

**BEFORE THE COMMISSIONERS APPOINTED ON BEHALF  
OF THE OTAGO REGIONAL COUNCIL**

**UNDER** the Resource Management Act 1991 (the **Act** or **RMA**)

**IN THE** of an original submission on the Freshwater Planning  
**MATTER** Instruments Parts of Proposed Regional Policy  
Statement for Otago 2021 (**PRPS**)

**BETWEEN** **OTAGO WATER RESOURCE USER GROUP**

**Submitter FPI043**

**FEDERATED FARMERS NZ INC**

**Submitter FPI026 and FSFPI033**

**DAIRY NZ LTD**

**Submitter FPI024 and FSFPI024**

**BEEF + LAMB NEW ZEALAND LTD and DEER  
INDUSTRY NEW ZEALAND**

**Submitter FPI025 and FSFPI025**

**AND** **OTAGO REGIONAL COUNCIL**

**Local Authority**

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**SUMMARY OF EVIDENCE OF CLAIRE PERKINS**

**4 SEPTEMBER 2023**

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## **SUMMMARY OF EVIDENCE OF CLAIRE PERKINS**

1. My full name is Claire Rose Perkins. I am a Senior Planner & Planning Team Lead with 17 years' experience currently employed at Landpro Ltd. My expertise and experience are set out in my primary brief of evidence.
2. I have previously presented a summary of my primary brief of evidence on behalf of OWRUG, Federated Farmers and Dairy NZ dated 29 August 2023, this is also presented on behalf of Beef + Lamb New Zealand Ltd and Deer Industry New Zealand.
3. I am not repeating that summary here, but instead provide more clarity around some matters that were raised during questions from the panel, from the opening statement of Ms Boyd, or through further discussion with Ms Boyd on how the transition framework may be provided for through the provisions.
4. I have attached to this summary in Attachment A, a list of the amended provisions that I discuss below. Where these are different from those included in my primary brief of evidence, these versions prevail.

### *Freshwater visions*

5. Following my opinion that the use of a region wide objective in lieu of FMU, part FMU or catchment level visions is not consistent with clause 3.3 of the NPSFM, and discussions around this with the panel, I have included the full suite of FMU visions in Attachment A with the region-wide visions proposed in the s42A report brought back out to the FMU level.
6. In addition to this I have recommended some minor changes to the vision statements that attempt to address some of the rohe or catchment specific issues previously discussed with the panel and some of the farmer witnesses. These include:

- a. In the Lower Clutha rohe, an amendment to address the Pomohaka catchment modifications and sedimentation issue raised by Mr Wallace:

*“opportunities to restore the natural form and function of water bodies are promoted where ~~ver~~ possible and reasonable.*

- b. In the Manuherekia rohe, the following additional vision statement:

*“In the Manuherekia Rohe, recognise the effects and values created by historical catchment infrastructure and water use infrastructure.”*

- c. And similarly for the Taiari rohe:

*“recognise the effects and values created by historical catchment infrastructure and water use infrastructure.”*

7. Since my last appearance before the panel, Ms Boyd and I have been in discussion around how best to provide for the resource use element in the visions, as it relates to primary production or the food and fibre sector. Through this discussion we have been back and forth on the right terminology to use for this sector as it is not solely about food production, and Ms Boyd raised concern about the inclusion of production forestry in the visions (through the use of the food and fibre term) as this was a key area of concern from the community through the consultation process.
8. Ms Scott has helpfully provided her opinion on the most suitable terminology to use being “*food and fibre sector*” or “*food and fibre production*” along with a robust discussion on the suitability of this in her 3 September 2023 evidence summary. She recommends the following definition be incorporated in the PRPS, and I agree with this and the reasons behind it.

**Food and Fibre Production** means the primary sector production industries (other than mining) including Arable, Dairy, Forestry and Wood Processing, Horticulture (including vegetables, viticulture and winemaking), Pork, Poultry, Bees, Red Meat and Wool (Sheep, Beef

and Deer), Seafood and Cross-Sector and the related processing industries. This definition is intended to describe the suite of activities that occur throughout Otago from a rural land use perspective and is not intended to prioritise one primary sector production industry over another.

9. I recommend the following clause be included in each FMU vision, and note that this has been generally agreed between myself and Ms Boyd, aside from final agreement on the food and fibre terminology:

“(7) innovative and sustainable land and water management practices:

(a) support food and fibre production and the continued social, economic, and cultural wellbeing of Otago’s people and communities, and

(b) improve resilience of communities to the effects of climate change.”

#### *Transition provisions*

10. Ms Boyd and I have reached agreement on inclusion of the following provision which would replace my previously recommended LF-FW-P7B. This is as follows:

#### **“LF-VM-P6A – Transitions over time**

Provide for ambitious and reasonable transitions in the use of land and water to achieve the long-term visions by:

(1) recognising that changes to practices and activities will need to occur over time; and

(2) managing the adverse impacts of implementing these changes on people and communities, including by phasing implementation of new requirements and building on actions undertaken by catchment and other community groups, and

(3) enabling innovation and the development of new practices.”

11. I still consider it appropriate to include my other proposed policies. Proposed policy LF-FW-P7C would now become LF-FW-P7B (due to the changes above), with a couple of minor changes from the version in my primary brief of evidence shown in grey shading to improve clarity.
12. LF-FW-P7B will ensure that, where they will enable the PRPS visions to be achieved, existing regulatory and non-regulatory measures should be given preference if possible, before traditional regulatory rules requiring consent through the land and water plan are adopted. It is a cascade of methods and options which when provided separately are helpful and provide clear guidance to Council and communities. They can also serve as incentives to communities to get on and do things themselves with the knowledge that there may be less change imposed at a regulatory level as a consequence.

**“LF-FW-P7B Recognise existing regulatory and non-regulatory measures when managing land and freshwater**

When determining what methods to use to manage land and freshwater, give preference to the methods requiring the least additional regulatory intervention in the land and water plan, where this will enable progress towards achieving the visions, by:

- a. Staging the implementation of any new regulatory requirements in recognition of the existing costs associated with addressing regulations that are already in force so that the implementation of new regulation can be managed by resource users;
- b. Relying on implementation of Freshwater Farm Plan Regulations;
- c. Avoiding where possible new rules for matters already managed by:
  - i. National Environmental Standards; and
  - ii. Regulations made under the Resource Management Act
- d. Leveraging the actions of existing catchment groups or community collectives;

e. Not imposing new regulatory requirements where water quality is already at the target attribute state;

f. Establishing trigger points or trends where additional regulatory intervention is required to prevent degradation.”

13. LF-VM-P7C is now proposed to be amalgamated into a broader integrated management policy discussed further below.

#### *Integrated Catchment Management*

14. The importance of managing freshwater and land in an integrated way and at a catchment level has been discussed by Ms Scott.
15. Currently the PRPS provisions do not explicitly provide a process to enable integrated catchment management at the catchment level.
16. Including such a policy, as I have drafted below, would ensure that integrated catchment management groups (such as the recently established Catlins Integrated Catchment Management (ICM) Working Group) are established throughout the region with representation from the local community and tangata whenua.
17. ICM groups will then be able to develop Catchment Action Plans, in collaboration with the Council, that translate the current FMU and rohe level visions down to the catchment level, into local objectives that are more meaningful to the community and take account of the catchment specific values and desired environmental outcomes. Then, as provided for in clause 3.15(2) of the NPSFM, this may result in recommendations for amendments to the current visions in the PRPS.
18. Providing a process to manage freshwater and land use in an integrated way is critical to ensuring that clauses 3.2(2)(e) and 3.5(2) of the NPSFM is being achieved.
19. This aligns well with the process already underway and identified as the preferred way forward for ICM by the Council, and which has been formalised through the Long-term Plan 2021-31 which includes the performance measure: *“Lead the development, implementation, and*

*review of Integrated Catchment Plans in collaboration with iwi and community.”*

20. Bringing in parts of my previously proposed local community involvement policy into this provision will ensure that rural communities are actively engaged in the NOF process and development of the LWP while also providing for the full hierarchy of obligations.
21. My recommended policy is:

**“LF-WAI-P3A – Integrated Catchment Management**

- (1) When developing and implementing planning instruments to give effect to the objectives and policies in this policy statement through integrated management of land and freshwater, Otago Regional Council must actively engage with local communities and tangata whenua, at the rohe and catchment level,
- (2) Provide for integrated management at a catchment level by supporting the establishment of Integrated Catchment Management Groups that incorporate Otago Regional Council with local community and tangata whenua representatives, and
- (3) Progress and implement integrated management of catchments through the preparation of Catchment Action Plans by the Integrated Catchment Groups, in accordance with clause 3.15 of the NPSFM that:
  - (a) develop visions, identify values and environmental outcomes for Otago’s catchments and the methods to achieve those outcomes, including as required by the NOF process,
  - (b) develop and implement actions that may be adapted over time with trigger points where additional regulatory and/or non-regulatory intervention is required,
  - (c) make recommendations on amendments that may be required to the provisions of this policy statement, including

the visions and timeframes in the parent FMU, and any other changes necessary to achieve integrated catchment management pursuant to clauses 3.2(2) and 3.5(2) of the NPSFM

- (d) at a local catchment level, encourage community initiatives to maintain or improve the health and well-being of waterbodies and their freshwater ecosystems, to meet the health needs of people, and enable the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.”

22. I am happy to take questions from the panel.



**Claire Perkins**

**4 September 2023**



## ATTACHMENT A – UPDATED PROVISIONS (note not full set of all FPI provisions)

Underline identifies additions proposed in s42A report, including amendments from the s42A opening statement.

Underline italics shows additions proposed through evidence of Claire Perkins.

Underline italics grey shading shows changes from previous evidence of Claire Perkins to this summary statement, or where it makes it clearer to see the additions.

I have removed any deletions recommended by the s42A officer to make this suite of provisions easier to follow.

### Definitions

**Food and Fibre Production** means the primary sector production industries (other than mining) including Arable, Dairy, Forestry and Wood Processing, Horticulture (including vegetables, viticulture and winemaking), Pork, Poultry, Bees, Red Meat and Wool (Sheep, Beef and Deer), Seafood and Cross-Sector and the related processing industries. This definition is intended to describe the suite of activities that occur throughout Otago from a rural land use perspective and is not intended to prioritise one primary sector production industry over another.

### LF-WAI – Te Mana o te Wai

#### Policies

##### **LF-WAI-P3A – Integrated Catchment Management**

- (1) When developing and implementing planning instruments to give effect to the objectives and policies in this policy statement through integrated management of land and freshwater, Otago Regional Council must actively engage with local communities and tangata whenua, at the rohe and catchment level,
  - (2) Provide for integrated management at a catchment level by supporting the establishment of Integrated Catchment Management Groups that incorporate Otago Regional Council with local community and tangata whenua representatives, and
  - (3) Progress and implement integrated management of catchments through the preparation of Catchment Action Plans by the Integrated Catchment Groups, in accordance with clause 3.15 of the NPSFM that:
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- (a) develop visions, identify values and environmental outcomes for Otago's catchments and the methods to achieve those outcomes, including as required by the NOF process,
- (b) develop and implement actions that may be adapted over time with trigger points where additional regulatory and/or non-regulatory intervention is required,
- (c) make recommendations on amendments that may be required to the provisions of this policy statement, including the visions and timeframes in the parent FMU, and any other changes necessary to achieve integrated catchment management pursuant to clauses 3.2(2) and 3.5(2) of the NPSFM
- (d) at a local catchment level, encourage community initiatives to maintain or improve the health and well-being of waterbodies and their freshwater ecosystems, to meet the health needs of people, and enable the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future."

## LF-FW – Fresh water

### Objectives

#### LF-VM-O2 – Clutha Mata-au FMU vision

In the Clutha Mata-au FMU:

- (1) healthy freshwater and estuarine ecosystems support healthy populations of indigenous species that are plentiful enough to support mahika kai and safe for consumption,
- (2) the interconnection of land, freshwater (including springs, groundwater, ephemeral water bodies, wetlands, rivers and lakes) and coastal water is recognised,
- (3) indigenous species migrate easily within and between catchments as naturally as possible,
- (4) the natural form, function and character of water bodies reflects their natural characteristics and natural behaviours to the greatest extent practicable,
- (5) the ongoing relationship of Kāi Tahu with wāhi tūpuna, including access to and use of water bodies, is sustained,
- (6) the health of the water supports the health of people and their connections

with water bodies.

- (7) innovative and sustainable land and water management practices:
- (a) support food and fibre production and the continued social, economic, and cultural wellbeing of Otago's people and communities, and
- (b) improve resilience of communities to the effects of climate change.
- (8) within limits, the allocation of fresh water provides for food and fibre production that supports the social, economic, and cultural well-being of communities, and innovative and sustainable land and water management practices provide for the health and well-being of water bodies and freshwater ecosystems and improve resilience to the effects of climate change, and
- (9) direct discharges of wastewater to water bodies are phased out to the greatest extent practicable,
- (10) sustainable abstraction occurs from lakes, river main stems or groundwater in preference to tributaries,
- (11) 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 Tāwhirimātea to the top of the mauka and into the awa,
- (12) the national significance of the Clutha hydro-electricity generation scheme is recognised and its operation, maintenance and upgrading is provided for,
- (13) water bodies support a range of outdoor recreation opportunities,
- (14) in the Upper Lakes rohe, the high quality waters of the lakes and their tributaries are protected, and if degraded are improved, recognising the significance of the purity of these waters to Kāi Tahu and to the wider community,
- (15) In the Manuherekia Rohe, recognise the effects and values created by historical catchment infrastructure and water use infrastructure.
- (16) in the Lower Clutha rohe, opportunities to restore the natural form and function of water bodies are promoted where ever possible and reasonable, and
- (17) the outcomes sought in (7) this vision 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 Manuherekia rohe.

### **LF-VM-O3 – North Otago *FMU* vision**

By 2050 in the North Otago *FMU*:

- (1) healthy freshwater and estuarine ecosystems support healthy populations of

- indigenous species that are plentiful enough to support *mahika kai* and safe for consumption,
- (2) the interconnection of *land, freshwater* (including springs, *groundwater, ephemeral water bodies, wetlands, rivers and lakes*) and *coastal water* is recognised,
- (3) indigenous species migrate easily within and between catchments as naturally as possible,
- (4) the natural form, function and character of *water bodies* reflects their natural characteristics and natural behaviours to the greatest extent practicable,
- (5) the ongoing relationship of Kāi Tahu with *wāhi tūpuna*, including access to and use of *water bodies*, is sustained,
- (6) the health of the *water* supports the health of people and their connections with *water bodies*,
- (7) *innovative and sustainable land and water management practices:*
- (a) *support food and fibre production and the continued social, economic, and cultural wellbeing of Otago's people and communities, and*
- (b) *improve resilience of communities to the effects of climate change,*
- (8) *within limits, the allocation of fresh water provides for food and fibre production that supports the social, economic, and cultural well-being of communities,*
- (9) direct *discharges* of *wastewater* to *water bodies* are phased out to the greatest extent practicable,
- (10) the Waitaki River is managed holistically, *ki uta ki tai*, despite its catchments spanning the Canterbury and Otago regions,
- (11) the national significance of the Waitaki hydroelectricity generation scheme is recognized and
- (12) healthy riparian margins, *wetlands*, estuaries and lagoons support—thriving *mahika kai*, indigenous habitats and the health of downstream coastal ecosystems.

#### **LF-VM-O4 – Taiari FMU vision**

By 2050 in the Taiari FMU:

- (1) healthy *freshwater* and estuarine ecosystems support healthy populations of indigenous species that are plentiful enough to support *mahika kai* and safe for consumption,
- (2) the interconnection of *land, freshwater* (including springs, *groundwater, ephemeral water bodies, wetlands, rivers and lakes*) and *coastal water* is recognised,
- (3) indigenous species migrate easily within and between catchments as naturally as possible,
- (4) the natural form, function and character of *water bodies* reflects their natural characteristics and natural behaviours to the greatest extent practicable,

- (5) the ongoing relationship of Kāi Tahu with *wāhi tūpuna*, including access to and use of *water bodies*, is sustained,
- (6) the health of the *water* supports the health of people and their connections with *water bodies*,
- (7) *innovative and sustainable land and water management practices*:
  - (a) *support food and fibre production and the continued social, economic, and cultural wellbeing of Otago's people and communities, and*
  - (b) *improve resilience of communities to the effects of climate change,*
- (8) within limits, the allocation of fresh water provides for *food and fibre* land-based ~~primary~~ production that supports the social, economic, and cultural well-being of communities,
- (9) *recognise the effects and values created by historical catchment infrastructure and water use infrastructure, and*
- (10) direct *discharges* of *wastewater* to *water bodies* are phased out to the greatest extent practicable,
- (11) the upper and lower catchment *wetland* complexes, including the Waipōuri/Waihola wetland complex, Upper Taiari wetland complex, and connected tussock areas are protected, restored or enhanced where they have been degraded or lost,
- (12) the national significance of the Waipoūri hydro-electricity generation scheme, and the regional significance of the Deep Stream and Paerau/Patearoa hydro-electricity generation schemes, is recognised and their operation, maintenance, and upgrading is provided for,
- (13) the gravel *bed* of the lower Taiari is restored and sedimentation of the Waipōuri/Waihola wetland complex is reduced, and
- (14) creative ecological approaches contribute to reduced occurrence of didymo.

#### **LF-VM-O5 – Dunedin & Coast FMU vision**

By 2040 in the Dunedin & Coast *FMU*:

- (1) healthy *freshwater* and estuarine ecosystems support healthy populations of indigenous species that are plentiful enough to support *mahika kai* and safe for consumption,
- (2) the interconnection of *land, freshwater* (including springs, *groundwater, ephemeral water bodies, wetlands, rivers and lakes*) and *coastal water* is recognised,
- (3) indigenous species migrate easily within and between catchments as naturally as possible,
- (4) the natural form, function and character of *water bodies* reflects their natural

- characteristics and natural behaviours to the greatest extent practicable.
- (5) the ongoing relationship of Kāi Tahu with wāhi tūpuna, including access to and use of water bodies, is sustained,
- (6) the health of the water supports the health of people and their connections with water bodies.
- (7) innovative and sustainable land and water management practices:
- (a) support food and fibre production and the continued social, economic, and cultural wellbeing of Otago's people and communities, and
23. (b) improve resilience of communities to the effects of climate change.
- (13) within limits, the allocation of fresh water provides for food and fibre production that supports the social, economic, and cultural well-being of communities,
- (15) direct discharges of wastewater to water bodies are phased out to the greatest extent practicable, and
- (16) healthy riparian margins, wetlands, estuaries, and lagoons support the health of downstream coastal ecosystems, and opportunities to restore the natural form and function of water bodies are promoted wherever possible.

#### **LF-VM-O6 – Catlins FMU vision**

By 2030 in the Catlins FMU:

- (1) healthy freshwater and estuarine ecosystems support healthy populations of indigenous species that are plentiful enough to support mahika kai and safe for consumption,
- (2) the interconnection of land, freshwater (including springs, groundwater, ephemeral water bodies, wetlands, rivers and lakes) and coastal water is recognised,
- (3) indigenous species migrate easily within and between catchments as naturally as possible,
- (4) the natural form, function and character of water bodies reflects their natural characteristics and natural behaviours to the greatest extent practicable,
- (5) the ongoing relationship of Kāi Tahu with wāhi tūpuna, including access to and use of water bodies, is sustained,
- (6) the health of the water supports the health of people and their connections with water bodies,
- (7) innovative and sustainable land and water management practices:
- (a) support food and fibre production and the continued social, economic, and cultural wellbeing of Otago's people and communities, and

24. (b) improve resilience of communities to the effects of climate change.

- (8) within limits, the allocation of fresh water provides for food and fibre production that supports the social, economic, and cultural well-being of communities.
- (9) direct discharges of wastewater to water bodies are phased out to the greatest extent practicable.
- (10) the high degree of naturalness of the water bodies and ecosystem connections between the forests, freshwater and coastal environment are preserved, and
- (11) healthy, clear and clean water supports opportunities for recreation and sustainable food production for future generations.

## Policies

### **LF-VM-P6A – Transitions over time**

Provide for ambitious and reasonable transitions in the use of land and water to achieve the long-term visions by:

- (1) recognising that changes to practices and activities will need to occur over time; and
- (2) managing the adverse impacts of implementing these changes on people and communities, including by phasing implementation of new requirements and building on actions undertaken by catchment and other community groups, and
- (3) enabling innovation and the development of new practices.

### **LF-FW-P7B – Recognise existing regulatory and non-regulatory measures when managing land and freshwater**

When determining what methods to use to manage land and freshwater, give preference to the methods requiring the least additional regulatory intervention in the land and water plan, where this will enable progress towards achieving the visions, by:

- a. Staging the implementation of any new regulatory requirements in recognition of the existing costs associated with addressing regulations that are already in force so that the implementation of new regulation can be managed by resource users;
- b. Relying on implementation of Freshwater Farm Plan Regulations;
- c. Avoiding where possible new rules for matters already managed by:
  - i. National Environmental Standards; and
  - ii. Regulations made under the Resource Management Act
- d. Leveraging the actions of existing catchment groups or community collectives;

- e. Not imposing new regulatory requirements where water quality is already at the target attribute state;
- f. Establishing trigger points or trends where additional regulatory intervention is required to prevent degradation.