – Provision for new activities

Maintain Otago's indigenous *biodiversity* by following the sequential steps in the *effects management hierarchy (in relation to indigenous biodiversity)*⁹⁷⁶ set out in ECO-P6 when making decisions on plans, applications for *resource consent* or notices of requirement for the following activities in *significant natural areas* (~~outside the coastal environment~~),⁹⁷⁷ or where they may adversely affect indigenous species and ecosystems that are taoka:

- (1) the development, operation, maintenance⁹⁷⁸ or upgrade of *nationally significant infrastructure*⁹⁷⁹ and *regionally significant infrastructure* that has a *functional need*⁹⁸⁰ or *operational need* to locate within the relevant *significant natural area(s)* or where they may adversely affect indigenous species or ecosystems that are taoka,
- (1A) the new use or development of mineral extraction activities that provide a significant national public benefit that could not otherwise be achieved within New Zealand and that have a functional need or operational need to locate within the relevant significant natural area(s) or where they may adversely affect indigenous species or ecosystems that are taoka,⁹⁸¹
- (1B) the new use or development of aggregate extraction activities that provide a significant national or regional benefit that could not otherwise be achieved within New Zealand and that have a functional need or operational need to locate within the relevant significant natural area(s) or where they may adversely affect indigenous species or ecosystems that are taoka,⁹⁸²
- (2) the development of *papakāika*, marae and ancillary facilities associated with customary activities on ~~Māori land~~ Native reserves and Māori Land,^{983 984}
- (2A) the sustainable use of *mahika kai*⁹⁸⁵ and kaimoana (seafood) by *mana whenua*,⁹⁸⁶
- (3) the use of ~~Māori land~~ Native reserves and Māori land in a way that will make a significant contribution⁹⁸⁷ to enable *mana whenua* to maintain their connection to their whenua and enhancing the⁹⁸⁸ social, cultural or economic well-being _{of ~~takata whenua~~,⁹⁸⁹}
- (4) activities that are for the purpose of protecting, restoring or enhancing a *significant natural area* or indigenous species or ecosystems that are taoka, or
- (5) activities that are for the purpose of addressing a severe ~~and~~ or⁹⁹⁰ immediate *risk* to public health or safety.

⁹⁷⁶ 00016.013 Alluvium and Stoney Creek, 0017.011 Danny Walker and Others, 00321.022 Te Waihangā, 00137.009 DOC

⁹⁷⁷ 00237.007 Beef & Lamb and DINZ, 00137.016 DOC, 00226.035 Kāi Tahu ki Otago, 00120.011 Yellow-eyed Penguin Trust, 00230.016 Forest and Bird

⁹⁷⁸ 00311.022 Trustpower Limited

⁹⁷⁹ 00314.001 Transpower

⁹⁸⁰ 00315.046 Aurora Energy, 00138.116 QLDC

⁹⁸¹ 00115.022 Oceana Gold (New Zealand) Ltd

⁹⁸² 00115.022 Oceana Gold (New Zealand) Ltd

⁹⁸³ ~~'Māori land' applies to land in native reserves that are held under Te Ture Whenua Māori act 1993~~

⁹⁸⁴ 00234.009 Te Rūnanga o Ngāi Tahu, 00226.053 Kāi Tahu ki Otago, 00010.002 Cain whanau

⁹⁸⁵ 00226.0038 Kāi Tahu ki Otago

⁹⁸⁶ 00226.220 Kāi Tahu ki Otago

⁹⁸⁷ 00234.032 Te Rūnanga o Ngāi Tahu

⁹⁸⁸ 00234.032 Te Rūnanga o Ngāi Tahu

⁹⁸⁹ 00234.032 Te Rūnanga o Ngāi Tahu

⁹⁹⁰ 00139.130 DCC

ECO-P5 – Existing activities in *significant natural areas*

Except as provided for by ECO-P4, provide⁹⁹¹ for existing activities that are lawfully established⁹⁹² within *significant natural areas* (outside the coastal environment)⁹⁹³ and that may adversely affect indigenous species and ecosystems that are taaka, if:

- (1) the continuation, maintenance and minor upgrades of an existing activity that is lawfully established⁹⁹⁴ will not lead to the loss (including through cumulative loss) of extent or degradation⁹⁹⁵ of the ecological integrity of any *significant natural area* or indigenous species or ecosystems that are taaka, and
- (2) the adverse *effects* from the continuation, maintenance and minor upgrades of an existing activity that is lawfully established⁹⁹⁶ are no greater in character, spatial extent, intensity or scale than they were before this RPS became operative.

ECO-P6 – Maintaining indigenous *biodiversity*

Maintain Otago's indigenous *biodiversity* (excluding ~~the coastal environment and~~⁹⁹⁷ areas managed protected⁹⁹⁸ under ECO-P3) by applying the following *biodiversity effects management hierarchy (in relation to indigenous biodiversity)*⁹⁹⁹ in decision-making on applications for *resource consent* and notices of requirement:

- (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:
 - (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.

ECO-P7 – Coastal indigenous *biodiversity*

~~Coastal indigenous *biodiversity* is managed by CE-P5, and implementation of CE-P5 also contributes to achieving ECO-O1.~~

⁹⁹¹ Under RMA Schedule 1, Clause 16(2) of the RMA amend the cross-referencing error

⁹⁹² 00230.104 Forest and Bird

⁹⁹³ 00237.007 Beef & Lamb and DINZ, 00137.016 DOC, 00226.035 Kāi Tahu ki Otago, 00120.011 Yellow-eyed Penguin Trust, 00230.016 Forest and Bird

⁹⁹⁴ 00230.104 Forest and Bird

⁹⁹⁵ Clause 16(2), Schedule 1, RMA (remove the italics from 'degradation' as this term is not defined in the pORPS)

⁹⁹⁶ 00230.104 Forest and Bird

⁹⁹⁷ Clause 10(2)(b)(i) - Consequential amendment arising from 00226.223 Kāi Tahu ki Otago

⁹⁹⁸ 00230.105 Forest and Bird

⁹⁹⁹ 00016.013 Alluvium and Stoney Creek, 0017.011 Danny Walker and Others, 00321.022 Te Waihangā

~~Indigenous biodiversity in the coastal environment is managed by the relevant provisions of this chapter, except that:~~

~~(1) significant natural areas in the coastal environment are managed by CE-P5(1) instead of ECO-P3 to ECO-P5, and~~

~~(2) other indigenous biodiversity in the coastal environment that is not part of a significant natural area are also managed by CE-P5(2).¹⁰⁰⁰~~

Indigenous biodiversity and taoka species and ecosystems in the coastal environment are managed by CE-P5 in addition to all objectives and policies of the ECO chapter except ECO-P3, ECO-P4, ECO-P5 and ECO-P6.¹⁰⁰¹

ECO-P8 – Restoration and Enhancement¹⁰⁰²

The extent, *occupancy*¹⁰⁰³ and condition of Otago’s indigenous *biodiversity* is increased by:

- (1) restoring and enhancing habitat for indigenous species, including taoka and *mahika kai*¹⁰⁰⁴ species,
- (2) improving the health and *resilience* of indigenous *biodiversity*, including ecosystems, species, ~~important~~¹⁰⁰⁵ ecosystem function, and *intrinsic values*, and
- (3) buffering or linking ecosystems, habitats and ecological corridors, *ki uta ki tai*.¹⁰⁰⁶

ECO-P9 – Wilding conifers

Reduce the impact of *wilding conifers* on indigenous *biodiversity* by:

- (1) ~~avoiding afforestation~~ the planting¹⁰⁰⁷ and replanting of plantation forests and permanent forests¹⁰⁰⁸ with *wilding conifer* species listed in APP5 within:
 - (a) areas identified as *significant natural areas*, and
 - (b) buffer zones adjacent to *significant natural areas* where it is necessary to protect the *significant natural area*, and
- (2) supporting initiatives to control existing *wilding conifers* and limit their further spread.

ECO-P10 – ~~Integrated management~~ Co-ordinated approach¹⁰⁰⁹

Implement ~~an integrated and~~¹⁰¹⁰ co-ordinated approach to managing Otago’s ecosystems and indigenous *biodiversity* that:

¹⁰⁰⁰ 00226.223 Kāi Tahu ki Otago, 00230.106 Forest and Bird

¹⁰⁰¹ 00226.223 Kāi Tahu ki Otago

¹⁰⁰² 00226.224 Kāi Tahu ki Otago

¹⁰⁰³ 00223.099 Ngāi Tahu ki Murihiku, 00226.215 Kāi Tahu ki Otago

¹⁰⁰⁴ 00226.0038 Kāi Tahu ki Otago

¹⁰⁰⁵ 00137.091 DOC

¹⁰⁰⁶ 00138.037 QLDC

¹⁰⁰⁷ 00137.092 DOC

¹⁰⁰⁸ 00137.092 DOC

¹⁰⁰⁹ 00226.226 Kāi Tahu ki Otago

¹⁰¹⁰ 00226.226 Kāi Tahu ki Otago

- (1) ensures any permitted or controlled activity in a *regional plan*¹⁰¹¹ or *district plan* rule does not compromise the achievement of ECO-O1,
- (2) recognises the interactions *ki uta ki tai* (from the mountains to the sea) between the terrestrial *environment, fresh water, and the coastal marine area*, including:
 - (a) the migration of fish species between *fresh and coastal waters, and*¹⁰¹²
 - (b) the effects of land-use activities on the coastal environment,¹⁰¹³
- (2A) acknowledges that *climate change* will affect indigenous *biodiversity*, and manages activities which exacerbate the effects of *climate change*,¹⁰¹⁴
- (3) promotes collaboration between individuals and agencies with *biodiversity* responsibilities,
- (4) supports the various statutory and non-statutory approaches adopted to manage indigenous *biodiversity*,
- (5) recognises the critical role of people and communities in actively managing the remaining indigenous *biodiversity* occurring on private *land*, and
- (6) adopts regulatory and non-regulatory regional pest management programmes.

Methods

ECO-M1 – Statement of responsibilities

In accordance with section 62(1)(i)(iii) of the RMA 1991, the *local authorities* responsible for the control of *land* use to maintain indigenous *biological diversity* are:

- (1) the Regional Council and *territorial authorities* are responsible for specifying objectives, policies and methods in *regional and district plans* for managing the margins of *wetlands, rivers and lakes*,
- (2) the Regional Council is responsible for specifying objectives, policies and methods in *regional plans*:
 - (a) in the *coastal marine area*,
 - (b) in *wetlands, lakes and rivers*, and
 - (c) in, on or under the *beds of rivers and lakes*,
- (3) in addition to (1), *territorial authorities* are responsible for specifying objectives, policies and methods in *district plans* outside of the areas listed in (2) above if they are not managed by the Regional Council under (4), and
- (4) the Regional Council may be responsible for specifying objectives, policies and methods in *regional plans* outside of the areas listed (1) above if:

¹⁰¹¹ Clause 16(2), Schedule 1, RMA

¹⁰¹² 00226.226 Kāi Tahu ki Otago

¹⁰¹³ 00226.226 Kāi Tahu ki Otago

¹⁰¹⁴ 00234.033 Te Rūnanga o Ngāi Tahu

- (a) the Regional Council reaches agreement with the relevant *territorial authority* or *territorial authorities*, and
- (b) if applicable, a transfer of powers in accordance with section 33 of the RMA 1991 occurs from the relevant *territorial authority* or *territorial authorities* to the Regional Council.

ECO-M2 – Identification of *significant natural areas*

Local authorities must:

- (1) in accordance with the statement of responsibilities in ECO-M1, identify the areas and indigenous biodiversity¹⁰¹⁵ values of *significant natural areas* as required by ECO-P2, and
- (2) map and verify¹⁰¹⁶ the areas and include the indigenous biodiversity¹⁰¹⁷ values identified under (1) in the relevant *regional plans*¹⁰¹⁸ and *district plans*, no later than 31 December 2030,¹⁰¹⁹
- (3) recognise that indigenous *biodiversity* spans jurisdictional boundaries by:
 - (a) working collaboratively to ensure the areas identified by different *local authorities* are not artificially fragmented when identifying *significant natural areas* that span jurisdictional boundaries, and
 - (b) ensuring that indigenous *biodiversity* is managed in accordance with this RPS,
- (4) until *significant natural areas* are identified and mapped in accordance with (1) and (2),¹⁰²⁰ require ecological assessments to be provided with applications for resource consent and notices of requirement ~~that requirement~~¹⁰²¹ that identify whether affected areas are *significant natural areas* in accordance with APP2, and¹⁰²²
- (5) in the following areas, prioritise identification under (1) no later than 31 December 2025:
 - (a) intermontane basins that contain indigenous vegetation and habitats,
 - (b) areas of dryland shrubs,
 - (c) braided *rivers*, including the Makarora, Mātukituki and Lower Waitaki Rivers,
 - (d) areas of montane tall tussock grasslands, and
 - (e) limestone habitats.

ECO-M3 – Identification of *taoka*

Local authorities must:

- (1) work together with *mana whenua* to agree a process for:

¹⁰¹⁵ 00226.228 Kāi Tahu ki Otago

¹⁰¹⁶ 00020.018 Rayonier Matariki

¹⁰¹⁷ 00226.228 Kāi Tahu ki Otago

¹⁰¹⁸ Clause 16(2), Schedule 1, RMA

¹⁰¹⁹ 00139.036 DCC

¹⁰²⁰ 00311.014 Queenstown Airport

¹⁰²¹ Error – these words were unintentionally added through the s42A report but were not included in the notified provision.

¹⁰²² Clause 16(2), Schedule 1, RMA

- (a) identifying indigenous species and ecosystems that are taoka,
 - (b) describing the taoka identified in (1)(a),
 - (c) mapping or describing the location of the taoka identified in (1)(a), and
 - (d) describing the values of each taoka identified in (1)(a), and
- (2) notwithstanding (1), recognise that *mana whenua* have the right to choose not to identify taoka and to choose the level of detail at which identified taoka, or their location or values, are described, and
- (3) to the extent agreed by *mana whenua*, amend their *regional* and *district plans* to include matters (1)(b) to (1)(d) above.

ECO-M4 – Regional plans

Otago Regional Council must prepare or amend and maintain its *regional plans* to:

- (1) if the requirements of ECO-P3 ~~and to~~¹⁰²³ ECO-P6 can be met, provide for the use of *lakes* and *rivers* and their *beds*, including:
- (a) activities undertaken for the purposes of pest control or maintaining or enhancing the habitats of indigenous fauna, and
 - (b) the maintenance and use of existing structures that are lawfully established¹⁰²⁴ (including *infrastructure*), and
 - (c) infrastructure that has a *functional need*¹⁰²⁵ or *operational need* to be sited or operated in a particular location,
- (1A) ~~control manage~~¹⁰²⁶ the clearance or modification of *indigenous vegetation*, while allowing for *mahika kai*¹⁰²⁷ and kaimoana (seafood) activities,¹⁰²⁸
- (2) require:
- (a) resource consent applications to include information that demonstrates that the sequential steps in the *effects management hierarchy (in relation to indigenous biodiversity)*¹⁰²⁹ in ECO-P6 have been followed, and
 - (b) that consents are not granted if the sequential steps in the effects management hierarchy (in relation to indigenous biodiversity)¹⁰³⁰ in ECO-P6 have not been followed, and
- (3) provide for activities undertaken for the purpose of restoring or enhancing the habitats of indigenous fauna.

¹⁰²³ Clause 16(2), Schedule 1, RMA

¹⁰²⁴ 00230.113 Forest and Bird

¹⁰²⁵ 00315.046 Aurora Energy, 00138.116 QLDC

¹⁰²⁶ Clause 16(2), Schedule 1, RMA

¹⁰²⁷ 00226.0038 Kāi Tahu ki Otago

¹⁰²⁸ 00226.230 Kāi Tahu ki Otago / Aukaha

¹⁰²⁹ 00016.013 Alluvium and Stoney Creek, 0017.011 Danny Walker and Others, 00321.022 Te Waihanga, 00137.009 DOC

¹⁰³⁰ 00016.013 Alluvium and Stoney Creek, 0017.011 Danny Walker and Others, 00321.022 Te Waihanga, 00137.009 DOC

ECO-M5 – District plans

Territorial authorities must prepare or amend and maintain their *district plans* to:

- (1) if the requirements of ECO-P3 ~~and to~~¹⁰³¹ ECO-P6 are met, provide for the use of *land* and the surface of *water bodies* including:
 - (a) activities undertaken for the purposes of pest control or maintaining or enhancing the habitats of indigenous fauna, and
 - (b) the maintenance and use of existing *structures* (including *infrastructure*), and
 - (c) *infrastructure* that has a *functional* or *operational need* to be sited or operated in a particular location,
- (2) ~~control~~ manage¹⁰³² the clearance or modification of indigenous vegetation, while allowing for *mahika kai*¹⁰³³ activities,¹⁰³⁴
- (3) promote the establishment of *esplanade reserves* and *esplanade strips*, particularly where they would support ecological corridors, buffering or connectivity between *significant natural areas*, or access to *mahika kai*,¹⁰³⁵
- (4) require:
 - (a) resource consent applications to include information that demonstrates that the sequential steps in the *effects management hierarchy (in relation to indigenous biodiversity)*¹⁰³⁶ in ECO-P6 have been followed, and
 - (b) that consents are not granted if the sequential steps in the *effects management hierarchy (in relation to indigenous biodiversity)*¹⁰³⁷ in ECO-P6 have not been followed, and
- (5) provide for activities undertaken for the purpose of restoring or enhancing the habitats of indigenous fauna, ~~and~~¹⁰³⁸
- (6) prohibit the planting of *wilding conifer* species listed in APP5 within areas identified as *significant natural areas* and buffer zones adjacent to *significant natural areas*, and¹⁰³⁹
- (7) require buffer zones adjacent to *significant natural areas* where it is necessary to protect the *significant natural area.*¹⁰⁴⁰

ECO-M6 – Engagement

Local authorities, when implementing the policies in this chapter, will:

¹⁰³¹ Clause 16(2), Schedule 1, RMA

¹⁰³² Clause 16(2), Schedule 1, RMA

¹⁰³³ 00226.0038 Kāi Tahu ki Otago

¹⁰³⁴ 00226.231 Kāi Tahu ki Otago

¹⁰³⁵ 00226.231 Kāi Tahu ki Otago, 00226.0038 Kāi Tahu ki Otago

¹⁰³⁶ 00016.013 Alluvium and Stoney Creek, 0017.011 Danny Walker and Others, 00321.022 Te Waihanga, 00137.009 DOC

¹⁰³⁷ 00016.013 Alluvium and Stoney Creek, 0017.011 Danny Walker and Others, 00321.022 Te Waihanga, 00137.009 DOC

¹⁰³⁸ 00140.026 Waitaki DC

¹⁰³⁹ 00226.231 Kāi Tahu ki Otago

¹⁰⁴⁰ 00140.026 Waitaki DC

- (1) work collaboratively with other *local authorities* to adopt an integrated approach to managing Otago's *biodiversity* across administrative boundaries,
- (2) engage with individuals (including landowners and *land* occupiers), community groups, government agencies and other organisations with a role or an interest in *biodiversity* management, and
- (3) consult directly with landowners and *land* occupiers whose properties potentially contain or are part of *significant natural areas*.

ECO-M7 – Monitoring

Local authorities will:

- (1) establish long-term monitoring programmes for areas identified under ~~ECO-P1~~ECO-P2¹⁰⁴¹ that measure the net loss and gain of indigenous *biodiversity*,
- (2) record information (including data) over time¹⁰⁴² about the state of species, vegetation types and ecosystems, including *mahika kai*¹⁰⁴³ species and ecosystems,¹⁰⁴⁴
- (3) to the extent possible, use mātauraka Māori and tikaka Māori monitoring methods, as well as scientific monitoring methods, and
- (4) regularly report on matters in (1) and (2) and publish these reports.

ECO-M8 – Other incentives and mechanisms

Local authorities are encouraged to consider the use of other mechanisms or incentives to assist in achieving Policies ECO-P1 to ECO-P10, including:

- (1) providing information and guidance on the maintenance, restoration and enhancement of indigenous ecosystems ~~and~~,¹⁰⁴⁵ habitats, taoka and *mahika kai*¹⁰⁴⁶ species and ecosystems,¹⁰⁴⁷
- (2) funding assistance for restoration projects (for example, through Otago Regional Council's ECO Fund),
- (3) supporting the control of pest plants and animals, including through the provision of advice and education and implementing regulatory programmes such as the Regional Pest Management Plan,
- (4) financial incentives,
- (5) covenants to protect areas of indigenous *biodiversity land*¹⁰⁴⁸, including through the QEII National Trust,

¹⁰⁴¹ 00137.095 DOC, 00226.233 Kāi Tahu ki Otago

¹⁰⁴² 00226.233 Kāi Tahu ki Otago

¹⁰⁴³ 00226.038 Kāi Tahu ki Otago

¹⁰⁴⁴ 00226.233 Kāi Tahu ki Otago

¹⁰⁴⁵ 00226.234 Kāi Tahu ki Otago

¹⁰⁴⁶ 00226.038 Kāi Tahu ki Otago

¹⁰⁴⁷ 00226.234 Kāi Tahu ki Otago

¹⁰⁴⁸ 00230.117 Forest and Bird

- (6) advocating for a collaborative approach between central and local government to fund indigenous *biodiversity* maintenance and enhancement, and
- (7) gathering information on indigenous ecosystems, ~~and~~¹⁰⁴⁹ habitats, ~~and taoka and mahika kai~~¹⁰⁵⁰ species and ecosystems,¹⁰⁵¹ including outside *significant natural areas*.

Explanation

ECO-E1 – Explanation

The first policy in this chapter outlines how the kaitiaki role of Kāi Tahu will be recognised in Otago. The policies which follow then set out a management regime for identifying *significant natural areas* and indigenous species and ecosystems that are taoka and protecting them by avoiding particular adverse *effects* on them. The policies recognise that these restrictions may be unduly restrictive for some activities within *significant natural areas*, including existing activities already established. To maintain ecosystems and indigenous *biodiversity*, the policies set out mandatory and sequential steps in an effects management hierarchy to be implemented through decision making, including providing for *biodiversity* offsetting and compensation if certain criteria are met.

Although the objectives of this chapter apply within the coastal environment, the specific management approach for *biodiversity* is contained in the CE – Coastal environment chapter. Given the *biodiversity* loss that has occurred in Otago historically, restoration or enhancement will play a part in achieving the objectives of this chapter and these activities are promoted.

Wilding conifers are a particular issue for *biodiversity* in Otago. Although *plantation forestry* is managed under the NESPF, the NESPF allows plan rules to be more stringent if they recognise and provide for the protection of *significant natural areas*. The policies adopt this direction by requiring *district plans*¹⁰⁵² and *regional plans* to prevent ~~afforestation~~ planting of conifer species¹⁰⁵³ within *significant natural areas* and establish buffer zones where they are necessary to protect *significant natural areas*.

The policies recognise that managing ecosystems and indigenous *biodiversity* requires co-ordination across different areas and types of resources, as well as across organisations, communities and individual landowners. This articulates the stewardship role of all people and communities in Otago in respect of indigenous *biodiversity*.

Principal reasons

ECO-PR1 – Principal reasons

The health of New Zealand's *biodiversity* has declined significantly since the arrival of humans and remains under significant pressure. ~~Mahika kai~~ Mahika kai¹⁰⁵⁴ and taoka species, including their

¹⁰⁴⁹ 00226.234 Kāi Tahu ki Otago

¹⁰⁵⁰ 00226.038 Kāi Tahu ki Otago

¹⁰⁵¹ 00226.234 Kāi Tahu ki Otago

¹⁰⁵² Clause 16(2), Schedule 1, RMA

¹⁰⁵³ 00239.111 Federated Farmers

¹⁰⁵⁴ 00226.0038 Kāi Tahu ki Otago

abundance, have been damaged or lost through resource use, *land* use change and development in Otago. The provisions in this chapter seek to address this loss and pressure through providing direction on how indigenous *biodiversity* is to be managed.

The provisions in this chapter assist in maintaining, protecting and restoring indigenous *biodiversity* by:

- stating the outcomes sought for ecosystems and indigenous *biodiversity* in Otago,
- requiring identification and protection of *significant natural areas* and indigenous species and ecosystems that are taoka, and
- directing how indigenous *biodiversity* is to be maintained.

This chapter will assist with achieving the outcomes sought by *Te Mana o te Taiao – Aotearoa New Zealand Biodiversity Strategy 2020*. Implementation of the provisions in this chapter will occur primarily through *regional* and *district plan* provisions, however *local authorities* may also choose to adopt additional non-regulatory methods to support the achievement of the objectives.

Anticipated environmental results

ECO-AER1	There is no further decline in the quality, quantity or diversity of Otago’s indigenous <i>biodiversity</i> .
ECO-AER2	The quality, quantity and diversity of indigenous <i>biodiversity</i> within Otago improves over the life of this Regional Policy Statement.
ECO-AER3	Kāi Tahu are involved in the management of indigenous <i>biodiversity</i> and able to effectively exercise their <i>kaitiakitaka</i> .
ECO-AER4	Within <i>significant natural areas</i> , the area of <i>land</i> vegetated by <i>wilding conifers</i> is reduced.

EIT – Energy, infrastructure and transport

Note to readers: As notified, the order of this chapter was EIT-EN, EIT-INF, EIT-TRAN. As a result of recommendations made by the reporting officer through supplementary evidence, the order is now EIT-INF, EIT-EN, EIT-TRAN. The notified numbering has been retained as an interim measure while the hearing on these provisions occurs so that it is easier to link submission points to provisions. The numbering of this chapter will be made chronological following a final decision by Council.

EIT-INF – Infrastructure¹⁰⁵⁵

Objectives

EIT-INF-04 – Provision of infrastructure

Effective, efficient and resilient *infrastructure, nationally significant infrastructure and regionally significant infrastructure*¹⁰⁵⁶ enables the people and communities of Otago to provide for their social and cultural well-being, their health and safety, and supports sustainable economic development and growth in ~~within~~ the region,¹⁰⁵⁷ within ~~environmental limits.~~¹⁰⁵⁸

EIT-INF-05 – Integration

Development of ~~nationally and regionally significant~~¹⁰⁵⁹ *nationally significant infrastructure and regionally significant infrastructure*¹⁰⁶⁰ as well as *land use change*, occurs in a co-ordinated manner to ~~avoid or~~¹⁰⁶¹ minimise adverse effects on the *environment* and increase efficiency in the delivery, operation and use of the *infrastructure*.

~~EIT-INF-06 – Long term planning for electricity transmission infrastructure~~

~~Long term investment in, and planning for, electricity transmission infrastructure and its integration with land use, is sustained.~~¹⁰⁶²

Policies

EIT-INF-P10 – Recognising resource requirements

Decision making on the allocation or use of *natural and physical resources* must take into account the *functional needs and operational*¹⁰⁶³ *needs of nationally significant infrastructure*¹⁰⁶⁴ and *regionally significant infrastructure*.

¹⁰⁵⁵ Clause 16(2), Schedule 1, RMA

¹⁰⁵⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00313.020 Queenstown Airport

¹⁰⁵⁷ 00239.124 Federated Farmers

¹⁰⁵⁸ 00231.009 Fish and Game

¹⁰⁵⁹ 00239.125 Federated Farmers, 00235.114 OWRUG

¹⁰⁶⁰ Clause 16(2), Schedule 1, RMA

¹⁰⁶¹ 00239.125 00230.128 Forest and Bird

¹⁰⁶² Moved to EIT-EN – clause 16(2), Schedule 1, RMA.

¹⁰⁶³ 00315.046 Aurora Energy, 00138.116 QLDC

¹⁰⁶⁴ 00314.001 Transpower

EIT-INF-P11 – Operation and maintenance

Except as provided for by ECO – P4, allow for the operation and maintenance of existing *nationally significant infrastructure*¹⁰⁶⁵ and *regionally significant infrastructure* while:

- (1) avoiding, as the first priority, significant adverse *effects* on the *environment*, and
- (2) if avoidance is not practicable, and for other adverse *effects*, minimising adverse *effects*.

EIT-INF-P12 – Upgrades and development

Provide for upgrades to existing, and development of new¹⁰⁶⁶ ~~*infrastructure, nationally significant infrastructure*~~¹⁰⁶⁷ or regionally significant infrastructure¹⁰⁶⁸ while ensuring that:

- (1) ~~*infrastructure*~~¹⁰⁶⁹ it is designed and located, as far as practicable, to maintain functionality during and after *natural hazard* events,
- (2) it is, as far as practicable, co-ordinated with long-term *land* use planning, and
- (3) ~~increases efficiency in~~¹⁰⁷⁰ the ~~its~~¹⁰⁷¹ delivery, operation or use of the infrastructure is efficient.¹⁰⁷²

EIT-INF-P13 – Locating and managing *effects of infrastructure, nationally significant infrastructure and regionally significant infrastructure*¹⁰⁷³ outside the coastal environment¹⁰⁷⁴

When providing for new *infrastructure, nationally significant infrastructure and regionally significant infrastructure*¹⁰⁷⁵ outside the coastal environment

- (1) avoid, as the first priority, locating *infrastructure* in all of the following:
 - (a) *significant natural areas*,
 - (b) outstanding natural features and landscapes,
 - (c) *natural wetlands*,
 - (d) *outstanding water bodies*,
 - (e) areas of high or outstanding natural character,
 - (f) areas or places of significant special¹⁰⁷⁶ or outstanding *historic heritage*,

¹⁰⁶⁵ 00314.001 Transpower

¹⁰⁶⁶ 00139.164 DCC

¹⁰⁶⁷ 00314.001 Transpower

¹⁰⁶⁸ Clause 16(2), Schedule 1, RMA

¹⁰⁶⁹ 00315.048 Aurora Energy

¹⁰⁷⁰ 00315.048 Aurora Energy

¹⁰⁷¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00315.048 Aurora Energy (re Clause 1 amendment)

¹⁰⁷² 00315.048 Aurora Energy

¹⁰⁷³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00313.020 Queenstown Airport

¹⁰⁷⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.107 DOC, 00301.042 Port Otago, 00226.241 Kāi Tahu ki Otago, 00223.108 Ngāi Tahu ki Murihiku, 00301.040 Port Otago

¹⁰⁷⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00313.020 Queenstown Airport

¹⁰⁷⁶ Clause 16(2), Schedule 1, RMA.

- (g)¹⁰⁷⁷ wāhi tūpuna, wāhi tapu, wāhi taoka,¹⁰⁷⁸ and areas with protected customary rights, and
- (h) areas of high recreational and high amenity value, and
- (2) if it is not **possible demonstrably practicable**¹⁰⁷⁹ to avoid locating in the areas listed in (1) above because of the *functional needs*¹⁰⁸⁰ or *operational needs* of the *infrastructure, nationally significant infrastructure and regionally significant infrastructure*¹⁰⁸¹ manage adverse effects as follows:
- (a) for *nationally significant infrastructure*¹⁰⁸² or *regionally significant infrastructure*:
- (i) in *significant natural areas*, in accordance with ECO-P4,
 - (ii) in *natural wetlands*, in accordance with the relevant provisions in the NESF,
 - (iii) in *outstanding water bodies*, in accordance with LF-FW-P12¹⁰⁸³,
 - (iiia) in relation to wāhi tūpuna, in accordance with HCV-WT-P2¹⁰⁸⁴
 - (iv) in other areas listed in EIT-INF-P13(1) above, minimise the adverse effects of the *infrastructure* on the values that contribute to the area's importance,
- (b) for all *infrastructure* that is not *nationally significant infrastructure*¹⁰⁸⁵ or *regionally significant infrastructure*,¹⁰⁸⁶ avoid adverse effects on the values that contribute to the area's outstanding nature or significance.

EIT-INF-P13A – Managing the effects of infrastructure, nationally significant infrastructure and regionally significant infrastructure within the coastal environment

When managing the effects of infrastructure, nationally significant infrastructure and regionally significant infrastructure within the coastal environment the provisions of the CE – Coastal environment chapter apply.¹⁰⁸⁷

EIT-INF-P14 – Decision making considerations

When considering proposals to develop or upgrade *infrastructure*:

- (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*.

¹⁰⁷⁷ Clause 16(2), Schedule 1, RMA

¹⁰⁷⁸ 00226.241 Kāi Tahu ki Otago

¹⁰⁷⁹ 00321.057 New Zealand Infrastructure Commission, 00313.020 Queenstown Airport

¹⁰⁸⁰ Clause 16(2), Schedule 1, RMA

¹⁰⁸¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00313.020 Queenstown Airport

¹⁰⁸² Clause 16(2), Schedule 1, RMA

¹⁰⁸³ Clause 16(2), Schedule 1, RMA

¹⁰⁸⁴ 00226.241 Kāi Tahu ki Otago

¹⁰⁸⁵ Clause 16(2), Schedule 1, RMA

¹⁰⁸⁶ Clause 16(2), Schedule 1, RMA

¹⁰⁸⁷ 00137.107 DOC, 00301.042 Port Otago, 00226.241 Kāi Tahu ki Otago, 00223.108 Ngāi Tahu ki Murihiku, 00301.040 Port Otago

EIT-INF-P15 – Protecting nationally significant infrastructure¹⁰⁸⁸ ~~or~~ and¹⁰⁸⁹ regionally significant infrastructure

~~Seek to avoid the establishment of activities that may result in reverse sensitivity effects on nationally or regionally significant infrastructure, and/or where they may compromise the functional or operational needs of nationally or regionally significant infrastructure.~~

Protect the efficient and effective operation of nationally significant infrastructure and regionally significant infrastructure by:

- (1) avoiding activities that may give rise to an adverse effect on the functional needs or operational needs of nationally significant infrastructure or regionally significant infrastructure,
- (2) avoiding activities that may result in reverse sensitivity effects on nationally significant infrastructure or regionally significant infrastructure, and
- (3) avoiding activities and development that foreclose an opportunity to adapt, upgrade or develop nationally significant infrastructure or regionally significant infrastructure to meet future demand.¹⁰⁹⁰

~~EIT-INF-P16 – Providing for electricity transmission and the National Grid~~

~~Maintain a secure and sustainable electricity supply in Otago by:~~

- ~~(1) providing for development of, and upgrades to, the electricity transmission network and requiring, as far as practicable, its integration with land use,~~
- ~~(2) considering the requirements of and constraints on the functional needs¹⁰⁹¹ or operational needs of the electricity transmission network,~~
- ~~(3) providing for the efficient and effective development, operation, maintenance, and upgrading of the National Grid,~~
- ~~(4) enabling the reasonable operation, maintenance and minor upgrade requirements of established electricity transmission assets, and~~
- ~~(5) minimising the adverse effects of the electricity transmission network on urban amenity, and avoiding adverse effects on town centres, areas of significance to mana whenua such as wāhi tūpuna,¹⁰⁹² areas of high amenity or recreational value and existing sensitive activities.¹⁰⁹³~~

EIT-INF-P17 – Urban growth and infrastructure

Provide for *development infrastructure* and *additional infrastructure* required to service existing, planned and expected urban growth demands in the short, medium and long term, taking in account UFD – P1 to UFD – P10.

¹⁰⁸⁸ Clause 16(2), Schedule 1, RMA

¹⁰⁸⁹ Clause 16(2), Schedule 1, RMA

¹⁰⁹⁰ 00313.022 Queenstown Airport

¹⁰⁹¹ Clause 16(2), Schedule 1, RMA

¹⁰⁹² 00226.243 Kāi Tahu ki Otago

¹⁰⁹³ Moved to EIT-EN – Clause 16(2), Schedule 1, RMA

Methods

EIT-INF-M4 – Regional plans

Otago Regional Council must prepare or amend and maintain its *regional plans* to:

- (1) manage the adverse *effects of infrastructure* activities, including, where appropriate, identifying activities that qualify as minor upgrades,¹⁰⁹⁴ that:
 - (a) are in the *beds of lakes and rivers*, or
 - (b) are in the *coastal marine area*, or
 - (c) involve the taking, use, damming or diversion of *water* or,
 - (d) involve the *discharge of water or contaminants*, and
- (2) require the prioritisation of sites for *infrastructure* where adverse *effects* on highly valued *natural and physical resources* and *mana whenua* values can be avoided or, at the very least, minimised.

EIT-INF-M5 – District plans

Territorial authorities must prepare or amend and maintain their *district plans* to:

- (1) require a strategic approach to the integration of *land use* and *nationally significant infrastructure*¹⁰⁹⁵ or *regionally significant infrastructure*,
- ~~(2) enable planning for the electricity transmission network and National Grid to achieve efficient distribution of electricity,~~¹⁰⁹⁶
- ~~(3) map the electricity transmission network, and in relation to the National Grid, and~~¹⁰⁹⁷ ~~identify a buffer corridor within which sensitive activities shall generally not be allowed, and~~¹⁰⁹⁸
- (4) manage the *subdivision*, use and development of *land* to ensure *nationally significant infrastructure*¹⁰⁹⁹ or *regionally significant infrastructure* can develop to meet increased demand,
- (5) manage the adverse *effects* of developing, operating, maintaining, or upgrading *nationally significant infrastructure*¹¹⁰⁰ or *regionally significant infrastructure*, including, where appropriate, identifying activities that qualify as minor upgrades,¹¹⁰¹ that are on:
 - (a) the surface of *rivers and lakes* and on *land* outside the *coastal marine area*, and
 - (b) the *beds of lakes and rivers*,
- (6) ensure that development is avoided where:
 - (a) it cannot be adequately served with *infrastructure*,

¹⁰⁹⁴ 00139.164 DCC, 00305.043 Waka Kotahi

¹⁰⁹⁵ Clause 16(2), Schedule 1, RMA

¹⁰⁹⁶ Moved to EIT-EN-M2(6) – Clause 16(2), Schedule 1, RMA

¹⁰⁹⁷ 00314.040 Transpower

¹⁰⁹⁸ Moved to EIT-EN-M2(7) – Clause 16(2), Schedule 1, RMA

¹⁰⁹⁹ Clause 16(2), Schedule 1, RMA

¹¹⁰⁰ Clause 16(2), Schedule 1, RMA

¹¹⁰¹ 00139.164 DCC, 00305.043 Waka Kotahi

- (b) it utilises *infrastructure* capacity for other planned development, or
 - (c) the required upgrading of *infrastructure* is not funded, and
- (7) require the prioritisation of sites for *infrastructure, nationally significant infrastructure and regionally significant infrastructure* where adverse effects on those matters **are**¹¹⁰² addressed by EIT-INF-P13¹¹⁰³ and EIT-INF-P13A¹¹⁰⁴ on highly valued *natural and physical resources* and *mana whenua* values can be avoided or, at the very least, minimised.¹¹⁰⁵

EIT-INF-M6 – Advocacy

Local authorities ~~should~~ **must**¹¹⁰⁶:

- (1) ~~advocate for the upgrading or replacement of existing nationally or regionally significant infrastructure if the operation of infrastructure results in significant adverse effects, and~~¹¹⁰⁷
- (2) ~~work proactively with infrastructure providers to co-ordinate the upgrading or development of nationally significant infrastructure~~¹¹⁰⁸ or *regionally significant infrastructure* to support co-location or concurrent construction to reduce adverse effects.

Explanation

EIT-INF-E2 – Explanation

The policies in this section recognise the critical importance of *infrastructure* to communities and provide for the continued operation of existing *infrastructure* and the development of upgraded or new *infrastructure* where adverse effects are managed. As many assets rely on particular resource requirements or specific locations, decisions on allocating *natural and physical resources* shall make provision for the *functional needs*¹¹⁰⁹ or *operational needs of nationally significant infrastructure*¹¹¹⁰ and *regionally significant infrastructure*. For *infrastructure* in the coastal environment, the provisions of the CE – Coastal environment chapter are also applicable to ensure the NZCPS is given effect.

Given the potential magnitude of adverse effects associated with this *infrastructure*, consideration is required of the ability to remedy or mitigate unavoidable adverse effects, alternative options and offsetting or compensation.

To ensure *infrastructure* is planned for, and used efficiently, the provisions require that the benefits of existing *nationally significant infrastructure*¹¹¹¹ and *regionally significant infrastructure* are maximised, and *infrastructure* provision is undertaken in a co-ordinated manner. The policies also seek to manage the potential adverse effects of other activities on *nationally significant infrastructure*¹¹¹²

¹¹⁰² Clause 16(2), Schedule 1, RMA

¹¹⁰³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.107 DOC, 00301.042 Port Otago, 00226.241 Kāi Tahu ki Otago, 00223.108 Ngāi Tahu ki Murihiku, 00301.040 Port Otago

¹¹⁰⁴ Clause 10(2)(b)(i), Schedule 1, RMA – 00137.107 DOC, 00301.042 Port Otago, 00226.241 Kāi Tahu ki Otago, 00223.108 Ngāi Tahu ki Murihiku, 00301.040 Port Otago

¹¹⁰⁵ 00139.171 DCC

¹¹⁰⁶ 00139.172 DCC

¹¹⁰⁷ 00311.051 Trustpower, 00305.054 Waka Kotahi

¹¹⁰⁸ Clause 16(2), Schedule 1, RMA

¹¹⁰⁹ Clause 16(2), Schedule 1, RMA

¹¹¹⁰ 00314.001 Transpower

¹¹¹¹ 00314.001 Transpower

¹¹¹² Clause 16(2), Schedule 1, RMA

and *regionally significant infrastructure* to ensure the ability to operate these assets is not compromised.

Principal reasons

EIT-INF-PR2 – Principal reasons

Infrastructure is fundamental to the health and safety of communities, and their social and economic well-being and functioning. The nature of *infrastructure* means there are typically operational and functional constraints which dictate where and how these activities operate to properly serve local communities. These types of assets also tend to require significant investment, although some have at times been subject to under-investment.

The scale and type of activities involved in the development, operation, maintenance, and upgrading of *infrastructure* are such that adverse *effects* on the *environment* are likely and, at times, significant. Efforts are required to reduce impacts from *infrastructure*, by avoiding its location in areas that are important to Otago, particularly where alternatives are available. If it is necessary to locate in those areas, then it is necessary that the values that make those areas important are protected. There are instances however, when residual *effects* cannot be avoided, in which case *effects* should be remedied or mitigated and offsetting or compensation may be necessary if it meets any criteria set. Given the potential for adverse *effects*, it is important that *local authorities* monitor and enforce the standards set in plans and on *resource consents* and designations.

The policies in this chapter give effect to the NPSREG, NPSET, NPSFM and NPSUD and recognise *infrastructure* that has benefits for the wider Otago region and nationally. Implementation of the provisions will occur through the *regional plan*¹¹¹³ and *district plan* provisions.

Anticipated environmental results

- | | |
|---------------------|--|
| EIT-INF-AER5 | <i>Infrastructure</i> provides safe, effective and efficient services to the Otago community. |
| EIT-INF-AER6 | The provision of <i>infrastructure</i> is co-ordinated and integrated to service growth efficiently. |
| EIT-INF-AER7 | <i>Nationally <u>significant infrastructure</u></i> ¹¹¹⁴ and <i>regionally significant infrastructure</i> is protected from reverse sensitivity <i>effects</i> caused by incompatible activities. |
| EIT-INF-AER8 | The adverse effects associated with <i>nationally and regionally significant infrastructure</i> <i>infrastructure</i> are <u>avoided or</u> ¹¹¹⁵ minimised. |

¹¹¹³ Clause 16(2), Schedule 1, RMA

¹¹¹⁴ 00314.001 Transpower

¹¹¹⁵ 00223.113 Ngāi Tahu ki Murihiku

EIT-EN – Energy

Note to readers: As a result of recommendations made by the reporting officer through supplementary evidence, some provisions in this chapter have been re-ordered and others have been moved from other chapters. The notified numbering has been retained as an interim measure while the hearing on these provisions occurs so that it is easier for submission points to be read alongside the chapter. The numbering of this chapter will be made chronological following a final decision by Council.

Objectives

EIT-EN-01 – Energy and social and economic well-being

Otago’s communities and economy are supported by ~~renewable energy generation~~ renewable energy generation¹¹¹⁶ within the region that is safe, secure, and *resilient*.

EIT-EN-03 – Energy use

Development is located and designed to facilitate the efficient use of energy and to reduce demand if possible, minimising the contribution that Otago makes to total *greenhouse gas* emissions.

EIT-EN-02A – Greenhouse gas emissions and renewable energy targets

~~Otago’s renewable energy generation~~ Renewable energy in Otago¹¹¹⁷ supports the overall reduction in New Zealand greenhouse gas emissions and achieving the national target for emissions reduction.¹¹¹⁸

EIT-EN-02 – Renewable electricity generation

The generation capacity of *renewable electricity generation activities* in Otago:

- (1) is protected and¹¹¹⁹ maintained, and if practicable maximised, within ~~environmental limits~~,¹¹²⁰ and
- (2) contributes to meeting New Zealand’s national target for *renewable electricity generation*.

EIT-INF-06 – Long-term planning for electricity transmission and distribution¹¹²¹ infrastructure¹¹²²

Long-term investment in, and planning for, electricity transmission and distribution¹¹²³ infrastructure and its integration with *land* use, is sustained.

¹¹¹⁶ Clause 16(2), Schedule 1, RMA

¹¹¹⁷ Clause 16(2), Schedule 1, RMA

¹¹¹⁸ 00318.024 Contact, 00311.031 Trustpower, 00311.039 Trustpower, 00321.040 Te Waihangā

¹¹¹⁹ 00318.024 Contact

¹¹²⁰ 00231.009 Fish and Game

¹¹²¹ 00315.045 Aurora Energy

¹¹²² Moved from EIT-INF – Clause 16(2), Schedule 1, RMA

¹¹²³ 00315.045 Aurora Energy

Policies

EIT-EN-P9 – Energy conservation and efficiency

Development supports energy conservation and efficiency by: is designed, including through roading, lot size, dimensions, layout, and orientation so that energy use is efficient, energy waste is minimised, and solar gain is optimised

- (1) requiring the development of new housing that is durably constructed and energy efficient,
- (2) designing subdivisions to maximise solar access, and
- (3) locating development to minimise, as far as practicable, transportation costs, car dependency and greenhouse gas emissions.¹¹²⁴

EIT-EN-P5 – Non-renewable energy generation

Avoid the development of non-renewable energy generation activities in Otago and facilitate the replacement of non-renewable energy sources, including the use of fossil fuels, in energy generation.

EIT-EN-P1 – Operation and maintenance

The operation and maintenance of existing *renewable electricity generation activities* is provided for while minimising its adverse *effects*.

EIT-EN-P2 – Recognising *renewable electricity generation activities* in decision making

Decisions on the allocation and use of *natural and physical resources*, including the use of *fresh water* and development of *land*:

- (1) recognise the national significance of *renewable electricity generation activities*, including the¹¹²⁵ national, regional and local benefits of existing¹¹²⁶ *renewable electricity generation activities*,
- (2) ~~take into account~~ have particular regard to¹¹²⁷ the need to at least¹¹²⁸ maintain maintenance of¹¹²⁹ *current renewable electricity generation capacity*,¹¹³⁰ and
- (3) recognise that the attainment of increases in *renewable electricity generation* capacity will require significant development of *renewable electricity generation activities*.

EIT-EN-P3 – Development and upgrade of renewable electricity generation activities

The security of renewable electricity supply is maintained or improved in Otago through appropriate provision for the development or upgrading of *renewable electricity generation activities* and diversification of the type or location of *renewable*¹¹³¹ *electricity generation activities*.

¹¹²⁴ 00139.154 DCC

¹¹²⁵ 00306.054 Meridian

¹¹²⁶ 00137.100 DCC

¹¹²⁷ 00306.054 Meridian

¹¹²⁸ 00318.026 Contact

¹¹²⁹ 00318.026 Contact

¹¹³⁰ 00306.054 Meridian, 00311.034 Trustpower, 00321.043 Te Waihanga

¹¹³¹ Clause 16(2), Schedule 1, RMA

EIT-EN-P4 – Identifying new sites or resources

Provide for activities associated with the investigation, identification and assessment of potential sites and energy sources for *renewable electricity generation* and, when selecting a site for new *renewable electricity generation*, prioritise those where adverse *effects* on highly valued *natural and physical resources* and *mana whenua* values can be avoided or, at the very least, minimised.

EIT-EN-P6 – Managing effects

Manage the adverse *effects* of *renewable electricity generation activities* by:

- (1) applying EIT-INF-P13,
- (2) having particular¹¹³² regard to:
 - (a) the *functional need* to locate *renewable electricity generation activities* where resources are available,
 - (b) the *operational need* to locate where it is possible to connect to the *National Grid* or *electricity sub-transmission infrastructure*, and
 - (c) the extent and magnitude of adverse *effects* on the *environment* and the degree to which unavoidable adverse *effects* can be remedied or mitigated, or residual adverse *effects* are offset or compensated for; and
- (3) requiring consideration of alternative sites, methods and designs, and offsetting or compensation measures (in accordance with any specific requirements for their use in this RPS), where adverse *effects* are potentially significant or irreversible.

EIT-EN-P7 – Reverse sensitivity

Activities that may result in reverse sensitivity *effects* on consented or existing *renewable electricity generation activities*¹¹³³ or compromise the operation or maintenance of *renewable electricity generation activities* are, as the first priority, prevented from establishing and only if that is not reasonably practicable, managed so that reverse sensitivity *effects* are minimised.

EIT-EN-P8 – Small and community scale distributed electricity generation

Provide for *small and community scale distributed electricity generation* activities that increase the local community's *resilience* and security of energy supply.

EIT-INF-P16 – Providing for electricity transmission and the *National Grid*

Maintain a secure and sustainable electricity supply in Otago by:

(1A) applying EIT-INF-P13,¹¹³⁴

(1) providing for development of, and upgrades to, the electricity transmission network and requiring, as far as practicable, its integration with *land use*,

¹¹³² 00306.057 Meridian

¹¹³³ 00239.119 Federated Farmers, 00306.058 Meridian

¹¹³⁴ Clause 16(2), Schedule 1, RMA

- (2) considering the requirements of and constraints on the *functional needs*¹¹³⁵ or *operational needs* of the electricity transmission network,
- (3) providing for the efficient and effective development, operation, maintenance, and upgrading of the *National Grid*,
- (4) enabling the reasonable operation, maintenance and minor upgrade requirements of established electricity transmission assets, and
- (5) minimising the adverse *effects* of the electricity transmission network on urban amenity, and *avoiding adverse effects on town centres, areas of significance to mana whenua such as wāhi tūpuna*,¹¹³⁶ areas of high amenity or recreational value and existing *sensitive activities*.¹¹³⁷

EIT-EN-P10 – Providing for electricity distribution

Recognise and provide for electricity distribution infrastructure, by all of the following:

- (1) recognising the functional needs of electricity distribution activities,
- (2) restricting the establishment of activities that may result in reverse sensitivity effects,
- (3) avoiding, remedying or mitigating adverse effects from other activities on the functional needs of that infrastructure,
- (4) minimising adverse effects of new and upgraded electricity distribution infrastructure on existing land uses, and
- (5) identifying *significant electricity distribution infrastructure* and managing effects of potentially incompatible activities through methods such as corridors.

Methods

EIT-EN-M1 – Regional plans

Otago Regional Council must prepare or amend and maintain its *regional plans* to:

- (1) provide for activities associated with the investigation, identification and assessment of potential sites and energy sources for *renewable electricity generation*,
- (2) require the prioritisation of sites for new *renewable electricity generation activities* where adverse *effects* on highly valued *natural and physical resources* and *mana whenua* values can be avoided or, at the very least, minimised,
- (3) manage the adverse *effects* of developing or upgrading *renewable electricity generation activities*, including identifying activities that qualify as minor upgrades,¹¹³⁸ that:
 - (a) are within the *beds* of *lakes* and *rivers* and the *coastal marine area*, or
 - (b) involve the taking, use, damming or diversion of *water* and *discharge* of *water* or *contaminants*,

¹¹³⁵ Clause 16(2), Schedule 1, RMA

¹¹³⁶ 00226.243 Kāi Tahu ki Otago

¹¹³⁷ Moved from EIT-INF – Clause 16(2), Schedule 1, RMA.

¹¹³⁸ 00139.164 DCC, 00305.043 Waka Kotahi

- (4) provide for the operation and maintenance of existing *renewable electricity generation activities*, including their *natural and physical resource* requirements, within ~~the~~¹¹³⁹ environmental limits,¹¹⁴⁰ and
- (5) restrict the establishment of activities that may adversely affect the efficient functioning of *renewable electricity generation activities infrastructure*¹¹⁴¹ (including impacts on generation capacity).

EIT-EN-M2 – District plans

Territorial authorities must prepare or amend and maintain their *district plans* to:

- (1) provide for activities associated with the investigation, identification and assessment of potential sites and energy sources for *renewable electricity generation*,
 - (2) require the prioritisation of sites for new *renewable electricity generation activities* where adverse *effects* on highly valued *natural and physical resources* and *mana whenua* values can be avoided or, at the very least, minimised,
 - (3) manage the adverse *effects* of developing or upgrading *renewable electricity generation activities* and electricity transmission infrastructure, including identifying activities that qualify as minor upgrades,¹¹⁴² that:
 - (a) are on the surface of *rivers* and *lakes* and on *land* outside the *coastal marine area*, or
 - (b) the *beds* of *lakes* and *rivers*,
 - (4) provide for the continued operation and maintenance of *renewable electricity generation activities* on the surface of *rivers* and *lakes* and on *land* outside the *coastal marine area* and the *beds* of *lakes* and *rivers*,
 - (5) restrict the establishment or occurrence of activities that may adversely affect the efficient functioning of *renewable electricity generation infrastructure*,
- (5A) enable planning for the electricity transmission network and National Grid to achieve efficient distribution of electricity,¹¹⁴³
- (5B) map the National Grid, and identify a buffer corridor within which sensitive activities shall generally not be allowed,¹¹⁴⁴
- (5C) map significant electricity distribution infrastructure and, where necessary, providing controls on activities to ensure that the functional needs of the significant electricity distribution infrastructure are not compromised,¹¹⁴⁵
- (5D) where necessary, establishing controls for buildings, structures and other activities adjacent to electricity infrastructure, to ensure the functional needs of that infrastructure are not compromised based on NZECP34:2001 Electrical Code of Practice for Electrical Safe Distances

¹¹³⁹ 00223.106 Ngāi Tahu ki Murihiku

¹¹⁴⁰ 00231.009 Fish and Game

¹¹⁴¹ 00306.061 Meridian

¹¹⁴² 00139.164 DCC, 00305.043 Waka Kotahi

¹¹⁴³ 00314.040 Transpower; Moved from EIT-INF-M5(2) – Clause 16(2), Schedule 1, RMA

¹¹⁴⁴ Moved from EIT-INF-M5(3) – Clause 16(2), Schedule 1, RMA

¹¹⁴⁵ 00315.058 Aurora Energy, 00320.026 Network Waitaki and 00511.026 PowerNet

and the Electricity (Hazards from Trees) Regulations 2003 (prepared under the Electricity Act 1992),¹¹⁴⁶

- (6) require the design of *subdivision* development to optimise solar gain, including through roading, lot size, dimensions, layout and orientation, and
- (7) require the design of transport *infrastructure* to provide¹¹⁴⁷ for multi-modal transport options in urban and rural *lifestyle areas residential locations*.¹¹⁴⁸

EIT-EN-M3 – Education and information

- (1) *Local authorities* must provide education and information to improve energy efficiency and provide for the adoption of renewable energy sources, including:
 - (a) ways to increase ~~measures for increased~~¹¹⁴⁹ energy efficiency and energy conservation, and
 - (b) opportunities for *small and community scale distributed electricity generation*.
- (2) *Territorial authorities* must provide information on design techniques to optimise solar gain, including through roading, lot size, dimensions, layout, and orientation.

Explanation

EIT-EN-E1 – Explanation

The policies in this section are designed to set a clear preference for *renewable electricity generation activities* contributing to meeting New Zealand’s national target for *renewable electricity generation*. *Renewable electricity generation* is a matter of national importance and a key component in responding to climate change and energy demands. Increasing energy security will assist with ensuring that communities have options for clean heat and electricity for health and wellbeing services.¹¹⁵⁰

Renewable electricity generation activities are promoted by providing for the investigation, operation and maintenance of these sites and ensuring that decisions on allocating natural resources and the use of *land*, for example, recognise the benefits of *renewable electricity generation activities* arising from maintaining or increasing generation capacity. It is noted that *renewable electricity generation activities* will come within the definition of *infrastructure*, and that provisions relating to *infrastructure* also apply.

The potential magnitude of adverse *effects* and *functional needs*¹¹⁵¹ and *operational needs* associated with *renewable electricity generation activities* is recognised by requiring consideration of those needs, and the extent to which unavoidable *effects* can be remedied or mitigated. Where residual adverse *effects* remain, consideration is given to proposals to offset these, or compensate for them. Increasing energy security will assist with ensuring that communities have options for clean heat.

¹¹⁴⁶ 00315.058 Aurora Energy, 00320.026 Network Waitaki and 00511.026 PowerNet

¹¹⁴⁷ 00139.156 DCC

¹¹⁴⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

¹¹⁴⁹ 00139.157 DCC

¹¹⁵⁰ 00311.042 Trustpower

¹¹⁵¹ Clause 16(2), Schedule 1, RMA

To ensure the on-going functionality of *renewable electricity generation*¹¹⁵² assets and to maximise their benefits, reverse sensitivity *effects* or activities that may compromise the operation or maintenance of *renewable electricity generation activities* are to be avoided or their impacts minimised.

The policies ~~also~~ seek that energy use is efficient and energy waste is reduced, which will have consequential *effects* on minimising Otago's contribution to the nation's *greenhouse gas* emissions.

In addition, the policies also contain relevant considerations for the transmission of electricity, both in terms of the National Grid, significant electricity distribution infrastructure and other electricity transmission and distribution activities.¹¹⁵³

Principal reasons

EIT-EN-PR1 – Principal reasons

Energy is a basic requirement of life in Otago. It enables communities to provide for their well-being, and health and safety, and is essential to the regional economy. Everyday life is significantly affected when energy supply is disrupted. Therefore, ensuring the security of energy supplies that meet demand is crucial. The ability of existing energy generation activities to continue operating is dependent on access to resources such as *water* in hydro *lakes* and the operator's ability to maintain existing *infrastructure*.

Otago is fortunate to have several existing *renewable electricity generation* sites and potential to increase *renewable electricity generation*. The benefits of *renewable electricity generation* include reducing *greenhouse gas* emissions, dependence on imported energy and greater supply security. These benefits are afforded to Otago communities and nationally as exported energy is significant for other regions. Because of this, providing for new *renewable electricity generation* opportunities to meet increasing energy demand is necessary. Additionally, addressing inefficiencies in energy use can ensure that existing *infrastructure* is better utilised to reduce the need for new generation sites.

Renewable electricity generation facilities can cause significant adverse *effects* on the environment because of their *functional need* to locate in particular areas. These areas are where resources are available, for example *water* for hydro-electricity generation, but they may also contain other significant values such as outstanding natural features or landscapes, significant *indigenous vegetation* or sites of significance to *mana whenua* values. In some situations, it may not be possible to avoid adverse *effects* on these significant values after considering alternative sites or design options. In these circumstances the *effects* should be remedied or mitigated, and consideration should be given to whether those *effects* that cannot be avoided are offset or compensated.

In relation to the National Grid and significant electricity infrastructure (which are both a subset of infrastructure), specific provision is made which recognises some of the operational and functional constraints for electricity transmission, as well as addressing matters that are required to be given effect to by the NPSET.¹¹⁵⁴

¹¹⁵² 00306.063 Meridian

¹¹⁵³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from moving some policies from EIT-INF to EIT-EN.

¹¹⁵⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from moving some policies from EIT-INF to EIT-EN.

The provisions in this chapter assist in giving effect to the NPSREG, [NPSET¹¹⁵⁵](#) and NPSFM and implementing section 7(j) of the RMA-1994.¹¹⁵⁶ Implementation of the provisions will occur primarily through *regional plans*¹¹⁵⁷ and *district plan* provisions but regional, city and district councils also have a role in providing education and information to the community.

Anticipated environmental results

- EIT-EN-AER1** The proportion of electricity generated by *renewable energy generation activities* (including ~~small and community scale electricity generation~~ *small and community scale distributed electricity generation*¹¹⁵⁸) in Otago increases over time.
- EIT-EN-AER2** Energy use in Otago becomes more efficient over time and security of supply is maintained.
- EIT-EN-AER3** The adverse *effects* associated with *renewable energy generation activities* are minimised.
- EIT-EN-AER4** The proportion of *greenhouse gas* emissions per capita from energy generation reduces over time.

EIT-TRAN – Transport¹¹⁵⁹

Objectives

EIT-TRAN-O7 – Effective, efficient, and safe transport

Otago has an integrated air, *land* and sea water-based¹¹⁶⁰ transport network that:

- (1) is effective, efficient and safe,
- (2) connects communities and their activities within Otago, with other regions, and internationally, and
- (3) is *resilient to natural hazards* and the effects of climate change, and the changing needs of communities.¹¹⁶¹

EIT-TRAN-O8 – Transport system

The transport system within Otago supports the movement of people, goods and services, is integrated with *land* use, provides a choice of transport modes and is adaptable to changes in demand.

EIT-TRAN-O9 – Effects of the transport system

¹¹⁵⁵ Clause 16(2), Schedule 1, RMA

¹¹⁵⁶ Clause 16(2), Schedule 1, RMA

¹¹⁵⁷ Clause 16(2), Schedule 1, RMA

¹¹⁵⁸ Clause 16(2), Schedule 1, RMA

¹¹⁵⁹ Clause 16(2), Schedule 1, RMA

¹¹⁶⁰ 00411.065 Wayfare

¹¹⁶¹ 00307.024 CIAL

The contribution of transport to Otago's *greenhouse gas* emissions is reduced and communities are less reliant on fossil fuels for transportation.

EIT-TRAN-O10 – Commercial port activities

Commercial port activities operate safely and efficiently, and within ~~environmental limits~~.¹¹⁶²

Policies

EIT-TRAN-P18 – Integration of the transport system

The transport system contributes to the social, cultural and economic well-being of the people and communities¹¹⁶³ of Otago through:

- (1) integration with *land* use activities and across transport modes, and
- (2) provision of transport *infrastructure* that enables safe and¹¹⁶⁴ efficient¹¹⁶⁵ service delivery in response to demand ~~as demand requires~~.¹¹⁶⁶

EIT-TRAN-P19 – Transport system design

Resilience and adaptability of the transport system supports efficient networks for the transport of people and goods that are sustained, ~~and improved,~~ and responsive to growth¹¹⁶⁷ by:

- (1) promoting a consolidated urban form that integrates *land* use activities with the transport system,
- (2) placing a high priority on *active transport* and *public transport* and their integration into the design of development and transport networks, and
- (3) encouraging regional connectivity, including to key visitor destinations, and¹¹⁶⁸ improved access to public spaces, including the *coastal marine area, lakes* and *rivers*.

EIT-TRAN-P20 – Public transport

~~Plans and proposals for m~~Maintenance and development of the transport system ~~enhance~~ enhances¹¹⁶⁹ the uptake of *public transport* by:

- (1) ~~providing~~ promoting¹¹⁷⁰ safe and reliable alternatives to low occupancy¹¹⁷¹ private vehicle transport use,¹¹⁷²
- (2) including measures to ensure pedestrian and cyclist safety and amenity, and
- (3) taking into consideration the accessibility needs of the community.

¹¹⁶² 00231.009 Fish and Game

¹¹⁶³ 00239.134 Federated Farmers

¹¹⁶⁴ 00305.046 Waka Kotahi

¹¹⁶⁵ 00239.134 Federated Farmers

¹¹⁶⁶ 00305.046 Waka Kotahi

¹¹⁶⁷ 00138.130 QLDC

¹¹⁶⁸ 00206.052 Trojan, 00411.066 Wayfare

¹¹⁶⁹ 00305.048 Waka Kotahi

¹¹⁷⁰ 00139.182 DCC

¹¹⁷¹ 00139.182 DCC

¹¹⁷² 00139.182 DCC

EIT-TRAN-P21 – Operation of the transport system

The efficient and effective operation of the transport system is maintained by:

- (1) avoiding or mitigating¹¹⁷³ adverse *effects* of activities on the functioning of the transport system,
- (2) avoiding the impacts of incompatible activities, including those that may result in reverse sensitivity *effects*,
- (3) avoiding development that forecloses an opportunity to adapt, upgrade or develop the transport system to meet future transport demand,
- (4) promoting the development and use of transport hubs that enable an efficient transfer of goods for transport and distribution across different freight and people transport modes,
- (5) promoting methods that provide more efficient use of, or reduce reliance on, private motor vehicles, including ridesharing, park and ride facilities, bus hubs, bicycle facilities,¹¹⁷⁴ demand management and alternative transport modes, and
- (6) encouraging a shift to using renewable energy sources.

EIT-TRAN-P22 – Sustainable transportation

Enable the development of sustainable transport networks that enhance the uptake of new technologies and reduce reliance on fossil fuels ~~are developed~~ throughout Otago.¹¹⁷⁵

EIT-TRAN-P23 – Commercial port activities

Recognise the national and regional significance of ~~the commercial port activities associated with the ports at Port Chalmers and Dunedin (respectively)~~¹¹⁷⁶ by:

- (1) within ~~environmental limits~~¹¹⁷⁷ as set out in Policies CE-P3 to CE-P12, providing for the efficient and safe operation of ~~these the~~¹¹⁷⁸ ports and efficient connections with other transport modes,
- (2) within the ~~environmental limits~~¹¹⁷⁹ set out in Policies CE-P3 to CE-P12, providing for the development of the ports' capacity for national and international shipping in and adjacent to existing port activities, and
- (3) ensuring that development in the coastal environment does not adversely affect the efficient and safe operation of these ports, or their connections with other transport modes.

Methods

EIT-TRAN-M7 – Regional plans

Otago Regional Council must prepare or amend and maintain its *regional plans* to:

¹¹⁷³ 00139.183 DCC

¹¹⁷⁴ 00139.183 DCC

¹¹⁷⁵ 00139.184 DCC

¹¹⁷⁶ Clause 16(2), Schedule 1, RMA

¹¹⁷⁷ 00231.009 Fish and Game

¹¹⁷⁸ Clause 16(2), Schedule 1, RMA

¹¹⁷⁹ 00231.009 Fish and Game

- (1) provide for the development, operation, maintenance, or upgrade of the transport system that:
 - (a) is within the *beds of lakes and rivers* or the *coastal marine area*, or
 - (b) involves the taking, use, damming or diversion of *water* and *discharge of water and contaminants*,
- (2) manage the adverse ~~effects of infrastructure~~ activities that:
 - ~~(a) provide for the establishment of transport infrastructure that supports modes of transport that are not reliant on fossil fuels, and~~¹¹⁸⁰
 - ~~(b) include policies and methods that provide for the commercial port activities associated with the operations at Otago Harbour and the ports at Port Chalmers and Dunedin,~~¹¹⁸¹ and
- (3) within **environmental limits**,¹¹⁸² facilitate the safe and efficient operation and development of *commercial port activities at Port Chalmers and Dunedin. This includes including*¹¹⁸³ previously approved *resource consents* for the following activities in the coastal development area mapped in MAP2:
 - (a) dredging of Otago lower ~~harbour~~ harbour¹¹⁸⁴ (to 17.5m for entrance channel, and 14.5m through to Port Chalmers),
 - (b) dredging of Otago upper harbour to 10.5m,
 - (c) management of upper and lower harbour navigation beacons,
 - (d) *discharge* of dredging spoil to the disposal grounds at Heyward Point, Aramoana, Shelley Beach, and ~~AQ-A0~~¹¹⁸⁵, and
 - (e) placement and use of scientific buoys.

EIT-TRAN-M8 – District plans

Territorial authorities must prepare or amend and maintain their *district plans* to:

- (1) require a strategic approach to the integration of the transport system with *land* uses and between modes,
- (2) require high trip generating activities **in urban areas**¹¹⁸⁶ to be integrated with *public transport* services and provide for safe pedestrian and cycling access,
- (3) include *subdivision* and **transport**¹¹⁸⁷ *infrastructure* design standards ~~that to~~¹¹⁸⁸ ~~minimise private vehicle use,~~ facilitate the use of travel modes other than private vehicles,¹¹⁸⁹ enable public

¹¹⁸⁰ 00301.045 Port Otago

¹¹⁸¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00301.044 Port Otago

¹¹⁸² 00231.009 Fish and Game

¹¹⁸³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00301.044 Port Otago

¹¹⁸⁴ Clause 16(2), Schedule 1, RMA

¹¹⁸⁵ 00137.007 DCC

¹¹⁸⁶ 00206.053 Trojan

¹¹⁸⁷ 00138.134 QLDC

¹¹⁸⁸ Clause 16(2), Schedule 1, RMA

¹¹⁸⁹ 00139.187 DCC

transport networks to operate, access for emergency services,¹¹⁹⁰ and recognise the accessibility needs of the community, including the mobility impaired, the elderly and children,

- (4) restrict or prevent the establishment or expansion of activities adjacent to transport *infrastructure* that may compromise the operation or safety of the transport system,
- (5) provide for the establishment of transport *infrastructure* that supports modes of transport that are not reliant on fossil fuels, and
- (6) include policies and methods that provide for *commercial port activities* associated with the operations at Otago Harbour and the ports at Port Chalmers and Dunedin and avoid encroachment of activities which give rise to reverse sensitivity effects.¹¹⁹¹

EIT-TRAN-M9 – Regional Land Transport Plan

Otago Regional Council will take into account the objectives, provisions and methods of this chapter in preparing its Regional Land Transport Plan and Regional Public Transport Plan.

Explanation

EIT-TRAN-E3 – Explanation

The policies in this section seek to ensure that transport *infrastructure* is well designed and functions effectively, including providing for accessibility for different modes and purposes. This includes managing potential *effects* of other activities on the transport system and ensuring strategic decision making in the provision of transport *infrastructure* to best provide for connectivity. The policies also recognise the contribution of the transport system to emissions and provide for networks that seek to adopt technologies which reduce the adverse *effects* on the *environment* arising from fuel usage. In relation to *commercial port activities* taking place within the coastal environment, the provisions of the CE – Coastal Environment chapter also apply.

Principal reasons

EIT-TRAN-PR3 – Principal reasons

The transport system is critical for connecting people and communities and transporting goods, the effective functioning of Otago's economy and the well-being of Otago's community. The transport network can, however, have adverse *effects* on the *environment* and impact on community well-being. If there is sufficient demand, integration and the necessary *infrastructure*, modal choices can be provided and by giving preference to modes with lower environmental *effects*, the adverse impacts of the transport system can be reduced. However, as large parts of the Otago region are rural, reliance on private vehicles will remain the preferred, or the only practical, transport option for many people. This should not exclude the potential for improvements in modal choice or accessibility for a range of abilities and sectors of the community. Planning for transport *infrastructure* should be co-ordinated with urban and commercial growth and development to enable the transport system to effectively serve local communities and avoid reducing the efficiency of existing *infrastructure*.

¹¹⁹⁰ 00219.008 FENZ

¹¹⁹¹ 00510.047 The Oil Companies

Anticipated environmental results

EIT-TRAN-AER9	Structure planning and <i>district plans</i> make explicit provision for all modes of transport.
EIT-TRAN-AER10	The number of people participating in active transport increases.
EIT-TRAN-AER11	The number of dwellings per hectare in areas accessible to <i>public transport</i> increases over the life of this RPS.
EIT-TRAN-AER12	<i>Public transport</i> patronage increases and congestion levels decrease ¹¹⁹² over the life of this RPS.
EIT-TRAN-AER13	<i>Greenhouse gas</i> emissions arising from the transport system reduce over time from increased active transport, shared travel and <i>public transport</i> patronage, <u>increased use of rail for freight</u> , ¹¹⁹³ and reduced reliance on fossil fuels.
EIT-TRAN-AER14	The transport of people, goods and services within Otago is achieved in a timely manner and at costs comparable to other regions.

¹¹⁹² 00139.189 DCC

¹¹⁹³ 00139.190 DCC

HAZ – Hazards and Risks

HAZ-NH – Natural hazards

Objective

HAZ-NH-O1 – Natural hazards

Levels of ~~Risks~~ (in relation to natural hazards)¹¹⁹⁴ to people, communities and property from natural hazards within Otago are maintained where they are acceptable, and managed to ensure they¹¹⁹⁵ do not exceed a tolerable level.

HAZ-NH-O2 – Adaptation¹¹⁹⁶

Otago's people, ~~property and~~ communities, and property¹¹⁹⁷ are prepared for and able to adapt to the effects of natural hazards, including natural hazard risks that are exacerbated by¹¹⁹⁸ climate change.

Policies

HAZ-NH-P1A – Identifying areas subject to coastal hazards

Identify areas that are potentially affected by coastal hazards (including tsunami), giving priority to the identification of areas at high risk of being affected.¹¹⁹⁹

HAZ-NH-P1 – Identifying areas subject to natural hazards

For hazards not identified in accordance with HAZ-NH-P1A¹²⁰⁰ Using the best available information,¹²⁰¹ identify areas where natural hazards may adversely affect Otago's people, communities and property, by assessing:

- (1) the hazard type and characteristics,
- (2) *multiple and cascading hazards*, where present,
- (3) any cumulative *effects*,
- (4) any *effects of climate change*,
- (5) the likelihood of an event occurring using the best available information¹²⁰², and
- (6) any other exacerbating factors.

¹¹⁹⁴ 00138.145 QLDC, Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00230.013 Forest and Bird

¹¹⁹⁵ 00138.142 QLDC

¹¹⁹⁶ 00138.143 QLDC

¹¹⁹⁷ 00139.194 DCC

¹¹⁹⁸ 00321.073 Te Waihangā

¹¹⁹⁹ 00301.047 Port Otago

¹²⁰⁰ 00301.047 Port Otago

¹²⁰¹ 00139.194 DCC

¹²⁰² 00139.194 DCC

HAZ-NH-P2 – Risk assessments

Within areas identified under HAZ-NH-P1 as being subject to natural hazards, ~~Assess~~¹²⁰³ the level of ~~of~~¹²⁰⁴ *natural hazard risk* by determining a range of *natural hazard* event scenarios and their potential consequences in accordance with the criteria set out within APP6.

HAZ-NH-P3 – New activities

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:

- (1) when the *natural hazard risk* is significant, the activity is avoided,
- (2) when the *natural hazard risk* is tolerable, manage the level of *risk* so that it does not ~~become significant~~ exceed tolerable¹²⁰⁵, and
- (3) when the *natural hazard risk* is acceptable, maintain the level of *risk* (*in relation to natural hazards*).¹²⁰⁶

HAZ-NH-P4 – Existing activities

In areas identified under HAZ-NH-P1 as subject to natural hazards,¹²⁰⁷ ~~R~~reduce existing *natural hazard risk* to a tolerable or acceptable level¹²⁰⁸ by:

- (1) encouraging activities that reduce *risk* (*in relation to natural hazards*),¹²⁰⁹ or reduce community vulnerability,
- ~~(2) restricting activities that increase *risk*, or increase community vulnerability,~~¹²¹⁰
- (3) managing existing ~~land uses~~ activities¹²¹¹ within areas of significant *risk* (*in relation to natural hazards*)¹²¹² to people, and communities and property,¹²¹³
- (4) encouraging design that facilitates:
 - ~~(a) recovery from *natural hazard* events, or~~¹²¹⁴
 - (b) relocation to areas of acceptable *risk* (*in relation to natural hazards*),¹²¹⁵ or
 - (c) reduction of *risk*(*in relation to natural hazards*),¹²¹⁶
- (5) relocating *lifeline utilities*, and facilities for essential and emergency services, away from areas of significant *risk* (*in relation to natural hazards*),¹²¹⁷ where appropriate and practicable, and

¹²⁰³ 00236.085 Horticulture NZ

¹²⁰⁴ 00138.145 QLDC

¹²⁰⁵ 00138.148 QLDC

¹²⁰⁶ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00230.013 Forest and Bird

¹²⁰⁷ 00301.047 Port Otago

¹²⁰⁸ 00138.149 QLDC

¹²⁰⁹ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00230.013 Forest and Bird

¹²¹⁰ 00321.077 Te Waihangā

¹²¹¹ 00022.022 Graymont NZ

¹²¹² Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00230.013 Forest and Bird

¹²¹³ 00138.149 QLDC

¹²¹⁴ 00138.149 QLDC

¹²¹⁵ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00230.013 Forest and Bird

¹²¹⁶ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00230.013 Forest and Bird

¹²¹⁷ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00230.013 Forest and Bird

- (6) enabling development, upgrade, maintenance and operation of *lifeline utilities* and facilities for essential and emergency services.

HAZ-NH-P5 – Precautionary approach to *natural hazard risk*

Where the *natural hazard risk*, either individually or cumulatively, is uncertain or unknown, but potentially significant or irreversible, apply a precautionary approach to identifying, assessing and managing that *risk (in relation to natural hazards)*¹²¹⁸ by adopting an avoidance or adaptive management response to diminish the *risk and uncertainty*.¹²¹⁹

HAZ-NH-P6 – Protecting features and systems that provide hazard mitigation

Protect natural or modified features and systems that contribute to mitigating the *effects of natural hazards and climate change*.

HAZ-NH-P7 – Mitigating *natural hazards*

Prioritise *risk (in relation to natural hazards)*¹²²⁰ management approaches that reduce the need for *hard protection structures* or similar engineering interventions, and provide for *hard protection structures* only when:

- ~~(1)~~ ~~*hard protection structures* are essential to manage *risk* to a level the community is able to tolerate,~~¹²²¹

(1A) the following apply:¹²²²

- ~~(2)(a)~~ there are no reasonable alternatives that result in reducing the *risk (in relation to natural hazards)*¹²²³ exposure,
- ~~(3)(b)~~ *hard protection structures* would not result in an increase in *risk (in relation to natural hazards)*¹²²⁴ to people, communities and property, including displacement of *risk (in relation to natural hazards)*¹²²⁵ off-site,
- ~~(4)(c)~~ the adverse *effects* of the *hard protection structures* can be adequately managed, and
- ~~(5)(d)~~ the mitigation is viable in the reasonably foreseeable long term or provides time for future adaptation methods to be implemented, or
- ~~(6)(2)~~ the *hard protection structure* protects a *lifeline utility*, or a facility for essential or emergency services.

HAZ-NH-P8 – *Lifeline utilities* and facilities for essential or emergency services

¹²¹⁸ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00230.013 Forest and Bird

¹²¹⁹ 00138.150 QLDC

¹²²⁰ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00230.013 Forest and Bird

¹²²¹ 00301.050 Port Otago

¹²²² Clause 16(2), Schedule 1, RMA

¹²²³ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00230.013 Forest and Bird

¹²²⁴ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00230.013 Forest and Bird

¹²²⁵ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00230.013 Forest and Bird

Locate, ~~relocate,~~¹²²⁶ and design *lifeline utilities* and facilities for essential or emergency services to:

- (1) maintain their ability to function to the fullest extent possible, during and after *natural hazard* events, and
- (2) take into account their operational co-dependence with other *lifeline utilities* and essential services to ensure their effective operation.

HAZ-NH-P9 – Protection of hazard mitigation measures, lifeline utilities, and essential or emergency services¹²²⁷

Protect the *functional needs and operational*¹²²⁸ needs of hazard mitigation measures, *lifeline utilities*, and essential or emergency services, including by:

- (1) avoiding significant adverse *effects* on those measures, utilities or services,
- (2) avoiding, and only where avoidance is not practicable, remedying or mitigating other adverse *effects* on those measures, utilities or services,
- (3) maintaining access to those measures, utilities or services for maintenance and operational purposes, and
- (4) restricting the establishment of other activities that may result in reverse sensitivity *effects* on those measures, utilities or services.

HAZ-NH-P10 – Coastal hazards

~~In addition to HAZ-NH-P1 and HAZ-NH-P5¹²²⁹ to HAZ-NH-P9 above, o~~On any *land* that is potentially affected by coastal hazards over at least the next 100 years:

- (1) avoid increasing the *risk (in relation to natural hazards)*¹²³⁰ of social, environmental and economic harm from coastal hazards,
- (2) ensure no *land* use change or redevelopment occurs that would increase the *risk (in relation to natural hazards)*¹²³¹ to people and communities from that coastal hazard,
- (3) encourage *land* use change or redevelopment that reduces the *risk (in relation to natural hazards)*¹²³² from that coastal hazard, ~~and~~
- (4) ensure decision making about the nature, scale and location of activities considers the ability of Otago's people and communities to adapt to, or mitigate the *effects* of, sea level rise and *climate change* ~~-, and~~

~~(5) apply HAZ-NH-P5 to HAZ-NH-P9.~~¹²³³

¹²²⁶ 00138.149 QLDC

¹²²⁷ 00139.202 DCC

¹²²⁸ 00313.026 Queenstown Airport

¹²²⁹ 00301.051 Port Otago

¹²³⁰ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00230.013 Forest and Bird

¹²³¹ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00230.013 Forest and Bird

¹²³² Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00230.013 Forest and Bird

¹²³³ Clause 16(2), Schedule 1, RMA

HAZ-NH-P11 – Kaitiaki decision making

Recognise and provide for the role of Kāi Tahu as kaitiaki over *wāhi tūpuna*, Māori reserves and freehold land that is susceptible to *natural hazards* by involving *mana whenua* in decision making and management processes.¹²³⁴

Methods

HAZ-NH-M1 – Statement of responsibilities

In accordance with section 62(1)(i)(i) of the RMA ~~1991~~,¹²³⁵ the responsibilities for the control of *land* use to avoid or mitigate *natural hazards* or any group of hazards are as follows:

- (1) the Regional Council and *territorial authorities* are both responsible for specifying objectives, policies and methods in *regional plans*¹²³⁶ and *district plans* for managing *land* subject to *natural hazard risk*,
- (2) the Regional Council is responsible for:
 - (a) specifying objectives, policies and methods in *regional plans*:
 - (i) in the *coastal marine area*,
 - (ii) in *wetlands, lakes and rivers*, ~~and~~
 - (iii) in, on or under the *beds of rivers and lakes*, and
 - (iv) on land in relation to risk (in relation to natural hazards)¹²³⁷ reduction,¹²³⁸
 - (b) identifying areas in the region subject to *natural hazards* and describing their characteristics as required by Policy HAZ-NH-P1, mapping the extent of those areas in the relevant *regional plan(s)* and including those maps on a *natural hazard* register or database,
 - (c) ~~in the coastal environment~~, identifying ~~the~~ coastal hazards as required by ~~CE-P2(3)(4)~~¹²³⁹ HAZ-NH-P1A¹²⁴⁰ in accordance with Policy 24 of the NZCPS, mapping the extent of those areas in the relevant *regional plan(s)* and including those maps on a *natural hazard* register or database, and
- (3) *territorial authorities* are responsible for:¹²⁴¹
 - (a) specifying objectives, policies and methods in *district plans* for *land* outside of the areas listed in (2)(a), and
 - (b) mapping or identifying via the *natural hazard* register or database, areas identified in 2(a), (b) and (c) above subject to natural hazards and describing the characteristics and

¹²³⁴ 00310.011 The Telecommunications Companies

¹²³⁵ Clause 16(2), Schedule 1, RMA

¹²³⁶ Clause 16(2), Schedule 1, RMA

¹²³⁷ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00230.013 Forest and Bird

¹²³⁸ 00138.155 QLDC

¹²³⁹ 00137.135 DOC

¹²⁴⁰ 00301.047 Port Otago

¹²⁴¹ Clause 16(2), Schedule 1, RMA

the extent of those areas in the relevant *district plan(s)*.

HAZ-NH-M2 – Local authorities

Local authorities must work collaboratively to:¹²⁴²

- (1) assess the level of *natural hazard risk* in their region or district in accordance with HAZ-NH-P2 and APP6, including by:
 - (a) consulting with communities, stakeholders and partners (*Kāi Tahu*)¹²⁴³, including with local authorities in neighbouring regions¹²⁴⁴ regarding *risk* levels thresholds, and
 - (b) developing a Risk Table in accordance with Step 3 of APP6 at a district or community scale,
- (2) continue to undertake research on the identification of *natural hazard risk* and amend *natural hazard* registers, databases, *regional plans*¹²⁴⁵ and/or *district plans* as required,
- (3) investigate options for reducing the level of *natural hazard risk* within areas of existing development to a tolerable or lower level, including by managing existing use rights under Sections 10 and 20A of the RMA,
- (4) prepare or amend and maintain their *regional plans*¹²⁴⁶ or *district plans* to take into account the *effects* of *climate change* by:
 - (a) using the best relevant *climate change* data and projections to 2115,
 - (b) taking a precautionary approach when assessing and managing the *effects* of *climate change* where there is scientific uncertainty and potentially significant or irreversible *effects*,
 - (c) providing for activities that assist to reduce or mitigate the *effects* of *climate change*, and
 - (d) encouraging system *resilience*.

HAZ-NH-M3 – Regional plans

Otago Regional Council must prepare or amend and maintain its *regional plans* to:

- (1) manage activities in the *coastal marine area*, *beds of lakes and rivers*, and *wetlands* to achieve policies HAZ-NH-P23¹²⁴⁷ to HAZ-NH-P6, ~~and APP6~~ and the outcomes of the Risk Table established within HAZ-NH-M2(1)¹²⁴⁸,
- (2) include *natural hazard risk*¹²⁴⁹ reduction measures, such as removing or restricting existing *land uses*, where there is significant *risk (in relation to natural hazards)*¹²⁵⁰ to people or property,

¹²⁴² 00138.156 QLDC

¹²⁴³ 00226.258 Kāi Tahu ki Otago

¹²⁴⁴ 00013.015 ECan

¹²⁴⁵ Clause 16(2), Schedule 1, RMA

¹²⁴⁶ Clause 16(2), Schedule 1, RMA

¹²⁴⁷ 00138.158 QLDC

¹²⁴⁸ 00119.021 Blackthorn Lodge

¹²⁴⁹ 00138.157 QLDC

¹²⁵⁰ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00230.013 Forest and Bird

- (3) protect natural or modified features and systems that provide mitigation from the adverse effects of *natural hazards* in accordance with HAZ-NH-P6,
- (4) provide for *hard protection structures* in accordance with HAZ-NH-P7,
- (5) provide for the *functional needs* of hazard mitigation measures, *lifeline utilities*, and essential or emergency services in accordance with HAZ-NH-P8 and HAZ-NH-P9,
- (6) include provisions that require decision makers to apply the precautionary approach set out in HAZ-NH-P5 when considering applications for *resource consent* for activities that will change the use of *land* and thereby increase the *risk (in relation to natural hazards)*¹²⁵¹ from *natural hazards* within areas subject to *natural hazard risk* that is uncertain or unknown, but potentially significant or irreversible, and
- (7) require a *natural hazard risk* assessment commensurate with the level of risk (in relation to natural hazards)¹²⁵² from the proposed activity¹²⁵³ be undertaken where an activity requires a *resource consent* to change the use of *land* ~~which will increase the risk from natural hazards with~~¹²⁵⁴ in areas subject to *natural hazards*, and where the *resource consent* is lodged prior to the *natural hazard risk* assessment required by HAZ-NH-M2(1) being completed, included in the regional plan and made operative,¹²⁵⁵ the *natural hazard risk* assessment must include:
 - (a) an assessment of the level of *natural hazard risk* associated with the proposal in accordance with APP6, and
 - (b) an assessment demonstrating how the proposal will achieve the outcomes set out in Policies HAZ-NH-P3 and HAZ-NH-P4, and
- (8) not require a *natural hazard risk* assessment in accordance with APP6 for resource consent applications, once the *natural hazard risk* assessment required by HAZ-NH-M2(1) has been completed, included in the relevant *regional plan* and made operative, unless otherwise expressly required by the relevant *regional plan*.¹²⁵⁶

HAZ-NH-M4 – District plans

Territorial authorities must prepare or amend and maintain their *district plans* to:

- (1) achieve policies HAZ-NH-P2~~3~~¹²⁵⁷ to HAZ-NH-P6, and APP6 and incorporate the outcomes of the Risk Table established within HAZ-NH-M2(1),¹²⁵⁸ on *land* outside the *coastal marine area*, *beds of lakes* and *rivers*, and *wetlands* by managing the location, scale and density of activities that are ~~may be~~¹²⁵⁹ subject to *natural hazard risk*,
- (2) ~~require implementation of~~ implement¹²⁶⁰ *natural hazard risk* reduction measures, including to existing activities in accordance with HAZ-NH-P4,

¹²⁵¹ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00230.013 Forest and Bird

¹²⁵² Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00230.013 Forest and Bird

¹²⁵³ 00236.089 Horticulture NZ

¹²⁵⁴ 00138.158 QLDC

¹²⁵⁵ 00301.052 Port Otago

¹²⁵⁶ 00301.052 Port Otago

¹²⁵⁷ 00119.021 Blackthorn Lodge

¹²⁵⁸ 00138.158 QLDC

¹²⁵⁹ 00206.059 Trojan

¹²⁶⁰ 00138.158 QLDC

- (3) protect the role of natural or modified features and systems that provide mitigation from the adverse *effects of natural hazards* in accordance with HAZ-NH-P6,
- (4) provide for *hard protection structures* in accordance with HAZ-NH-P7,
- (5) provide for the *functional needs* of hazard mitigation measures, *lifeline utilities*, and essential or emergency services in accordance with HAZ-NH-P8 and HAZ-NH-P9,
- (6) include provisions that require decision makers to apply the precautionary approach set out in HAZ-NH-P5 when considering applications for *resource consent* for activities that will change the use of *land* and which may increase the *risk (in relation to natural hazards)*¹²⁶¹ from *natural hazards* within areas subject to *natural hazard risk* that is uncertain or unknown, but potentially significant or irreversible, and
- (7) require a *natural hazard risk* assessment commensurate with the level of risk from the proposed activity¹²⁶² be undertaken where an activity requires a plan change or *resource consent* to change the use of *land* ~~which will increase the risk from natural hazards with~~¹²⁶³ in areas subject to *natural hazards*, and where the application is lodged prior to the *natural hazard risk* assessment required by HAZ-NH-M2(1) being completed, included in the *district plan* and made operative¹²⁶⁴, the *natural hazard risk* assessment must include:
 - (a) an assessment of the level of *natural hazard risk* associated with the proposal in accordance with APP6, and
 - (b) an assessment demonstrating how the proposal will achieve the outcomes set out in Policies HAZ-NH-P3 and HAZ-NH-P4-, and
- (8) not require a *natural hazard risk* assessment in accordance with APP6 for resource consent applications, once the *natural hazard risk* assessment required by HAZ-NH-M2(1) has been completed, included in the relevant *district plan* and made operative, unless otherwise expressly required by the relevant *district plan*.¹²⁶⁵

HAZ-NH-M5 – Other incentives and mechanisms

Local authorities are encouraged to consider the use of other mechanisms or incentives to assist in achieving Policies HAZ-NH-P1 to HAZ-NH-P11, including but not limited to:¹²⁶⁶

- (1) preparing *natural hazard* strategies or other similar documents to assist in the management and reduction of *natural hazard risk* and adaptation to, and mitigation of, the *effects of climate change*,
- (2) developing community relevant responses to the impacts of *natural hazards* and *climate change*, in collaboration with key stakeholders and affected community,
- (3) undertaking research in collaboration with other *local authorities* and other stakeholders as appropriate, into *natural hazards* and *climate change* in Otago, and

¹²⁶¹ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00230.013 Forest and Bird

¹²⁶² 00236.090 Horticulture NZ

¹²⁶³ 00138.158 QLDC

¹²⁶⁴ 00301.047 Port Otago

¹²⁶⁵ 00301.047 Port Otago

¹²⁶⁶ 00219.005 FENZ

- (4) providing information and guidance on:
- (a) management approaches to the avoidance or mitigation of *natural hazards*,
 - (b) ways to adapt to and mitigate the *effects of climate change*, and
 - (c) the benefits of natural features and systems in mitigating *natural hazards*.

Explanation

HAZ-NH-E1 – Explanation

The policies in this chapter are designed to reduce the level of *natural hazard risk* within the region through sound preparation, investigation and planning. These provisions take a risk-based approach, taking into consideration the likelihood of the hazard and the vulnerability of people, communities, and the *environment*. The approach ensures consistent planning by applying the same framework irrespective of the type of *natural hazard* that may exist. It allows for the full range of *risk (in relation to natural hazards)*¹²⁶⁷ mitigation measures (regulatory and non-regulatory) to be taken into account in determining the level of *risk* that exists at a particular locality.

Once the level of *risk (in relation to natural hazards)*¹²⁶⁸ has been established, following consultation with communities, stakeholders and partners,¹²⁶⁹ the provisions direct that district plans¹²⁷⁰ and regional plans require activities to be undertaken in a manner that results in the *natural hazard risk* to people, the community and property being tolerable or lower. Where a *natural hazard risk* to people, the community and property cannot be reduced to a tolerable level, the activity must be avoided. The provisions require that the same risk-based approach is taken when considering the management of existing development, by ensuring that the *risk (in relation to natural hazards)*¹²⁷¹ associated with existing development is tolerable or lower.

The provisions also set direction on *natural hazard* management methods such as use of the precautionary approach, protecting natural features and systems that provide hazard mitigation, the use of *hard protection structures*, and the location and design of *lifeline utilities* and facilities for essential or emergency services. These provisions are designed to reduce the level of *natural hazard risk* within the region.

Principal reasons¹²⁷²

HAZ-NH-PR1 – Principal reasons

The Otago region is exposed to a wide variety of *natural hazards* that impact on people, property, *infrastructure* and the wider *environment*. Given the wide variety of landscapes that make up the Otago region, the *natural hazards* threats range from coastal erosion and flooding in the lowland coastal areas of the region to alluvial fan deposition, landslip, fire, earthquakes, rock fall, and *river* breaches in the alpine areas of the region. The *effects of natural hazards* vary in terms of both their

¹²⁶⁷ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00230.013 Forest and Bird

¹²⁶⁸ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00230.013 Forest and Bird

¹²⁶⁹ 00119.023 Blackthorn Lodge

¹²⁷⁰ Clause 16(2), Schedule 1, RMA

¹²⁷¹ Clause 10(2)(b)(i) of Schedule 1 of the RMA – consequential amendment arising from 00230.013 Forest and Bird

¹²⁷² Clause 16(2), Schedule 1, RMA

likelihood and consequence. Some *natural hazards*, such as flooding, may occur relatively frequently and may damage property and disrupt people's lives and economic, social and cultural activities, whereas *natural hazards* such as tsunami occur infrequently, but when they do occur, they pose serious risk to life.

~~The negative effects of natural hazards are generally best managed by avoiding development in areas that are known to be subject to natural hazards. However,~~¹²⁷³ ¶The majority of the region is subject to some form of hazards risk, to a greater or lesser extent. While avoidance of *natural hazard risk*¹²⁷⁴ may be the preferred option in many cases, in other situations mitigating the effects of *natural hazards* to tolerable levels will be a feasible option to ensure the health, safety and well-being of the community. The changing nature of *natural hazards risk* due to *climate change* means that planning provisions need to be able to adapt to a future *natural hazards environment*.

Consultation with communities, stakeholders and partners is essential to an understanding of risk tolerance. Preparing natural hazard risk assessments requires consultation with these groups.¹²⁷⁵ Communities need consistent guidance on sea level rise, extreme weather events, and all other adverse effects of *climate change* if they are to appropriately manage those effects. *Climate change* is resulting in rising sea levels and is increasing the frequency and severity of climate related *natural hazards* including flooding, wind events, fires, landslips, erosion and drought. *Stormwater* systems may not be able to cope with heavier rainfall. Other effects of *climate change* include changing distributions of plants and animals, and consequential effects, such as the risk of saltwater intrusion into *groundwater* as a result of sea level rise in combination with increased *groundwater* abstraction, and *groundwater* ponding. There may be other adverse effects from *climate change* that are not yet known. A precautionary approach is required where there is scientific uncertainty. The effects of *climate change* will result in social, environmental and economic costs. It is prudent that these changes are planned for now, so that the impacts can be reduced.

In addition to the objectives and policies in this chapter, the management of *natural hazards* are also recognised and provided for in the following chapters of this RPS:

- IM – Integrated management
- CE – Coastal environment
- EIT – Energy, infrastructure and transport
- UFD – Urban form and development

Anticipated environmental results

HAZ-NH-AER1 The location and design of new developments and natural resource use reduces community exposure to the adverse effects of *natural hazards* events and processes.

HAZ-NH-AER2 No developments proceed that have a significant level of *risk*.

HAZ-NH-AER3 The level of *risk* associated with new development does not exceed a tolerable level.

¹²⁷³ 00119.024 Blackthorn Lodge

¹²⁷⁴ 00119.024 Blackthorn Lodge

¹²⁷⁵ 00119.024 Blackthorn Lodge

- HAZ-NH-AER4** Where existing development is subject to *risks* from *natural hazards*, the level of *risk* is reduced to a tolerable level.
- HAZ-NH-AER5** The impact on life, people, communities and¹²⁷⁶ property, *lifeline utilities*, and essential services from *natural hazards* and *climate change* is managed to a tolerable or acceptable level.¹²⁷⁷

HAZ-CL – Contaminated land

Objectives

HAZ-CL-O3 – Contaminated land

Contaminated land and *waste materials* are managed to protect human health, Kāi Tahu ~~mana~~ *whenua*¹²⁷⁸ values and the *environment* in Otago.

Policies

HAZ-CL-P13 – Identifying *contaminated land*

Identify sites of known or potentially *contaminated land* in Otago ~~using the Ministry for the Environment’s Hazardous Activities and Industries List.~~¹²⁷⁹

HAZ-CL-P14 – Managing *contaminated land*

~~Actively m~~Manage¹²⁸⁰ *contaminated* or potentially *contaminated land* so that it does not pose an unacceptable *risk* to people and the *environment*, by:

- (1) assessing and, if required,¹²⁸¹ monitoring *contaminant* levels and environmental *risks*,
- (2) protecting human health in accordance with regulatory requirements,
- (3) avoiding, as the first priority, and only where avoidance is not practicable, mitigating or remediating, adverse *effects* of the *contaminants* on the *environment*, ~~and~~
- (4) requiring closed *landfills* to be managed in accordance with a closure plan that sets out monitoring requirements and, where necessary, any remedial actions required to address ongoing *risks*, ~~and-~~
- (5) prioritising the identification and management of closed landfills and *contaminated land* at risk from the effects of *climate change*.¹²⁸²

¹²⁷⁶ 00239.144 Federated Farmers

¹²⁷⁷ 00138.163 QLDC

¹²⁷⁸ 00226.264 Kāi Tahu ki Otago

¹²⁷⁹ 00510.060 The Fuel Companies

¹²⁸⁰ 00510.061 The Fuel Companies

¹²⁸¹ 00510.061 The Fuel Companies

¹²⁸² 00223.119 Ngāi Tahu ki Murihiku

HAZ-CL-P15 – New contaminated land

Avoid the creation of new *contaminated land* or, where this is not practicable, minimise to the smallest extent practicable¹²⁸³ adverse *effects* on the *environment* and *mana whenua* values.

HAZ-CL-P16 – Waste minimisation responses

Apply the principles of the *waste* management hierarchy (reduce, reuse, recycle, recover, residual *waste* management) to the management of all *waste* streams.

HAZ-CL-P17 – Disposal of waste materials

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.

HAZ-CL-P18 – Waste facilities and services

When providing for the development of facilities and services for the storage, recycling, recovery, treatment and disposal of *waste* materials:

- (1) avoid adverse *effects* on the health and safety of people,
- (2) minimise to the smallest extent practicable¹²⁸⁴ the potential for adverse *effects* on the *environment* to occur,
- (3) minimise *risk* associated with *natural hazard* events, and
- (4) restrict the establishment of activities that may result in reverse sensitivity *effects* near *waste* management facilities and services.

Methods

HAZ-CL-M6 – Regional plans

Otago Regional Council must:

- (1) in accordance with HAZ-CL-P13, maintain a register or database of sites of known or potentially contaminated land in Otago ~~sites where hazardous activities and industries are or have been located in Otago,~~¹²⁸⁵
- (2) prepare or amend and maintain its *regional plans* to:
 - (a) in accordance with HAZ-CL-P14 and HAZ-CL-P15 manage the *effects* of the use of *contaminated land* on:
 - (i) the quality of air, *water* and *land*; and
 - (ii) the *coastal marine area*, and the *beds* of *rivers, lakes* and other *water bodies*,

¹²⁸³ 00313.027 Queenstown Airport

¹²⁸⁴ 00226.270 Kāi Tahu ki Otago, 00230.140 Forest and Bird

¹²⁸⁵ 00236.093 Horticulture NZ

- (b) require *waste* disposal facilities to be designed, constructed and operated in accordance with best industry practice, and
- (c) require *waste* disposal facilities to monitor, record and report on the quantity and composition of *waste* being deposited to *landfill*.

HAZ-CL-M7 – District plans

Territorial authorities must prepare or amend and maintain their *district plans* to provide for the development of facilities and services for the storage, recycling, recovery, treatment and disposal of *waste* while achieving the outcomes listed in HAZ-CL-P14 to HAZ-CL-P16.

HAZ-CL-M8 – Waste management and minimisation plans

Local authorities must develop *waste* management and minimisation plans in accordance with the Waste Minimisation Act 2008.

HAZ-CL-M8A – Prioritisation and action plans

Otago Regional Council and territorial authorities, in consultation with Kāi Tahu and the community, must together:

- (1) identify closed landfills and contaminated land at risk from the effects of climate change,
- (2) assess the risk and the potential effects of release of contaminants,
- (4) develop and implement action plans to avoid release of contaminants from the identified closed landfills and contaminated land, and
- (5) review sites and their level of risk every five years.¹²⁸⁶

HAZ-CL-M9 – Other incentives and mechanisms

Local authorities may:

- (1) encourage the application of the *waste* management hierarchy by:
 - (a) giving preference to reducing *waste* generated,
 - (b) reusing *waste*,
 - (c) recycling *waste*,
 - (d) recovering resources from *waste*, and
 - (e) only disposing residual *waste* to a disposal facility,
- (2) provide information and guidance on *waste* minimisation and management, and
- (3) advocate for:
 - (a) the implementation of the *waste* hierarchy throughout the region, and
 - (b) the development of *infrastructure* and services to provide for recycling and disposal services across the region.

¹²⁸⁶ 00223.119 Ngāi Tahu ki Murihiku

Explanation

HAZ-CL-E2 – Explanation

The policies in this chapter are designed to ensure that *contaminated land* and *waste* materials do not harm human health or the *environment*. To achieve this, areas of known or potentially *contaminated land* are to be identified. Once sites are identified, the protection of human health is managed by the ~~National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2012 (NESCS)~~ NESCS.¹²⁸⁷ It is the role of *regional plans* to minimise the adverse *effects* of the *contaminants* on the *environment* by avoiding the creation of new *contaminated land* and minimising the adverse *effects* of *waste* material on the *environment*. The provisions within this chapter also encourage the application of the *waste* management hierarchy.

Principal reasons

HAZ-CL-PR2 – Principal reasons

Resources need to be carefully used to minimise the material disposed of as *waste*. Waste materials and hazardous substances need to be carefully managed to avoid creating environmental problems or adversely affecting human health.

In order to protect people and the *environment* from the adverse *effects* of *contaminated land*, the first task is to identify *land* that could be contaminated. The Ministry for the Environment's Hazardous Activities and Industries List (HAIL) is a list of activities and industries that may have involved the use of hazardous substances. Such use of hazardous substances may have resulted in *land* becoming contaminated. Once known or potentially *contaminated land* has been identified, assessments can be made to determine the nature or existence of contamination.

The ~~National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2012 (NESCS)~~ NESCS¹²⁸⁸ sets out a nationally consistent set of planning controls and soil *contaminant* values. It applies to assessing and managing the actual or potential adverse *effects* of *contaminants* in soil on human health when undertaking *subdivision*, *land* use change, *earthworks*, soil sampling or removing the underground portions of any fuel storage or dispensing systems. The NESCS does not apply to assessing and managing the actual or potential adverse *effects* of *contaminants* on other receptors, including ecology, *water* quality or *amenity values*. Therefore, it is the role of the *regional plans* to manage these adverse *effects*.

The *waste* management hierarchy is an internationally recognised management model for the reduction of residual *waste*. The *waste* management hierarchy can be applied to all *waste* streams. When making decisions about a *land* use or activity, it is possible to include methods that will reduce *waste* over the lifetime of that *land* use or activity.

Anticipated environmental results

HAZ-CL-AER6

The environment, people and communities are not harmed by *waste* materials.

¹²⁸⁷ Clause 16(2), Schedule 1, RMA

¹²⁸⁸ Clause 16(2), Schedule 1, RMA

HAZ-CL-AER7

The waste hierarchy is implemented, resulting in less *waste* requiring disposal and a reduction of the environmental *effects* generated from *waste*.

HCV – Historical and cultural values

HCV-WT – *Wāhi tūpuna*

Objectives

HCV-WT-O1 – Kāi Tahu ~~cultural landscapes~~ *wāhi tūpuna*¹²⁸⁹

Wāhi tūpuna and their associated cultural values are identified and protected.

HCV-WT-O2 – Rakatirataka

The rakatirataka of *mana whenua* over *wāhi tūpuna* is recognised, and *mana whenua* are able to exercise ~~kaitiakitaka~~ their role as kaitiaki¹²⁹⁰ within these areas.

Policies

HCV-WT-P1 – Recognise and identify *wāhi tūpuna*

Sustain the enduring Kāi Tahu relationships ~~relationship~~ with *wāhi tūpuna* ~~are sustained~~¹²⁹¹, including by:

- (1) enabling Kāi Tahu to identify ~~identifying~~¹²⁹² as *wāhi tūpuna* any sites and areas of significance to *mana whenua*, along with the cultural values that contribute to each *wāhi tūpuna* being significant,
- (2) recognising the rakatirataka of *mana whenua* over *wāhi tūpuna* and providing for their ability to exercise ~~kaitiakitaka~~ their role as kaitiaki¹²⁹³ within these areas,
- (3) recognising and providing for connections and associations between different *wāhi tūpuna*, and
- (4) recognising and using traditional place names.

HCV-WT-P2 – Management of *wāhi tūpuna*

Wāhi tūpuna are protected by:

- (1) avoiding significant adverse *effects* on the cultural values ~~associated with~~ of¹²⁹⁴ identified *wāhi tūpuna*,
- (1A) avoiding, as the first priority, other adverse effects on the cultural values of identified *wāhi tūpuna*,¹²⁹⁵

¹²⁸⁹ 00226.275 Kāi Tahu ki Otago; 00234.034 Te Rūnanga o Ngāi Tahu

¹²⁹⁰ 00226.276 Kāi Tahu ki Otago; 00234.035 Te Rūnanga o Ngāi Tahu

¹²⁹¹ 00226.277 Kāi Tahu ki Otago

¹²⁹² 00226.277 Kāi Tahu ki Otago

¹²⁹³ 00226.277 Kāi Tahu ki Otago

¹²⁹⁴ 00226.278 Kāi Tahu ki Otago

¹²⁹⁵ 00137.142 DOC

- (2) where other¹²⁹⁶ adverse *effects* demonstrably cannot be completely avoided, then either¹²⁹⁷ remedying or mitigating adverse *effects* in a manner that maintains the values of the *wāhi tūpuna*,
- (3) managing identified *wāhi tūpuna* in accordance with tikaka Māori, and¹²⁹⁸
- ~~(4) avoiding any activities that may be considered inappropriate in *wāhi tūpuna* as identified by Kāi Tahu, and~~¹²⁹⁹
- (5) encouraging the enhancement of access to *wāhi tūpuna* to the extent compatible with the particular *wāhi tūpuna*.

Methods

HCV-WT-M3 – ~~Collaboration~~ Treaty partnership¹³⁰⁰ with Kāi Tahu¹³⁰¹

~~Local authorities must include Kāi Tahu in all decision making concerning protection of the values of *wāhi tūpuna* sites and areas and collaborate with Kāi Tahu to:~~

- (1) include Kāi Tahu in all decision-making concerning identification and protection of *wāhi tūpuna* sites and areas and the values that contribute to their significance, and identify and protect places, areas or landscapes of cultural, spiritual or traditional significance to them,
- ~~(2) identify and protect the values that contribute to their significance, and~~¹³⁰²
- (3) collaborate with Kāi Tahu to¹³⁰³ share information relevant to Kāi Tahu interests.

HCV-WT-M1 – Identification

Local authorities must:

- (1) enable Kāi Tahu to identify, in accordance with tikaka,¹³⁰⁴ *wāhi tūpuna* sites, areas and values, using the guide set out in APP7,
- ~~(2) identify *wāhi tūpuna* using the guide set out in APP7,~~¹³⁰⁵
- (3) recognise that *wāhi tūpuna* span jurisdictional boundaries and work together to ensure the identification process under (1) enables *wāhi tūpuna* sites, areas and values to be treated uniformly across district boundaries, and
- (4) identify, ~~map, describe record using methods determined by mana whenua (which may include mapping)~~¹³⁰⁶ and protect the sites,¹³⁰⁷ areas and values identified under (1) in the relevant

¹²⁹⁶ 00226.278 Kāi Tahu ki Otago

¹²⁹⁷ 00226.278 Kāi Tahu ki Otago

¹²⁹⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00315.069 Aurora Energy Limited

¹²⁹⁹ 00315.069 Aurora Energy Limited

¹³⁰⁰ 00226.281 Kāi Tahu ki Otago

¹³⁰¹ Note that this method is deliberately out of order – it has been proposed to be moved from third position in the methods to first by the reporting officer.

¹³⁰² 00226.281 Kāi Tahu ki Otago

¹³⁰³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.281 Kāi Tahu ki Otago

¹³⁰⁴ 00223.121 Ngāi Tahu ki Murihiku

¹³⁰⁵ 00226.279 Kāi Tahu ki Otago

¹³⁰⁶ 00223.121 Ngāi Tahu ki Murihiku

¹³⁰⁷ Clause 16(2), Schedule 1, RMA

*regional plans*¹³⁰⁸ and *district plans* or, if a site is a sensitive cultural site, use alert layers to advise of sensitive cultural sites without disclosure in plans

~~(5) — collaborate with Kāi Tahu regarding the use of mapping and other techniques, including alert layers, to identify, describe, and protect wāhi tūpuna sites, areas and values.~~¹³⁰⁹

HCV-WT-M2 – *Regional plans*¹³¹⁰ and *district plans*

Local authorities must prepare or amend and maintain their *regional plans*¹³¹¹ and *district plans* to include methods that are in accordance with tikaka to:

- (1) ~~control~~ manage¹³¹² activities in, or ~~adjacent to~~¹³¹³ affecting,¹³¹⁴ *wāhi tūpuna* sites and areas,
- (2) require cultural impact assessments where activities have the potential to adversely affect values of¹³¹⁵ *wāhi tūpuna* and Kāi Tahu have identified the need for an assessment,¹³¹⁶
- (3) require ~~including~~¹³¹⁷ conditions on *resource consents* or designations to ~~provide buffers or setbacks between~~ protect¹³¹⁸ *wāhi tūpuna* and ~~from~~¹³¹⁹ incompatible activities, in accordance with APP11,¹³²⁰
- (4) require ~~including~~¹³²¹ accidental discovery protocols as ~~conditions~~ an advice note¹³²² on *resource consents* or designations for activities that may unearth archaeological sites, and
- (5) maintain existing access to identified *wāhi tūpuna* sites and areas and promote improved access where practicable.

Explanation

HCV-WT-E1 – Explanation

Providing for wāhi tūpuna plays a role in recognising the resource management principles in sections 6(e), 7(a) and 8 of the RMA. The policies in this chapter recognise the cultural and contemporary significance of wāhi tūpuna to Kāi Tahu and acknowledge that the identification of wāhi tūpuna and the associated values can only be undertaken by Kāi Tahu.

Wāhi tūpuna can be impacted by a range of activities, requiring a range of different management responses. The policies in this chapter are designed to achieve active protection of wāhi tūpuna from inappropriate subdivision, use and development. The policies recognise the significance of wāhi tūpuna to Kāi Tahu, and enable the relationship of Kāi Tahu with their culture and traditions by

¹³⁰⁸ Clause 16(2), Schedule 1, RMA

¹³⁰⁹ 00223.121 Ngāi Tahu ki Murihiku

¹³¹⁰ Clause 16(2), Schedule 1, RMA

¹³¹¹ Clause 16(2), Schedule 1, RMA

¹³¹² 00239.152 Federated Farmers

¹³¹³ 00239.152 Federated Farmers

¹³¹⁴ 00223.122 Ngāi Tahu ki Murihiku

¹³¹⁵ 00226.280 Kāi Tahu ki Otago

¹³¹⁶ 00223.122 Ngāi Tahu ki Murihiku

¹³¹⁷ 00226.280 Kāi Tahu ki Otago

¹³¹⁸ 00239.152 Federated Farmers

¹³¹⁹ 00239.152 Federated Farmers

¹³²⁰ Consequential amendment to APP11: 00123.007, Heritage NZ

¹³²¹ 00239.152 Federated Farmers

¹³²² 00123.007 Heritage NZ

~~acknowledging that the identification of *wāhi tūpuna* and the associated values can only be undertaken by Kāi Tahu, then protecting or managing those sites or areas to ensure that activities do not have any significant adverse effects on the values of associated with¹³²³ the identified *wāhi tūpuna*. The policies also direct that the management of activities within or adjacent to affecting *wāhi tūpuna* must occur in a culturally appropriate manner accordance with tikaka.¹³²⁴~~

Principal reasons

HCV-WT-PR1 – Principal reasons

Wāhi tūpuna are landscapes that embody the customary and contemporary relationship of Kāi Tahu and their culture and traditions with Otago. The sites and resources used by Kāi Tahu are spread throughout Otago, reflecting the relationship of Kāi Tahu with the *land, coastal waters* and *wai Māori*. *Wāhi tūpuna* have significant cultural value to Kāi Tahu.

The provisions in this chapter play a role in recognising the resource management principles in assist in implementing¹³²⁵ sections 6(e), 7(a) and 8¹³²⁶ of the RMA-1991¹³²⁷ and the NZCPS, as well as providing for the principles of te Tiriti o Waitangi,¹³²⁸ by requiring:

- the identification of *wāhi tūpuna* ~~in consultation with~~ by Kāi Tahu in accordance with tikaka Māori,¹³²⁹
- the protection of *wāhi tūpuna* from inappropriate *subdivision*, use and development, and
- specified actions on the part of Otago's *local authorities* in managing activities that may impact *wāhi tūpuna*.

Implementation of the provisions in this chapter will occur primarily through *regional plans*¹³³⁰ and *district plan* provisions, however *local authorities* may also choose to adopt additional non-regulatory methods to support the achievement of the objectives.

Anticipated environmental results

HCV-WT-AER1 *Wāhi tūpuna* areas and sites ~~The areas and places of *wāhi tūpuna*¹³³¹ are identified in the relevant *regional plans*¹³³² and *district plans* and sensitive sites are identified and protected using mechanisms deemed appropriate by Kāi Tahu.~~¹³³³

¹³²³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.278 Kāi Tahu ki Otago

¹³²⁴ 00226.282 Kāi Tahu ki Otago; 00223.123 Ngāi Tahu ki Murihiku

¹³²⁵ Clause 10(2)(b)(i), Schedule 1, RMA – Consequential amendment arising from 00226.282 Kāi Tahu ki Otago; 00223.123 Ngāi Tahu ki Murihiku

¹³²⁶ Clause 10(2)(b)(i), Schedule 1, RMA – Consequential amendment arising from 00226.282 Kāi Tahu ki Otago; 00223.123 Ngāi Tahu ki Murihiku

¹³²⁷ Clause 16(2), Schedule 1, RMA

¹³²⁸ 00101.052 Toitū Te Whenua

¹³²⁹ 00226.283 Kāi Tahu ki Otago

¹³³⁰ Clause 16(2), Schedule 1, RMA

¹³³¹ 00239.156 Federated Farmers; 00226.284 Kāi Tahu ki Otago

¹³³² Clause 16(2), Schedule 1, RMA

¹³³³ 00101.053 Toitū Te Whenua

HCV-WT-AER2

Wāhi tūpuna and their values are ~~maintained~~ protected¹³³⁴ and improved where their values have been degraded by human activities.¹³³⁵

HCV-HH – Historic heritage

Objective

HCV-HH-O3 – *Historic heritage resources*

Otago's unique *historic heritage* contributes to the region's character, sense of identity, and social, cultural and economic well-being, and is ~~preserved~~ protected¹³³⁶ for future generations and people's understanding and appreciation of it is enhanced.¹³³⁷

Policies

HCV-HH-P3 – Recognising *historic heritage*

Recognise that Otago's *historic heritage* includes:

- (1) ~~Māori~~ Kāi Tahu cultural and *historic heritage* values and sites,¹³³⁸
- (2) archaeological sites,
- (3) residential and commercial *buildings,*
- (4) pastoral sites,
- (5) surveying equipment, communications and transport, including *roads, bridges, railway infrastructure*¹³³⁹ and routes,
- (6) industrial *historic heritage,* including mills, quarries, limekilns, grain stores, water supply infrastructure¹³⁴⁰ and brickworks,
- (7) gold, limestone¹³⁴¹ and other mining systems and settlements,
- (8) dredge and ship wrecks, and coastal structures and buildings, including breakwaters, jetties, and lighthouses,¹³⁴²
- (9) ruins,
- (10) coastal *historic heritage,* particularly Kāi Tahu occupation sites and those associated with early European activities such as whaling,

¹³³⁴ 00226.285 Kāi Tahu ki Otago

¹³³⁵ 00223.124 Ngāi Tahu ki Murihiku

¹³³⁶ 00139.239, DCC

¹³³⁷ 00139.239, DCC

¹³³⁸ 00239.158 Federated Farmers; 00226.287 Kāi Tahu ki Otago, 00140.029 Waitaki DC

¹³³⁹ 00140.029 Waitaki DC

¹³⁴⁰ 00140.029 Waitaki DC

¹³⁴¹ 00140.029 Waitaki DC

¹³⁴² 00140.029 Waitaki DC

- (11) memorials and cemeteries,¹³⁴³ ~~and~~
- (12) trees and vegetation, ~~and~~¹³⁴⁴
- (13) military structures or remains.¹³⁴⁵

HCV-HH-P4 – Identifying *historic heritage*

Identify the places and areas of *historic heritage* in Otago in accordance with APP8 and categorise them as:

- (1) places and areas with special or outstanding *historic heritage* values or qualities, or
- (2) places and areas with *historic heritage* values or qualities.

HCV-HH-P5 – Managing *historic heritage*

Protect *historic heritage* by:

- (1) requiring the use of accidental discovery protocols in accordance with APP11,¹³⁴⁶
- (2) avoiding adverse *effects* on areas or places with special or outstanding *historic heritage* values or qualities, except in the circumstances where HCV-HH-P7 applies,¹³⁴⁷
- (3) avoiding significant adverse *effects* on areas or places with *historic heritage* values or qualities,
- (4) avoiding, as the first priority, other adverse *effects* on areas or places with *historic heritage* values or qualities,
- ~~(5) and where it is demonstrated that adverse *effects* demonstrably cannot be completely avoided, they are remedied or mitigated remedying or mitigating them, and¹³⁴⁸~~
- (6) recognising that for *infrastructure*, EIT-INF-P13 applies instead of HCV-HH-P5(1) to (5).

HCV-HH-P6 – Enhancing *historic heritage*

Enhance places and areas of *historic heritage* wherever possible through the implementation of plan provisions, decisions on applications for *resource consent* and notices of requirement and non-regulatory methods.

HCV-HH-P7 – Integration of *historic heritage*

Maintain *historic heritage* values through the integration of *historic heritage* values into new activities and the adaptive reuse or upgrade of *historic heritage* places and areas.

Methods

HCV-HH-M4 – Regional plans

¹³⁴³ 00140.029 Waitaki DC

¹³⁴⁴ 00239.158 Federated Farmers

¹³⁴⁵ 00140.029 Waitaki DC

¹³⁴⁶ Consequential amendment to APP11: 00123.007, Heritage NZ

¹³⁴⁷ 00137.145 DOC

¹³⁴⁸ 00226.289 Kāi Tahu ki Otago; 00139.234 DCC

Otago Regional Council must prepare or amend and maintain its *regional plans* to:

- (1) identify places and areas with *historic heritage* in accordance with HCV-HH-P4 that are located in the *beds of lakes and rivers, wetlands* and the *coastal marine area*,
- (2) control the following where they may adversely affect *historic heritage*:
 - (a) the character, location, scale and form of *structures* in the *beds of lakes and rivers, wetlands* and in the *coastal marine area*,
 - (b) indigenous vegetation removal in the *beds of lakes and rivers, wetlands* and the *coastal marine area*,
 - (c) *earthworks*, deposition and disturbance to and in the *beds of lakes and rivers* and in the *coastal marine area*,
 - (d) *discharges* to air,
 - (e) taking, use, damming and diversion of, and *discharges* to, *water*, and
 - (f) the disturbance, demolition or alteration of physical elements or *structures* of *historic heritage* in the *beds of lakes and rivers* and in the *coastal marine area*,
- (2A) enable Kāi Tahu to identify places and areas with historic heritage values for mana whenua in accordance with HCV-HH-P4 that are located on the beds of lakes and rivers, and in wetlands and the coastal marine area,¹³⁴⁹
- (3) include implementation methods to protect *historic heritage* that are in accordance with HCV-HH-P5 and may also include:
 - (a) assessment criteria, development standards or thresholds to control the scale, intensity, form and location of activities (including for the purposes of controlling cumulative adverse *effects*), and
 - (b) conditions on *resource consents* to provide buffers or setbacks between *historic heritage* places or areas and other incompatible activity, and
- (4) require the use of accidental discovery protocols as conditions on *resource consents* for *earthworks* or other activities that may encounter archaeological features, in accordance with APP11.¹³⁵⁰

HCV-HH-M5 – District Plans

Territorial authorities must prepare or amend and maintain their *district plans* to the extent necessary to:

- (1) identify places and areas with *historic heritage* in accordance with HCV-HH-P4 that are located outside the *beds of lakes and rivers, wetlands* and the *coastal marine area*,
- (2) control the following where they may adversely affect *historic heritage*:
 - (a) the location, intensity and form of *subdivision*,
 - (b) the character, location, scale and form of activities (including *structures*) outside the *beds of lakes and rivers* and the *coastal marine area*,

¹³⁴⁹ 00226.292 Kāi Tahu ki Otago

¹³⁵⁰ Consequential amendment to APP11: 00123.007, Heritage NZ

- (c) the location and scale of *earthworks* and indigenous vegetation removal outside the *beds of lakes and rivers* and the *coastal marine area*,
 - (d) the disturbance, demolition or alteration of physical elements or *structures* with special or outstanding *historic heritage* value or qualities outside the *coastal marine area*, *beds of lakes and rivers*,
- (2A) enable Kāi Tahu to identify places and areas with historic heritage values for mana whenua in accordance with HCV-HH-P4 that are located outside the beds of lakes and rivers, wetlands and the coastal marine area.¹³⁵¹
- (3) include implementation methods to protect *historic heritage* places and areas required by HCV-HH-P5, and may also include:
 - (a) assessment criteria, development standards or thresholds to control the scale, intensity, form and location of activities (including for the purposes of controlling cumulative adverse *effects*),
 - (b) conditions on *resource consents* and designations to provide buffers or setbacks between *historic heritage* places or areas and other incompatible activity,
 - (c) accidental discovery protocols as conditions on *resource consents* for *earthworks* or other activities that may unearth archaeological features,
 - (d) providing for activities seeking to retain *historic heritage* places, areas or landscapes, including adaptive reuse, maintenance and seismic strengthening,
 - (e) including heritage alert layers in plans to inform the public about areas where there is a high probability of the presence of heritage values, particularly archaeological values, and
 - (4) require the use of accidental discovery protocols as conditions on *resource consents* and designations for *earthworks* or other activities that may unearth archaeological features.

HCV-HH-M6 – Incentives and education

Local authorities are encouraged to use other mechanisms or incentives to assist in achieving Policies HCV-HH-P3 to HCV-HH-P7, including:

- (1) promoting public awareness of *historic heritage* values through providing information and education, and
 - (2) rates differentials and *resource consent* fee waivers for activities that involve the retention of historic places or areas.
- (3) enabling Kāi Tahu to interpret places and areas with historic heritage values for mana whenua.¹³⁵²

Explanation

HCV-HH-E2 – Explanation

The policies in this section are designed to ensure that Otago’s unique *historic heritage* continues to contribute to the region’s character, sense of identity, and social and economic well-being by requiring

¹³⁵¹ 00226.293 Kāi Tahu ki Otago

¹³⁵² 00226.294 Kāi Tahu ki Otago

places and areas of significant *historic heritage* to be identified using regionally consistent methodology, then protecting or managing those sites or areas in particular ways to ensure that other¹³⁵³ activities do not detract from the region's special character and sense of identity. This also includes enhancing places and areas of *historic heritage* by encouraging the integration of *historic heritage* values into new activities and enabling the adaptive reuse or upgrade of *historic heritage* places in certain circumstances.

Principal reasons

HCV-HH-PR2 – Principal reasons

Otago is a region rich in *historic heritage*, with a diversity of significant cultural and *historic heritage* places and areas that contribute to its special character and identity. *Historic heritage* encompasses historic sites, *structures*, places, and areas; archaeological sites; sites of significance to Māori (including wāhi tapu and wāhi taoka sites)¹³⁵⁴ and the broader surroundings and landscape in which they are situated. The heritage resources in Otago are reflective of the history that helped to shape the region, and is representative of the different cultures, industries and institutions that contributed to its development. Historic landscapes in the coastal *environment* are specifically recognised in Policy 17 of the NZCPS.

The provisions in this chapter assist in implementing section 6(f) of the RMA~~1991~~¹³⁵⁵ and the NZCPS by requiring:

- the identification of places and areas with *historic heritage* values and qualities and places and areas with special or outstanding *historic heritage* values and qualities using clear criteria and methodology that is regionally consistent,
- the protection of *historic heritage* from inappropriate *subdivision*, use and development,
- the enhancement of *historic heritage* through the integration of *historic heritage* values into new activities and enabling the adaptive reuse or upgrade of *historic heritage* places and areas in certain circumstances, and
- specified actions on the part of Otago's *local authorities* in managing *historic heritage*.

Implementation of the provisions in this chapter will occur primarily through *regional plans*¹³⁵⁶ and *district plan* provisions, however *local authorities* may also choose to adopt additional non-regulatory methods to support the achievement of the objectives.

Anticipated environmental results

HCV-HH-AER3 Heritage resources that make a significant contribution towards Otago's *historic heritage* are identified and protected.

HCV-HH-AER4 The number, type, extent and distribution of *historic heritage* sites and places with special or outstanding values or qualities are maintained.

¹³⁵³ 00226.295 Kāi Tahu ki Otago

¹³⁵⁴ 00226.296 Kāi Tahu ki Otago

¹³⁵⁵ Clause 16(2), Schedule 1, RMA

¹³⁵⁶ Clause 16(2), Schedule 1, RMA

HCV-HH-AER5

Otago's existing built *historic heritage* is maintained, enhanced and integrated through efficient use, or adaptive reuse, where appropriate.

NFL – Natural features and landscapes

Objectives

NFL-O1 – Outstanding and *highly valued natural features and landscapes*

The areas and values of Otago’s outstanding and *highly valued natural features and landscapes* are identified, and the use and development of Otago’s *natural and physical resources* results in:

- (1) the protection of outstanding natural features and landscapes, and
- (2) the maintenance or enhancement of *highly valued natural features and landscapes*.
- (3) the restoration of outstanding and *highly valued natural features and landscapes*.¹³⁵⁷

Policies

NFL-P1 – Identification

In order to manage outstanding and *highly valued natural features and landscapes* outside the coastal environment,¹³⁵⁸ identify:

- (1) the areas and values of outstanding and *highly valued natural features and landscapes* in accordance with APP9, and
- (2) the capacity of those natural features and landscapes to accommodate absorb¹³⁵⁹ use or development while protecting the values that contribute to the natural feature and landscape being considered outstanding or maintaining the values that contribute to the natural feature and landscape being¹³⁶⁰ highly valued.

NFL-P2 – Protection of outstanding natural features and landscapes

Protect outstanding natural features and landscapes outside the coastal environment from inappropriate subdivision, use and development¹³⁶¹ by:

- (1) avoiding adverse *effects* on the values of the natural features and landscapes where there is limited or no capacity to absorb change use or development¹³⁶² ~~that contribute to the natural feature or landscape being considered outstanding, even if those values are not themselves outstanding~~, and
- (2) avoiding, remedying or mitigating other adverse *effects*.

¹³⁵⁷ 00226.297 Kāi Tahu ki Otago

¹³⁵⁸ 00301.054 Port Otago

¹³⁵⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00318.034 Contact Energy

¹³⁶⁰ 00239.163 Federated Farmers

¹³⁶¹ 00301.054 Port Otago

¹³⁶² 00318.034 Contact Energy

(3) managing the adverse effects of infrastructure on the values of outstanding natural features and landscapes in accordance with EIT-INF-P13.¹³⁶³

NFL-P3 – Maintenance of highly valued natural features and landscapes

Maintain or enhance *highly valued natural features and landscapes* outside the coastal environment¹³⁶⁴ by:

- (1) avoiding significant adverse effects on the values of the natural feature or landscape, and
- (2) avoiding, remedying or mitigating other adverse effects.

NFL-P4 – Restoration

Promote restoration of the areas and values of outstanding and *highly valued natural features and landscapes* where those areas or values have been reduced or lost.

NFL-P5 – Wilding conifers

Reduce the impact of *wilding conifers* on outstanding and highly valued natural features and landscapes by:

- (1) avoiding the planting afforestation, and replanting of plantation forests and permanent forests¹³⁶⁵ with *wilding conifer* species listed in APP5 within:
 - (a) areas identified as outstanding natural features or landscapes, and
 - (b) buffer zones adjacent to outstanding natural features and landscapes where it is necessary to protect the outstanding natural feature or landscape, and
- (2) supporting initiatives to control existing *wilding conifers* and limit their further spread.

NFL-P6 – Coastal features and landscapes

Natural features and landscapes located within the coastal environment are managed by CE-P6 and implementation of CE-P6 also contributes to achieving NFL-O1.

NFL-P7 – Natural features and landscapes and infrastructure

Outside of the coastal environment, the effects of *Nationally Significant Infrastructure and Regionally Significant Infrastructure* on the values of outstanding natural features and landscapes are managed by EIT-INF-P13.¹³⁶⁶

¹³⁶³ 00315.073, 00315.074, 00315.075, 00315.076 Aurora Energy

¹³⁶⁴ 00301.054 Port Otago

¹³⁶⁵ 00140.031 Waitaki DC

¹³⁶⁶ 000306.074 Meridian; 00321.036, 00321.037 Te Waihangā; 00310.014 Telecommunication Companies

Methods

NFL-M1 – Identification

Territorial authorities must:

- (1) include in their *district plans* a map or maps and a statement of the values of the areas of outstanding and *highly valued natural features and landscapes* in accordance with NFL-P1,
- (2) include in their *district plans* a statement of the capacity of outstanding and *highly valued natural features and landscapes* to accommodate change in use and development without their values being materially compromised or lost, in accordance with NFL-P1,
- (2A) collaborate with Kāi Tahu to identify the areas, values, and capacity of outstanding natural features and landscapes, and highly valued natural features and landscapes of significance for Kāi Tahu in accordance with NFL-P1,¹³⁶⁷
- (3) recognise that natural features and landscapes may span jurisdictional boundaries and work together, including with the Regional Council and adjoining Regional Councils,¹³⁶⁸ to identify areas under (1) to ensure that the identification of natural features and landscapes are treated uniformly across district boundaries and, where appropriate, regional boundaries,¹³⁶⁹ and
- (4) prioritise identification under (1) in areas that are likely to contain outstanding natural features or landscapes and are likely to face development or growth pressure over the life of this RPS.

NFL-M2 – Regional plans

Otago Regional Council must prepare or amend and maintain its *regional plans* to:

- (1) control the *use* and development of *water bodies*, the *beds of rivers and lakes*, and *wetlands* in order to protect outstanding natural features and landscapes in accordance with NFL-P2, and maintain and enhance *highly valued natural features or landscapes* in accordance with NFL-P3, and
- (2) provide for and encourage activities undertaken for the primary purpose of restoring highly valued natural features or landscapes in accordance with NFL-P4.

NFL-M3 – District plans

Territorial authorities must prepare or amend and maintain their *district plans* to:

- (1) control the *subdivision, use* and development of *land* and the use of the surface of *water bodies* in order to protect outstanding natural features or landscapes in accordance with NFL-P2, and maintain and enhance *highly valued natural features or landscapes* in accordance with NFL-P3,
- (2) provide for and encourage activities undertaken for the primary purpose of restoring highly valued natural features or landscapes in accordance with NFL-P4, and
- (3) manage *wilding conifer* spread in accordance with NFL-P5.

¹³⁶⁷ 00223.128 Ngāi Tahu ki Murihiku

¹³⁶⁸ 00013.016 ECan

¹³⁶⁹ 00013.016 ECan

NFL-M4 – Other incentives and mechanisms

Local authorities are encouraged to consider the use of other mechanisms or incentives to assist in achieving the outcomes sought by the policies in this chapter, including:

- (1) funding assistance for restoration projects (for example, through the Regional Council’s ECO Fund),
- (2) purchase of *land* that forms part of a natural feature or landscape,
- (3) development or design guidelines (for example, colour palettes for *structures* in or on natural features or landscapes),
- (4) rates relief for *land* that is protected due to its status as an outstanding natural feature or landscape,
- (5) education and advice,
- (6) waiver or reduction of processing fees for activities where the primary purpose is to enhance the values of highly valued natural features or landscapes, and
- (7) advocating for a collaborative approach between central and local government to fund and carry out *wilding conifer* control.

Explanation

NFL-E1 – Explanation

The policies in this chapter are designed to require outstanding and *highly valued natural features and landscapes* to be identified using regionally consistent attributes, then managing activities to either protect outstanding natural features and landscapes in accordance with section 6(b) of the RMA ~~1991~~¹³⁷⁰ or maintain *highly valued natural features or landscapes* in accordance with section 7 of the RMA ~~1991~~.¹³⁷¹ This distinction recognises that these areas have values with differing degrees of significance and that, generally, those classified as ‘highly valued’ will have greater capacity to accommodate land use change and development without values being adversely affected. The policies seek to control the impact of *wilding conifers* which are a particular threat to Otago’s natural features and landscapes, in a way that recognises the regulations in the NESPF.

Principal reasons

NFL-PR1 – Principal reasons

Natural features include resources that are the result of natural processes, particularly those reflecting a particular geology, topography, geomorphology, hydrology, ecology, or other physical attribute that creates a natural feature or combination of natural features. Landscapes include the natural and physical attributes of *land* together with air and *water*, which change over time and which is made known by people’s evolving perceptions and associations. Natural features and landscapes also have

¹³⁷⁰ Clause 16(2), Schedule 1, RMA

¹³⁷¹ Clause 16(2), Schedule 1, RMA

significant cultural value to Kāi Tahu. There are many sites of significance across Otago, reflecting the relationship of Kāi Tahu with the *land, water* and sea.

The provisions in this chapter assist in protecting Otago's outstanding and *highly valued natural features and landscapes* by requiring:

- the identification of outstanding and *highly valued natural features and landscapes* using regionally consistent criteria,
- the protection of outstanding natural features and landscapes and maintenance of *highly valued natural features and landscapes*,
- an ongoing reduction in the impact of *wilding conifers* on natural features and landscapes, and
- specified actions on the part of Otago's *local authorities* in managing natural features and landscapes.

Implementation of the provisions in this chapter will occur primarily through *regional plan*¹³⁷² and *district plan* provisions, however *local authorities* may also choose to adopt additional non-regulatory methods to support the achievement of the objectives.

Anticipated environmental results

NFL-AER1	The number, type, extent and distribution of identified outstanding and <i>highly valued natural features and landscapes</i> are maintained over the life of this RPS.
NFL-AER2	The values of outstanding and <i>highly valued natural features and landscapes</i> are not reduced or lost.
NFL-AER3	Within areas identified as outstanding or <i>highly valued natural features or landscapes</i> , the area of <i>land</i> vegetated by <i>wilding conifers</i> is reduced over the life of this RPS.

¹³⁷² Clause 16(2), Schedule 1, RMA

UFD – Urban form and development

Objectives

UFD-O1 – Form and function of *urban areas*

The form and functioning of Otago's *urban areas*:

- (1) reflects the diverse and changing needs and preferences of Otago's people and communities, now and in the future, and
- (2) maintains or enhances ~~the significant values and features identified in this RPS, and~~¹³⁷³ the character and resources of each *urban area*.

UFD-O2 – Development of *urban areas*

The development and change of Otago's *urban areas*:

- (1) improves housing choice, quality, and affordability,
- (2) allows business and other non-residential activities to meet the needs of communities in appropriate locations,
- (3) respects and wherever possible enhances the area's history, setting, and natural and built environment,
- (4) delivers good urban design outcomes, and improves liveability,
- (5) improves connectivity within *urban areas*, particularly by *active transport* and *public transport*,
- (6) minimises conflict between incompatible activities,
- (7) manages the exposure of *risk* from *natural hazards* in accordance with the HAZ–NH – Natural hazards section of this RPS,
- (8) results in sustainable and efficient use of *water*, *energy*, *land*, and *infrastructure*,
- (9) achieves integration of *land use* with existing and planned *development infrastructure* and *additional infrastructure*,
- (9A) ~~and~~ facilitates the safe and efficient ongoing use, maintenance, upgrade and development¹³⁷⁴ of *nationally significant infrastructure* and¹³⁷⁵ *regionally significant infrastructure*,
- (10) achieves consolidated, well designed and located, and sustainable development in and around existing *urban areas* as the primary focus for accommodating the region's urban growth and change, and
- (11) is guided by the input and involvement of *mana whenua*, and provides for development opportunities which support the aspirations and values of *mana whenua*¹³⁷⁶.

¹³⁷³ 00137.151 Director General of Conservation, 00226.307 Kāi Tahu ki Otago.

¹³⁷⁴ 00313.030 Queenstown Airport and 00314.050 Transpower (in part)

¹³⁷⁵ Clause 16(2), Schedule 1, RMA

¹³⁷⁶ 00139.251 DCC

UFD-03 – Strategic planning

Strategic planning is undertaken in advance of significant development, expansion or redevelopment of *urban areas* to ensure that:¹³⁷⁷

- (1) there is at least¹³⁷⁸ sufficient *development capacity* supported by integrated *infrastructure* provision for Otago’s housing and business needs in the short, medium and long term,
- ~~(2) development is located, designed and delivered in a way and at a rate that recognises and provides for locationally relevant¹³⁷⁹ regionally significant features and values identified by this RPS,¹³⁸⁰ and~~
- (3) the involvement of *mana whenua* is facilitated, and their values and aspirations are provided for.

UFD-04 – Development in *rural areas*

Development in Otago’s *rural areas* occurs in a way that:

- ~~(1) avoids impacts on significant values and features identified in this RPS,¹³⁸¹~~
- (2) avoids as the first priority, *highly productive land and soils*¹³⁸² ~~identified as highly productive by LF-LS-P19 unless there is an operational need or functional need¹³⁸³ for the development to be located in rural areas,~~¹³⁸⁴
- (3) only provides for urban expansion, rural lifestyle ~~and rural residential~~¹³⁸⁵ development and the establishment of ~~sensitive~~ activities that are sensitive to primary production and rural industry¹³⁸⁶ in locations identified through strategic planning or zoned within *district plans* as suitable for such development, ~~and~~
- (4) outside of areas identified in (3), ~~maintains and enhances~~ provides for the ongoing use of rural areas for primary production, supported by rural industry in appropriate locations,¹³⁸⁷ ~~and facilitates ensures that other activities that have an operational need or functional need to locate in rural areas, that will do~~¹³⁸⁸ not compromise¹³⁸⁹ the *natural and physical resources*

¹³⁷⁷ Clause 16(2), Schedule 1, RMA

¹³⁷⁸ 00204.003 Daisy Link Garden Centres Limited, 00405.009 Glenpanel, 00402.012 Sipka Holdings, 00401.006 Tussock Rise
¹³⁷⁹ 00137.153 DOC

¹³⁸⁰ 00137.153 Director-General of Conservation, 00226.309 Kai Tahu ki Otago

¹³⁸¹ 00137.154 Director General of Conservation, 00226.310 Kāi Tahu ki Otago

¹³⁸² 00322.0038 Fulton Hogan, 00236.099 Horticulture NZ

¹³⁸³ 00414.003 Infinity, 00413.005 NZ Cherry Corp

¹³⁸⁴ 00221.013 Silver Fern Farms

¹³⁸⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ

¹³⁸⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00213.009 Fonterra Co-operative Group Limited

¹³⁸⁷ 00322.038 Fulton Hogan, 00410.007 Rural Contractors NZ (in part)

¹³⁸⁸ 00206.069 Trojan Holdings Ltd, 00411.084 Wayfare Group Ltd. Also relates to 00014.067 Mt Cardrona Station, 00118.067 Maryhill Ltd.

¹³⁸⁹ 00236.099 Horticulture NZ

that support the *productive capacity*,¹³⁹⁰ rural character, and long-term viability of the rural sector and rural communities-, and

(4A) provides for the use and development of land in rural areas by Kāi Tahu for *papakāika, kāika, nohoaka, marae, and marae related activities*.¹³⁹¹

UFD-O5 – Urban development and *climate change*

The impacts of *climate change* are responded to in the development and change of Otago’s *urban areas* so that:

- (1) the contributions of current communities and future generations to *climate change* impacts are reduced,
- (2) community resilience increases,
- (3) adaptation to the effects of *climate change* is facilitated,
- (4) energy use is minimised, and energy efficiency improves, and
- (5) establishment and use of *small and community-scale distributed electricity generation* is enabled.

Policies

UFD-P1 – Strategic planning

Strategic planning processes, undertaken at an appropriate scale and detail, precede urban growth and development and:

- (1) ensure integration of *land use and infrastructure*, including how, where and when necessary *development infrastructure and additional infrastructure* will be provided, and by whom,
- (2) demonstrate at least sufficient *development capacity* supported by integrated *infrastructure* provision for Otago’s housing and business needs in the short, medium and long term,
- (3) maximise current and future opportunities for increasing resilience, and facilitating adaptation to changing demand, needs, preferences and *climate change*,
- (4) minimise *risks* from and improve resilience to *natural hazards*, including those exacerbated by *climate change*, while not increasing *risk* for other development,
- (5) indicate how connectivity will be improved and connections will be provided within *urban areas*,
- (6) provide opportunities for iwi, hapū and whānau involvement in planning processes, including in decision making, to ensure provision is made for their needs and aspirations, and cultural practices and values,
- (7) facilitate involvement of the current community and respond to the reasonably foreseeable

¹³⁹⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00014.031 Mt Cardrona Station, 00209.01 Universal Developments, 00210.012 Lane Hocking, 00211.01 LAC Properties

¹³⁹¹ 00226.310 Kāi Tahu ki Otago

needs of future communities, and

~~(8) — identify, maintain and where possible, enhance important features and values identified by this RPS, and~~¹³⁹²

(8A) identifies areas of potential conflict between incompatible activities and sets out the methods by which these are to be resolved.¹³⁹³

UFD-P2 – Sufficiency of *development capacity*

At least ~~Sufficient~~¹³⁹⁴ urban area housing and business *development capacity* in urban areas, including any required competitiveness margin, is provided in the short, medium and long term by:

- (1) undertaking strategic planning in accordance with UFD-P1
- (2) identifying areas for urban intensification in accordance with UFD-P3,
- (3) identifying areas for urban expansion in accordance with UFD-P4,
- (4) providing for commercial and industrial activities in accordance with UFD-P5 and UFD-P6,
- (5) responding to any demonstrated insufficiency in housing or business *development capacity* by increasing *development capacity* or providing more *development infrastructure* as required, as soon as practicable, including by being responsive to plan changes that demonstrate compliance with UFD-P10,¹³⁹⁵ and
- (6) requiring Tier 2 *urban environments* to meet, at least, the relevant housing bottom lines in APP10.

UFD-P3 – Urban intensification

~~Within~~ Provide for intensification in urban areas ~~intensification is enabled~~ where, as a minimum,¹³⁹⁶ it:

- (1) contributes to establishing or maintaining the qualities of a *well-functioning urban environment*,
- (2) is well-served by existing or planned *development infrastructure* and *additional infrastructure*,
- (2A) does not compromise the safe and efficient ongoing use of *nationally significant infrastructure* or *regionally significant infrastructure*,¹³⁹⁷
- (3) meets the greater of demonstrated demand for housing and/or business use or the level of accessibility provided for by existing or planned *active transport* or *public transport*,
- ~~(4) — addresses an identified shortfall for housing or business space, in accordance with UFD-P2,~~¹³⁹⁸
- (5) addresses issues of concern to iwi and hapū, including those identified in any relevant iwi

¹³⁹² 00226.312 Kāi Tahu ki Otago.

¹³⁹³ 00306.077 Meridian, 00322.039 Fulton Hogan, 00313.031 Queenstown Airport, 00235.150 OWRUG, 00236.100 Horticulture NZ, 00239.176 Federated Farmers, 00204.005 Daisy Link.

¹³⁹⁴ “At Least” See General Submissions of 00211.047 LAC Properties Trustees, 00210.046 Lane Hocking, 00118.066 Maryhill Ltd, 00014.066 Mt Cardrona Station, 00209.046 Universal Developments

¹³⁹⁵ 00204.005 Daisy Link

¹³⁹⁶ 00139.257 DCC.

¹³⁹⁷ 00315.079 Aurora Energy, 00310.017 The Telecommunications Companies, 00313.032 Queenstown Airport (in part)

¹³⁹⁸ 00139.257 DCC.

planning documents, ~~and~~

~~(6) manages adverse effects on values or resources identified by this RPS that require specific management or protection.~~¹³⁹⁹

UFD-P4 – Urban expansion

Expansion of existing *urban areas* is facilitated where, at minimum,¹⁴⁰⁰ the expansion:

- (1) contributes to establishing or maintaining the qualities of a *well-functioning urban environment*,
- (1A) is identified by and undertaken consistent with strategic plans prepared in accordance with UFD-P1, or is required to address a shortfall identified in accordance with UFD-P2,¹⁴⁰¹
- (2) is logically and appropriately staged, and¹⁴⁰² will not result in inefficient or sporadic patterns of settlement and residential growth,
- (3) is integrated efficiently and effectively with *development infrastructure* and *additional infrastructure* in a strategic, timely and co-ordinated way,
- (3A) does not compromise the safe and efficient ongoing use of nationally significant infrastructure and regionally significant infrastructure,¹⁴⁰³
- (4) addresses issues of concern to iwi and hapū, including those identified in any relevant iwi planning documents,
- ~~(5) manages adverse effects on other values or resources identified by this RPS that require specific management or protection,~~¹⁴⁰⁴
- (6) avoids, as the first priority, *highly productive land*,¹⁴⁰⁵ ~~identified in accordance with LF-LS-P19,~~
- (7) locates the new urban/rural zone boundary interface by considering:
 - (a) adverse effects, particularly *reverse sensitivity*, on existing activities in rural areas and ~~existing or~~¹⁴⁰⁶ potential primary production¹⁴⁰⁷ ~~productive or rural industry~~¹⁴⁰⁸ activities beyond the new boundary, and
 - (b) utilising¹⁴⁰⁹ key natural or built barriers or physical features, significant values or features identified in this RPS, or cadastral boundaries that will result in a permanent, logical and defensible long-term limit beyond which further urban expansion is demonstrably inappropriate and unlikely, such that provision for future *development infrastructure* expansion and connectivity beyond the new boundary does not need to

¹³⁹⁹ 00266.314 Kāi Tahu ki Otago, 00138.213 Queenstown-Lakes District Council.

¹⁴⁰⁰ 00136.011 MfE, 00139.258 DCC.

¹⁴⁰¹ 00136.011 Minister for the Environment, 00413.006 NZ Cherry Corp, 00204.008 Daisy Link

¹⁴⁰² 00139.258 DCC

¹⁴⁰³ 00315.080 Aurora Energy, 00306.078 Meridian

¹⁴⁰⁴ 00226.315 Kāi Tahu ki Otago.

¹⁴⁰⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00014.031 Mt Cardrona Station, 00209.01 Universal Developments, 00210.012 Lane Hocking, 00211.01 LAC Properties

¹⁴⁰⁶ Consequential amendment arising from 00208.011 AgResearch Ltd, 00414.005 Infinity Investment Group Holdings Ltd, 00413.007 NZ Cherry Corp, 00410.009 Rural Contractors NZ. Also relates to 00014.067 Mt Cardrona Station, 00118.067 Maryhill Ltd.

¹⁴⁰⁷ 00208.010 AgResearch, 00233.040 Fonterra, 00322.040 Fulton Hogan,

¹⁴⁰⁸ 00410.008 Rural Contractors NZ

¹⁴⁰⁹ 00405.011 Glenpanel, 00402.014 Sipka Holdings

be provided for, or

- (c) ~~reflects a short or medium term, intermediate or temporary utilising~~¹⁴¹⁰ zoning or infrastructure servicing boundary that reflects a short or medium term, intermediate or temporary limit,¹⁴¹¹ where provision for future *development infrastructure* expansion and connectivity should not be foreclosed, even if further expansion is not currently anticipated.

UFD-P5 – Commercial activities

Provide for *commercial activities* in urban areas by:

- (1) enabling a wide variety and scale of *commercial activities*, ~~social activities~~, recreational¹⁴¹² and cultural activities to concentrate in central business districts city, metropolitan,¹⁴¹³ town centres and commercial zoned¹⁴¹⁴ areas, especially if they are highly accessible by *public transport* ~~and or~~¹⁴¹⁵ *active transport*,
- (2) enabling smaller local and neighbourhood centres, mixed use zones¹⁴¹⁶ and rural settlements to accommodate a variety of *commercial activities*, ~~social~~, recreational activities¹⁴¹⁷ and cultural activities of a scale appropriate to service local community needs,
- (3) providing for the expansion of existing areas or establishment of new areas identified in (1) and (2) ~~by first applying UFD-P1 and UFD-P2,~~¹⁴¹⁸ and
- (4) outside the areas described in (1) and (2), allow for small scale retail and service activities, home occupations and *community services* to establish within or close to the communities they serve.

UFD-P6 – Industrial activities

Provide for *industrial activities* in urban areas by:

- (1) identifying specific locations and applying zoning suitable for accommodating *industrial activities* and their reasonable needs and *effects* including supporting or *ancillary activities*,
- (2) identifying a range of *land* sizes and locations suitable for different *industrial activities*, and their *operational needs* including land-extensive activities,
- (3) ~~managing the establishment of non-industrial activities, in industrial zones, by~~¹⁴¹⁹ avoiding activities likely to result in *reverse sensitivity effects* on existing or potential¹⁴²⁰ *industrial activities* (particularly residential or retail activities except yard-based retail),¹⁴²¹ or likely to

¹⁴¹⁰ 00405.011Glenpanel, 00402.014 Sipka Holdings

¹⁴¹¹ 00221.014 Silver Fern Farms, 00405.011 Glenpanel, 00402.014 Sipka Holdings, 00231.009 Fish and Game

¹⁴¹² 00206.071 Trojan, 00411.086 Wayfare

¹⁴¹³ 00139.260 DCC

¹⁴¹⁴ 00139.260 DCC

¹⁴¹⁵ 00401.013 Tussock Rise

¹⁴¹⁶ 00206.071 Trojan, 00411.086 Wayfare

¹⁴¹⁷ 00206.071 Trojan, 00411.086 Wayfare

¹⁴¹⁸ Clause 16(2), Schedule 1, RMA.

¹⁴¹⁹ 00233.043 Fonterra

¹⁴²⁰ 00233.043 Fonterra

¹⁴²¹ 00139.261 DCC

result in an inefficient use of industrial zoned *land* or *infrastructure*, particularly where the area:¹⁴²²

- (a) ~~the area~~¹⁴²³ provides for a significant *operational need* for a particular *industrial activity* or grouping of *industrial activities* that are unlikely or are less efficiently able to be met in alternative locations, or
 - (b) ~~the area~~¹⁴²⁴ contains *nationally significant infrastructure*¹⁴²⁵ or *regionally significant infrastructure* and the requirements of EIT-INF-P15 apply, and
- (4) in areas that are experiencing or expected to experience high demand from other urban activities, and the criteria in (3)(a) or (3)(b) do not apply, ~~managing the establishment of non-industrial activities and only allowing for~~ the transition of industrial zoned areas to other purposes, ~~and the establishment of new areas~~¹⁴²⁶ by first applying (1) and (2).

UFD-P7 – Rural areas

The management of *rural areas*:

- ~~(1) — provides for the maintenance and, wherever possible, enhancement of important features and values identified by this RPS,~~¹⁴²⁷
- (2) ~~outside areas identified in (1),~~¹⁴²⁸ maintains the *productive capacity*,¹⁴²⁹ amenity and character of *rural areas*, as places where people live, work and recreate and where a range of activities and services are required to support these rural functions, and provide for social and economic wellbeing within rural communities and the wider region,¹⁴³⁰
- (3) ~~enables—prioritises~~¹⁴³¹ *land-based primary production food and fibre production*¹⁴³² ~~primary production~~¹⁴³³ particularly on land or soils within areas¹⁴³⁴ identified as *on highly productive land* ~~land~~¹⁴³⁵ in accordance with LF-LS-P19,¹⁴³⁶

¹⁴²² 00510.064 The Fuel Companies

¹⁴²³ 00510.064 The Fuel Companies

¹⁴²⁴ 00510.064 The Fuel Companies

¹⁴²⁵ Clause 16(2), Schedule 1, RMA

¹⁴²⁶ 00139.260 DCC.

¹⁴²⁷ 00226.318 Kāi Tahu ki Otago, 00139.262 DCC, 00411.135 Wayfare, 00206.072 Trojan

¹⁴²⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from deletion of sub-clause 1

¹⁴²⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00014.031 Mt Cardrona Station, 00209.01 Universal Developments, 00210.012 Lane Hocking, 00211.01 LAC Properties

¹⁴³⁰ 00235.152 OWRUG, 00015.032 Oceana Gold

¹⁴³¹ 00226.318 Horticulture NZ, Kai Tahu ki Otago, 00015.032 Oceana Gold, 00235.152 OWRUG, 00410.009 Rural Contractors NZ, 00016.024 Alluvium and Stoney Creek

¹⁴³² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00021.002 Matakanui Gold Limited, 00016.009 Alluvium Limited and Stoney Creek Mining, 00017.007 Danny Walker and others, 00226.033 Kāi Tahu ki Otago, 00223.094 Ngāi Tahu ki Murihiku

¹⁴³³ 00226.310 Kāi Tahu ki Otago and General Themes Section, in response to 00235.008 OWRUG

¹⁴³⁴ 00236.102 Horticulture NZ, 00226.318 Kai Tahu ki Otago, 00015.032 Oceana Gold, 00235.152 OWRUG, 00410.009 Rural Contractors NZ, 00016.024 Alluvium and Stoney Creek

¹⁴³⁵ 00236.102 Horticulture NZ, 00226.318 Kai Tahu ki Otago, 00015.032 Oceana Gold, 00235.152 OWRUG, 00410.009 Rural Contractors NZ, 00016.024 Alluvium and Stoney Creek

¹⁴³⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00236.013 Horticulture NZ, 00235.009 OWRUG, 00240.025 NZ Pork

- (4) facilitates primary production,¹⁴³⁷ rural industry and supporting activities and recognises:
- (a) the importance of mineral and aggregate resources for the provision of infrastructure and the social and economic well-being of Otago’s communities, and
- (b) the requirement for mineral and aggregate activities to be located where those resources are present,¹⁴³⁸
- (5) directs ~~rural residential and~~¹⁴³⁹ rural lifestyle development to areas zoned for that purpose in accordance with UFD-P8,
- (5A) provides for the use by Kai Tahu of Native Reserves and ~~Te Ture Whenua Maori land Māori Land,~~¹⁴⁴⁰ for papakāika, kāika, nohoaka, marae and marae related activities, and otherwise provides for Kai Tahu use of rural areas and the resources and values they contain,¹⁴⁴¹
- (6) restricts the establishment of ~~residential activities, sensitive activities, and non-rural businesses~~ non-rural activities¹⁴⁴² which could adversely affect, including by way of reverse sensitivity, or fragmentation, the productive capacity¹⁴⁴³ of highly productive land¹⁴⁴⁴ or existing or potential¹⁴⁴⁵ primary production and rural industry activities, unless those sensitive activities are undertaken in accordance with UFD-P4, UFD-P8 or UFD-P9 as relevant.¹⁴⁴⁶ ~~and~~
- ~~(7) otherwise limits the establishment of residential activities, sensitive activities, and non-rural businesses to those that can demonstrate:~~
- ~~(a) an functional need or operational need to be located in rural areas, and~~
- ~~(b) methods to avoid adverse effects, including by way of reverse sensitivity, on rural productive capacity and amenity values, or where avoidance is not practicable, remediation or mitigation, and~~¹⁴⁴⁷
- (7A) may place constraints on certain rural activities where necessary for the effective management of nationally significant infrastructure or regionally significant infrastructure.¹⁴⁴⁸

UFD-P8 – Rural lifestyle and rural residential zones

The establishment, development or expansion of rural lifestyle and rural residential zones only occurs where:

¹⁴³⁷ 00226.310 Kāi Tahu ki Otago, and General Themes Section, in response to 00235.008 OWRUG and consequential to amendment to subclause 2

¹⁴³⁸ 00115.007 Oceana Gold

¹⁴³⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

¹⁴⁴⁰ 00234.009 Te Rūnanga o Ngāi Tahu, 00226.053 Kāi Tahu ki Otago, 00010.002 Cain whanau

¹⁴⁴¹ 00226.310 Kāi Tahu ki Otago

¹⁴⁴² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00213.009 Fonterra Co-operative Group Limited.

¹⁴⁴³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00014.031 Mt Cardrona Station, 00209.01 Universal Developments, 00210.012 Lane Hocking, 00211.01 LAC Properties

¹⁴⁴⁴ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00014.031 Mt Cardrona Station, 00209.01 Universal Developments, 00210.012 Lane Hocking, 00211.01 LAC Properties

¹⁴⁴⁵ 0015.032 Oceana Gold

¹⁴⁴⁶ 00206.072 Trojan, 00411.135 Wayfare, 00402.016 & 00401.015 Sipka Holdings,

¹⁴⁴⁷ 00208.011 AgResearch Ltd, 00414.005 Infinity Investment Group Holdings Ltd, 00413.007 NZ Cherry Corp, 00410.009 Rural Contractors NZ.

¹⁴⁴⁸ 00321.095 Te Waihanga

- (1) the *land* is adjacent to existing or planned *urban areas* and ready access to employment and services is available,
- (2) despite the direction in (1), it¹⁴⁴⁹ also avoids *land* identified for future urban development in a relevant plan or *land* reasonably likely to be required for its future urban development potential, where the rural lifestyle ~~or rural residential~~¹⁴⁵⁰ development would foreclose or reduce efficient realisation of that urban development potential,
- (3) minimises impacts on existing primary production and rural industry and other rural activities,¹⁴⁵¹ rural production potential, *amenity values* and the potential for *reverse sensitivity effects* to arise in adjoining rural production zones,¹⁴⁵²
- (4) avoids, as the first priority, *highly productive land*,¹⁴⁵³ ~~identified in accordance with LF LS P169,~~^{1454 1455}
- (5) the suitability of the area to accommodate the proposed development is demonstrated, including
 - (a) capacity for servicing by existing or planned *development infrastructure* (including self-servicing requirements),
 - (b) particular regard is given to the individual and cumulative impacts of ~~domestic~~¹⁴⁵⁶ *water* supply, wastewater disposal, and *stormwater* management including self-servicing, on the receiving or supplying environment and impacts on capacity of *development infrastructure*, if provided, to meet other planned urban area demand, ~~and~~
 - (c) likely future demands or implications for publicly funded services including emergency services¹⁴⁵⁷ and *additional infrastructure*, and
 - (d) does not compromise the safe and efficient ongoing use of nationally significant infrastructure or regionally significant infrastructure, ~~and~~¹⁴⁵⁸
- ~~(6) provides for the maintenance and wherever possible, enhancement, of important features and values identified by this RPS.~~¹⁴⁵⁹

UFD-P9 – Iwi, hapū and whānau

Facilitate the development, by mana whenua,¹⁴⁶⁰ of Native Reserves and *Te Ture Whenua* ~~Te Ture Whenua Māori-Māori~~¹⁴⁶¹ *land*, for *papakāika*, *kāika*, *nohoaka*, ~~and~~¹⁴⁶² *marae*, and marae related

¹⁴⁴⁹ Clause 16(2), Schedule 1, RMA

¹⁴⁵⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

¹⁴⁵¹ 00236.103 Horticulture NZ, 00208.012 AgResearch, 00235.153 OWRUG, 00410.010 Rural Contractors NZ

¹⁴⁵² 00236.103 Horticulture NZ, 00208.012 AgResearch, 00235.153 OWRUG, 00410.010 Rural Contractors NZ

¹⁴⁵³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00014.031 Mt Cardrona Station, 00209.01 Universal Developments, 00210.012 Lane Hocking, 00211.01 LAC Properties

¹⁴⁵⁴ ~~00226.319 Kai Tahu ki Otago, 0235.153 QLDC, 00121.102 Ravensdown~~

¹⁴⁵⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00236.013 Horticulture NZ, 00235.009 OWRUG, 00240.025 NZ Pork

¹⁴⁵⁶ 00219.019 FENZ

¹⁴⁵⁷ 00219.018 FENZ

¹⁴⁵⁸ 00306.080 Meridian

¹⁴⁵⁹ 00226.319 Kāi Tahu ki Otago, 00411.087 Wayfare

¹⁴⁶⁰ 0026.320 Kai Tahu ki Otago

¹⁴⁶¹ 00234.009 Te Rūnanga o Ngāi Tahu, 00226.053 Kāi Tahu ki Otago, 00010.002 Cain whanau

¹⁴⁶² 0026.320 Kai Tahu ki Otago

activities¹⁴⁶³ where existing or planned *development infrastructure* of sufficient capacity is or can be provided (including allowance for self-servicing systems).

UFD-P10 – Criteria for significant development capacity

‘Significant development capacity’ is provided for where a proposed plan change affecting an *urban environment* meets all of the following criteria:

- (1) the location, design and layout of the proposal will positively contribute to achieving a *well-functioning urban environment*,
- (2) the proposal is well-connected to the existing or planned urban area, particularly if it is located along existing or planned transport corridors,
- (3) required *development infrastructure* can be provided effectively and efficiently for the proposal, and without material impact on planned *development infrastructure* provision to, or reduction in *development infrastructure* capacity available for, other feasible, likely to be realised developments, in the short-medium term,
- (4) the proposal makes a significant contribution to meeting a need identified in a *Housing and Business Development Capacity Assessment*, or a shortage identified in monitoring for:
 - (a) housing of a particular price range or typology, particularly more affordable housing,
 - (b) business space or *land* of a particular size or locational type, or
 - (c) community or educational facilities, and
- (5) when considering the significance of the proposal’s contribution to a matter in (4), this means that the proposal’s contribution:
 - (a) is of high yield relative to either the forecast demand or the identified shortfall,
 - (b) will be realised in a timely (i.e. rapid) manner,
 - (c) is likely to be taken up, and
 - (d) will facilitate a net increase in district-wide up-take in the short to medium term.

Methods

UFD-M1 – Strategic planning

Otago Regional Council and *territorial authorities*:

- (1) must, where they are Tier 2 local authorities, jointly determine housing *development capacity* that is feasible and likely to be taken up in the medium and long terms through *Housing and Business Development Capacity Assessments*,
- (2) should, for other districts, jointly determine demand and potential supply responses through similar, but appropriately scaled strategic planning approaches,

¹⁴⁶³ 0026.320 Kai Tahu ki Otago

- (3) must, where they are Tier 2 and Tier 3 local authorities, monitor and regularly assess and report on the supply of, and demand for, residential, commercial and industrial zoned *land development capacity* available at the regional, district and *urban environment* scales, and other local authorities are encouraged to do so,
- (4) must coordinate the redevelopment and intensification of urban areas and the development of extensions to urban areas with *infrastructure* planning and development programmes, to provide the required *development infrastructure* and *additional infrastructure* in an integrated, timely, efficient and effective way, and to identify major existing and future activities, constraints and opportunities¹⁴⁶⁴ ~~and manage impacts on key values and resources identified by this RPS,~~¹⁴⁶⁵ and for Tier 2 local authorities to achieve this through jointly developed *Future Development Strategies* and/or strategic planning, and for all other *local authorities* through strategic planning in accordance with UFD-P1,
- (5) must, where they are Tier 2 local authorities, develop housing bottom lines for urban environments and include those bottom lines in APP10 and in the relevant *district plans*,
- (6) must individually or jointly develop further regulatory or non-regulatory methods and actions to implement strategic and spatial plans, including to guide the detail of how, when and where development occurs, including matters of urban design, requirements around the timing, provision, and responsibilities for open space, connections and infrastructure, including by third parties, and the ongoing management of effects of urban development on matters of local importance, and
- (7) must involve *mana whenua*, and provide opportunities for iwi, hapū and whānau involvement in planning processes, including in decision making, to ensure provision is made for their needs and aspirations, and cultural practices and values and to ensure the requirements of the MW chapter are met, and the issues and values identified in RMIA are recognised and provided for.

UFD-M2 – District plans

Territorial authorities must prepare or amend their *district plans* as soon as practicable, and maintain thereafter, to:

- (1) identify and provide for urban expansion and intensification, to occur in accordance with:
 - (a) any adopted *future development strategy* for the relevant district or region, which must be completed in time to inform the 2024 Long Term Plan, or
 - (b) where there is no *future development strategy*, a *local authority* adopted strategic plan developed in accordance with UFD-P1, for the relevant area, district or region,
- (2) in accordance with any required *Housing and Business Development Capacity Assessments* or monitoring, including any *competitiveness margin*, ensure there is always at least¹⁴⁶⁶ sufficient *development capacity* that is feasible and likely to be taken up and, for Tier 2 urban environments, at a minimum meets the bottom lines for housing in APP-10, and meets the

¹⁴⁶⁴ 00411.088 Wayfare, 00206.073 Trojan, 00219.012 FENZ

¹⁴⁶⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.151 Director General of Conservation, 00226.307 Kāi Tahu ki Otago.

¹⁴⁶⁶ 00204.003 Daisy Link, 00405.009 Glenpanel, 00402.012 Sipka Holdings, 00401.006 Tussock Rise

identified *land* size and locational needs of the commercial and industrial sectors, and where there is a shortage, respond in accordance with UFD-P2,¹⁴⁶⁷

- (3) ensure that urban development is designed to:
- (a) achieve a built form that relates well to its surrounding *environment*, ~~including by identifying and managing impacts of urban development on values and resources identified in this RPS,~~¹⁴⁶⁸
 - (b) provide for a diverse range of housing, *commercial activities*, industrial and service activities, social and cultural opportunities,
 - (c) achieve an efficient use of *land, energy, water* and infrastructure,
 - (d) promote the use of water sensitive design wherever practicable,
 - (e) minimise the potential for reverse sensitivity *effects* to arise, by managing the location of incompatible activities, within the urban area, at the rural-urban interface, and in rural areas, ~~and~~¹⁴⁶⁹
 - (ea) avoid the potential for reverse sensitivity effects on *nationally significant infrastructure* and *regionally significant infrastructure*, and¹⁴⁷⁰
 - (f) reduce the adverse *effects* of Otago's cooler winter climate through designing new subdivision and development to maximise passive winter solar gain and winter heat retention, including through roading, lot size, dimensions, layout and orientation,
- (4) identify and provide for locations that are suitable for urban intensification in accordance with UFD-P2~~3~~,¹⁴⁷¹
- (5) identify and provide for locations that are suitable for urban expansion, if any, in accordance with UFD-P~~34~~,¹⁴⁷²
- (6) identify and provide for *commercial activities* in accordance with UFD-P5,
- (7) identify and provide for *industrial activities* in accordance with UFD-P6,
- (8) manage development in *rural areas* in accordance with UFD-P7,
- (9) manage rural residential ~~and rural lifestyle~~¹⁴⁷³ activities ~~in rural areas~~¹⁴⁷⁴ in accordance with UFD-P8,
- (10) provide for *papakāika, kāika, nohoaka,* ~~and marae~~ and *marae* related activities¹⁴⁷⁵, in accordance with UFD-P9, and
- (11) must involve *mana whenua* and provide opportunities for iwi, hapū and whānau involvement

¹⁴⁶⁷ 00401.012 Tussock Rise

¹⁴⁶⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.151 Director General of Conservation, 00226.307 Kāi Tahu ki Otago.

¹⁴⁶⁹ 00236.104 Horticulture NZ, 235.154 OWRUG

¹⁴⁷⁰ 00510.065 The Fuel Companies

¹⁴⁷¹ Clause 16(2), Schedule 1, RMA, 00138.222 QLDC, 00235.154 OWRUG

¹⁴⁷² Clause 16(2), Schedule 1, RMA, 00138.222 QLDC, 00235.154 OWRUG

¹⁴⁷³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

¹⁴⁷⁴ 00206.074 Trojan, 00411.136 Wayfare

¹⁴⁷⁵ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 0026.320 Kai Tahu ki Otago

in planning processes, including in decision making, to ensure provision is made for their needs and aspirations, and cultural practices and values and ensure the requirements of the MW chapter are met, and the issues and values identified in RMIA are recognised and provided for at the local level, and

(11A) ensure the design and maintenance of places and spaces, including streets, open spaces, public buildings and publicly accessible spaces so that they are safe, attractive, accessible and usable by everyone in the community.¹⁴⁷⁶

UFD–M3 – Design of public spaces and surrounds

Territorial authorities must design and maintain public places and spaces, including streets, open spaces, public buildings and publicly accessible spaces so that they are safe, attractive, accessible and usable by everyone in the community.

Explanation

UFD-E1 – Explanation

The policies in this chapter are designed to facilitate the provision of sufficient housing and business capacity and ensure all of the region’s *urban areas* demonstrate the features of *well-functioning urban environments* and meet the needs of current and future communities. Urban intensification must be enabled, and urban expansion should be facilitated, however these important decisions should be preceded and guided by strategic planning processes that consider how best this can be achieved, ~~while also maintaining and, wherever possible, enhancing the important values and features identified in other chapters of this RPS,~~¹⁴⁷⁷ and in consideration of local context, values and pressures. The strategic planning process will also consider and demonstrate where, when, how and by whom the necessary *development infrastructure* and *additional infrastructure* will be provided in order to both facilitate development and change and minimise environmental impacts from it, including avoiding impacts on the operation of *regionally significant infrastructure*¹⁴⁷⁸ and *nationally significant infrastructure*.

In addition, this chapter seeks to maintain the character and *amenity values* of Otago’s rural areas, including by facilitating the use of the *natural and physical resources* that support the viability of the rural sector. Otago’s rural and urban areas also contain significant natural, cultural and historic values ~~which are subject to direction in other parts of this RPS as identified by other parts of this RPS. In all cases while facilitating urban development and managing rural productive activities these values must also be identified, maintained and, wherever possible, enhanced.~~¹⁴⁷⁹ This approach includes direction on different types of development within rural areas, managing the expansion and location

¹⁴⁷⁶ 00139.268 DCC

¹⁴⁷⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.151 Director General of Conservation, 00226.307 Kāi Tahu ki Otago.

¹⁴⁷⁸ Clause 16(2), Schedule 1, RMA

¹⁴⁷⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00137.151 Director General of Conservation, 00226.307 Kāi Tahu ki Otago.

of *urban areas*, and rural lifestyle ~~and rural residential~~¹⁴⁸⁰ development, and directing that growth be enabled in *urban areas* to minimise the need for development to occur within rural areas, ~~other than what is needed to facilitate rural community and rural productive activities and particular activities that have a functional need or operational need to locate in rural areas.~~^{1481 1482}

The policies in this chapter are primarily focused on directing where development is and is not appropriate and under what circumstances, but provides discretion for *local authorities* to determine the detail of how that development is managed, its ultimate density, height, bulk and location, timing and sequencing, the detail of any required *development infrastructure* and *additional infrastructure* that may be needed,¹⁴⁸³ and allows for the consideration of particular locally significant features values and needs that contribute to the attractiveness or uniqueness of the diverse communities, landscapes, and environments of the region.

This more detailed determination must, however, be informed by evidence and information collated through appropriately scaled *strategic planning* processes ~~and which will identify how constraints to urban development, such as hazards, landscapes, highly productive land,~~¹⁴⁸³ ~~and environmental~~¹⁴⁸⁴ limits are responded to, and opportunities for meeting demand, integration with lifeline utilities, infrastructure and other requirements may be provided for. They¹⁴⁸⁵ will be implemented by a range of regulatory and non-regulatory methods, including partnership arrangements with iwi, developers, infrastructure providers and central government,¹⁴⁸⁶ joint development of *Housing and Business Assessments* and *Future Development Strategies* for Tier 2 local authorities, and similar but appropriately scaled processes undertaken in and for other areas, including regular regional, district and *urban environment* scale monitoring, analysis and evaluation.

In delivering on the objectives and policies in this chapter, which relate largely to human activities and settlements, the natural, physical, and built values and features of importance to the region must be recognised and provided for. These values and features are largely identified within other chapters and provision of the RPS. They also provide detail on how they should be identified and managed. Achieving the objectives of this chapter requires consideration of those other relevant parts of this RPS.¹⁴⁸⁷

The following chapters of this Regional Policy Statement have particular relevance to the achievement of the objectives of this chapter by identifying particular aspects of Domains or Topics to be managed, and where there is an apparent conflict, must be balanced in accordance with the directions outlined in the IM¹⁴⁸⁸ Integrated Management chapter:

- MW – *Mana Whenua*

¹⁴⁸⁰ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

¹⁴⁸¹ 0023.6105 Horticulture NZ - and consequential to amendments to UFD-P7 and UFD-P8

¹⁴⁸² Consequential amendment arising from 00208.011 AgResearch Ltd, 00414.005 Infinity Investment Group Holdings Ltd, 00413.007 NZ Cherry Corp, 00410.009 Rural Contractors NZ. Also relates to 00014.067 Mt Cardrona Station, 00118.067 Maryhill Ltd.

¹⁴⁸³ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00014.031 Mt Cardrona Station, 00209.01 Universal Developments, 00210.012 Lane Hocking, 00211.01 LAC Properties

¹⁴⁸⁴ 00231.009 Fish and Game

¹⁴⁸⁵ FENZ 00219.020, DCC 0139.268

¹⁴⁸⁶ FENZ 00219.020, DCC 0139.268 DCC 00139.268

¹⁴⁸⁷ 00139.268, and 00139.259 DCC

¹⁴⁸⁸ Clause 16(2), Schedule 1, RMA

- AIR – Air
- CE – Coastal environment
- LF – *Land and freshwater*
- ECO – Ecosystems and indigenous *biodiversity*
- EIT – Energy, *infrastructure* and transport
- HAZ – Hazards and *risks*
- HCV – Historical and cultural values
- NFL – Natural features and landscapes

Principal reasons

UFD-PR1 – Principal reasons

The provisions in this chapter assist in fulfilling the functions of the regional council under section 30(ba) and *territorial authorities* under section 31(aa) of the RMA¹⁴⁸⁹ to ensure sufficient *development capacity* in relation to housing and *business land* to meet the expected demands of the region and districts respectively. They also assist in giving effect to the similar but more detailed requirements of the *NPSUD*.

Urban areas are important for community well-being and are a reflection the inherently social nature of humans. *Well-functioning urban areas* enable social interactions and provide a wide variety (across type, location and price) of housing, employment and recreational opportunities to meet the varied and variable needs and preferences of communities, in a way that maximises the well-being of its present and future inhabitants, and respects its history, its setting and the *environment*. The combination of population growth and demographic change will result in changes in the quantity and qualities demanded of housing, employment, business, *infrastructure*, social facilities, emergency services and lifeline utilities¹⁴⁹⁰ and other¹⁴⁹¹ services across the region. Upgrade and replacement of the existing development and infrastructure will also continue to be required even where growth is limited, resulting in changes in the built environment. Some of these changes will also be driven by changes in the *natural environment*, including the impacts of climate change. Urban areas are highly dynamic by nature, so the provisions in this chapter seek to manage, rather than limit, the form, function, growth and development of urban areas in a way that best provides for the community's well-being both now and into the future.

The pace and scale of growth and change, and the scale and nature of urban environments and areas in the region is variable, meaning no single response at a regional level is appropriate in all cases. Accordingly, the process identified in this RPS remains flexible and responsive (outside of Tier 2 *urban environments*, which have specific requirements under the *NPSUD*). Key requirements of strategic planning include considering and providing for reasonably expected changes in overall quantum of demand and supply as well as changes in needs and preferences that may drive or add to these changes in demand, designing to maximise the efficient use of energy, land and infrastructure

¹⁴⁸⁹ Clause 16(2), Schedule 1, RMA

¹⁴⁹⁰ 00219.020 FENZ

¹⁴⁹¹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00219.020 FENZ

(including transport infrastructure). This can best be achieved by prioritising development in and around the region's existing urban areas as the primary focus of the region's growth and change, by enabling development within and adjacent to those urban areas, where it generally is most suitable and most efficient to do so.

These strategic planning processes provide the mechanism by which longer term issues can be considered, integration between land use and infrastructure can be achieved, and various constraints, opportunities and key trade-offs can be identified and appropriately resolved, while identifying and managing the values and resources identified in this RPS. These processes, and others should always involve *mana whenua*, at all levels of the process to ensure their views and values can be incorporated and celebrated, and their needs and aspirations appropriately provided for.

All development should seek to maximise efficient use of water consumption (through water efficient design) and disposal. Reduced¹⁴⁹² consumption reduces sewerage loads, and the¹⁴⁹³ water sensitive design reduces impacts on both supplying and receiving natural systems and can reduce flooding from stormwater¹⁴⁹⁴, and maximise the winter capture and retention of the sun's¹⁴⁹⁵ energy, which will also assist with reducing the energy needed to heat homes in winter and can also help reduce *air* pollution from solid fuel burning for home heating. Development in more central parts of the region also need to be designed to be cognisant of minimising excess sun capture in the summer months. Enabling the establishment and use of *small-scale renewable energy generation* also facilitates local *energy* resilience, contributes to national *renewable energy* generation targets with associated *climate change* benefits, and may reduce the need for additional large-scale generation and transmission infrastructure and associated impacts.

Rural areas are attractive as residential living areas, and for other non-rural activities. However, they contain areas, activities and resources critical for rural production that can be impacted by **sensitive activities that are sensitive to primary production or rural industry**.¹⁴⁹⁶ Non-urban areas also contain a wide range of other values that can be negatively impacted by the impacts of rural **residential and other activities lifestyle development**,¹⁴⁹⁷ that do not have a ~~functional need~~ *functional need*¹⁴⁹⁸ to be in rural areas. The provisions in this chapter focus on managing where rural living opportunities and other non-rural activities are provided for, so that the potential *effects* on the rural character, productive potential and the wide range of environmental values, features and resources that rural areas also contain are appropriately managed. The supply of rural lifestyle opportunities to meet demand should be directed to suitably located and zoned areas to minimise impacts on values in rural areas. In designing and planning for rural residential **and rural lifestyle**¹⁴⁹⁹ development, local authorities will need to be aware of the potential future constraints on future urban expansion and development, including the cumulative impacts of infrastructure servicing irrespective of whether this is onsite, community or through connections to urban reticulated schemes.

¹⁴⁹² Clause 16(2), Schedule 1, RMA

¹⁴⁹³ Clause 16(2), Schedule 1, RMA

¹⁴⁹⁴ Clause 16(2), Schedule 1, RMA

¹⁴⁹⁵ Clause 16(2), Schedule 1, RMA

¹⁴⁹⁶ Consequential amendment arising from 00213.009 Fonterra Co-operative Group Limited.

¹⁴⁹⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

¹⁴⁹⁸ Clause 16(2), Schedule 1, RMA

¹⁴⁹⁹ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

Implementation of the provisions in this chapter will occur partially through *regional plans* but primarily *district plan* provisions, as well as through preparation of *future development strategies* and *structure plans* and the financial and infrastructure planning processes they inform. While the functions and duties of regional and territorial authorities are different, each brings different focus and responsibilities to the task of achieving *well-functioning urban environments*. Working together, and with others, in accordance with specified joint responsibilities under the NPSUD, will assist with achieving the purpose of the RMA and the outcomes sought by this RPS.¹⁵⁰⁰

To appropriately and efficiently achieve the objectives and policies, other non-regulatory spatial planning exercises and associated action plans, agreements and infrastructure delivery programs will be needed to complement regulatory approaches, including setting aside the necessary funding for delivery, and partnering with *mana whenua*, central government, communities and developers to deliver the quality and quantity of urban development needed to meet demand and provide for change, improve land and development market competitiveness, and achieve resilient, efficient and attractive urban places.

Anticipated environmental results

UFD-AER1	Appropriately scaled strategic planning occurs in advance of regulatory planning, and regulatory plans are changed in a timely manner to facilitate to outcomes identified in these processes.
UFD-AER2	Urban expansion only occurs when suitable and sufficient <i>development infrastructure</i> is in place or will be provided at the time of expansion and provision is made for the needs of <i>additional infrastructure</i> .
UFD-AER3	<i>Development infrastructure</i> is in place in time to facilitate reasonably expected urban intensification or planned expansion.
UFD-AER4	New developments including redevelopments are designed to maximise energy and transport efficiency and minimise impacts on <i>water</i> quality and quantity.
UFD-AER5	The majority of new development is located close to services, jobs, and other urban amenities and can access those amenities by a range of transport modes including <i>active transport</i> and, where available, <i>public transport</i> .
UFD-AER6	The mode share and use of <i>active transport</i> and <u>where available</u> , ¹⁵⁰¹ <i>public transport</i> increases.
UFD-AER7	New developments are at minimal <i>risk</i> from <i>natural hazards</i> including changes to <i>risk</i> due to the impacts of <i>climate change</i> , and do not increase <i>risk</i> to existing or planned developments.
UFD-AER8	In existing urban areas at <i>risk</i> from <i>natural hazards</i> , including changes to <i>risk</i> due to the impacts of <i>climate change</i> , communities are informed,

¹⁵⁰⁰ 00139.268 DCC

¹⁵⁰¹ 00139.272 DCC

resilient and prepared for the *effects* of known *natural hazard risks*.

UFD-AER9	There is an increased range of housing types and locations and an increased number of <i>dwellings</i> , particularly more affordable housing in existing and planned <i>urban areas</i> .
UFD-AER10	The current and future needs of business are met by the availability of a range of opportunities for <i>land</i> and space that meets their requirements.
UFD-AER11	All new rural residential or rural lifestyle ¹⁵⁰² development occurs within areas zoned for this use.
UFD-AER12	<u>The establishment of sensitive activities within rural areas does not result in adverse effects on activities functionally dependent on rural resources and rural surroundings</u> ¹⁵⁰³
UFD-AER13	<u>Inappropriate urban expansion and urban activities do not adversely affect the amenity and character of the region's rural areas.</u> ¹⁵⁰⁴
UFD-AER14	<u><i>Mana whenua</i> are involved in strategic planning and other planning processes.</u> ¹⁵⁰⁵
UFD-AER15	<u>The development of Native reserves and <i>Te Ture Whenua Maori Māori</i>¹⁵⁰⁶ <i>land</i> occurs in accordance with the needs, aspirations and cultural values of <i>mana whenua</i>.</u> ¹⁵⁰⁷
UFD-AER16	<u>Urban and rural development maintain recognised regionally significant features and values.</u> ¹⁵⁰⁸

¹⁵⁰² Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00221.016 Silver Fern Farms, 00236.103 Horticulture NZ.

¹⁵⁰³ 00237.064 Beef & Lamb, 00236.107 Horticulture NZ, 00239.180 Federated Farmers

¹⁵⁰⁴ 00236.107 Horticulture NZ, 00208.001 AgResearch, 00239.180 Federated Farmers

¹⁵⁰⁵ 00139.259 DCC

¹⁵⁰⁶ 00234.009 Te Rūnanga o Ngāi Tahu, 00226.053 Kāi Tahu ki Otago, 00010.002 Cain whanau

¹⁵⁰⁷ 00237.064 Ngāi Tahu ki Murihiku

¹⁵⁰⁸ 00237.064 Ngāi Tahu ki Murihiku

PART 4 – EVALUATION AND MONITORING

Monitoring the efficiency and effectiveness of the policy statement

ORC must monitor the efficiency and effectiveness of its RPS provisions and publish the results every five years. The RPS needs to include the procedures for monitoring its methods and policies.

Existing monitoring procedure

ORC has policies and procedures in place to gather information and to monitor and report on how well Otago's *natural and physical resources* are managed. These include State of the Environment reporting, *resource consent* monitoring, and annual reporting against objectives in the Council's Long-Term Plan. These policies and procedures will be reviewed and updated to reflect ORPS environmental goals (objectives) and ensure the right information is being gathered to monitor the environmental results anticipated.

The ORPS is relevant to all decision making under the RMA ~~1991~~¹⁵⁰⁹ and must be given effect through *regional plans*¹⁵¹⁰ and *district plans*. As the ORPS is given effect through *regional plans*¹⁵¹¹ and *district plans*, much of the data needed for monitoring will be gathered for the purpose of, or will be relevant to, the monitoring of *regional plans*¹⁵¹² and *district plans*. ORC will undertake a work programme to identify data the *territorial authorities* collect in the course of their normal monitoring regimes and make arrangements for collection and sharing of data, including information that the regional council collects that may be of benefit to *territorial authorities*.

Specific environmental indicators will be developed to monitor the impact that ORPS policies and methods are having on Otago's social, economic, cultural and environmental well-being, and whether they remain the most appropriate for achieving the ~~RMA 1991's~~ RMA's¹⁵¹³ purpose. These environmental indicators will be developed outside of the ORPS. This approach enables the frequency or type of indicators to be amended, in order to respond to emerging issues, improved technology and best practice, changes in the local *environment*, or societal expectations. It forms part of a continuous review and reporting cycle, resulting in policy changes and adjustments as necessary.

The ORPS needs to reflect the needs and aspirations of ~~tangata whenua~~ mana whenua¹⁵¹⁴ and the wider community, so ~~tangata whenua~~ mana whenua¹⁵¹⁵ and stakeholders will be encouraged to be involved with monitoring the provisions of the ORPS.

¹⁵⁰⁹ Clause 16(2), Schedule 1, RMA

¹⁵¹⁰ Clause 16(2), Schedule 1, RMA

¹⁵¹¹ Clause 16(2), Schedule 1, RMA

¹⁵¹² Clause 16(2), Schedule 1, RMA

¹⁵¹³ Clause 16(2), Schedule 1, RMA

¹⁵¹⁴ 00226.325 Kāi Tahu ki Otago

¹⁵¹⁵ 00226.325 Kāi Tahu ki Otago

Regional Monitoring Strategy

To address the undertakings described above, ORC must develop a comprehensive integrated Regional Monitoring Strategy (RMS). This strategy will link ORC's various monitoring procedures together to reduce double handling, identify connections, and improve interrelationships, both between ORC functions and with other agencies. The strategy will help monitor the effectiveness and efficiency of the ORPS, using both quantitative and qualitative assessments, and sit alongside it as a non-statutory document.

The RMS will assist ORC with expanding its monitoring activities to respond to ORPS provisions and ensure the things measured accurately reflect policy success, including ~~natural~~ environmental,¹⁵¹⁶ social, economic, cultural and *historic heritage* values. It will increase transparency by stating what is monitored and why.

This goes hand in hand with increasing the ORC's leadership and facilitation role in several areas, including *climate change*.

¹⁵¹⁶ 00239.183 Federated Farmers

PART 5 – APPENDICES AND MAPS

Appendices

APP1 – Criteria for identifying *outstanding water bodies*

Outstanding water bodies include any *water body* with one or more of the following outstanding values. For the avoidance of doubt, evidential sources include but are not limited to those listed.¹⁵¹⁷

Table 4 – Values of outstanding water bodies

<u>Value</u>	<u>Sub values / Outstanding indicators</u>	<u>Evidential sources can include but not limited to the following</u>
Ecology	<u>Habitat for aquatic birds (native and migratory)</u>	
	<p><u>Water body provides an outstanding habitat for aquatic birds where it meets:</u></p> <ul style="list-style-type: none"> • <u>at least one matter in List A; and</u> • <u>all matters in List B.</u> <p>List A</p> <p>a. <u>One of the highest regional populations of a native aquatic bird species which is endangered, threatened or distinctive.⁹¹</u></p> <p>b. <u>One of the highest natural diversity of aquatic birds (native and migratory) in the region, which includes endangered or threatened species.</u></p> <p>List B</p> <p>a. <u>Evidence is provided in support of outstanding features.</u></p>	<p><u>International Union for Conservation of Nature (IUCN) criteria.</u></p> <p><u>RAMSAR site criteria reports.</u></p> <p><u>New Zealand threat classification system.</u></p> <p><u>IUCN red list.</u></p> <p><u>Expert evidence.</u></p>
	<u>Native fish habitat</u>	
	<p><u>Water body provides an outstanding habitat for native fish where it meets:</u></p> <ul style="list-style-type: none"> • <u>at least one matter in List A; and</u> • <u>all matters in List B.</u> <p>List A</p> <p>a. <u>A unique species or distinctive assemblage of native fish not found elsewhere in the region.</u></p> <p>b. <u>Native fish that are landlocked and not affected by presence of introduced species.</u></p> <p>c. <u>One of the highest diversities of native fish species in the region, which includes a threatened, endangered, or distinctive species.</u></p> <p>d. <u>An outstanding customary fishery.</u></p> <p>List B</p> <p>a. <u>Evidence is provided in support of outstanding native fish habitat value.</u></p>	<p><u>Waters of National Importance.</u></p> <p><u>Expert evidence.</u></p>
	<u>Habitat for indigenous plant communities</u>	

¹⁵¹⁷ All amendments in this appendix attributable to 00311.062 Trustpower

	<p><u>Water body provides an outstanding habitat for an indigenous plant community where it meets:</u></p> <ul style="list-style-type: none"> • <u>at least one matter in List A; and</u> • <u>all matters in List B.</u> <p>List A</p> <p>a. <u>The indigenous plant community has a high diversity of habitats, or rare and threatened plant species in the region.</u></p> <p>b. <u>The indigenous plant community contains special features not found elsewhere in the region.</u></p> <p>List B</p> <p>a. <u>The indigenous plant community is reliant on the river flows, other aquatic characteristics, or is an integral part of the water body.</u></p> <p>b. <u>Evidence is provided in support of outstanding features.</u></p>	<p><u>New Zealand Geopreservation Inventory.</u></p> <p><u>Protected Natural Area (PNA) surveys.</u></p> <p><u>Expert evidence.</u></p>
	<p>Habitat for trout and salmon</p> <p><u>Water body provides an outstanding habitat for trout and salmon where it meets all matters in List A.</u></p> <p>List A</p> <p>a. <u>Has an outstanding angling amenity, or is critical to maintaining an outstanding angling amenity elsewhere in the catchment.</u></p> <p>b. <u>Supports a self-sustaining population of wild trout or salmon (i.e. fish population not periodically restocked from hatcheries).</u></p> <p>c. <u>Evidence is provided in support of outstanding features.</u></p>	<p><u>Waters of National Importance.</u></p> <p><u>Headwater trout fisheries (NIWA).</u></p> <p><u>Expert evidence.</u></p>
<p>Recreation</p>	<p>Angling amenity (trout and salmon)</p> <p><u>Water body provides an outstanding recreational fishing experience (angling amenity) where it meets:</u></p> <ul style="list-style-type: none"> • <u>at least one matter in List A; and</u> • <u>at least one matter in List B; and</u> • <u>all matters in List C.</u> <p>List A</p> <p>a. <u>Trophy trout (over 4kg in size)</u></p> <p>b. <u>High numbers of large trout (water body supports the highest number of large trout in the region).</u></p> <p>c. <u>High number of trout (water body supports the highest trout numbers in the region or the highest trout biomass in the region).</u></p> <p>List B</p> <p>a. <u>Variety of high quality angling experiences.</u></p>	<p><u>National Angling Survey.</u></p> <p><u>Headwater trout fisheries (NIWA).</u></p> <p><u>Testimonies from anglers.</u></p> <p><u>National Inventory of Wild Scenic River.</u></p> <p><u>Expert evidence.</u></p>

	<p>b. <u>Specialised high quality angling experience (scenic, solitude, challenging, high catch rate, ability to spot and fish to a particular trout).</u></p> <p>List C</p> <p>a. <u>Wild trout fishery (self-sustaining trout population through natural replacement).</u></p> <p>b. <u>Water body is accessible and suitable to fish (high water quality and suitable flows).</u></p> <p>c. <u>A regional, national or international reputation as an exceptional trout fishery or high non-local usage (high numbers of anglers come from outside of the area).</u></p> <p>d. <u>Evidence is provided in support of outstanding recreational experience.</u></p>	
Rafting		
	<p><u>Water body provides an outstanding rafting experience (amenity) where it meets:</u></p> <ul style="list-style-type: none"> • <u>at least one matter in List A; and</u> • <u>all matters in List B.</u> <p>List A</p> <p>a. <u>Variety of high quality rafting experiences found in few other water bodies in the region.</u></p> <p>b. <u>A specialised high quality rafting experience found in few other water bodies in the region.</u></p> <p>List B</p> <p>a. <u>The water body provides an outstanding rafting experience which is reliable and predictable for most of the year under normal flows (i.e. the experience is not reliant on dam release water or high flows, or subject to low flows).</u></p> <p>b. <u>Regional, national or international significance as an exceptional rafting experience.</u></p> <p>c. <u>High non-local usage (high numbers of participants come from outside of the area).</u></p> <p>d. <u>Evidence is provided in support of an outstanding rafting experience.</u></p>	<p><u>1991 River Use Survey.</u> <u>New Zealand Recreational River Survey.</u> <u>Testimonies from rafters and their local or national associations.</u> <u>Expert evidence.</u></p>
Kayaking (include canoeing)		
	<p><u>Water body provides an outstanding kayaking experience (amenity) where it meets:</u></p> <ul style="list-style-type: none"> • <u>at least one matter in List A; and</u> • <u>all matters in List B.</u> <p>List A</p> <p>a. <u>Variety of high quality kayaking experiences found in few other water bodies in the region.</u></p>	<p><u>1991 River Use Survey.</u> <u>New Zealand Recreational River Survey.</u> <u>New Zealand Whitewater: 120 Great Kayaking Runs.</u> <u>Testimonies from kayakers and their local or national associations.</u> <u>Expert evidence.</u></p>

	<p>b. <u>A specialised high quality kayaking experience found in few other water bodies in the region.</u></p> <p>List B</p> <p>a. <u>The water body provides an outstanding kayaking experience which is reliable and predictable for most of the year under normal flows (i.e. the experience is not reliant on dam release water or high flows, or subject to low flows).</u></p> <p>b. <u>Regional, national or international significance as an exceptional kayaking experience.</u></p> <p>c. <u>High non-local usage (high numbers of participants come from outside of the area).</u></p> <p>d. <u>Evidence is provided in support of an outstanding kayaking experience.</u></p>	
	<p>Jet boating</p> <p><u>Water body provides an outstanding jet boating experience (amenity) where it meets:</u></p> <ul style="list-style-type: none"> • <u>at least one matter in List A; and</u> • <u>all matters in List B.</u> <p>List A</p> <p>a. <u>Variety of high quality jet boating experiences found in few other water bodies in the region.</u></p> <p>b. <u>A specialised high quality jet boating experience found in few other water bodies in the region.</u></p> <p>List B</p> <p>a. <u>The water body provides an outstanding jet boating experience which is reliable and predictable for most of the year under normal flows (i.e. the experience is not reliant on high flows or subject to low flows).</u></p> <p>b. <u>Regional, national or international significance as an exceptional jet boating experience.</u></p> <p>c. <u>High non-local usage (high numbers of participants come from outside of the area).</u></p> <p>d. <u>Evidence is provided in support of an outstanding jet boating experience.</u></p>	<p><u>New Zealand Recreational River Survey.</u></p> <p><u>Testimonies from jet boaters and their local or national associations.</u></p>
<p>Landscape</p>	<p>Wild and scenic</p> <p><u>Water body has outstanding wild and/or scenic values where it meets all matters in List A.</u></p> <p>List A</p> <p>a. <u>Waters are an essential component of the landscape.</u></p>	<p><u>A National Inventory of Wild and Scenic Rivers.</u></p> <p><u>A list of rivers and lakes deserving protection in a schedule of protected waters.</u></p> <p><u>64 New Zealand Rivers: a</u></p>

	<p>b. <u>Waters have wild and/or scenic values that contain distinctive qualities which 'stand out' and are present in few other water bodies in the region.</u></p> <p>c. <u>Evidence is provided in support of outstanding wild or scenic values by way of an expert assessment or independent evidence sources.</u></p>	<p><u>scenic evaluation.</u> <u>New Zealand Recreational Survey and the National Inventory of Wild and Scenic Rivers.</u> <u>Expert evidence.</u></p>
<u>Karst system / subterranean waters</u>	<p><u>Karst system / subterranean waters</u></p> <p><u>A karst system and/or subterranean waters is outstanding where the following is met:</u></p> <ul style="list-style-type: none"> • <u>At least one matter in List A; and</u> • <u>All matters in List B.</u> <p><u>List A</u></p> <p>a. <u>A specialised high quality experience present in few other water bodies in the region.</u></p> <p>b. <u>Wild and/or scenic values that contain distinctive qualities which 'stand out' and are present in few other water bodies in the Otago region.</u></p> <p>c. <u>Unique or unusual scientific or ecological values present in few other water bodies in the Otago region.</u></p> <p><u>List B</u></p> <p>a. <u>International or national reputation and/or high non-local usage.</u></p> <p>b. <u>Evidence if provided in support of outstanding values.</u></p>	<p><u>New Zealand Geopreservation Inventory.</u> <u>Expert evidence.</u></p>
<u>Natural character</u>	<p><u>Natural character</u></p> <p><u>Water body has outstanding natural character values where it meets all matters in List A.</u></p> <p><u>List A</u></p> <p>a. <u>The water body is highly natural with little or no human modification, including to the flow, bed and riparian margins, water quality, flora and fauna, within a largely indigenous landscape.</u></p> <p>b. <u>The natural character values are conspicuous, eminent and/or remarkable in the context of the Otago Region.</u></p> <p>c. <u>Evidence is provided in support of outstanding natural character values by way of an expert assessment or independent evidence sources.</u></p>	<p><u>Expert evidence.</u></p>
<u>Geology</u>	<p><u>Geology</u></p> <p><u>Water body has outstanding geology values where it meets all matters in List A.</u></p> <p><u>List A</u></p>	<p><u>New Zealand Geopreservation Inventory.</u> <u>Expert evidence.</u></p>

	<p>a. <u>The geomorphological, geological or hydrological feature is dependent on the water body's condition and functioning.</u></p> <p>b. <u>The geology values are conspicuous, eminent and/or remarkable in the context of the Otago Region.</u></p> <p>c. <u>The geomorphological, geological or hydrological feature is classified as Class A on the New Zealand Geopreservation Inventory.</u></p> <p>d. <u>Evidence is provided in support of outstanding geology values by way of an expert assessment or independent evidence sources.</u></p>	
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Outstanding water bodies include any *water body* with one or more of the following outstanding values, noting that sub-values are not all-inclusive:

Table 4: Values of outstanding water bodies

Values	Description	Example sub-values
Cultural and spiritual	A <i>water body</i> which has outstanding cultural and spiritual values.	Wāhi tapu, wāhi taoka, wai tapu, rohe boundary, battle sites, pa, kāika, tauraka waka, mahika kai, pa tuna; and acknowledged in korero tuku iho, pepeha, whakatauki or waiata
Ecology	A <i>water body</i> which has outstanding ecological value as a habitat for: <ul style="list-style-type: none"> • Native birds • Native fish • Salmonid fish • Other aquatic species 	Native birds, native fish, native plants, aquatic macroinvertebrates
Landscape	A <i>water body</i> which forms a key component of a landscape that is “conspicuous, eminent, remarkable or iconic” within the region, or is critical to an outstanding natural feature.	Scenic, association, natural characteristics (includes hydrological, ecological and geological features)
Natural character	A <i>water body</i> with high naturalness that exhibits an exceptional combination of natural processes, natural patterns and natural elements with low levels of modification to its form, ecosystems and the surrounding landscape.	Natural characteristics (includes hydrological, ecological and geological features)
Recreation	A <i>water body</i> which is recognised as providing an outstanding recreational experience for an activity which is directly related to the <i>water</i> .	Angling, fishing, kayaking, rafting, jetboating
Physical	A <i>water body</i> which has an outstanding geomorphological, geological or hydrological feature which is dependent on the <i>water body's</i> condition and functioning.	Science

APP2 – Significance criteria for indigenous *biodiversity*

An area is considered to be a *significant natural area* if it meets any one or more of the criteria below:

- Representativeness**
- (a) An area that is an example of an indigenous vegetation type or habitat that is typical or characteristic of the original natural diversity of the relevant ecological district¹⁵¹⁸ or coastal marine biogeographic region. This may include ~~degraded-degraded~~¹⁵¹⁹ examples of their type or represent all that remains of indigenous vegetation and habitats of indigenous fauna in some areas.
 - (b) An indigenous marine ecosystem (including both intertidal and sub-tidal habitats, and including both faunal and floral assemblages) that makes up part of at least 10% of the natural extent of each of Otago’s original marine ecosystem types ~~and reflecting the environmental gradients of the region.~~¹⁵²⁰
 - (c) An indigenous marine ecosystem, or habitat of indigenous marine fauna (including both intertidal and sub-tidal habitats, and including both faunal and floral components), that is characteristic or typical of the natural marine ecosystem diversity of Otago.
- Rarity**
- (d) An area that supports:
 - (i) An indigenous species that is threatened, or uncommon, or an important population of species that is¹⁵²¹ ~~at risk risk,~~¹⁵²² ~~or uncommon,~~ nationally or within an ecological district¹⁵²³ or coastal marine biogeographic region, or
 - (ii) Indigenous vegetation or habitat of indigenous fauna that has been reduced to less than 20% of its former extent nationally, regionally or within a relevant *land environment*, ecological district,¹⁵²⁴ coastal marine biogeographic region or *freshwater environment* including *wetlands*, or
 - (iii) Indigenous vegetation and habitats within originally rare ecosystems. ~~or~~

¹⁵¹⁸ McEwen, W Medium (ed), 1987. *Ecological regions and districts of New Zealand*. Wellington: Department of Conservation (new footnote attributed to 00138.027 QLDC)

¹⁵¹⁹ 00137.008 DOC

¹⁵²⁰ 00306.081 Meridian

¹⁵²¹ 00318.020 Contact, 00122.032 Sanford, 00221.018 Silver Fern Farms, 00313.033 Queenstown Airport, 00019.005 Straterra, 00320.020 Network Waitaki, 00511.023 PowerNet

¹⁵²² Clause 16(2), Schedule 1, RMA

¹⁵²³ McEwen, W Medium (ed), 1987. *Ecological regions and districts of New Zealand*. Wellington: Department of Conservation (new footnote attributed to 00138.027 QLDC)

¹⁵²⁴ McEwen, W Medium (ed), 1987. *Ecological regions and districts of New Zealand*. Wellington: Department of Conservation (new footnote attributed to 00138.027 QLDC)

- ~~(iv) The site contains indigenous vegetation or an indigenous species that is endemic to Otago or that are at distributional limits within Otago.~~¹⁵²⁵
- Diversity** (e) An area that supports a high diversity of indigenous ecosystem types, indigenous *taxa* or has changes in species composition reflecting the existence of diverse natural features or gradients.
- Distinctiveness** (f) An area that supports or provides habitat for:
- (i) Indigenous species at their distributional limit within Otago or nationally, or
 - (ii) Indigenous species that are endemic to the Otago region, or
 - (iii) Indigenous vegetation or an association of indigenous species that is distinctive, of restricted occurrence, or has developed as a result of an unusual environmental factor or combinations of factors.
- Ecological context** (g) The relationship of the area with its surroundings (both within Otago and between Otago and the adjoining regions), including:
- (i) An area that has important connectivity value allowing dispersal of indigenous flora and fauna between different areas, or
 - (ii) An area that has an important buffering function that helps to protect the values of an adjacent area or feature, or
 - (iii) An area that is important for indigenous fauna during some part of their life cycle, either regularly or on an irregular basis, e.g. for feeding, resting, nesting, breeding, spawning or refuges from predation, or
 - (iv) A *wetland* which plays an important hydrological, biological or ecological role in the natural functioning of a *river* or coastal ecosystem.
- Vulnerable and sensitive species**¹⁵²⁶ (h) An area that contains sensitive habitats or species that are fragile to anthropogenic effects or have slow recovery from anthropogenic effects.

¹⁵²⁵ 00230.147 Royal Forest and Bird Protection Society of New Zealand Incorporated

¹⁵²⁶ 00137.008 Director-General of Conservation

APP3 – Criteria for *biodiversity* offsetting

- (1) *Biodiversity* offsetting is not available for an¹⁵²⁷ ~~if the activity that~~¹⁵²⁸ will result in:
- (a) the loss from an ecological district¹⁵²⁹ ¹⁵³⁰ of any individuals of Threatened *taxa*, other than kānuka (*Kunzea robusta* and *Kunzea serotina*), under the New Zealand Threat Classification System (Townsend et al, 2008); or
 - (b) ~~reasonably~~¹⁵³¹ measurable loss within an ecological district¹⁵³² to an At Risk-Declining *taxon*, other than manuka (*Leptospermum scoparium*), under the New Zealand Threat Classification System (Townsend et al, 2008); or
 - (c) the worsening of the conservation status of any indigenous biodiversity as listed under the New Zealand Threat Classification System (Townsend et al, 2008); or¹⁵³³
 - (d) the removal or loss of viability of a naturally uncommon ecosystem type that is associated with indigenous vegetation or habitat of indigenous fauna; or¹⁵³⁴
 - (e) the loss (including cumulative loss) of irreplaceable or vulnerable indigenous biodiversity.¹⁵³⁵
- (2) *Biodiversity* offsetting may be ~~is~~¹⁵³⁶ available if the following criteria are met:
- (a) the offset addresses residual adverse *effects* that remain after implementing the sequential steps required by ECO-P6(1) to (3),
 - (b) the proposal demonstrates that¹⁵³⁷ the offset can reasonably¹⁵³⁸ achieves¹⁵³⁹ no net loss and preferably a net gain in indigenous *biodiversity*, as measured by type, amount and condition at both the impact and offset sites using an explicit loss and gain calculation,
 - (c) the offset is undertaken where it will result in the best ecological outcome, and is preferably as the first priority be:¹⁵⁴⁰
 - (i) close to the location of the activity, and

¹⁵²⁷ Consequential change to 00137.158 DOC

¹⁵²⁸ Consequential change to 00137.158 DOC

¹⁵²⁹

McEwen, W Medium (ed), 1987. Ecological regions and districts of New Zealand. Wellington: Department of Conservation (new footnote attributed to 00138.027 QLDC)

¹⁵³⁰ Consequential change to 00137.158 DOC

¹⁵³¹ 00306.082 Meridian, 00139.139 DCC

¹⁵³² McEwen, W Medium (ed), 1987. Ecological regions and districts of New Zealand. Wellington: Department of Conservation (new footnote attributed to 00138.027 QLDC)

¹⁵³³ 00137.158 DOC

¹⁵³⁴ 00137.158 DOC

¹⁵³⁵ 00137.158 DOC

¹⁵³⁶ Consequential change to 00137.158 DOC

¹⁵³⁷ 00137.158 DOC

¹⁵³⁸ 00137.158 DOC

¹⁵³⁹ 00137.158 DOC

¹⁵⁴⁰ 00137.158 DOC

- (ii) within the same ecological district¹⁵⁴¹ or coastal marine biogeographic region,¹⁵⁴²
 - (d) the offset is applied so that the ecological values being achieved are the same or similar to those being lost,
 - (e) the positive ecological outcomes of the offset endure at least as long as the impact of the activity and preferably in perpetuity,
 - (f) the proposal demonstrates that the offset achieves *biodiversity* outcomes beyond results that are demonstrably additional to those¹⁵⁴³ that would have occurred if the offset was not proposed, and are additional to any remediation or mitigation undertaken in relation to the adverse effects of the activity,¹⁵⁴⁴
 - (g) the time delay between the loss of *biodiversity* and the gain or maturation of the *biodiversity* outcomes of the realisation of the¹⁵⁴⁵ offset is the least necessary to achieve the best possible outcome,
 - (h) the outcome of the offset is achieved within the duration of the *resource consent*, and
 - (i) any offset developed in advance of an application for *resource consent* must be shown to have been created or commenced in anticipation of the specific *effect* of the proposed activity and would not have occurred if that *effect* was not anticipated, and
- (3) *Biodiversity* offsetting proposed in any application for *resource consent*, plan change or notice of requirement, must address all matters in APP3(2), and:
- (a) use objective counts and measures wherever possible,
 - (b) include *high value species or vegetation types* as components,
 - (c) disaggregate components of *high value species and vegetation types*, so that no trade-offs between them can occur,
 - (d) evaluate the ecological context, including the interactions between species, habitats and ecosystems, spatial connections and ecosystem function at the impact site and offset site, and
 - (e) include consideration of mātauraka Māori, and
 - (f) include a separate biodiversity offset management plan prepared in accordance with good practice and which incorporates a monitoring and evaluation regime.

¹⁵⁴¹

McEwen, W Medium (ed), 1987. Ecological regions and districts of New Zealand. Wellington: Department of Conservation (new footnote attributed to 00138.027 QLDC)

¹⁵⁴² 00237.007 Beef & Lamb and DINZ, 00137.016 DOC, 00226.035 Kāi Tahu ki Otago, 00120.011 Yellow-eyed Penguin Trust, 00230.016 Forest and Bird

¹⁵⁴³ 00139.139 DCC

¹⁵⁴⁴ 00137.158 DOC

¹⁵⁴⁵ 00137.158 DOC

APP4 – Criteria for *biodiversity* compensation

- (1) *Biodiversity* compensation is not available ~~if the for an~~¹⁵⁴⁶ activity ~~that~~¹⁵⁴⁷ will result in:
- (a) the loss ~~from an ecological district~~¹⁵⁴⁸ ~~of an indigenous taxon (excluding freshwater fauna and flora) or of any ecosystem type from an ecological district or coastal marine biogeographic region,~~¹⁵⁵⁰
 - (b) removal or loss of viability of ~~the~~¹⁵⁵¹ habitat of a Threatened ~~or At Risk~~¹⁵⁵² indigenous species of fauna or flora under the New Zealand Threat Classification System (Townsend et al, 2008),
 - (c) removal or loss of ~~viability~~ ~~health and~~ *resilience*¹⁵⁵³ of a ~~naturally rare or~~ *naturally*¹⁵⁵⁴ uncommon ecosystem type that is associated with *indigenous vegetation*¹⁵⁵⁵ or habitat of indigenous fauna, ~~or~~¹⁵⁵⁶
 - (d) worsening of the conservation status of any Threatened or At Risk indigenous biodiversity listed under the¹⁵⁵⁷ New Zealand Threat Classification System (Townsend et al, 2008), ~~conservation status of any Threatened or At Risk indigenous fauna,~~¹⁵⁵⁸ or¹⁵⁵⁹
 - (e) the loss (including through cumulative loss) of irreplaceable or vulnerable indigenous biodiversity, and,¹⁵⁶⁰
- (2) *Biodiversity* compensation may be¹⁵⁶¹ available if the following criteria are met:
- (a) compensation addresses only residual adverse effects that remain after implementing the sequential steps required by ECO-P65(1) to (4),
 - (b) compensation is undertaken where it will result in the best ecological outcome and preferably:
 - (i) close to the location of the activity, ~~and~~¹⁵⁶²

¹⁵⁴⁶ Clause 10(2)(b)(i), Schedule 1, RMA – consequential change from 00137.158 DOC

¹⁵⁴⁷ Clause 10(2)(b)(i), Schedule 1, RMA – consequential change from 00137.158 DOC

¹⁵⁴⁸

McEwen, W Medium (ed), 1987. Ecological regions and districts of New Zealand. Wellington: Department of Conservation
(new footnote attributed to 00138.027 QLDC)

¹⁵⁴⁹ 00138.027 QLDC, and consequential change from 00137.158 DOC

¹⁵⁵⁰ 00237.007 Beef & Lamb and DINZ, 00137.016 DOC, 00226.035 Kāi Tahu ki Otago, 00120.011 Yellow-eyed Penguin Trust, 00230.016 Forest and Bird

¹⁵⁵¹ Clause 16(2), Schedule 1, RMA

¹⁵⁵² 00115.022 Oceana Gold

¹⁵⁵³ 00230.149 Forest and Bird

¹⁵⁵⁴ Consequential to 0137.014 DOC

¹⁵⁵⁵ Clause 16(2), Schedule 1, RMA

¹⁵⁵⁶ Clause 16(2), Schedule 1, RMA

¹⁵⁵⁷ 00137.158 DOC

¹⁵⁵⁸ 00137.158 DOC

¹⁵⁵⁹ Clause 16(2), Schedule 1, RMA

¹⁵⁶⁰ 00137.158 DOC

¹⁵⁶¹ 00137.158 DOC

¹⁵⁶² 00137.158 DOC

- (ii) within the same ecological district¹⁵⁶³ or coastal marine biogeographic region¹⁵⁶⁴, and¹⁵⁶⁵
 - (iii) delivers indigenous *biodiversity* gains on the ground,¹⁵⁶⁶
 - (ba) where criterion (2)(b)(iii) is not met any financial contributions considered must be directly linked to a specific indigenous biodiversity gain or benefit.¹⁵⁶⁷
 - (c) compensation achieves positive *biodiversity* outcomes that would not have occurred without that compensation, and are additional to any remediation, mitigation or offset undertaken in response to the adverse effects of the activity,¹⁵⁶⁸
 - (d) the positive *biodiversity* outcomes of the compensation are enduring and are commensurate with the biodiversity values lost¹⁵⁶⁹,
 - (e) the time delay between the loss of *biodiversity* through the proposal at the impact site¹⁵⁷⁰ and the gain or maturation of the compensation's¹⁵⁷¹ *biodiversity* outcomes from the compensation¹⁵⁷², is the least necessary to achieve the best possible ecological¹⁵⁷³ outcome,
 - (f) the outcome of the compensation is achieved within the duration of the *resource consent*,
 - (fa) when trading up forms part of *biodiversity* compensation, the proposal must demonstrate the indigenous *biodiversity* values gained are demonstrably of higher indigenous *biodiversity* value than those lost, or considered vulnerable or irreplaceable,¹⁵⁷⁴
 - (g) *biodiversity* compensation developed in advance of an application for *resource consent* must be shown to have been created or commenced in anticipation of the specific *effect* of the proposed activity and would not have occurred if that *effect* was not anticipated, and
 - (h) the *biodiversity* compensation is demonstrably achievable.
- (3) *Biodiversity* compensation proposed in any application for *resource consent*, plan change or notice of requirement, must address all matters in APP4(2), and:

¹⁵⁶³ McEwen, W Medium (ed), 1987. Ecological regions and districts of New Zealand. Wellington: Department of Conservation (new footnote attributed to 00138.027 QLDC)

¹⁵⁶⁴ 00237.007 Beef & Lamb and DINZ, 00137.016 DOC, 00226.035 Kāi Tahu ki Otago, 00120.011 Yellow-eyed Penguin Trust, 00230.016 Forest and Bird

¹⁵⁶⁵ 00137.158 DOC

¹⁵⁶⁶ 00137.158 DOC

¹⁵⁶⁷ 00137.158 DOC

¹⁵⁶⁸ 00137.158 DOC

¹⁵⁶⁹ 00137.158 DOC

¹⁵⁷⁰ 00137.158 DOC

¹⁵⁷¹ 00137.158 DOC

¹⁵⁷² 00137.158 DOC

¹⁵⁷³ 00137.158 DOC

¹⁵⁷⁴ 00137.158 DOC

- (a) evaluate the ecological context, including the interactions between species, habitats and ecosystems, spatial connections and ecosystem function at the impact site and compensation site,
- (b) include consideration of mātauraka Māori, and
- (c) include a separate *biodiversity* compensation management plan prepared in accordance with good practice and which incorporates a monitoring and evaluation regime.¹⁵⁷⁵

APP5 – Species prone to *wilding conifer* spread

Table 5 – Species prone to *wilding conifer* spread

Common name	Botanical name
Big cone pine	<i>Pinus coulteri</i>
Bishops pine	<i>Pinus muricata</i>
Contorta (lodgepole) pine	<i>Pinus contorta</i>
Corsican pine, Black pine	<i>Pinus nigra</i>
Douglas fir	<i>Pseudotsuga menziesii</i>
Dwarf mountain pine	<i>P. uncinata</i>
Japanese cedar	<i>Cryptomeria japonica</i>
Japanese larch	<i>Larix kaempferi</i>
Larch	<i>Larix decidua</i>
Lawson’s cypress	<i>Chamaecyparis lawsoniana</i>
Macrocarpa	<i>Cupressus macrocarpa</i>
Maritime pine	<i>Pinus pinaster</i>
Mountain pine	<i>Pinus mugo</i>
Norfolk Island pine	<i>Araucaria heterophylla</i>
Norway spruce	<i>Picea abies</i>
Patula pine	<i>Pinus patula</i>
Pine	<i>Pinus sp./Pine</i>
Ponderosa pine	<i>Pinus ponderosa</i>
Radiata pine	<i>Pinus radiata</i>
Scots pine	<i>Pinus sylvestris</i>
Sitka spruce	<i>Picea sylvestris</i>
Slash pine	<i>Pinus elliottii</i>
Spruce	<i>Picea sp.</i>

¹⁵⁷⁵ 00137.158 DOC

Strobus pine	<i>Pinus strobus</i>
Western red cedar	<i>Thuja plicata</i>
Western white pine	<i>Pinus monticola</i>

APP6 – Methodology for *natural hazard risk assessment*

Undertake the following four step process to determine the *natural hazard risk*.

Step 1 – Determine the likelihood

- (1) Using [Table 6](#), assess the likelihood of three *natural hazard* scenarios occurring, representing a high likelihood, median likelihood, and the maximum credible event, using the best available information.
- (2) Use [Table 6](#) to assign a likelihood descriptor to the three natural hazard scenarios.
- (3) The likelihood assessment shall include consideration of the effect of climate change and [Representative Concentration Pathways \(RCP\) scenarios](#).¹⁵⁷⁶

Table 6 – Likelihood scale

Likelihood	Indicative frequency
Almost certain	Up to once every 50 years (2% AEP)
Likely	Once every 51 – 100 years (2 – 1% AEP)
Possible	Once every 101 – 1,000 years (1 – 0.11% AEP)
Unlikely	Once every 1,001 – 2,500 years (0.1 – 0.04% AEP)
Rare	2,501 years plus (<0.04% AEP)

Step 2 – *Natural hazard consequence*

Note 1: Table 7 shall be utilised by territorial authorities determining the level of risk presented by a hazard(s) when undertaking plan change or plan review processes.

Note 2: The matters listed in (1) to (11) provide useful considerations for territorial authorities, and are the primary considerations for resource consent applications triggering a risk assessment requirement in accordance with HAZ-NH-M3(7)(a) or HAZ-NH-M4(7)(a).¹⁵⁷⁷

Using [Table 7](#) and the matters listed in (1) to (10) below, assess the consequence (catastrophic, major, moderate, minor, or insignificant) of the *natural hazard* scenarios identified in step 1 considering:

- (1) the nature and scale¹⁵⁷⁸ of activities in the area,
- (2) individual and community vulnerability and resilience,¹⁵⁷⁹
- (3) impacts on individual and community health and safety,
- (4) impacts on social, cultural and economic well-being,
- (5) impacts on *infrastructure* and property, including access and services,

¹⁵⁷⁶ 00138.147 QLDC

¹⁵⁷⁷ 00301.055 Port Otago

¹⁵⁷⁸ 00411.091 Wayfare

¹⁵⁷⁹ 00411.091 Wayfare

- (6) available and viable *risk* reduction and hazard mitigation measures,
- (7) *lifeline utilities*, essential and emergency services, and their co-dependence,
- (8) implications for civil defence agencies and emergency services,
- (9) the changing *natural hazard* environment,
- (10) cumulative *effects* including *multiple* and *cascading hazards*, where present, and
- (11) factors that may exacerbate a *natural hazard* event including the *effects* of *climate change*.

Table 7 – Consequence table

Severity of Impact	Built				Health & Safety
	Social/Cultural	Buildings	Critical Buildings	Lifelines	
Catastrophic (V)	≥25% of <i>buildings</i> of social/cultural significance within hazard zone <u>impact area</u> ¹⁵⁸⁰ have functionality compromised	≥50% of affected ¹⁵⁸¹ <i>buildings</i> within hazard zone <u>impact area</u> ¹⁵⁸² have functionality compromised	≥25% of critical facilities within hazard zone <u>impact area</u> ¹⁵⁸³ have functionality compromised	Out of service for > 1 month (affecting ≥20% of the town/city population) OR suburbs out of service for > 6 months (affecting < 20% of the town/city population)	> 10 + dead and/or > 1001 injured ¹⁵⁸⁴
Major (IV)	11-24% of <i>buildings</i> of social/cultural significance within hazard zone <u>impact area</u> ¹⁵⁸⁵ have functionality compromised	21-49% of <i>buildings</i> within hazard zone <u>impact area</u> ¹⁵⁸⁶ have functionality compromised	11-24% of <i>buildings</i> within hazard zone <u>impact area</u> ¹⁵⁸⁷ have functionality compromised	Out of service for 1 week – 1 month (affecting ≥20% of the town/city population) OR suburbs out of service for 6 weeks to 6 months (affecting < 20% of the town/city population)	11 – 100 dead and/or 101 – 1000 injured ¹⁵⁸⁸
Moderate (III)	6-10% of <i>buildings</i> of social/cultural significance within hazard zone <u>impact area</u> ¹⁵⁸⁹ have functionality compromised	11-20% of <i>buildings</i> within hazard zone <u>impact area</u> ¹⁵⁹⁰ have functionality compromised	6-10% of <i>buildings</i> within hazard zone <u>impact area</u> ¹⁵⁹¹ have functionality compromised	Out of service for 1 day to 1 week (affecting ≥20% of the town/city population) OR suburbs out of service for 1 week to 6 weeks (affecting < 20% of the town/city population)	2 – 20 dead and/or 11 – 100 injured ¹⁵⁹²

¹⁵⁸⁰ 00138.147 QLDC

¹⁵⁸¹ Clause 16(2), Schedule 1, RMA

¹⁵⁸² 00138.147 QLDC

¹⁵⁸³ 00138.147 QLDC

¹⁵⁸⁴ 00138.147 QLDC

¹⁵⁸⁵ 00138.147 QLDC

¹⁵⁸⁶ 00138.147 QLDC

¹⁵⁸⁷ 00138.147 QLDC

¹⁵⁸⁸ 00138.147 QLDC

¹⁵⁸⁹ 00138.147 QLDC

¹⁵⁹⁰ 00138.147 QLDC

¹⁵⁹¹ 00138.147 QLDC

¹⁵⁹² 00138.147 QLDC

Minor (II)	1-5% of <i>buildings</i> of social/cultural significance within hazard zone <u>impact area</u> ¹⁵⁹³ have functionality compromised	2-10% of <i>buildings</i> within hazard zone <u>impact area</u> ¹⁵⁹⁴ have functionality compromised	1-5% of <i>buildings</i> within hazard zone <u>impact area</u> ¹⁵⁹⁵ have functionality compromised	Out of service for 2 hours to 1 day (affecting ≥20% of the town/city population) OR suburbs out of service for 1 day to 1 week (affecting < 20% of the town/city population)	1 dead and/or 1–10 injured
Insignificant (I)	No <i>buildings</i> of social/cultural significance within hazard zone <u>impact area</u> ¹⁵⁹⁶ have functionality compromised	< 1% of affected ¹⁵⁹⁷ <i>buildings</i> within hazard zone <u>impact area</u> ¹⁵⁹⁸ have functionality compromised	No damage within hazard zone <u>impact area</u> ¹⁵⁹⁹ , fully functional	Out of service for up to 2 hours (affecting ≥20% of the town/city population) OR suburbs out of service for up to 1 day (affecting < 20% of the town/city population)	No dead No injured

When assessing consequences within this matrix, the final level of impact is assessed on the ‘first past the post’ principle, in that the consequence with the highest severity of impact applies. For example, if a *natural hazard* event resulted in moderate severity of impact across all of the categories, with the exception of critical *buildings* which had a ‘major’ severity of impact, the major impact is what the proposal would be assessed on. If a *natural hazard* event resulted in all of the consequences being at the same level (for example, all of the consequences are rated moderate), then the level of consequence is considered to be moderate.

When this assessment is being undertaken in accordance with HAZ-NH-M3(7)(a) or HAZ-NH-M4(7)(a) the text within Step 2 shall guide the assessment of *natural hazard* consequence.¹⁶⁰⁰

Step 3 – Assessing activities for¹⁶⁰¹ *natural hazard* risk

Using the information within steps 1 and 2 above, complete Table 8 for each of the hazard scenarios considered, and identify if the risk from each of the scenarios is and Table 8, assess whether the *natural hazard* scenarios will have an¹⁶⁰² acceptable, tolerable, or significant *risk* to people, property and communities, by considering:

- ~~(1) — the *natural hazard* risk identified, including *residual* risk,~~
- ~~(2) — any measures to avoid, remedy or mitigate those risks, including relocation and recovery methods,~~
- ~~(3) — the long term viability and affordability of those measures,~~
- ~~(4) — flow on effects of the risk to other activities, individuals and communities, and~~
- ~~(5) — the availability of, and ability to provide, *lifeline utilities*, and essential and emergency services,~~

¹⁵⁹³ 00138.147 QLDC

¹⁵⁹⁴ 00138.147 QLDC

¹⁵⁹⁵ 00138.147 QLDC

¹⁵⁹⁶ 00138.147 QLDC

¹⁵⁹⁷ Clause 16(2), Schedule 1, RMA

¹⁵⁹⁸ 00138.147 QLDC

¹⁵⁹⁹ 00138.147 QLDC

¹⁶⁰⁰ 00301.055 Port Otago

¹⁶⁰¹ 00138.147 QLDC

¹⁶⁰² 00138.147 QLDC

during and after a natural hazard event.¹⁶⁰³

Table 8 – Risk table

Likelihood	Consequences				
	Insignificant	Minor	Moderate	Major	Catastrophic
Almost certain	Green	Yellow	Yellow	Red	Red
Likely	Green	Green	Yellow	Yellow	Red
Possible	Green	Green	Yellow	Yellow	Red
Unlikely	Green	Green	Green	Green	Yellow
Rare	Green	Green	Green	Green	Yellow

Green, Acceptable Risk: Yellow, Tolerable Risk: Red, Significant Risk

Notes:

Table 8 above has been included as a region-wide baseline. As set out in HAZ-NH-M2(1) *local authorities* are required to undertake a consultation process with communities, stakeholders and partners regarding *risk* levels thresholds and develop a *risk* table at a district or community scale. This region-wide baseline is to be used in the absence of a district or community scale *risk* table being developed.

~~When this assessment is being undertaken in accordance with HAZ-NH-M3(7)(a) or HAZ-NH-M4(7)(a) the text within Step 3 shall guide the assessment of natural hazard risk.~~¹⁶⁰⁴

Step 4 – Undertake a quantitative risk assessment

While Steps 1-3 will qualitatively categorise *natural hazard risk* based on a community’s understanding and acceptance level of *risk*, it will not provide quantitative understanding of the *risk* a *natural hazard* presents to the built environment, or health and safety.

If the assessment undertaken in Steps 1-3 determines that one of the three *natural hazard* scenarios generate *risk* that is significant, or a tolerable risk with a catastrophic consequence,¹⁶⁰⁵ undertake a quantitative *risk* assessment utilising the following methodology:¹⁶⁰⁶

- (1) Based on the likelihood of a *natural hazard* event within the hazard zone (see Step 1), and including the potential impacts of *climate change* and sea level rise, select a representative range of at least ~~five~~ three¹⁶⁰⁷ hazard scenarios with varying likelihoods to model,¹⁶⁰⁸ including the maximum credible event.

¹⁶⁰³ 00138.147 QLDC

¹⁶⁰⁴ 00138.147 QLDC

¹⁶⁰⁵ 00415.002 ORC

¹⁶⁰⁶ This methodology has been developed in general accordance with the Australian Geomechanics Society, 2007 methodology, which may usefully provide additional guidance. (New footnote attributed to 00138.147 QLDC)

¹⁶⁰⁷ 00138.147 QLDC

¹⁶⁰⁸ The model should include an analysis of uncertainty.

- (2) Model the Annual Individual Fatality Risk (AIFR)¹⁶⁰⁹ and Annual Property Risk (APR)¹⁶¹⁰ for the range of hazard scenarios across the hazard zone, and create loss exceedance distributions.
- (3) Analyse loss exceedance distributions and determine losses.
- (4) Assign the risk level ~~Implementing a first-past-the-post principle for the AIFR and APR.~~¹⁶¹¹
 - (a) for areas of new development where the ~~greatest~~¹⁶¹² AIFR or APR is:
 - (i) less than 1×10^{-6} per year, the *risk* is re-categorised as acceptable,
 - (ii) between 1×10^{-6} and 1×10^{-5} per year, the *risk* is re-categorised as tolerable, or
 - (iii) greater than 1×10^{-5} per year, the *risk* is re-categorised as significant.
 - (b) for areas with existing development, where the ~~greatest~~¹⁶¹³ AIFR or APR is:
 - (i) less than 1×10^{-5} per year, the *risk* is re-categorised as acceptable;
 - (ii) between 1×10^{-5} and 1×10^{-4} per year, the *risk* is re-categorised as tolerable; or
 - (iii) greater than 1×10^{-4} per year, the *risk* is re-categorised as significant.
- (5) ~~Following the quantitative *risk* assessment, a *risk* level is assigned to the hazard area.~~¹⁶¹⁴

AIFR and APR are the selected *risk* metrics as they represent the likely consequences of a wide range of *natural hazards*. For example, some *natural hazards*, generally, do not have the capacity to cause fatalities, but may result in widespread damage to property, while other *natural hazards* have a high capacity to cause fatalities. A first-past-the-post principle to the re-categorisation of *risk* is applied to ensure that decisions are based on the greatest *risk* present between the two metrics.

If the level of knowledge or uncertainty regarding the likelihood or consequences of a *natural hazard* event precludes the use of Step 4, then a precautionary approach to assessing and managing the *risk* should be applied, as set out in HAZ-NH-P5.

¹⁶⁰⁹ Annual probability that an individual most at risk is killed in any one year as a result of the hazards occurring.

¹⁶¹⁰ Annual probability of total property loss (relating to permanent structures) as a result of the hazards occurring.

¹⁶¹¹ 00138.147 QLDC

¹⁶¹² 00138.147 QLDC

¹⁶¹³ 00138.147 QLDC

¹⁶¹⁴ 00138.147 QLDC

APP7 – Identifying *wāhi tūpuna*

This appendix is a guide to assist in identifying *wāhi tūpuna*. It is not a complete list of all *wāhi tūpuna* in Otago.

Kāi Tahu use the term '*wāhi tūpuna*' to describe landscapes ~~that embody the customary and contemporary relationship of Kāi Tahu and their culture and traditions with Otago and places that embody the relationship of manawhenua and their culture and traditions with their ancestral lands, water, sites, *wāhi tapu* and other *taoka*.~~¹⁶¹⁵ It is important to understand this concept in the context of the distinctive seasonal lifestyle that Kāi Tahu evolved in the south. The sites and resources used by Kāi Tahu are spread throughout Otago. These places did not function in isolation from one another but were part of a wider cultural setting and pattern of seasonal resource use. The different elements of these sites areas¹⁶¹⁶ of significance include:

Table 9 – *Sites Areas*¹⁶¹⁷ of significance to Kāi Tahu

Site Area ¹⁶¹⁸ of significance	Explanation
Ara Tawhito	Ancient trails. A network of trails crossed the region linking the permanent villages with seasonal inland campsites and along the coast, providing access to a range of <i>māhika kai</i> <i>māhika kai</i> ¹⁶¹⁹ resources and inland stone resources, including pounamu and silcrete.
Kāika	Permanent settlements or occupation sites. These occurred throughout Otago, particularly in coastal areas.
Nohoaka	These were a network of seasonal settlements. Kāi Tahu were based largely on the coast in permanent settlements and ranged inland on a seasonal basis. Iwi history shows, through place names and whakapapa, continuous occupation of a network of seasonal settlements, which were distributed along the main river systems from the source lakes to the sea.
Wāhi <i>māhika kai</i> <i>māhika kai</i> ¹⁶²⁰	The places where the customary gathering of food or natural materials occurs. <i>Māhika kai</i> <i>Māhika kai</i> ¹⁶²¹ is one of the cornerstones of Kāi Tahu culture.
Mauka	Important mountains. Mountains are of great cultural importance to Kāi Tahu. Many are places of spiritual presence, and prominent peaks in the district are linked to Kāi Tahu creation stories, identity and mana.
Marae	The marae atea and the buildings around it, including the wharenuī, wharekai, church and urupā. The sheltering havens of Kāi Tahu cultural expression, a place to gather, kōrero and to welcome visitors. Marae are expressions of Kāi Tahu past and present.

¹⁶¹⁵ 00223.135 Ngāi Tahu ki Murihiku

¹⁶¹⁶ 00226.327 Kāi Tahu ki Otago

¹⁶¹⁷ 00226.327 Kāi Tahu ki Otago

¹⁶¹⁸ Clause 10(2)(b)(i), Schedule 1, RMA – consequential amendment arising from 00226.327 Kāi Tahu ki Otago

¹⁶¹⁹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

¹⁶²⁰ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

¹⁶²¹ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

Repo raupe <u>raupō</u> ¹⁶²²	Wetlands or swamps. These provide valued habitat for taoka species and mahika kai <u>mahika kai</u> ¹⁶²³ resources.
<u>Taumanu</u> ¹⁶²⁴	<u>Fishing sites. These are traditional fishing easements which have been gazetted by the South Island Māori Land Court.</u>
Tauraka waka	Canoe mooring sites. These were important for transport and gathering kai.
Tūāhu	Places of importance to Māori identity. These are generally sacred ground and marked by an object, or a place used for purposes of divination.
<u>Tuhituhi neherā</u> ¹⁶²⁵	<u>Rock art sites</u>
Taumanu ¹⁶²⁶	Fishing sites. These are traditional fishing easements which have been gazetted by the South Island Māori Land Court.
Umu, Umutī	Earth ovens. Used for cooking tīkōuka (cabbage tree), are found in a diversity of areas, including old stream banks and ancient river terraces, on low spurs or ridges, and in association with other features, such as kāika nohoaka.
Urupā	Human burial sites. These include historic burial sites associated with kāika, and contemporary sites, such as the urupā at Ōtākou and Puketeraki marae.
Wāhi kōhatu	Rock outcrops. Rocky outcrops provided excellent shelters and were intensively occupied by Māori from the moahunter period into early European settlement during seasonal hikoi. Tuhituhi neherā (rock art) may be present due to the occupation of such places by the tūpuna.
Wāhi pakaka	Battle sites. Historic battle sites occur throughout Otago, such as that at Ohinepouwera (Waikōuaiti <u>Waikōuaiti</u> ¹⁶²⁷ sandspit) where Taoka's warriors camped for six months while they laid siege on Te Wera on the Huriawa Peninsula.
Wāhi paripari	Cliff areas.
Wāhi taoka	Resources, places and sites treasured by <i>mana whenua</i> . These valued places reflect the long history and association of Kāi Tahu with Otago.
Wāhi tapu	Places sacred to Kāi Tahu. These occur throughout Otago and include urupā (human burial sites).
Wāhi tohu	Features used as location markers within the landscape. Prominent landforms formed part of the network of trails along the coast and inland.
Wai Māori	Freshwater areas important to Māori, including wai puna (springs), roto (lakes) and awa (rivers).

¹⁶²² 00226.327 Kāi Tahu ki Otago

¹⁶²³ Clause 10(2)(b)(i) – consequential amendment arising from 00226.038 Kāi Tahu ki Otago

¹⁶²⁴ Clause 16(2), Schedule 1, RMA

¹⁶²⁵ 00226.327 Kāi Tahu ki Otago

¹⁶²⁶ See above.

¹⁶²⁷ 00226.024 Kāi Tahu ki Otago

APP8 – Identification criteria for places and areas of *historic heritage*

Step 1¹⁶²⁸

A place or area is considered to have *historic heritage* if it meets any one or more of the¹⁶²⁹ criteria below:¹⁶³⁰

Aesthetic value The place has, or includes, aesthetic qualities that are considered to be especially pleasing, particularly beautiful, or overwhelming to the senses, eliciting an emotional response. These qualities are demonstrably valued, either by an existing community or the general public, to the extent that they could be expected to experience a sense of loss if the qualities which evoke the aesthetic value were no longer there.

Archaeological value The place provides, or is demonstrably likely to provide, physical evidence of human activity that could be investigated using archaeological methods. Evidence obtained from an archaeological investigation could be expected to be of significance in answering research questions, or as a new or important source of information about an aspect of New Zealand history.

Architectural value The place reflects identifiable methods of construction or architectural styles or movements. When compared with other similar examples, or in the view of experts or relevant practitioners, it has characteristics reflecting a significant development in this country's architecture. Alternatively, or in conjunction with this, the place is an important or representative example of architecture associated with a particular region or the wider New Zealand landscape.

Cultural value The place reflects significant aspects of an identifiable culture and it can be demonstrated that the place is valued by the associated cultural group as an important or representative expression of that culture.

Historic value The place contributes to the understanding of a significant aspect of New Zealand history and has characteristics making it particularly useful for enhancing understanding of this aspect of history, especially when compared to other similar places.

Scientific value The place includes, or is demonstrably likely to include, fabric expected to be of significance in answering research questions or a new or important source of information about an aspect of New Zealand's cultural or historical past through the use of specified scientific methods of enquiry.

¹⁶²⁸ 00137.144 Director General of Conservation

¹⁶²⁹ Clause 16(2), Schedule 1 RMA 1991

¹⁶³⁰ The identification criteria in APP8 follows *O'Brian, R and Barnes-Wylie J, Guidelines for Assessing Historic Places and Historic Areas for the New Zealand Heritage List/Rārangī Kōrero (2019)* which has been adopted by Heritage New Zealand Pouhere Taonga as its *Significance Assessment Guidelines* (New footnote attributed to 00123.003 Heritage New Zealand Pouhere Taonga, 00139.239 DCC)

Social value The place has a clearly associated community that developed because of the place, and its special characteristics. The community has demonstrated that it values the place to a significant degree because it brings its members together, and they might be expected to feel a collective sense of loss if they were no longer able to use, see, experience or interact with the place.

Spiritual value The place is associated with a community or group who value the place for its religious, mystical or sacred meaning, association or symbolism. The community or group regard the place with reverence, veneration and respect, and they might be expected to feel a collective sense of loss if they were no longer able to use, see, experience or interact with the place.

Technological value The place includes physical evidence of a technological advance or method that was widely adopted, particularly innovative, or which made a significant contribution to New Zealand history
OR
The place reflects significant technical accomplishment in comparison with other similar examples or, in the view of experts or practitioners in the field, has characteristics making the place particularly able to contribute towards our understanding of this technology.

Traditional value¹⁶³¹ The place reflects a tradition that has been passed down by a community or culture for a long period, usually generations and especially since before living memory, and has characteristics reflecting important or representative aspects of this tradition to a significant extent.

~~The significance of areas and places with *historic heritage* will be assessed having regard to the following criteria:~~

Step 2: Categorising a place of historic heritage

All places and areas which have been identified as *historic heritage* in Step 1 must be assessed to determine whether they have special or outstanding heritage values or qualities by considering the criteria below and by applying the method set out in “Part Two: Applying the section 66(3) criteria” of *Assessing Historic Places and Historic Areas for the New Zealand Heritage List/Rārangī Kōrero (2019)*:¹⁶³²

- (1) the extent to which the place reflects important or representative aspects of Otago or New Zealand history,
- (2) the association of the place with events, persons, or ideas of importance in Otago or New Zealand history,
- (3) the potential of the place to provide knowledge of Otago or New Zealand history,
- (4) the importance of the place to *takata whenua*,

¹⁶³¹ 00123.003 Heritage NZ

¹⁶³² 00137.144 Director General of Conservation

- (5) the community association with, or public esteem for, the place,
- (6) the potential of the place for public education,
- (7) the technical accomplishment, value, or design of the place,
- (8) the symbolic or commemorative value of the place,
- (9) the importance of identifying historic places known to date from an early period of Otago's or New Zealand's settlement,
- (10) the importance of identifying rare types of historic places, and
- (11) the extent to which the place forms part of a wider historical and cultural area.

APP9 – Identification criteria for outstanding and highly valued natural features, and landscapes and **(including seascapes)**

The areas and the values of outstanding and highly valued natural features, and landscapes **(including seascapes)**¹⁶³³ are identified using the following attributes:

Physical attributes

- (a) Natural science factors, including geological, topographical, ecological and dynamic components.
- (b) The presence of *water* including in seas, *lakes*, *rivers* and streams.
- (c) Vegetation (native and exotic).
- (d) Land use including settlements, buildings and structures.**¹⁶³⁴

Sensory attributes

- ~~(d)~~**(e)** Legibility or expressiveness – how obviously the feature, or landscape **(including seascapes)**¹⁶³⁵ demonstrates its formative processes.
- ~~(e)~~**(f)** Aesthetic values including memorability and naturalness.
- ~~(f)~~**(g)** Transient values, including presence of wildlife or other values at certain times of the day or year.
- ~~(g)~~**(h)** Wild or scenic values.
- (i) Experiential attributes, including the sounds and smells associated with the landscape (including seascapes).**¹⁶³⁶

Associative attributes

- ~~(h)~~**(j)** Whether the values are shared and recognised.
- ~~(j)~~**(k)** Cultural and spiritual values for Kāi Tahu, identified by working, as far as practicable, in accordance with tikanga Māori, including their expression as cultural landscapes and features.
- ~~(j)~~**(l)** Historical and heritage associations.
- (m) Recreational values.**¹⁶³⁷

¹⁶³³ 00301.054 Port Otago

¹⁶³⁴ 00310.015 The Telecommunications Companies

¹⁶³⁵ 00301.054 Port Otago

¹⁶³⁶ 00310.015 The Telecommunications Companies

¹⁶³⁷ 00231.095 Fish and Game

APP10 – Housing bottom lines

Table 10 – Bottom lines for development capacity

Tier 2 Urban Environment	Short- Medium Term (0-10 years)	Long Term (11-30 years)
Queenstown		
Dunedin		

Note: This schedule will be amended or reamended in accordance with the National Policy Statement for Urban Development 2020, without using RMA Schedule 1, as soon as practicable following the publication of any relevant *Housing and Business Development Capacity Assessment*, the first of which is due to be completed by 31 July 2021.

APP11 – Accidental Discovery Protocol¹⁶³⁸

If an unidentified archaeological site is located during works, the following applies:

1. Work must cease immediately at that place and within 20m around the site.
2. The contractor must shut down all machinery, secure the area, and advise the Site Manager.
3. The Site Manager must secure the site and notify the Heritage New Zealand Regional Archaeologist. Further assessment by an archaeologist may be required.
4. If the site is of Māori origin, the Site Manager must notify the Heritage New Zealand Regional Archaeologist and the appropriate iwi groups or kaitiaki representative of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (*Heritage New Zealand Pouhere Taonga Act, Protected Objects Act*).
5. If human remains (kōiwi) are uncovered the Site Manager must advise the Heritage New Zealand Regional Archaeologist, NZ Police and the appropriate iwi groups or kaitiaki representative and the above process under 4 must apply. Remains are not to be moved until such time as iwi and Heritage New Zealand have responded.
6. Works affecting the archaeological site and any human remains (kōiwi) must not resume until Heritage New Zealand Pouhere Taonga gives written approval for work to continue. Further assessment by an archaeologist may be required.
7. Where iwi so request, any information recorded as the result of the find such as a description of location and content, is to be provided for their records.
8. Heritage New Zealand Pouhere Taonga will advise if an archaeological authority under the *Heritage New Zealand Pouhere Taonga Act 2014* is required for works to continue.

It is an offence under Section 87 of the *Heritage New Zealand Pouhere Taonga Act 2014* to modify or destroy an archaeological site without an authority from Heritage New Zealand irrespective of whether the works are permitted or consent has been issued under the Resource Management Act.

¹⁶³⁸ 00123.007, Heritage NZ

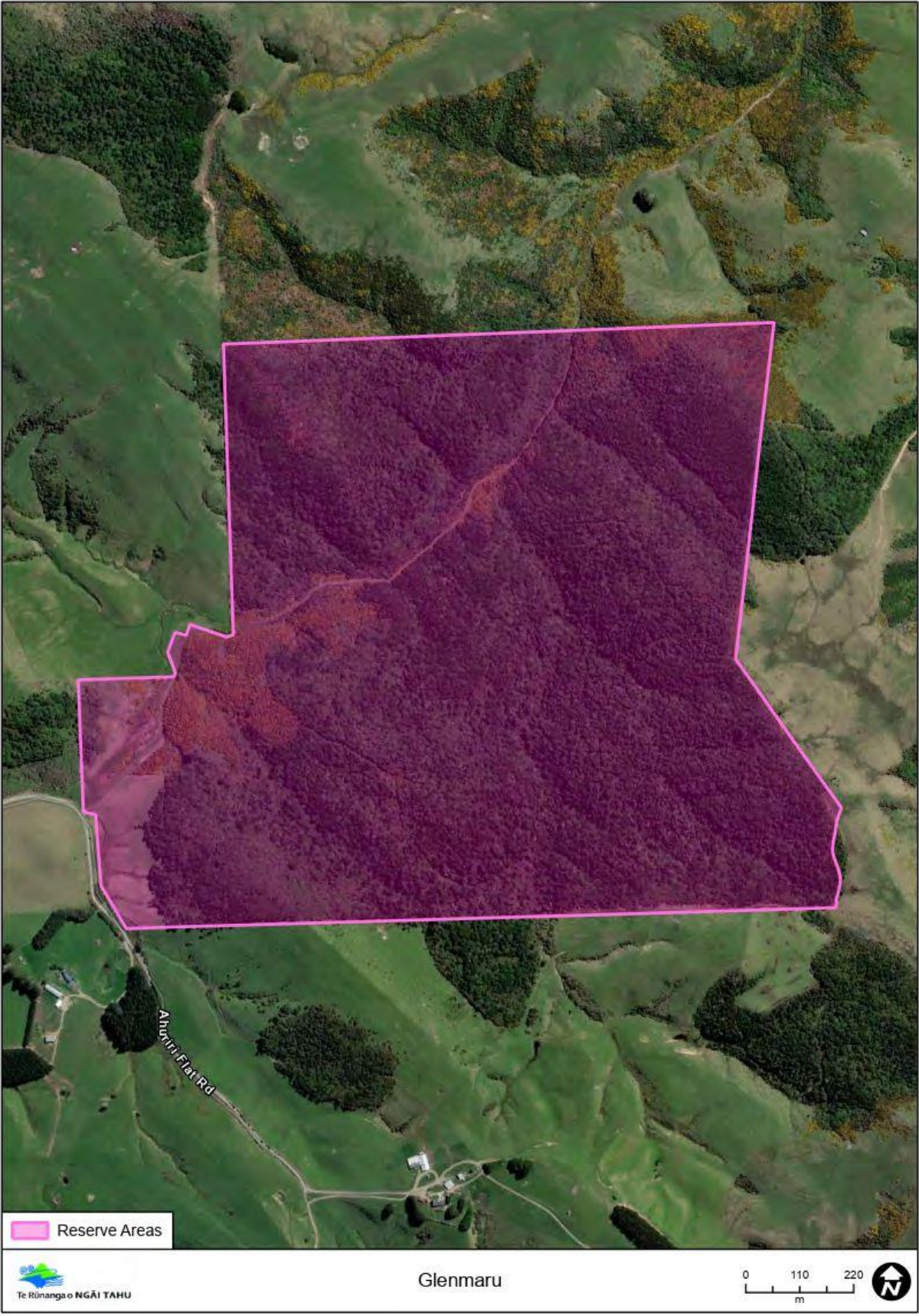
Maps

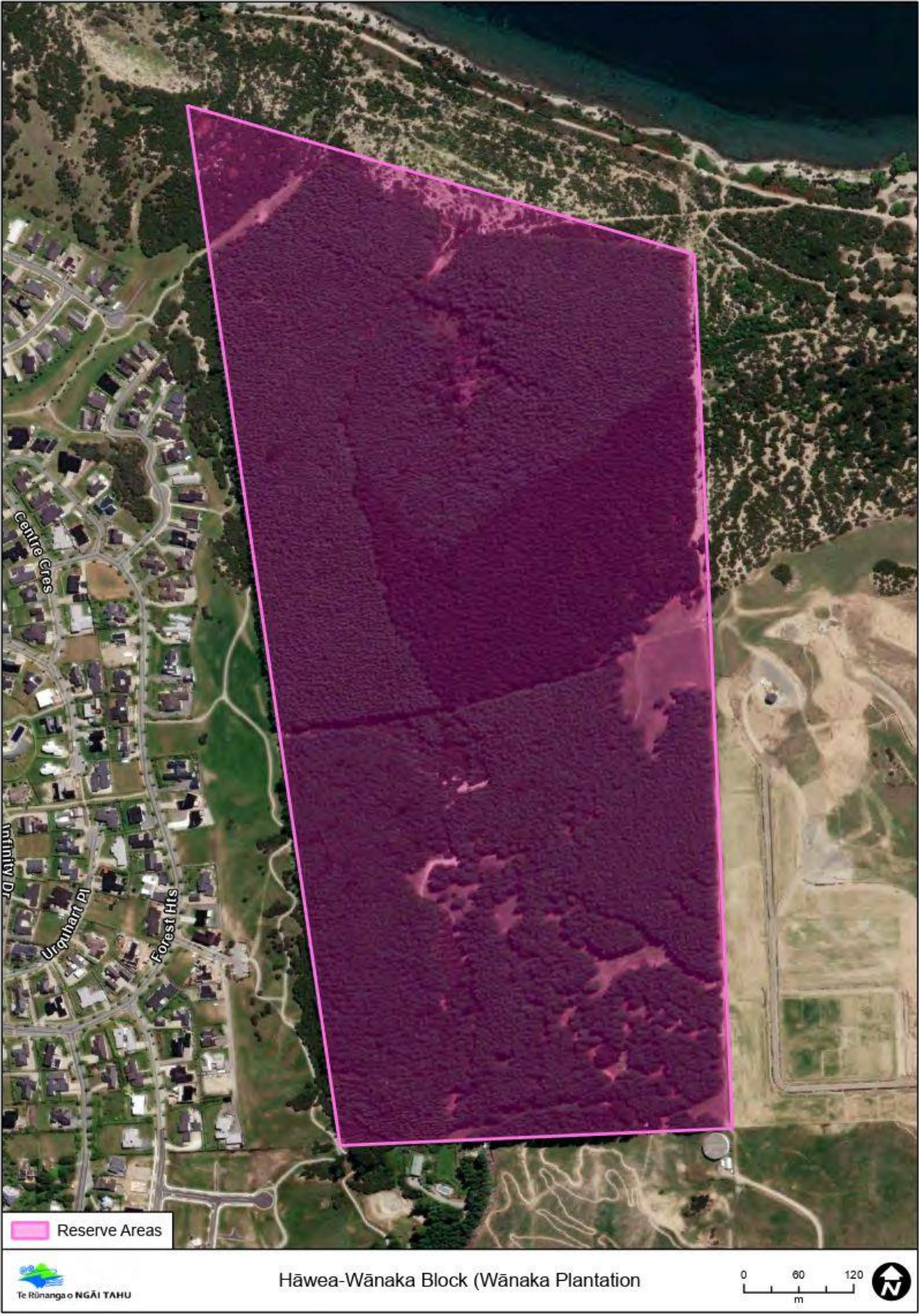
MAP0 – Native Reserves^{1639 (00226.329 Kāi Tahu ki Otago)}

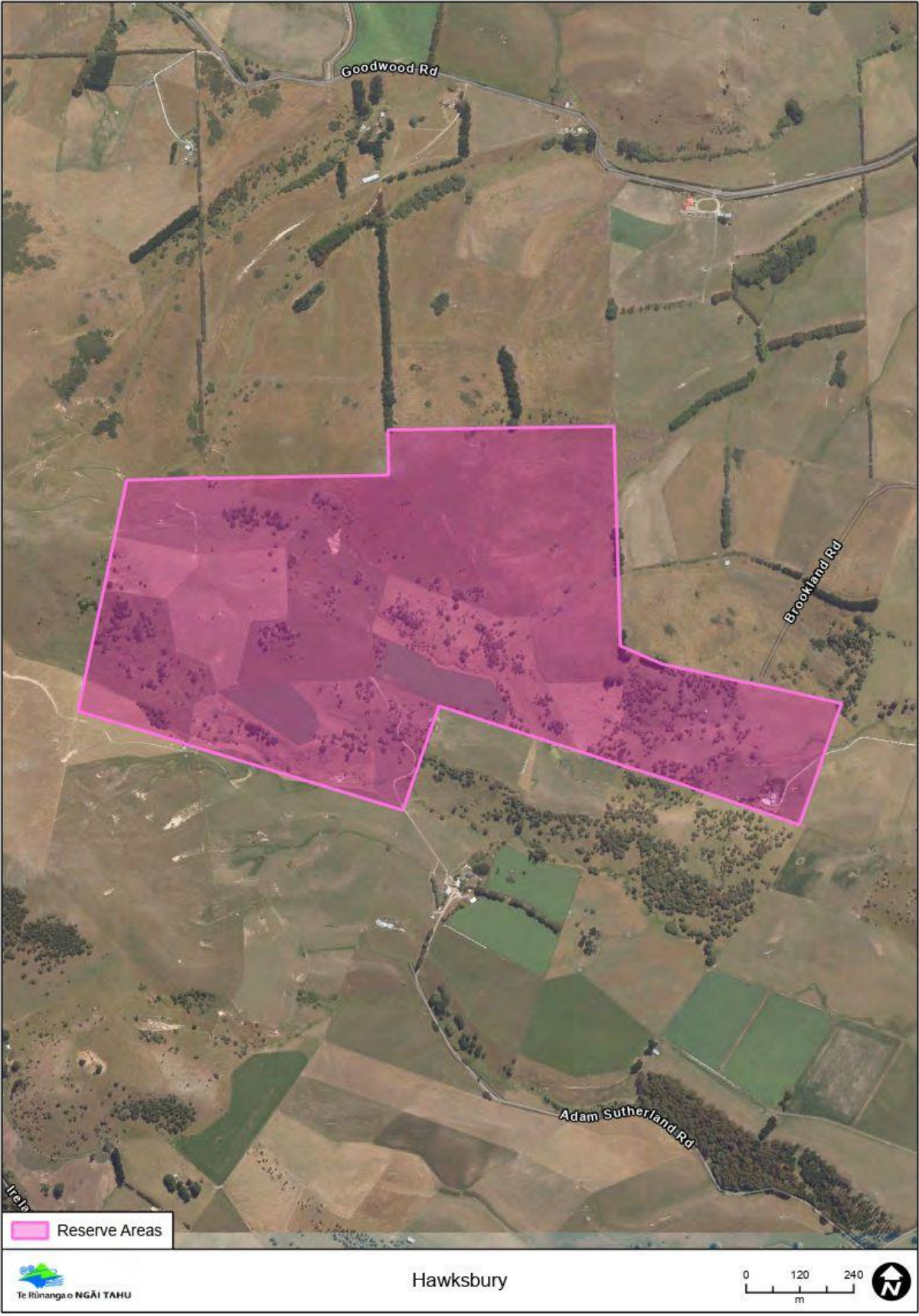


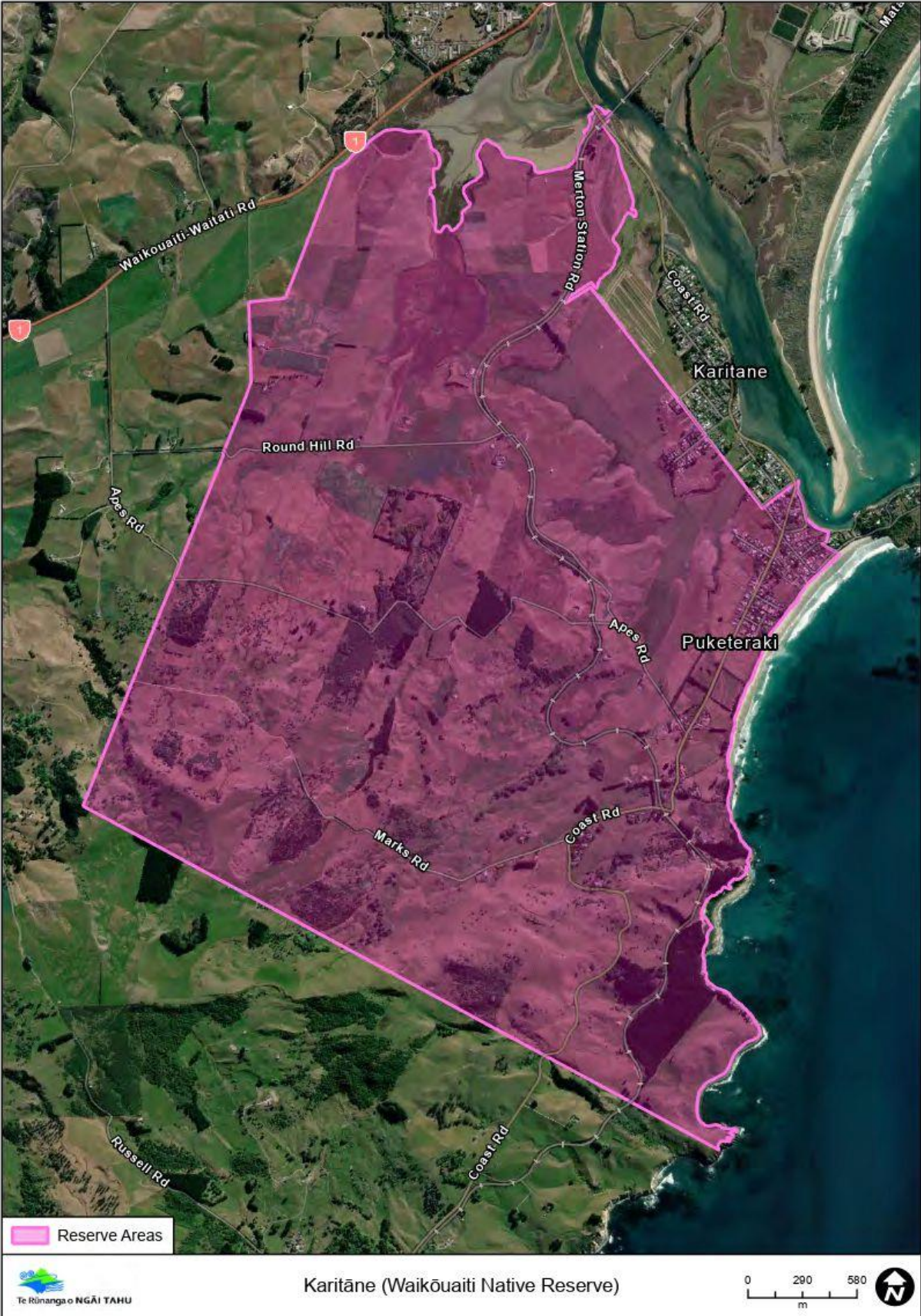






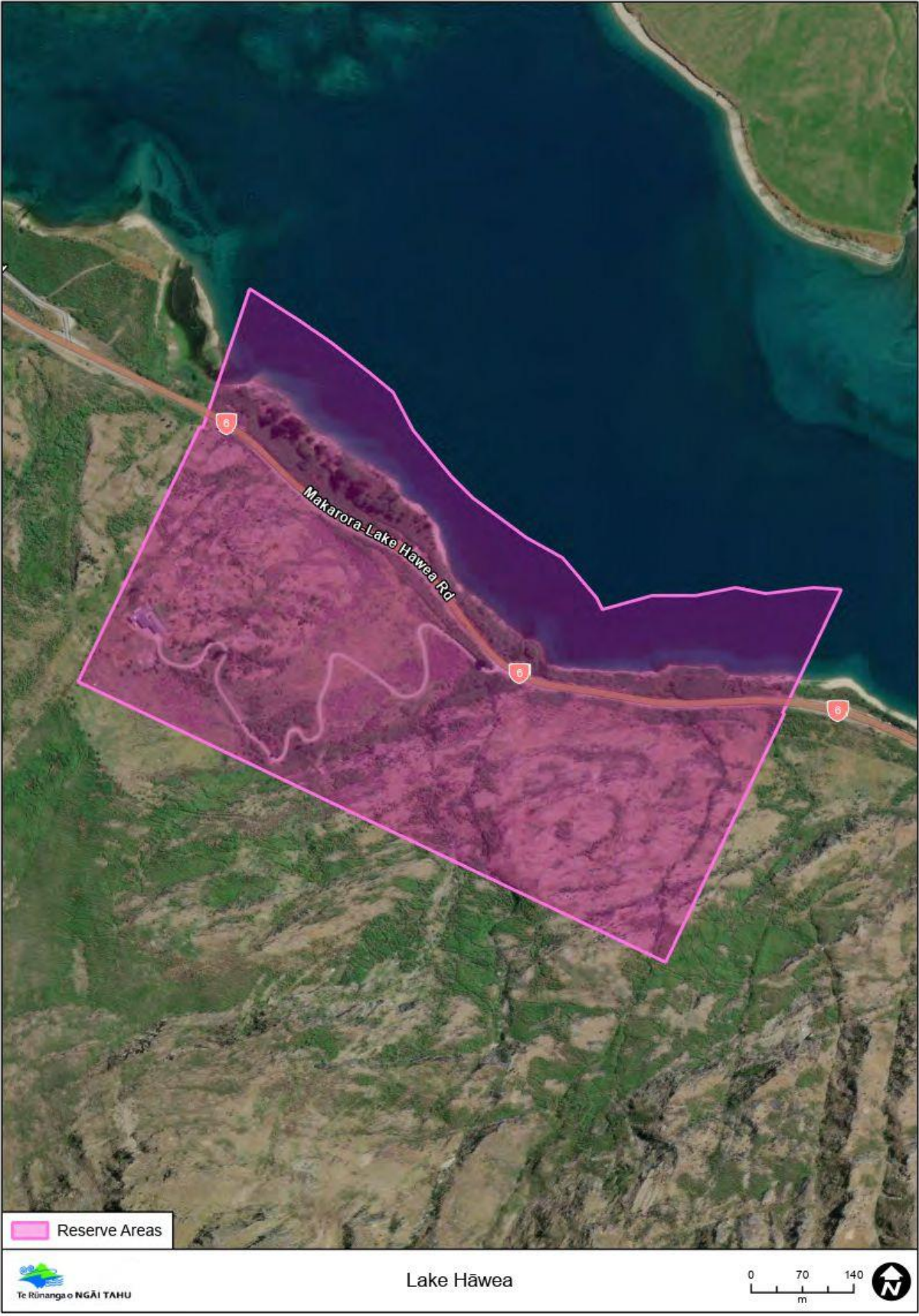








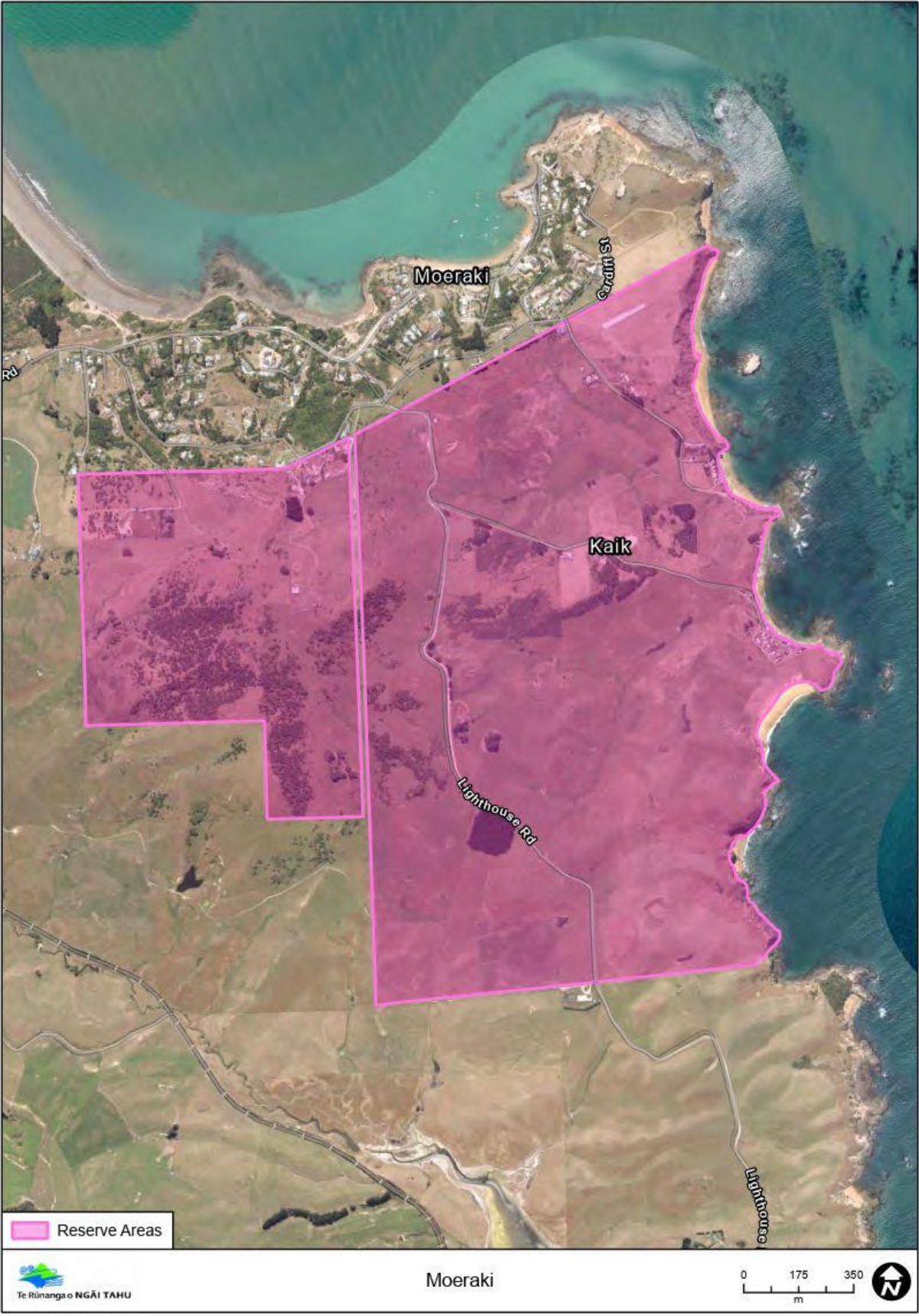


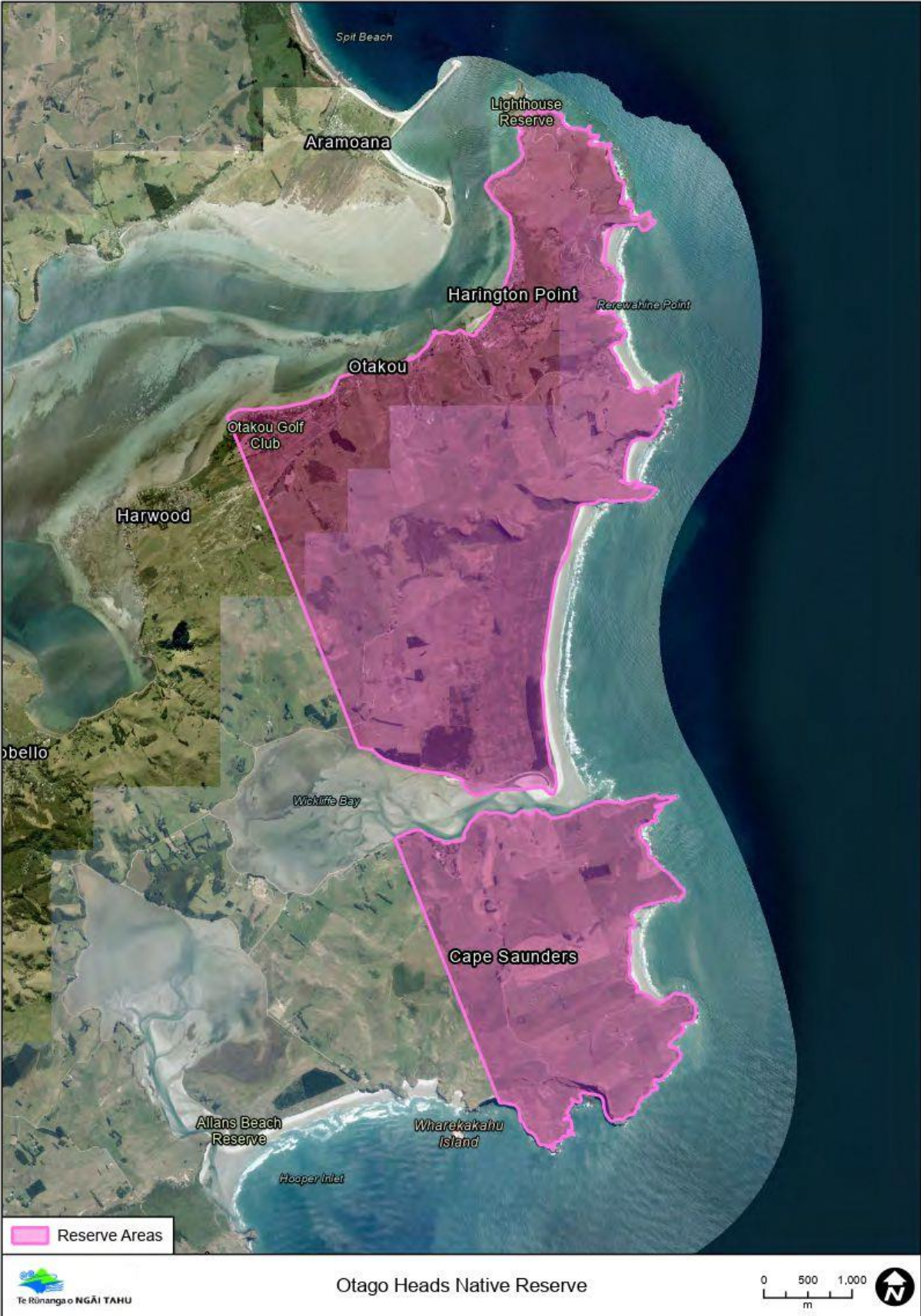




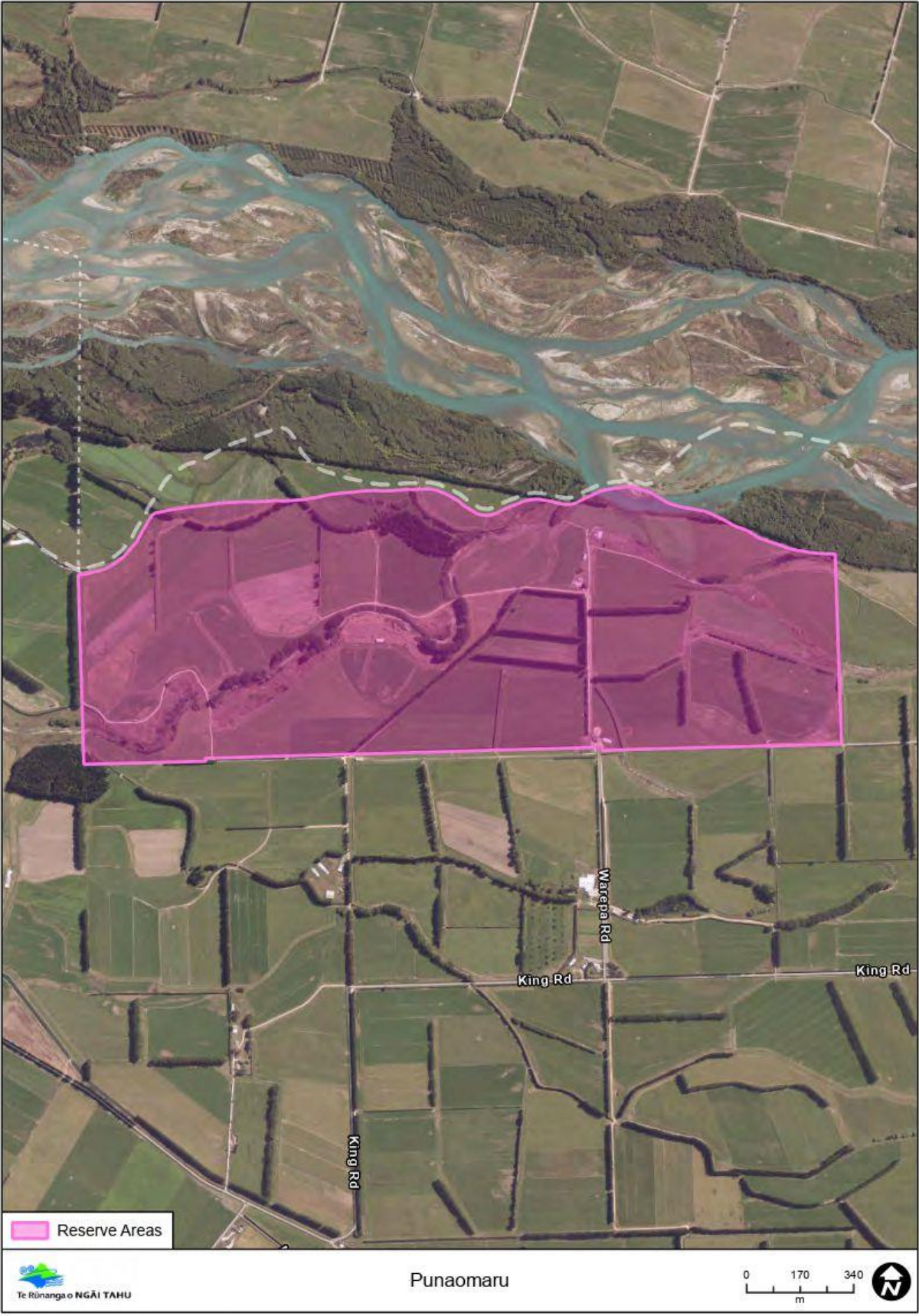


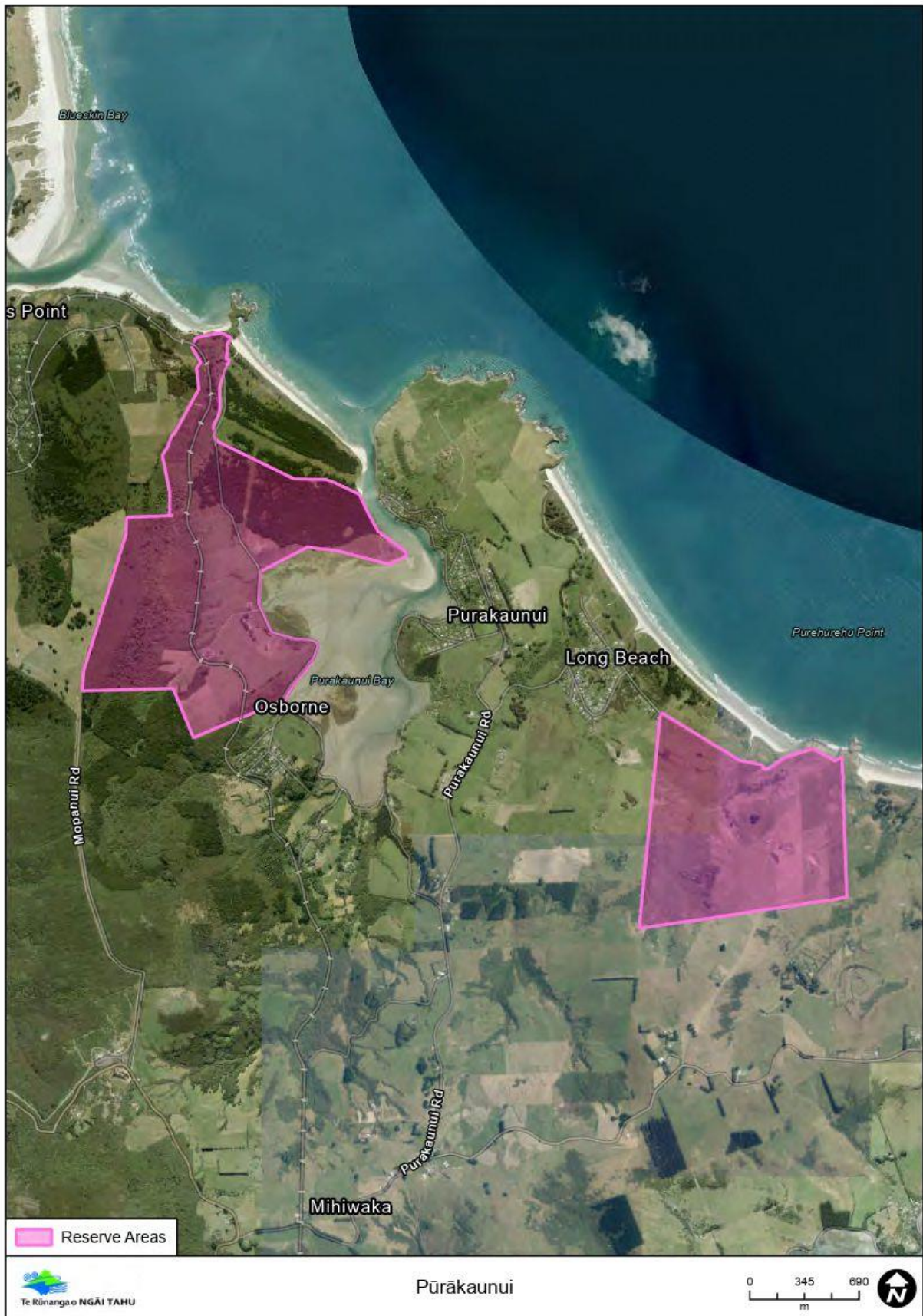


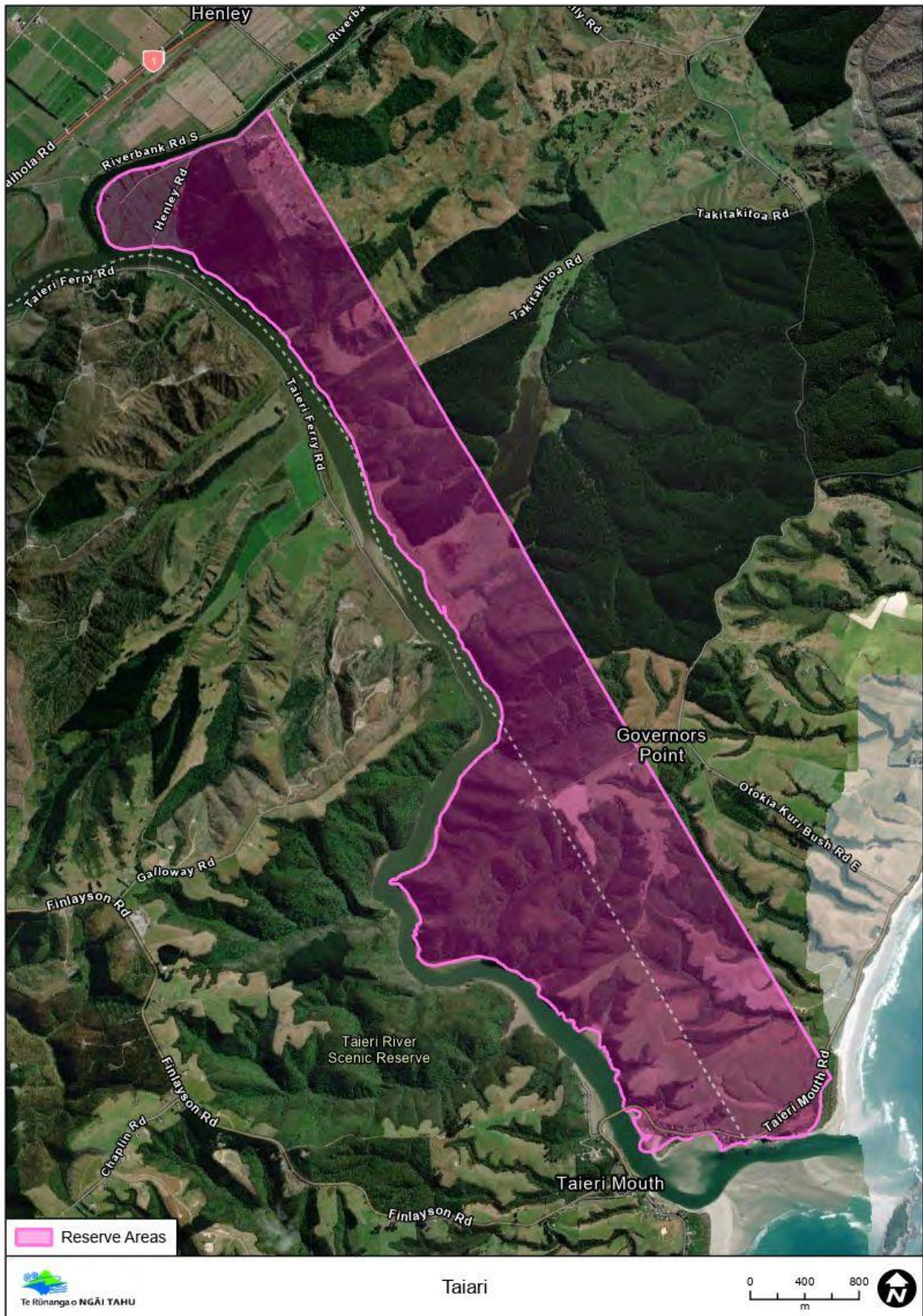


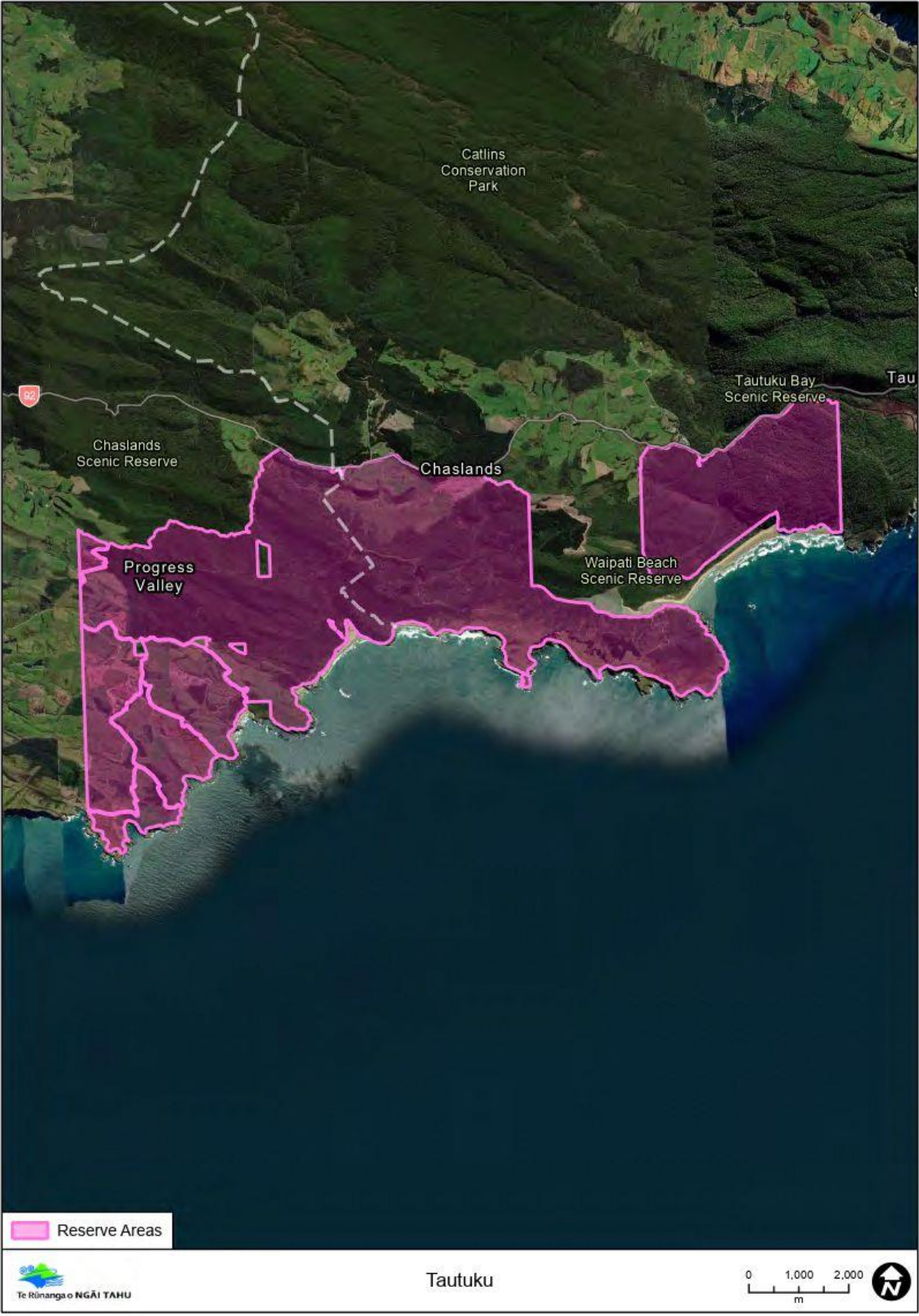






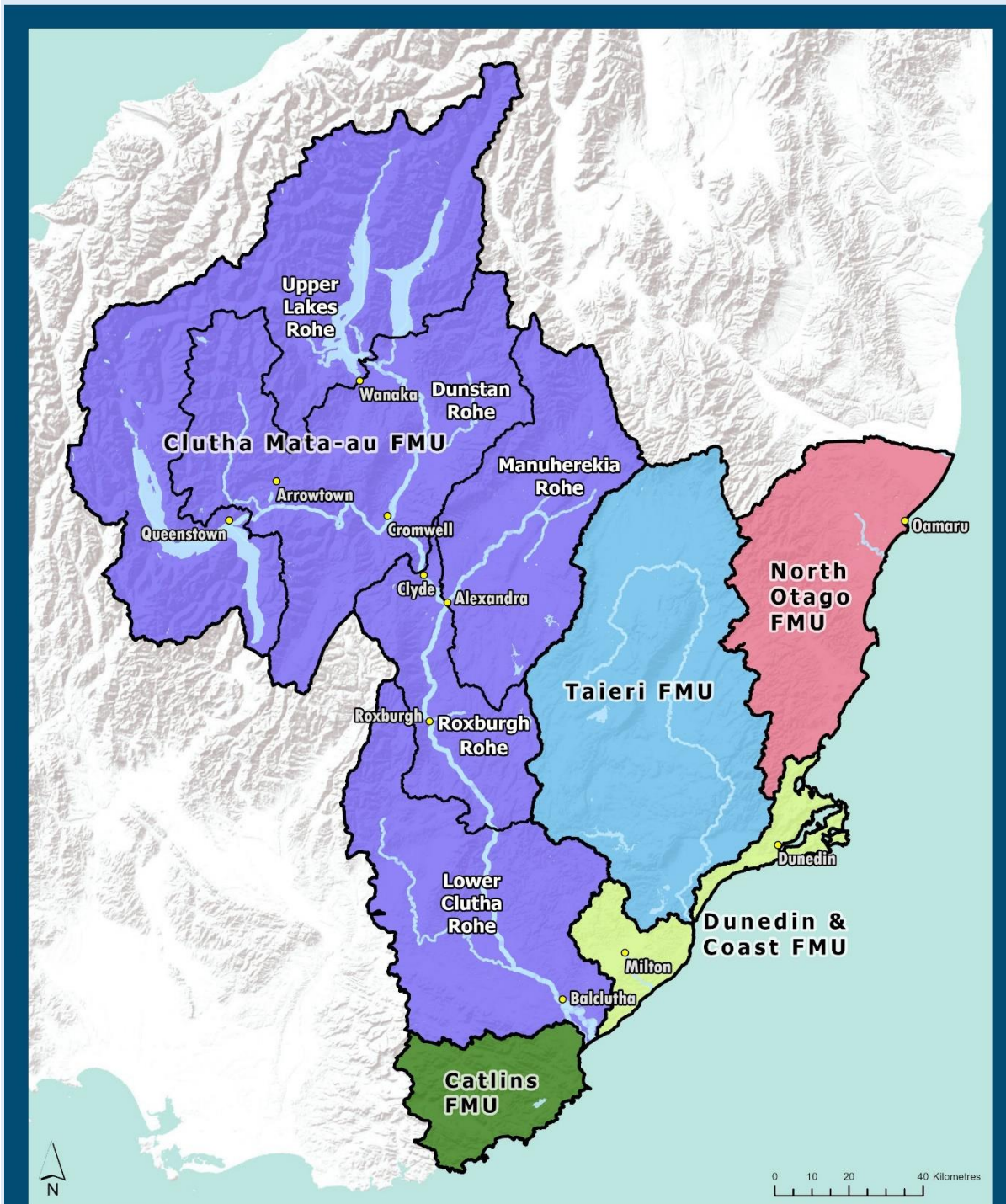








MAP1 – Freshwater Management Units



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Freshwater Management Units

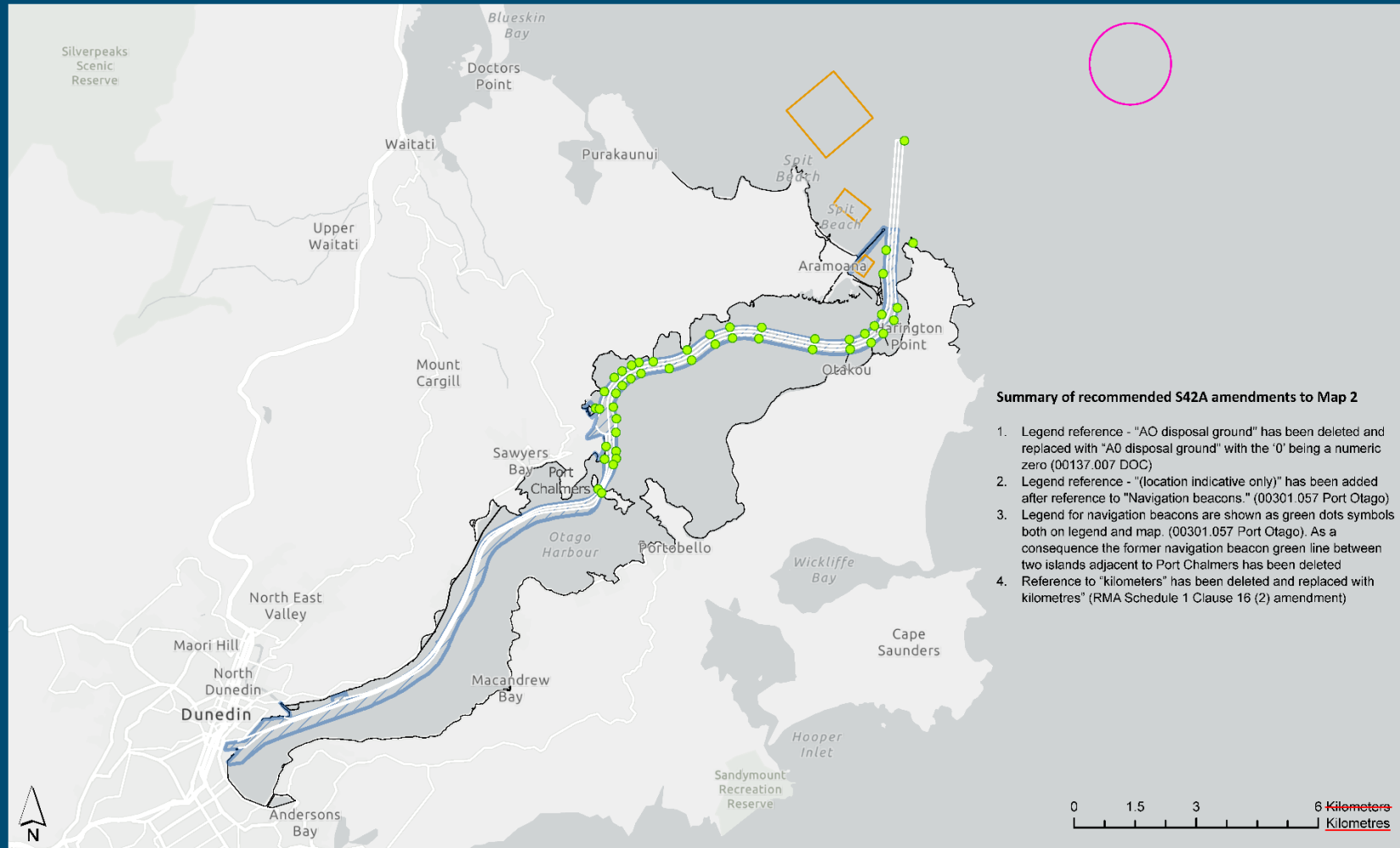
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- | | | | | |
|----------------------|--|---------|------------------|-------------------------|
| Level 1 FMU: | Clutha Mata-Au | Taieri | Dunedin & Coast | Significant Otago Lakes |
| | North Otago | Catlins | Otago Placenames | Main Rivers |
| Level 2 Rohe: | Upper Lakes Rohe
Dunstan Rohe
Manuherekia Rohe
Roxburgh Rohe
Lower Clutha Rohe | | | |

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MAP2 – EIT-TRAN-M7 – Port Activities



Summary of recommended S42A amendments to Map 2

1. Legend reference - "AO disposal ground" has been deleted and replaced with "A0 disposal ground" with the '0' being a numeric zero (00137.007 DOC)
2. Legend reference - "(location indicative only)" has been added after reference to "Navigation beacons." (00301.057 Port Otago)
3. Legend for navigation beacons are shown as green dots symbols both on legend and map. (00301.057 Port Otago). As a consequence the former navigation beacon green line between two islands adjacent to Port Chalmers has been deleted
4. Reference to "kilometers" has been deleted and replaced with "kilometres" (RMA Schedule 1 Clause 16 (2) amendment)

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MAP 2 – EIT-TRAN-M7 Port Activities

1:120,000 @ A4

Activities to support safe and efficient operations associated with Otago Harbour and the ports at Port Chalmers and Dunedin

- AO disposal grounds
- Heyward Point, Aramoana, Shelley Beach disposal grounds
- Navigation beacons (location indicative only)
- Channel maintenance and development

- Other features
- Shoreline
 - ▨ Coastal Development Areas



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