



Tracked Appeals Version



**Otago
Regional
Council**

Proposed Otago Regional Policy Statement June 2021

Integrating the management of Otago's
natural and physical resources

978-0-908324-70-5 Print version
978-0-908324-71-2 Web version

Updates

Date	Update	Provisions affected
17 October 2025	Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333	LF – Refer to Environment Court Consent Order 17 October 2025 Decision No. 333
14 October 2025	Minor corrections pursuant to Clause 16(2) of Schedule 1 to the Resource Management Act 1991 – Memorandum	Refer to Cl 16(2) Memorandum
6 October 2025	Judgment of J Dunningham 6 October 2025: CIV-2024-412-41	LF-WAI-O1 – Te Mana o te Wai Refer to Judgment of J Dunningham 6 October 2025
2 October 2025	Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323	EIT – Refer to Environment Court Consent Order 2 October 2025 Decision No. 323
12 September 2025	Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307	HAZ – Refer to Environment Court Consent Order 12 September 2025 Decision No. 307
9 September 2025	Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296	IM – Refer to Environment Court Consent Order 9 September 2025 Decision No. 296
24 June 2025	Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208	SRMR – Refer to Environment Court Consent Order 24 June 2025 Decision No. 208
24 June 2025	Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 206	AIR – Refer to Environment Court Consent Order 24 June 2025 Decision No. 206
7 May 2025	Minor corrections pursuant to Clause 16(2) of Schedule 1 to the Resource Management Act 1991 – Memorandum	Refer to Cl 16(2) Memorandum
3 April 2025	Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107	MW – Mana whenua Refer to Environment Court Consent Order 3 April 2025 Decision No. 107
24 March 2025	Minor corrections pursuant to Clause 16(2) of Schedule 1 to the Resource Management Act 1991 – Memorandum	Refer to Cl 16(2) Memorandum
8 January 2025	Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042	All freshwater provisions resolved except for LF-WAI-O1 – Te Mana o te Wai Refer to Order of the High Court sealed 8 January 2025

5 December 2024	Minor corrections pursuant to Clause 16(2) of Schedule 1 to the Resource Management Act 1991 – Memorandum	Refer to Cl 16(2) Memorandum
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Notes on Plan Annotations

The proposed Otago Regional Policy Statement 2021 (pORPS 2021) – Decisions Version has been annotated to show the provisions that have been appealed to the High Court and Environment Court, and changes to the text, through resolution of appeals and Clause 16(2) changes. This version of the pORPS 2021 is entitled “Tracked Appeals Version”.

A table of updates is shown on page i, identifying the date of the update, the type of update (including links to the relevant documents that are the basis for the update), and which provisions are affected.

The Tracked Appeals Version will be updated to reflect the changes made through the appeal process. Each change has a footnote identifying the source of the change.

While every attempt is made to ensure the document is updated correctly, readers must always refer to the relevant source documents to ensure accuracy and context.

Key

This version of the Proposed Otago Regional Policy Statement 2021 has been prepared as a record of changes that have occurred after Council’s decision on 27 March 2024.

Appearance	Explanation
Black text with no shading	Parts that are not under appeal.
Black text with grey shading	Parts that are under appeal.
Footnoted provision titles	Denotes provisions that are under appeal (including the Court reference and appellant), or provisions that have been amended since the Council’s decision.
<u>Underlined text</u>	Text that has been added since Council’s decision. A footnote explains the reason for the change.
Struck-out text	Text that has been removed since Council’s decision. A footnote explains the reason for the change.

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) has provided an opportunity for renewed partnership between Kāi Tahu and the Otago Regional Council (ORC). 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 community and ORC have faced this planning challenge together. Our long-term vision recognises that use of resources and protection of the environment must occur in an integrated, sustainably managed way.

The management of natural and physical resources, by and for the people of Otago, in partnership with Kāi Tahu, achieves a healthy and resilient natural environment, including the ecosystem services it provides, and supports the well-being of present and future generations.

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 into 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 well-being of water bodies in Otago, so as to protect their mauri, 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, use and development of Otago's natural and physical resources. The ORPS also aims to provide communities, including mana whenua, with opportunities to carry out their activities to achieve their economic, cultural and social needs and intentions, while at the same time promoting a thriving and healthy natural *environment* as being vital to sustaining our wellbeing.

The ORPS responds to identified significant regional values and resource management issues relating to Otago's *environment, historic heritage, economy, food production*, ~~and~~¹ recreational opportunities and communities. The ORPS sets out objectives, policies, and methods to address and 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), as well as relevant national direction instruments, and is informed by iwi authority planning documents. *Regional plans* and *district plans* must give effect to the ORPS.

¹ Clause 16(2) memorandum (5 May 2025)

Description of the region

At 32,000 km², the Otago region is the ~~third~~^{second}² 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 tends northeasterly, taking in the Pomahaka River catchment, and Umbrella and Kōpūwai Ranges to encompass the headwaters of the glacial alpine lakes, Whakatipu-wai-māori (Lake Wakatipu), Wānaka, and Hāwea.

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

Otago's population at the 2018 Census was 225,186³. 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 history recognises the early exploration and occupation of Otago by Māori followed by the arrival of settlers from Europe and Asia. Otago's economy centres around construction, *primary production*, tourism, 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 domestic and export revenue and employment for the districts and the wider region and the nation. Otago's farms are also a key contributor to the national food supply network. 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 also has 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 ~~electricity~~^{energy}⁴ generation facilities⁵ 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, endemic and threatened inland galaxiid fish and lizard populations, western forest habitats, and coastal fauna.

² Clause 16(2) memorandum (5 May 2025)

³ 2018 Census place summaries: Stats NZ. (n.d.). <https://www.stats.govt.nz/tools/2018-census-place-summaries/otago-region> (accessed 26 May 2021)

⁴ Clause 16(2) memorandum (24 March 2025)

⁵ Fitzgerald, W. (2019). *Dunedin Energy Study 2017-2018*. University of Otago

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.

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.⁶ 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.⁷ 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, while remnant swathes of native bush clad coastline are a distinct feature of the Catlins area. Significant coastal settlements include Dunedin and Ōamaru. The Otago port is based in Port Chalmers within the Otago Harbour, and is the region's only commercial freight handling harbour. However commercial fishing ramps (supporting fishing fleets) are present in Ōamaru, Moeraki, Karitāne, 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*.

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 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 ~~Wānaka~~Wanaka⁸, Whakatipu-~~wai-māori~~ Waimāori⁹ (Lake Wakatipu) and

⁶ Macara, G. R. (2015). The Climate and Weather of Otago, Second Edition. NIWA SCIENCE AND TECHNOLOGY SERIES, 67th ser.

⁷ Central Otago Climate. (n.d.). <https://centralotagonz.com/opportunities/working-here> (accessed 26 May 2021)

⁸ Clause 16(2) memorandum (5 December 2024)

⁹ Clause 16(2) memorandum (5 December 2024)

Hāwea and including artificial *lakes* [Te Wairere](#)¹⁰ Dunstan, Roxburgh and Onslow, constitute about 23% of New Zealand's total *lake* surface area. The primary catchments are Lakes [Wānaka](#)~~Wanaka~~¹¹, Whakatipu-~~wai-māori~~ [Waimāori](#)¹² (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. 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. National Parks and other Public Conservation areas provide important areas of unmodified *land* and water.

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 harbour, 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, and will continue to, influence 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.

¹⁰ Clause 16(2) memorandum (5 December 2024)

¹¹ Clause 16(2) memorandum (5 December 2024)

¹² Clause 16(2) memorandum (5 December 2024)

How the policy statement works

Statutory context

Resource Management Act 1991

The Resource Management Act 1991 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 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.

The regional policy statement must be prepared in accordance with and/or give effect to higher order national direction instruments, including any regulations, 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 so. 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 12¹³ – Position of the Regional Policy Statement within the resource management planning framework



¹³ Clause 16(2) memorandum (24 March 2025)

Partnership, Te Tiriti o Waitangi and Kāi Tahu¹⁴

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 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.¹⁵

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 degradation, improving them where they have been degraded, and sustaining them for future generations;
- protecting and restoring the abundance of *mahika kai* and restoring access to *mahika kai* 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, including *papakāika*; 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”. Accordingly, section 62 of the RMA 1991 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:

¹⁴ 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, rather than Ngāi Tahu. In this RPS, the ‘ng’ is used for iwi in general or where there is reference to Ngāi Tahu ki Murihiku (Southland).

¹⁵ These matters are addressed throughout the Resource Management Act 1991, see in particular sections 6, 8 and 62.

- *effects* in one jurisdiction due to the activities in another, including 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* 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;
- Kāi Tahu interests, which span Otago as a whole, across *local authority* boundaries;
- natural resources that cross *local authority* boundaries which must be managed in a uniform manner, such as water, outstanding natural features, outstanding natural landscapes and *significant natural areas*;
- differences in policies or methods across plans, particularly where *district plans* and *regional plans* are at different planning stages and may be out of step with current regulation;
- physical resources such as local, *regionally significant infrastructure* or *nationally significant infrastructure* being developed and operated across *local authority* boundaries, as with transport and electricity networks, and potentially shared services such as *waste* management and minimisation; 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* to work together to achieve good outcomes and, in some cases, set implementation timeframes. *Regional plans* 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 framework. This recognises that only *district plans* 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, including Government agencies, industry representatives, landowners, and 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, 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 as *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 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 LGA. 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 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 significant infrastructure such as the National Grid or *land* transport infrastructure.

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 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).

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. Joint management agreements enable iwi partners and 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.

Interpretation

Definitions

Term	Definition
Active transport	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) 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
Additional infrastructure	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) means: (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
Airshed	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) means— (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

Term	Definition
Afforestation	has the same meaning as in regulation 3 of the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017 (as set out in the box below) (a) means planting and growing <u>commercialplantation</u>¹⁶ forestry trees on land where there is no <u>commercialplantation</u>¹⁷ forestry and where <u>commercialplantation</u>¹⁸ forestry harvesting has not occurred within the last 5 years; but (b) does not include vegetation clearance from the land before planting
Ambient air quality standards	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) means the standard prescribed by regulation 13(1)
Amenity values	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) 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
Ancillary activity	has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below) means an activity that supports and is subsidiary to a primary activity

¹⁶ Clause 16(2) memorandum (24 March 2025)

¹⁷ Clause 16(2) memorandum (24 March 2025)

¹⁸ Clause 16(2) memorandum (24 March 2025)

Term	Definition
Aquaculture activities	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) (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 (b) includes the taking of harvestable spat if the taking involves the occupation of a coastal marine area; but (c) does not include an activity specified in paragraph (a) if the fish, aquatic life, or seaweed— (i) are not in the exclusive and continuous possession or control of the person undertaking the activity; or (ii) cannot be distinguished or kept separate from naturally occurring fish, aquatic life, or seaweed; and (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
Aquatic compensation	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) 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
Aquatic offset	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) means a measurable conservation outcome resulting from actions that are intended to: (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 (b) achieve no net loss, and preferably a net gain, in the extent and values of the wetland or river, where: (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 (ii) net gain means that the measurable positive effects of actions exceed the point of no net loss

Term	Definition
Archaeological site	Has the same meaning as in section 6 of the Heritage New Zealand Pouhere Taonga Act 2014 (as set out in the box below) means (a) any place in New Zealand, including any building or structure (or part of a building or structure), that— (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 (ii) provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and (b) includes a site for which a declaration is made under section 43(1) of the Heritage New Zealand Pouhere Taonga Act 2014.
Attribute (in relation to freshwater)	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) means a measurable characteristic (numeric, narrative, or both) that can be used to assess the extent to which a particular value is provided for

Term	Definition
Bed	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) means,— (a) in relation to any river— (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: (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 (b) in relation to any lake, except a lake controlled by artificial means,— (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: (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 (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 (d) in relation to the sea, the submarine areas covered by the internal waters and the territorial sea
Biodiversity	see <i>biological diversity</i>
Biological diversity	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) 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
Biodiversity compensation	has the same meaning as in the National Policy Statement for Indigenous Biodiversity 2023 (as set out in the box below) means a conservation outcome that meets the requirements in Appendix 4 and results from actions that are intended to compensate for any more than minor residual adverse effects on indigenous biodiversity after all appropriate avoidance, minimisation, remediation, and biodiversity offsetting measures have been sequentially applied

Term	Definition
Biodiversity offset	has the same meaning as in the National Policy Statement for Indigenous Biodiversity 2023 (as set out in the box below) means a measurable conservation outcome that meets the requirements in Appendix 3 and results from actions that are intended to: (a) redress any more than minor residual adverse effects on indigenous biodiversity after all appropriate avoidance, minimisation, and remediation measures have been sequentially applied; and (b) achieve a net gain in type, amount, and condition of indigenous biodiversity compared to that lost.
Building	has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below) means a temporary or permanent movable or immovable physical construction that is: (a) partially or fully roofed; and (b) fixed or located on or in land; but excludes any motorised vehicle or other mode of transport that could be moved under its own power
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) 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: (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	has the same meaning as section 217B of the Resource Management Act 1991 (as set out in the box below) means a freshwater farm plan certified under section 217G, as amended from time to time in accordance with section 217E(2) or (3)

Term	Definition
Climate change	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) 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
Climate change adaptation	means the process of adjustment to actual or expected climate and its effects
Climate change mitigation	means a human intervention to reduce the sources of, or enhance the sinks of <i>greenhouse gases</i>
Coastal hazard¹⁹	means a subset of <i>natural hazards</i> covering tidal or coastal storm inundation, rising sea level, tsunami or meteorological tsunami inundation, coastal erosion (shorelines or cliffs), rise in <i>groundwater</i> levels from storm tides and sea-level rise (plus associated liquefaction), and salinisation of surface <i>fresh waters</i> and <i>groundwater</i> aquifers
Coastal marine area	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) means the foreshore, seabed, and coastal water, and the air space above the water— (a) of which the seaward boundary is the outer limits of the territorial sea: (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— (i) 1 kilometre upstream from the mouth of the river; or (ii) the point upstream that is calculated by multiplying the width of the river mouth by 5
Coastal water	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) means seawater within the outer limits of the territorial sea and includes— (a) seawater with a substantial fresh water component; and (b) seawater in estuaries, fiords, inlets, harbours, or embayments
Commercial activity	has the same meaning as in the Standard 14 of the National Planning Standards 2019 (as set out in the box below) means any activity trading in goods, equipment or services. It includes any ancillary activity to the commercial activity (for example administrative or head offices)

¹⁹ ENV-2024-CHC-33 Port Otago

Term	Definition
Commercial port activity	means commercial shipping operations associated with the Otago Harbour and the activities carried out <u>to service commercial ship operators calling at the ports at</u> Port Chalmers and Dunedin, (including the wharf wharves at Ravensbourne <u>and Careys Bay</u>)²⁰ which include: (a) Operation of marine services vessels-commercial ships in Otago Harbour;²¹ (b) Loading and unloading of goods and passengers carried by sea (except expect for loading and unloading of passengers at Ravensbourne); (c) Facilities for the storage of goods carried by sea (except at Ravensbourne);²² (d) Buildings, installations, other structures or equipment at or adjacent to a port and used in connection with the ports' operation or administration (except at Ravensbourne);²³ (e) Structures, facilities and pipelines for fuel storage, and refuelling of ships; (f) Provision, maintenance and development of shipping channels and swing basins; (g) Disposal of dredged materials at A0 Heyward Point, Aramoana and Shelly Beach referred to at MAP2; (h) Installation and maintenance of beacons and markers for navigation safety; and (i) Provision and maintenance of the mole at Aramoana.
<u>Community-scale irrigation and stockwater infrastructure</u> ²⁴	<u>means infrastructure to take, convey or store water for irrigation or stock drinking water that supplies water to five or more properties and that is administered by a trust, company, incorporated society, or other legal entity.</u>
Competitiveness margin	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) 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

²⁰ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

²¹ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

²² Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

²³ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

²⁴ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

Term	Definition
Contaminant	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) 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— (a) when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or (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
Contaminated land	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) means land that has a hazardous substance in or on it that— (a) has significant adverse effects on the environment; or (b) is reasonably likely to have significant adverse effects on the environment
Critical buildings	for the purposes of the consequence table within APP6, these are buildings which have a post-disaster function. These include: (a) Buildings and facilities designed as essential facilities; (b) Buildings and facilities with special post-disaster function; (c) Medical emergency or surgical facilities; (d) Emergency service facilities such as fire and police stations; (e) Designated emergency shelters; (f) Designated emergency centres and ancillary facilities; and (g) Buildings and facilities containing hazardous materials capable of causing hazardous conditions that extends beyond the property boundaries.
Degraded (in relation to freshwater)	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) in relation to an FMU or part of an FMU, means that as a result of something other than a naturally occurring process: (a) a site or sites in the FMU or part of the FMU to which a target attribute state applies: (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 described in Appendix 1A or any other value identified for it under the NOF

Term	Definition
Depositional landform	has the same meaning as in the National Policy Statement for Indigenous Biodiversity 2023 (as set out in the box below); means a landform that is alluvial (matter deposited by water, (eg, fans, river flats, and terraces), colluvial (matter deposited by gravity at the base of hillslopes, (eg, talus), or glacial (matter deposited by glaciers, (eg, moraines and outwash).
Development capacity	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) means the capacity of the land to be developed for housing or for business use, based on: (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
Development infrastructure	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) 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): (a) network infrastructure for water supply, wastewater, or stormwater (b) land transport (as defined in section 5 of the Land Transport Management Act 2003)
Discharge	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) includes emit, deposit, and allow to escape
Distribution network	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) (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 (b) does not include lines and associated equipment that are part of the national grid
District plan	has the same meaning as in section 43AA of the Resource Management Act 1991 (as set out in the box below) (a) means an operative plan approved by a territorial authority under Schedule 1; and (b) includes all operative changes to the plan (whether arising from a review or otherwise)

Term	Definition
Drinking water	has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below) 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
Dwelling	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) 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
Earthworks	has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below) 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
Ecological district	has the same meaning as in the Interpretation section of the National Policy Statement for Indigenous Biodiversity 2023, adapted to apply to the Otago context (as set out in the box below): means: the ecological districts as shown in McEwen, W Mary (ed), 1987. <i>Ecological regions and districts of New Zealand</i>. Wellington: Department of Conservation.
Ecosystem function	has the same meaning as in the Interpretation section of the National Policy Statement for Indigenous Biodiversity 2023 (as set out in the box below): means the abiotic (physical) and biotic (ecological and biological) flows that are properties of an ecosystem

Term	Definition
Effect	has the same meaning as in section 3 of the Resource Management Act 1991 (as set out in the box below) In this Act, unless the context otherwise requires, the term effect includes— (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— regardless of the scale, intensity, duration, or frequency of the effect, and also includes— (e) any potential effect of high probability; and (f) any potential effect of low probability which has a high potential impact
Effects management hierarchy (in relation to natural inland wetlands and rivers)	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) 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: (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 avoided

Term	Definition
Effects management hierarchy (in relation to indigenous biodiversity)²⁵	means an approach to managing the adverse effects of an activity of <i>indigenous biodiversity</i> that requires that: (a) adverse effects are avoided where practicable; then (b) where adverse effects cannot be avoided, they are minimised where practicable; then (c) where adverse effects cannot be minimised, they are remedied where practicable; then (d) where more than minor residual adverse effects cannot be avoided, minimised, or remedied, <i>biodiversity offsetting</i> is provided where possible; then (e) where <i>biodiversity offsetting</i> of more than minor residual adverse effects is not possible, <i>biodiversity compensation</i> is provided; then (f) if <i>biodiversity compensation</i> is not appropriate, the activity itself is avoided, unless the activity is <i>regionally significant infrastructure</i> and <i>nationally significant infrastructure</i> that is either <i>renewable electricity generation</i> or the <i>National Grid</i> then: (g) if compensation is not appropriate to address any residual adverse effects: (i) the activity must be avoided if the residual adverse effects are significant; but (ii) if the residual adverse effects are not significant, the activity must be enabled if the national significance and benefits of the activity outweigh the residual adverse effects.
Electricity sub-transmission infrastructure	means electricity infrastructure which conveys electricity between energy generation sources, the National Grid and zone substations and between zone substations.
Environment	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) includes— (a) ecosystems and their constituent parts, including people and communities; and (b) all natural and physical resources; and (c) amenity values; and (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

²⁵ ENV-2024-CHC-35 Transpower, ENV-2024-CHC-22 Meridian Energy

Term	Definition
Environmental compensation ²⁶	[new definition sought]
Environmental outcome	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) 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 regional plan(s)
Esplanade reserve	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) means a reserve within the meaning of the Reserves Act 1977— (a) which is either— (i) a local purpose reserve within the meaning of section 23 of that Act, if vested in the territorial authority under section 239; or (ii) a reserve vested in the Crown or a regional council under section 237D; and (b) which is vested in the territorial authority, regional council, or the Crown for a purpose or purposes set out in section 229
Esplanade strip	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) 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
Exceedance	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) for a contaminant, means an instance where the contaminant exceeds its threshold concentration in an airshed
Existing, for a heat device (for the interpretation of EIT-EN-P5)	has the same meaning as in section 3 of the Resource Management (National Environment Standards for Greenhouse Gas Emissions from Industrial Process Heat) Regulations 2023 (as set out in the box below) (a) means a device that, before 27 July 2023, is installed and operational, or able to be operated, at a site; and (b) includes a device described in paragraph (a) after it is upgraded or improved; but (c) does not include a device that, on or after 27 July 2023, is installed in replacement of a device described in paragraph (a)

²⁶ ENV-2024-CHC-29 Oceana Gold

Term	Definition
Exotic pasture species	has the same meaning as in the National Policy Statement for Indigenous Biodiversity 2023 (as set out in the box below) means a pasture species identified in the National List of Exotic Pasture Species (see clause 1.8)
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. Note: 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.
Fossil fuel	has the same meaning as in section 3 of the Resource Management (National Environment Standards for Greenhouse Gas Emissions from Industrial Process Heat) Regulations 2023 (as set out in the box below) (a) means any carbon-based fuel sourced from fossil hydrocarbon deposits; and (b) includes— (i) coal, coke, diesel, liquid petroleum gas, natural gas, oil, peat, plastics, and used oil; and (ii) any fuel wholly or partly derived from a fuel described in paragraph (a), including tyres used as fuel; but (c) does not include biomass or biogas
Freshwater or fresh water	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) means all water except coastal water and geothermal water
Freshwater management unit or FMU	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) 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
Functional need	has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below) 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

Term	Definition
Future development strategy	has the same meaning as in the National Policy Statement for Urban Development 2020 (as set out in the box below) means the Future Development Strategy required by subpart 4 of Part 3
Greenhouse gas	has the same meaning as in section 4(1) of the Climate Change Response Act 2002 (as set in in the box below) means— (a) carbon dioxide (CO₂): (b) methane (CH₄): (c) nitrous oxide (N₂O): (d) any hydrofluorocarbon: (e) any perfluorocarbon: (f) sulphur hexafluoride (SF₆)
Greywater	has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below) means liquid waste from domestic sources including sinks, basins, baths, showers and similar fixtures, but does not include <i>sewage</i>, or <i>industrial and trade waste</i>.
Groundwater	has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below) means water occupying openings, cavities, or spaces in soils or rocks beneath the surface of the ground
Habitat (in relation to indigenous biodiversity)	has the same meaning as in the National Policy Statement for Indigenous Biodiversity 2023 (as set out in the box below) means the area or environment where an organism or ecological community lives or occurs naturally for some or all of its life cycle, or as part of its seasonal feeding or breeding pattern; but does not include built structures or an area or environment where an organism is present only fleetingly.
Hard protection structure	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) 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 and outside the coastal environment, means any kind of structure which is specifically established for the purpose of natural hazard risk mitigation, including dams, weirs, stopbanks, carriageways, groynes, reservoirs and rip rap.

Term	Definition
Heat device	has the same meaning as in section 3 of the Resource Management (National Environment Standards for Greenhouse Gas Emissions from Industrial Process Heat) Regulations 2023 (as set out in the box below) (a) means a device that produces <i>industrial process heat</i> (for example, a boiler, furnace, engine, or other combustion device); but (b) does not include a device used for the primary purpose of— (i) generating electricity, including a generator used for back-up electricity or for maintaining the electricity network; or (ii) transmitting electricity, including in mobile and fixed substations
Highly mobile fauna area	has the same meaning as in the Interpretation in the National Policy Statement for Indigenous Biodiversity 2023 (as set out in the box below) means an area outside an <i>SNA</i> that is an area used intermittently by <i>specified highly mobile fauna</i>
Highly productive land	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) means <i>land</i> 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 <i>land</i> is rezoned and therefore ceases to be highly productive land
Highly valued natural features and landscapes²⁷	[deleted in Decisions Version]
Historic heritage	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) (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: (i) archaeological: (ii) architectural: (iii) cultural: (iv) historic: (v) scientific: (vi) technological; and (b) includes—

²⁷ ENV-2024-CHC-37 QLDC, ENV-2024-CHC-26 Forest & Bird

Term	Definition
	(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
Housing and Business Development Capacity Assessment	has the same meaning as in the National Policy Statement for Urban Development Capacity 2020 (as set out in the box below) means the Housing and Business Development Capacity Assessment (HBA) required by subpart 5 of Part 3
Identified for future urban development	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) (a) identified in a published Future Development Strategy as land suitable for commencing urban development over the next 10 years; or (b) identified: (i) in a strategic planning document as an area suitable for commencing urban development over the next 10 years; and (ii) at a level of detail that makes the boundaries of the area identifiable in practice
Improved pasture	has the same meaning as in the National Policy Statement for Indigenous Biodiversity 2023 (as set out in the box below): means an area of land where exotic pasture species have been deliberately sown or maintained for the purpose of pasture production, and species composition and growth has been modified and is being managed for livestock grazing.
Indigenous biodiversity	has the same meaning as in the Interpretation section of the National Policy Statement for Indigenous Biodiversity 2023 (as set out in the box below) means the living organisms that occur naturally in New Zealand, and the ecological complexes of which they are part, including all forms of indigenous flora, fauna, and fungi, and their <i>habitats</i>.
Indigenous vegetation	means vascular and non-vascular plants that, in relation to a particular area, are native to the ecological district²⁸ or freshwater or marine bioregion in which that area is located
Indigenous species (in relation to the ECO chapter)	means species that occur naturally in Otago.

²⁸ McEwen, W Medium (ed), 1987. Ecological regions and districts of New Zealand. Wellington: Department of Conservation

Term	Definition
Industrial activities	has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below) 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
Industrial and trade waste	has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below) means liquid <i>waste</i>, 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 <i>sewage</i> and greywater.
Industrial process heat	has the same meaning as in section 3 of the Resource Management (National Environment Standards for Greenhouse Gas Emissions from Industrial Process Heat) Regulations 2023 (as set out in the box below) (a) means thermal energy that is used— (i) in industrial processes, including in manufacturing and in the processing of raw materials; or (ii) to grow plants or other photosynthesising organisms indoors; but (b) does not include thermal energy used in the warming of spaces for people’s comfort (for example, heating of commercial offices)
Infrastructure	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) means— (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— (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:

Term	Definition
	(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	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) In relation to ecosystems, means those aspects of ecosystems and their constituent parts which have value in their own right, including – (a) their biological and genetic diversity; and (b) the essential characteristics that determine an ecosystem’s integrity, form, functioning and resilience
Kāika	means a settlement of Kāi Tahu or their tūpuna.
Kaitiakitanga or kaitiakitaka	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) 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
Lake	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) means a body of fresh water which is entirely or nearly surrounded by land

Term	Definition
Land	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) (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
Land-based primary production	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) means production, from agricultural, pastoral, horticulture, or forestry activities, that is reliant on the soil resource of the <i>land</i>
Landfill	has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below) means an area used for, or previously used for, the disposal of solid waste. It excludes cleanfill areas
Lifeline utilities	means utilities provided by those entities listed in Schedule 1 of the Civil Defence Emergency Management Act 2002
Limit	In the LF – Land and Freshwater chapter, has the same meaning defined in the NPSFM, and elsewhere, “limit” has its natural and ordinary meaning
Limit (in relation to freshwater)	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) means either a limit on resource use or a take limit
<u>Limit (in relation to IM-P12)</u> ²⁹	<u>means:</u> <u>(1) minimum acceptable state of an aspect of the natural environment, or</u> <u>(2) maximum amount of acceptable harm or pressure on the natural environment.</u>
Local authority	has the same meaning as in section 5 of the Local Government Act 2002 (as set out in the box below) means a regional council or <i>territorial authority</i>
<u>Loss of values</u> ³⁰	<u>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)</u> <u>in relation to a natural inland wetland or river, means the wetland or river is less able to provide for the following existing or potential values:</u>

²⁹ Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296

³⁰ Clause 16(2) memorandum (24 March 2025)

Term	Definition
	(a) <u>the value identified for it under the NOF process; or</u> (b) <u>any of the following, whether or not they are identified under the NOF process:</u> (i) <u>ecosystem health</u> (ii) <u>indigenous biodiversity</u> (iii) <u>hydrological functioning</u> (iv) <u>Māori freshwater values</u> (v) <u>amenity values</u>
LUC 1, 2, or 3 land	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) means <i>land</i> 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
Mahika kai	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
Maintenance of improved pasture	has the same meaning as in the National Policy Statement for Indigenous Biodiversity 2023 (as set out in the box below): includes the removal of indigenous vegetation for the purpose of maintaining the improved pasture, whether the removal is by way of cutting, crushing, applying chemicals, draining, burning, cultivating, over-planting, applying seed of exotic pasture species, mob stocking, or making changes to soils, hydrology, or landforms.
Maintenance of indigenous biodiversity	has the same meaning as in the National Policy Statement for Indigenous Biodiversity 2023 (as set out in the box below): means: (a) the maintenance and at least no overall reduction of all the following: (i) the size of populations of <i>indigenous</i> species: (ii) indigenous species occupancy across their natural range: (iii) the properties and function of ecosystems and <i>habitats</i> used or occupied by <i>indigenous biodiversity</i>: (iv) the full range and extent of ecosystems and <i>habitats</i> used or occupied by <i>indigenous biodiversity</i>: (v) connectivity between, and buffering around, ecosystems used or occupied by <i>indigenous biodiversity</i>: (vi) the resilience and adaptability of ecosystems; and (b) where necessary, the restoration and enhancement of ecosystems and <i>habitats</i>.

Term	Definition
Māori land	for the purposes of this RPS, means land within the region that is: (1) owned by Te Rūnanga o Ngāi Tahu or its constituent papatipu rūnaka and to be used for the purpose of: (a) locating papakāika development away from land that is either at risk from natural hazards, including climate change effects—such as sea level rise, or is otherwise unsuitable for papakāika development, (b) extending the area of an existing papakāika development³¹, (2) Māori communal land gazetted as Māori reservation under s338 Te Ture Whenua Māori Act 1993, (3) Māori customary land and Māori freehold land as defined in s4 and s129 Te Ture Whenua Māori Act 1993, (4) 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, (5) 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, (6) vested in a Trust or Māori incorporation under Te Ture Whenua Māori Act 1993, (7) held or claimed (whether as an entitlement, part of an ancillary claim, or because it was transferred or vested) either, (a) as part of redress for the settlement of Treaty of Waitangi claims, or (b) 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), or (c) as SILNA lands, (8) owned by a person or persons with documentary evidence of Kāi Tahu whakapapa connection to the land (not simply being evidence of whakapapa to Kāi Tahu whānui), where that evidence <u>of that connection</u> is provided <u>to, and confirmed</u> by either: <u>(a)³² the Māori Land Court (under its jurisdiction over General land owned by Māori),³³ or</u>

³¹ Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107

³² Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107

³³ Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107

Term	Definition
	(b) ³⁴ the Te Rūnanga o Ngāi Tahu Whakapapa Unit.
Mana whenua	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 means customary authority exercised by an iwi or hapu in an identified area
Mineral	has the same meaning as in section 2(1) of the Crown Minerals Act 1991 (as set out in the box below) 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
Mining³⁵	[new definition sought]
Mixing zone	has the same meaning as in the Glossary of the New Zealand Coastal Policy Statement 2010 (as set out in the box below) 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
National grid	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) means the assets used or owned by Transpower New Zealand
National Objectives Framework	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) means the framework for managing freshwater as described in subpart 2 of Part 3

³⁴ Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107

³⁵ ENV-2024-CHC-29 Oceana Gold

Term	Definition
Nationally significant infrastructure	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): means all of the following: (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 (i) 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
Natural and physical resources	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) includes land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures
Natural hazard	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) 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
Natural hazard works	has the same meaning as in regulation 51(1) of the National Environmental Standard for Freshwater 2020 (as set out in the box below) means works for the purpose of removing material, such as trees, debris, and sediment, that— (a) is deposited as the result of a natural hazard, and (b) is causing, or is likely to cause, an immediate hazard to people or property

Term	Definition
Naturally rare	has the same meaning as in the Glossary of the New Zealand Coastal Policy Statement 2010 (as set out in the box below) originally rare: Rare before the arrival of humans in New Zealand
Natural <u>inland</u> wetland ³⁶	<u>means a wetland (as defined in the Act) that is not:</u> <u>(a) in the coastal marine area; or</u> <u>(b) a deliberately constructed wetland, other than a wetland constructed to offset impacts on, or to restore, an existing or former natural inland wetland; or</u> <u>(c) a wetland that has developed in or around a deliberately constructed water body, since the construction of the water body; or</u> <u>(d) 700 or more consumers; or</u> <u>(e) a geothermal wetland; or</u> <u>(f) a wetland that; or</u> <u>(i) is within an area of pasture used for grazing; and</u> <u>(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 NPSFM)); unless</u> <u>(iii) the wetland is a location of a habitat of a threatened species identified under clause 3.8 of the NPSFM, in which case the exclusion in (e) does not apply</u>
New, for a heat device (for the interpretation of EIT-EN-P5)	has the same meaning as in section 3 of the Resource Management (National Environment Standards for Greenhouse Gas Emissions from Industrial Process Heat) Regulations 2023 (as set out in the box below) means not <i>existing</i>
Nohoaka or nohoanga	means a site occupied by Kāi Tahu on a seasonal and temporary basis for mahika kai or other customary purposes.
Occupancy	means, in relation to measuring indigenous biodiversity, the number of units per area occupied by a species or taxa
Operational need	has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below) 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

³⁶ Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

Term	Definition
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) means a water body, or part of a water body, identified in a regional policy statement, a regional plan, or a water conservation order as having one or more outstanding values
Over-allocation, or over-allocated	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) in relation to both the quantity and quality of freshwater, means the situation where: (a) resource use exceeds a limit; (b) if limits have not been set, an FMU or part of an FMU is degraded or degrading; or (c) an FMU or part of an FMU is not achieving an environmental flow or level set for it under clause 3.16
Papakāika	means <i>subdivision</i>, use and development by <i>mana whenua</i> of <u>native reserves</u>, <i>Māori land</i> and associated resources <u>by <i>mana whenua</i> or owners of Māori land</u> to provide for <u>their communal living themselves in general</u> accordance with <u>Kāi Tahu</u> tikaka Māori for their cultural and traditional purposes, which may include cultural, social, housing, educational, recreational, environmental or <u>commercial home occupation</u>³⁷ purposes.
Pest	has the same meaning as in section 2 of the Biosecurity Act 1993 (as set out in the box below) means an organism specified as a pest in a pest management plan

³⁷ Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107

Term	Definition
Plantation forestry	has the same meaning as in regulation 3 of the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017 (as set out in the box below) means a forest deliberately established for commercial purposes, being— (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— (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	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) means particulate matter that is— (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}	means particulate matter that is less than 2.5 micrometres in aerodynamic diameter.

Term	Definition
Polluted airshed	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) (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— (i) the airshed has meaningful PM10 data for at least a 12-month period; and (ii) the airshed’s average exceedances of PM10 (as calculated under regulation 16D) was more than 1 per year; and (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
Primary production	has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below) means: (a) an aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and (b) includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a); (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 (d) excludes further processing of those commodities into a different product
Productive capacity	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) in relation to <i>land</i>, means the ability of the <i>land</i> to support land-based <i>primary production</i> over the long term, based on an assessment of: (a) physical characteristics (such as soil type, properties, and versatility); and (b) legal constraints (such as consent notices, <i>local authority</i> covenants, and easements); and (c) the size and shape of existing and proposed <i>land</i> parcels

Term	Definition
Public transport	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) 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: (a) a vehicle designed or adapted to carry more than 12 persons (including the driver), or (b) a rail vehicle, or (c) a ferry
Receiving environment (in relation to <i>freshwater</i> and the <i>coastal marine area</i>)	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) includes, but is not limited to, any water body (such as a river, lake, wetland or aquifer) and the coastal marine area (including estuaries)
Reclamation	has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below) 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: (a) includes the construction of any causeway; but (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
Regional plan	has the same meaning as in section 43AA of the Resource Management Act 1991 (as set out in the box below) (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 (b) includes a regional coastal plan
Regionally significant infrastructure	means: (1) roads which provide a lifeline connection for a community OR roads classified as being of regional importance in accordance with the One Network Framework, (2) electricity sub-transmission infrastructure, (2A) significant electricity distribution 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) <u>networks for the purpose of telecommunication and radiocommunication-networks, as respectively defined in section 5 of</u>

Term	Definition
	<u>the Telecommunications Act 2001 and in section 2 of the Radiocommunications Act 1989,</u> ³⁸
	(5) public transport, terminals and stations,
	(6) the following airports: Dunedin, Queenstown, Wānaka, Alexandra, Balclutha, Cromwell, Ōamaru, Taiari, ³⁹
	(7) navigation infrastructure associated with airports and commercial ports which are nationally or regionally significant,
	(8) defence facilities for defence purposes in accordance with the Defence Act 1990,
	(8A) established community-scale irrigation and stockwater infrastructure <u>community-scale irrigation and stockwater infrastructure,</u> ⁴⁰
	(9) community drinking-water <u>drinking water</u> abstraction, supply treatment and distribution <i>infrastructure</i> that provides no fewer than 25 households with drinking-water <u>drinking water</u> ⁴¹ for not less than 90 days each calendar year, and community water supply abstraction, treatment and distribution <i>infrastructure</i> (excluding delivery systems or infrastructure primarily deployed for the delivery of water for irrigation of land or rural agricultural drinking-water ⁴² supplies),
	(10) community stormwater <i>infrastructure</i> ,
	(11) wastewater and sewage collection, treatment and disposal infrastructure serving no fewer than 25 households,
	(11A) oil terminals, bulk fuel storage and supply infrastructure, and ancillary pipelines at Port Chalmers and Dunedin <u>Bulk Port,</u> ⁴³
	(12) Otago Regional Council's hazard mitigation works including flood protection infrastructure and drainage schemes,
	(13) landfills and associated solid waste sorting and transfer facilities which are designated by, or are owned or operated by a local authority, ⁴⁴
	(14) <i>ski area infrastructure</i> <u>at Remarkables, Cardrona, Treble Cone and Coronet Peak,</u> ⁴⁵ and
	(15) any <i>infrastructure</i> identified as <i>nationally significant infrastructure</i> .

³⁸ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

³⁹ Clause 16(2) memorandum (5 May 2025)

⁴⁰ Clause 16(2) memorandum (14 October 2025)

⁴¹ Clause 16(2) memorandum (14 October 2025)

⁴² Clause 16(2) memorandum (14 October 2025)

⁴³ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁴⁴ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁴⁵ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

Term	Definition
Renewable electricity generation	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) means generation of electricity from solar, wind, hydroelectricity, geothermal, biomass, tidal, wave, or ocean current energy sources
Renewable electricity generation activities	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) 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
Replanting	has the same meaning as in regulation 3 of the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017 (as set out in the box below) means the planting and growing of commercialplantation forestry trees on land less than 5 years after commercialplantation⁴⁶ forestry harvesting has occurred
Resilient or resilience	means the capacity and ability to withstand or recover quickly from adverse conditions.
Resource consent	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) has the meaning set out in section 87; and includes all conditions to which the consent is subject
Restoration (in relation to indigenous biodiversity)	has the same meaning as in the Interpretation section of the National Policy Statement for Indigenous Biodiversity 2023 (as set out in the box below) means the active intervention and management of modified or degraded <i>habitats</i>, ecosystems, landforms, and landscapes in order to maintain or reinstate indigenous natural character, ecological and physical processes, and cultural and visual qualities, and may include enhancement activities
Reverse sensitivity	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.
Riprap	a permanent layer or large, angular rocks, concrete or boulders typically used to armour, stabilize and protect the <i>land</i> surface and margins of <i>water bodies</i> against erosion and scour in areas of concentrated <i>water</i> flow or wave energy

⁴⁶ Clause 16(2) memorandum (24 March 2025)

Term	Definition
Risk (in relation to natural hazards) ⁴⁷	has the same meaning as in the Glossary in the New Zealand Coastal Policy Statement 2010 (as set out in the box below) 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 Risk management—Principles and guidelines, November 2009)
River	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) 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)
Rural area ⁴⁸	means any area of land land ⁴⁹ that is not an <i>urban area</i>
Rural industry	has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below) means an industry or business undertaken in a rural <i>environment</i> that directly supports, services, or is dependent on <i>primary production</i>
Sensitive activities	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) includes schools, residential buildings and hospitals
Sewage	has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below) means human excrement and urine
Ship	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) has the same meaning as in section 2(1) of the Maritime Transport Act 1994
Significant electricity distribution infrastructure	means electricity infrastructure identified in a district plan⁵⁰ which supplies: (a) essential public services (such as emergency services hospitals and lifeline utilities facilities);⁵¹ (b) other regionally significant infrastructure or individual consumers requiring supply of 1MW or more; (c) 700 or more consumers; or

⁴⁷ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁴⁸ ENV-2024-CHC-29 Oceana Gold, ENV-2024-CHC-26 Forest & Bird

⁴⁹ Clause 16(2) memorandum (14 October 2025)

⁵⁰ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁵¹ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

Term	Definition
	(d) 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.
Significant natural area⁵²	has the same meaning as in the Interpretation section of the National Policy Statement for Indigenous Biodiversity 2023 (except that a reference to Appendix 2 rather than Appendix 1) as set out below: means: (a) any area that, after the commencement date, is notified or included in a district plan as an SNA following an assessment of the area in accordance with Appendix 2; and (b) any area that, on the commencement date, is already identified in a policy statement or plan as an area of significant indigenous vegetation or significant habitat of indigenous fauna (regardless of how it is described); in which case it remains as a⁵³ significant natural area unless or until a suitably qualified ecologist engaged by the relevant local authority determines that it is not an area of significant indigenous vegetation or significant habitat of indigenous fauna.
Ski area infrastructure	has the same meaning as in the clause 3.21(1) of the National Policy Statement for Freshwater Management 2020 (as set out in the box below) <i>infrastructure</i> necessary for the operation of a ski area and includes: transport mechanisms (such as aerial and surface lifts, roads, and tracks); facilities for the loading or unloading of passengers or goods; facilities or systems for <i>water</i>, sewerage, electricity, and gas; communications networks; and snowmaking and snow safety systems
Small and community scale distributed electricity generation	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) 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
Social and cultural buildings	For the purposes of the consequence table within APP6, these are buildings that are of social and cultural importance. These include: (a) Places of worship; (b) Museums; (c) Art galleries; (d) Marae; and (e) Educational facilities

⁵² ENV-2024-CHC-39 EDS, ENV-2024-CHC-26 Forest & Bird

⁵³ Clause 16(2) memorandum (5 May 2025)

Term	Definition
Solid fuel	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) means a solid substance that releases useable energy when burnt (for example, wood and coal)
Specified highly mobile fauna	has the same meaning as in the Interpretation in the National Policy Statement for Indigenous Biodiversity 2023, except that reference to Appendix 2 is amended to APP12 (as set out in the box below): means the <i>Threatened or At Risk species</i> of highly mobile fauna that are identified in APP12.
Specified infrastructure (in relation to indigenous biodiversity)	has the same meaning as in the Interpretation section of the National Policy Statement for Indigenous Biodiversity 2023 (as set out in the box below) means any of the following: (a) <i>infrastructure</i> that delivers a service operated by a lifeline utility (as defined in the Civil Defence Emergency Management Act 2002).⁵⁴ (b) regionally or nationally significant infrastructure identified as such in a National Policy Statement, the New Zealand Coastal Policy Statement, or a regional policy statement or plan.⁵⁵ (c) <i>infrastructure</i> that is necessary to support housing development, that is included in a proposed or operative plan or identified for development in any relevant strategy document (including a future development strategy or spatial strategy) adopted by a local authority, in an urban environment (as defined in the National Policy Statement on Urban Development 2020).⁵⁶ (d) any public flood control, flood protection, or drainage works carried out: (i) by or on behalf of local authority, including works carried out for the purposes set out in section 133 of the Soil Conservation and Rivers Control Act 1941; or (ii) for the purpose of drainage, by drainage districts under the Land Drainage Act 1908.⁵⁷ (e) defence facilities operated by the New Zealand Defence Force to meet its obligations under the Defence Act 1990.

⁵⁴ Clause 16(2) memorandum (5 May 2025)

⁵⁵ Clause 16(2) memorandum (5 May 2025)

⁵⁶ Clause 16(2) memorandum (5 May 2025)

⁵⁷ Clause 16(2) memorandum (5 May 2025)

Term	Definition
Specified rivers and lakes	has the same meaning as in Appendix 3 of the National Policy Statement for Freshwater Management 2020 (as set out in the box below) means: (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 (b) lakes with a perimeter of 1.5km or more
Stormwater	has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below) 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
Structure	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) means any building, equipment, device, or other facility made by people and which is fixed to land; and includes any raft
Structure plan	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.

Term	Definition
Subdivision	has the same meaning as “subdivision of land” in section 218(1) of the Resource Management Act 1991 (as set out in the box below) means— (a) the division of an allotment— (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 (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,— and the term subdivide land has a corresponding meaning
Surf break	has the same meaning as in the Glossary in the New Zealand Coastal Policy Statement 2010 (as set out in the box below) 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
Takata whenua or tangata whenua	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) in relation to a particular area, means the iwi, or hapu, that holds mana whenua over that area

Term	Definition
Taxa	has the same meaning as in the Glossary of the New Zealand Coastal Policy Statement 2010 (as set out in the box below) Named biological classification units assigned to individuals or sets of species (eg species, subspecies, genus, order, variety)
Te Mana o te Wai	has the same meaning as in clause 1.3 of the National Policy Statement for Freshwater Management 2020
Territorial authority	has the same meaning as in section 5 of the Local Government Act 2002 (as set out in the box below) means a city council or a district council named in Part 2 of Schedule 2
Threatened or At Risk, and Threatened or At Risk (declining)	has the same meaning as in the Interpretation section of the National Policy Statement for Indigenous Biodiversity 2023 (as set out in the box below); have, at any time, the meanings given in the New Zealand Threat Classification System Manual (Andrew J Townsend, Peter J de Lange, Clinton A J Duffy, Colin Miskelly, Janice Molloy and David A Norton, 2008. Science & Technical Publishing, Department of Conservation, Wellington), available at: https://www.doc.govt.nz/globalassets/documents/science-and-technical/sap244.pdf , or its current successor publication ⁵⁸
Urban area⁵⁹	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 District Plans 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> .
Urban environment	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) means any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that: (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
Vulnerability	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.
Wāhi tūpuna	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.

⁵⁸ Clause 16(2) memorandum (5 May 2025)

⁵⁹ ENV-2024-CHC-31 Glenpanel Limited, ENV-2024-CHC-29 Oceana Gold

Term	Definition
Waste	has the same meaning as in the Waste Minimisation Act 2008 (as set out in the box below) (a) means any thing disposed of or discarded; and (b) includes a type of <i>waste</i> that is defined by its composition or source (for example, organic <i>waste</i>, electronic <i>waste</i>, or construction and demolition <i>waste</i>); and (c) to avoid doubt, includes any component or element of diverted material, if the component or element is disposed of or discarded
Wastewater	has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below) means any combination of two or more the following wastes: sewage, greywater or industrial and trade waste
Water	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) (a) means water in all its physical forms whether flowing or not and whether over or under the ground: (b) includes fresh water, coastal water, and geothermal water: (c) does not include water in any form while in any pipe, tank, or cistern
Water body	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) 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
Well-functioning urban environments	has the same meaning as in Policy 1 of the National Policy Statement on Urban Development 2020 (as set out in the box below) well-functioning urban environments are urban environments that, as a minimum: (a) Have or enable a variety of homes that: (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;

Term	Definition
	and (e) support reductions in greenhouse gas emissions; and (f) are resilient to the likely current and future effects of climate change
Wetland	has the same meaning as in section 2 of the Resource Management Act 1991 (as set out in the box below) 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
Wetland utility structure	has the same meaning as in regulation 3 of the National Environmental Standard for Freshwater 2020 (as set out in the box below) (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 (b) for example, includes the following structures that are placed in or adjacent to a wetland for a purpose described in paragraph (a): (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	has the same meaning as in regulation 3 of the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017 (as set out in the box below) means a self-established conifer species tree resulting from seed spread from commercial plantation⁶⁰ forestry, shelter belts, amenity planting, or an already established wilding conifer species tree population

⁶⁰ Clause 16(2) memorandum (24 March 2025)

Abbreviations

Abbreviation	Full Terms
Air Plan	Regional Plan: Air for Otago
CDC	Clutha District Council
CODC	Central Otago District Council
DCC	Dunedin City Council
FMU	Freshwater Management Unit
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
NESCF ⁶¹	National Environmental Standards for Commercial Plantation ⁶² Forestry 2017
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
NPSHPL	National Policy Statement for Highly Productive Land 2022
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
ORC	Otago Regional Council
QLDC	Queenstown Lakes District Council
RPS	Regional Policy Statement
RMA	Resource Management Act 1991
SNA	Significant Natural Area
Waste Plan	Regional Plan: Waste for Otago

⁶¹ Clause 16(2) memorandum (24 March 2025)

⁶² Clause 16(2) memorandum (24 March 2025)

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	
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, policies 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. 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.	
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
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 resource consent. NESs must be observed and enforced by local authorities.⁶³ The following relevant NESs are currently in force: • 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

⁶³ Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208

- [Resource Management \(National Environmental Standards for Telecommunications Facilities\) Regulations 2016](#)
- [Resource Management \(National Environmental Standard for Commercial Forestry\) 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 Tahu⁶⁴

Kāi Tahu whānui 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, of which seven have interests in the Otago region. Papatipu rūnaka are a focus for whānau and hapū (extended family groups) who have *mana whenua* status within their area. In addition, the rakatirataka of owners of Māori freehold land over their land and resources is acknowledged.⁶⁵ *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 Rūnanga o Ngāi Tahu encourages consultation with the papatipu rūnaka and takes into account the views of kā Rūnaka when determining its own position.

Three Kāi Tahu ki Otago papatipu rūnaka have marae based in Otago, Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki and Te Rūnanga o Ōtākou, whilst the fourth, Hokonui Rūnanga, is based in neighbouring Southland. Three Ngāi Tahu ki Murihiku Rūnanga Rūnaka⁶⁶ – 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 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.

⁶⁴ 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.

⁶⁵ Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107

⁶⁶ Clause 16(2) memorandum (5 May 2025)

<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 harbour 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 Waikōuaiti River and estuary are treasured and well utilised *mahika kai* for Kāti Huirapa ki Puketeraki.

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



Puketeraki Marae

Te Rūnanga o Ōtākou

The takiwā of Te Rūnaka o Ōtākou centres on Muaupoko 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 harbour has a pivotal role in the well-being of Ōtākou people. The harbour 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 harbour 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 Rūnanga through whakapapa, history and tradition.

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



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 Tawhititarere 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 Tawhititarere sharing an interest in the *lakes* and mountains from Whakatipu-Waitai to Tawhititarere 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 i 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 requires that the relationship of Māori and their culture and traditions with their ancestral *lands, water, sites, wāhi tapu*, and other taoka, is recognised and provided for⁶⁷ and that the principles of the Treaty of Waitangi are taken into account.⁶⁸ In the spirit of this partnership and the Treaty principles, the ORPS seeks to facilitate Kāi Tahu engagement in resource management processes and decision-making 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 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*, the natural world, but as an integral part of it through *whakapapa* (genealogy). *Whakapapa* is central to *te ao Māori* (a Māori world view), 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.

⁶⁷ Section 6 of the Resource Management Act (1991).

⁶⁸ Section 8 of the Resource Management Act (1991).

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) 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 significant obligation for Kāi Tahu whānui as *mana whenua* and mana moana, and as an expression of rakatirataka.

Each papatipu rūnaka 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. Political and operational authority over an area is undertaken by 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*. 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*).⁶⁹ 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 a 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.

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 refers to the exercise of mana or authority to give effect to Kāi Tahu culture and traditions across all spheres in their takiwā, including the management of te taiao. Recognition of the relationship of Kāi Tahu and their culture and traditions with their ancestral lands, *water*, sites, wāhi tapu, and other taoka is embedded in the RMA and the Treaty of Waitangi.

Kaitiakitaka

Kaitiakitaka refers to the exercise of guardianship over *natural and physical resources*. It is an expression of rakatirataka and mana, 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 customary property rights, but it entails an active exercise of responsibility 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.

⁶⁹ Clause 16(2) memorandum (5 May 2025)

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 ~~the~~⁷⁰ te hauora o te tangata (the health of the people) are all interconnected. Due to this connection, the state of the 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.

Tikaka and kawa

Tikaka and kawa Māori encompass the beliefs, values, practices, protocols and procedures that guide appropriate codes of conduct, or ways of behaving. In the context of natural resource management, observing tikaka and kawa is part of the ethic and exercise of *kaitiakitaka*. Tikaka and kawa are underpinned by a body of mātauraka (traditional knowledge) and are 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 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 based on traditional practices but are dynamic and continue 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 on 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.

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 tūpuna (ancestors) to provide for and sustain life. 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 kai is one of the cornerstones of Kāi Tahu cultural identity. *Mahika kai* 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* 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.

⁷⁰ Clause 16(2) memorandum (5 May 2025)

Resources of significance to Kāi Tahu

Wai Māori

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 *mahika kai*, treasured for their use as a resource. The NTCSA 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 *mahika kai* 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.

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.

Coastal environment (taku tai moana me te wai māori)

Takaroa is the atua 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 Ponamu. 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.

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* 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 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)

The NTCSA was enacted to settle historical Ngāi Tahu claims against the Crown. The NTCSA 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 explicitly recognises the rakatirataka of Kāi Tahu within its takiwā, and the Act includes specific provisions that provide for exercise of rakatirataka and *kaitiakitaka* by *mana whenua* in respect to *mahika kai*, 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 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 provides details of statutory acknowledgements, and the responsibilities relating to them. Section 208 of the NTCSA 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, 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
- 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/Waipōuri Wetland - Schedule 70
- Waitaki River – Schedule 72⁷¹
- Whakatipu Waimāori (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 rakatira status extending their mana and protection over a person or area by placing their cloak over them or it. A number of areas

⁷¹ The Waitaki River lies within both the Otago and Canterbury regions

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 as tōpuni.

Sections 240 to 246 of the NTCSA provide for Kāi Tahu consultation on management of these areas, to protect their values. Although the specific provisions in the NTCSA 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). These rights are intended as partial redress for the loss of *mahika kai* 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* values associated with them.

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

- Waitaki River (two sites)
- Waianakarua River
- Taieri River (three sites)
- Lake Hāwea (three sites)
- Hāwea River
- Lake Wānaka (two sites)
- Whakatipu Waimāori
- Shotover River (two sites)
- Mata-au Clutha River (four sites).

Customary fisheries

Sections 297 to 311 of the NTCSA 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 that may impact on customary fisheries, to enable protection and restoration of fisheries habitat.

Mātaimai 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 mātaimai in Otago:

- Moeraki Mātaimai Reserve includes areas of *coastal waters* at Moeraki and Katiki (<https://www.mpi.govt.nz/dmsdocument/15220-Moeraki-North-Otago-Mataimai-Reserve>)
- Waikōuaiti Mātaimai Reserve includes *freshwater* and estuarine waters of the Waikōuaiti River (<https://www.mpi.govt.nz/dmsdocument/12954-Waikouaiti-South-Canterbury-Mataimai-Reserve->
)
- Ōtākou Mātaimai Reserve includes most of the Otago Harbour north of a line from Harwood to Pulling Point (<https://www.mpi.govt.nz/dmsdocument/14077-Otakou-mataimai-reserve>)
- Puna-wai-Tōriki (Hays Gap) Mātaimai 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-Mataimai-Reserve>)

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*.

Native 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 native 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, Waikōuaiti, Ōtākou, Onumia, Taieri Mouth, and Te Karoro, Kaka Point. Other categories of native land exist at Kōpūtai, 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, Waikōuaiti, and the former Lake Tatawai on the Taieri Plains.

The following table lists the reserves in Otago which are also mapped in MAPO – 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
Glenomaru	Located south of Kaka Point	South Island Landless Natives Act
Maranuku	Granted in 1844 as part of the Ōtakou Purchase. Originally called Te Karoro, split into two reserves	Native Reserve
Clarendon	Located inland from Taieri Mouth	Clarendon Half Caste Reserve
Taiari	Granted in 1844 as part of the Ōtakou Purchase Deed. Split into three reserves; A, B and C	Native Reserve
Lake Tatawai	Located on the Taiari Plain, south of Dunedin, includes lake that is now drained.	Native Reserve and Landing Reserve
Otago Heads Native Reserve	Granted in 1844 as part of the Ōtakou Purchase Deed. Split into four reserves	Native Reserve
Port Chalmers	Granted in 1848 as part of the Ōtakou Purchase Deed. A further grant adjacent to the Reserve was made in approximately 1888	Native Reserve
Aramoana	This reserve resulted from the Pūrākanui Half Caste grant	Half Caste Reserve
Pūrākanui	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
Karitāne (Waikōuaiti 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 Hawksbury Lagoon at Waikōuaiti and the Forks Reserve located inland from Karitāne. The legal description for the latter reserve is Section 1N Town of Hawksbury	Fishing Easement
Hawksbury	Located north of Waikōuaiti, 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

Location	Comments	Reserve Type
Kuri Bush	10 acre reserve of timber	Native Reserve
Korotuaheka	Located south of the Waitaki River mouth. Now Reserved as an urupā. It appears this originated as an occupational reserve and Fishing Easement	Native Reserve Fishing Easement
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
Hāwea-Wānaka block (Wānaka Plantation Reserve)	Known as Sticky Forest and being 50.7 hectares more or less to be vested in the Successors as defined in 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.	South Island Landless Natives Act

Mana whenua – local authority relationships

Kāi Tahu relationships with local authorities

There are a number of relationship agreements between Kāi Tahu papatipu rūnaka 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 2016 between Te Ao Marama Incorporated, representing Ngāi Tahu ki Murihiku, and councils.

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 Whakatupu⁷² is the Charter of Understanding between Ngāi Tahu ki Murihiku (Awarua Rūnanga, Waihopai Rūnanga, Ōraka-Aparima Rūnanga and Hokonui Rūnanga) and *local authorities*, including Otago Regional Council, Queenstown Lakes District Council and Clutha District Council.

Hapū 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

⁷² Available from <https://www.es.govt.nz/repository/libraries/id:26gi9ayo517q9stt81sd/hierarchy/about-us/plans-andstrategies/regional-plans/iwi-management-plan/documents/The%20Charter%20of%20Understanding.pdf> (accessed 26 May 2021)

- 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.

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 and the significance of the natural resource values to Kāi Tahu.

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

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 are also expected to consult with owners of Māori freehold land on resource management processes and implementation where decisions may affect the ability of owners of Māori freehold land to use or develop their land.*⁷³

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

Mana whenua consultancy services

The papatipu rūnaka 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.

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 Ōamaru are important pan-tribal cultural centres for mātāwaka and sit within the manaakitaka of *takata whenua*.

⁷³ Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107

Provisions

Objectives

MW-O1 – Principles of Te Tiriti o Waitangi

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 to ensure that what is valued by *mana whenua* 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, by:

- (1) recognising the status of Kāi Tahu as *mana whenua* and facilitating Kāi Tahu involvement in decision-making as a partner under Te Tiriti o Waitangi,
- (2) including Kāi Tahu in resource management processes, implementation and decision-making to the extent desired by *mana whenua*,
- (3) recognising and providing for Kāi Tahu values and addressing resource management issues of significance to Kāi Tahu, as identified by *mana whenua*, in resource management decision-making processes and plan implementation,
- (4) recognising and providing for the relationship of Kāi Tahu culture and traditions with their ancestral lands, and waters, 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,
- (5) ensuring that *regional plans* and *district plans* recognise and provide for Kāi Tahu relationships with Statutory Acknowledgement Areas, tōpuni, *nohoaka* and customary fisheries identified in the NTCSA, including by actively protecting the mauri of these areas,
- (6) having particular regard to the responsibility of Kāi Tahu to exercise their role as kaitiaki, as an expression of *mana* and *rakatirataka*,
- (7) actively pursuing opportunities for:
 - (a) delegation or transfer of functions to Kāi Tahu, and
 - (b) partnership or joint management arrangements,
 - (c) taking into account iwi management plans when making resource management decisions,

(8A)⁷⁴ *regional plans and district plans* recognising and providing for aquaculture settlement outcomes identified under the Māori Commercial Aquaculture Claims Settlement Act 2004, ~~and~~⁷⁵

(98B)⁷⁶ recognising and providing for mātauraka and tikaka in environmental and resource management, ~~and~~.⁷⁷

(109)⁷⁸ recognising and providing for rights and interests of owners of Māori land.⁷⁹

MW-P3 – Supporting Kāi Tahu hauora

The natural environment is managed to support Kāi Tahu hauora by:

- (1) recognising that Kāi Tahu hold an ancestral and enduring relationship with all whenua, wai māori and *coastal waters* within their takiwā,
- (2) protecting customary uses, Kāi Tahu values and relationships as identified by Kāi Tahu to resources and areas of significance, and restoring these uses and values where they have been degraded by human activities,
- (3) safeguarding the mauri and life-supporting capacity of natural resources, recognising the whakapapa connections of Kāi ~~Tahy~~ Tahu⁸⁰ with these resources as taoka, and the connections to practices such as *mahika kai*, and
- (4) working with Kāi Tahu to incorporate mātauraka into resource management processes and decision-making.

MW-P4 – ~~Sustainable u~~Use of Native Reserves and Māori land⁸¹

Kāi Tahu are able to:

- (1) develop and use *land* and resources within native reserves and *Māori land*, ~~including within land affected by an ONFL overlay~~,⁸² in accordance with mātauraka and tikaka, to provide for their economic,⁸³ cultural and social aspirations, including for *papakāika*, ~~and~~ marae related activities.
- ~~(2) provide for the economic use of their Māori land or native reserves resources subject to the provisions of the RMA, this regional policy statement and any relevant plan, while:~~
 - ~~(a) avoiding adverse effects on the health and safety of people,~~
 - ~~(b) avoiding significant adverse effects on matters of national importance, and~~
 - ~~(c) avoiding, remedying or mitigating other adverse effects.~~⁸⁴

⁷⁴ Clause 16(2) memorandum (5 May 2025)

⁷⁵ Clause 16(2) memorandum (5 May 2025)

⁷⁶ Clause 16(2) memorandum (5 May 2025)

⁷⁷ Clause 16(2) memorandum (5 May 2025)

⁷⁸ Clause 16(2) memorandum (5 May 2025)

⁷⁹ Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107

⁸⁰ Clause 16(2) memorandum (14 October 2025)

⁸¹ Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107

⁸² Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107

⁸³ Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107

⁸⁴ Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107

Methods

MW-M1 – Collaboration with Kāi Tahu

Local authorities must collaborate with Kāi Tahu to:

- (1) manage, in accordance with tikaka, kawa, and mātauraka, those places, areas, landscapes, waters, taoka and other elements of cultural, spiritual or traditional significance to *mana whenua* 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,
- ~~(32)~~⁸⁵ identify ~~indigenous species~~*indigenous species*⁸⁶ and ecosystems that are taoka in accordance with ECO-M3,
- ~~(4A3)~~⁸⁷⁸⁸ determine appropriate naming for places of significance in Otago, ~~and~~
- ~~(54B4)~~⁸⁹⁹⁰ share information relevant to Kāi Tahu interests, ~~and~~
- ~~(655)~~⁹¹⁹² ensure assessments under (1) and ~~(3)~~(2)⁹³ above expertly employ Te Ao Kāi Tahu methodologies, paradigms and mātauraka in setting the context, considering and evaluating issues as they relate to Kāi Tahu values and paradigms, and the manner in which they guide decision-making.⁹⁴

MW-M2 – Mātauraka Māori

Local authorities must work in partnership with Kāi Tahu to:

- ~~(12A)~~⁹⁵ incorporate mātauraka into resource management processes,
- ~~(22B)~~⁹⁶ enable use of mātauraka in decision-making where appropriate, and
- (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,
- (2) involve Kāi Tahu at an early stage and throughout resource management processes, decision-making, and implementation, and

⁸⁵ Clause 16(2) memorandum (14 October 2025)

⁸⁶ Clause 16(2) memorandum (14 October 2025)

~~⁸⁷ Clause 16(2) memorandum (5 May 2025)~~

⁸⁸ Clause 16(2) memorandum (14 October 2025)

~~⁸⁹ Clause 16(2) memorandum (5 May 2025)~~

⁹⁰ Clause 16(2) memorandum (14 October 2025)

~~⁹¹ Clause 16(2) memorandum (5 May 2025)~~

⁹² Clause 16(2) memorandum (14 October 2025)

⁹³ Clause 16(2) memorandum (14 October 2025)

⁹⁴ Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107

⁹⁵ Clause 16(2) memorandum (5 May 2025)

⁹⁶ Clause 16(2) memorandum (5 May 2025)

- (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

Local authorities must facilitate Kāi Tahu involvement in resource management (including decision making), to the extent *mana whenua* consider themselves able to accommodate, by:

- (1) including an independent accredited commissioner approved or nominated by Kāi Tahu on hearing panels for *resource consent* applications, notices of requirement, plan changes or plans where Kāi Tahu values may be affected,
- (2) implementing actions to foster the development of ~~mana whenua~~ mana whenua⁹⁷ capacity to participate in resource management decision making,
- (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, and
- (4) entering into a Mana Whakahono ā Rohe with one or more iwi authorities.

MW-M5 – Regional plans and district plans

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

- (1)⁹⁸ take into account iwi management plans and address resource management issues of significance to Kāi Tahu, and
- ~~(21A)~~⁹⁹ identify the location of native reserves and Māori land in district plans, and¹⁰⁰
- ~~(32)~~¹⁰¹ provide for the use and development of native reserves and *Māori land* in accordance with MW–P4 and recognise ~~Kāi Tahu~~ rakatirataka over this *land* by enabling *mana whenua*, and owners of Māori freehold land in relation to their land,¹⁰² to lead approaches to manage any adverse effects of such use on the *environment*.¹⁰³
- ~~(43)~~¹⁰⁴ incorporate active protection of areas and resources recognised in the NTCSA,
- ~~(53A)~~¹⁰⁵ enable the purpose of the redress provided for in the NTCSA, including those arising from the Ancillary Claims and SILNA, and¹⁰⁶
- ~~(64)~~¹⁰⁷ provide for the outcomes of settlements under the Māori Commercial Claims Aquaculture Settlement Act 2004.

⁹⁷ Clause 16(2) memorandum (14 October 2025)

⁹⁸ Clause 16(2) memorandum (5 May 2025)

⁹⁹ Clause 16(2) memorandum (5 May 2025)

¹⁰⁰ Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107

¹⁰¹ Clause 16(2) memorandum (5 May 2025)

¹⁰² Clause 16(2) memorandum (14 October 2025)

¹⁰³ Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107

¹⁰⁴ Clause 16(2) memorandum (5 May 2025)

¹⁰⁵ Clause 16(2) memorandum (5 May 2025)

¹⁰⁶ Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107

¹⁰⁷ Clause 16(2) memorandum (5 May 2025)

MW-M6 – Incentives and education

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 are actively protected, supporting Kāi Tahu wellbeing. The policies also require the development and implementation of planning tools and other mechanisms that recognise the role of Kāi Tahu in resource management and ensure their engagement with and participation in resource management including through partnership with *local authorities*.

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. Section 8 of the RMA 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 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 clearly articulated and readily understood. The principles are broadly expressed, so a measure of flexibility is needed in applying them.

The provisions in this chapter assist in implementing sections 6(e), 7(a) and 8 of the RMA 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 applied in an appropriate way.

Implementation of the provisions in this chapter will occur primarily, but not exclusively, through *regional plans* and *district plan* provisions. *Local authorities* may adopt a range of methods, utilising statutory mechanisms and 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.

PART 2 – RESOURCE MANAGEMENT OVERVIEW

SRMR – Significant resource management issues for the region

Introduction

Otago's people and communities rely on the *natural and physical ~~resources~~ resources*¹⁰⁸ 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, terrestrial and *freshwater* ecosystems, coastal and marine ecosystems, and air, landscapes, vegetation and natural landforms. Physical resources include *infrastructure, buildings* and facilities.

From an economic perspective *natural and physical ~~resources~~ resources*¹⁰⁹ support, and are impacted by, agricultural industries (e.g. grazing, cropping, horticulture, viticulture), *plantation forestry*,¹¹⁰ urban development, industrial development, *infrastructure*, energy generation, transport, marine industries (fishing and aquaculture), tourism and mineral extraction. From a social, health, and cultural perspective *natural and physical ~~resources~~ resources*¹¹¹ support and are impacted by food production, recreation, housing, and cultural activities.

This RPS identifies the twelve 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. The use and development of resources is also recognised as being essential to the well-being of the community, while acknowledging that this can lead to conflicts when managing the adverse effects of this use. 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 limits, 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

SRMR-I1 – *Natural hazards* pose a risk to many Otago communities

¹⁰⁸ Clause 16(2) memorandum (14 October 2025)

¹⁰⁹ Clause 16(2) memorandum (14 October 2025)

¹¹⁰ Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208

¹¹¹ Clause 16(2) memorandum (14 October 2025)

Statement

Otago is prone to a range of ~~natural hazards~~ *natural hazards* that pose a risk to Otago communities, property, ~~infrastructure~~ *infrastructure*, and the wider ~~environment~~ *environment*.¹¹² 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, tsunamis, coastal erosion, wildfires, and extreme weather events.

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 sometimes difficult and costly for a community to recover. 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~~ *natural hazards*¹¹³ is not just due to the hazards themselves, but also whether human activities are located and operated in ways which make them vulnerable to those hazards.

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 primary production can be disrupted in Otago's floodplains (including lower Clutha, Lower Waitaki and Taiari).

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 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 issue in Waitaki District, Dunedin City and along the Clutha River Delta, 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 coastal erosion. While *effects* are localised, *natural hazard* impacts can be significant where threatened ecosystems or species are involved.

¹¹² Clause 16(2) memorandum (14 October 2025)

¹¹³ Clause 16(2) memorandum (14 October 2025)

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~~ *Natural hazards*¹¹⁴ could also impact on *renewable electricity generation* with the potential for significant national and regional consequences. New *infrastructure* should be encouraged to locate in areas where it is less vulnerable to ~~natural hazards~~ *natural hazards*.¹¹⁵

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~~ *resilience*¹¹⁶ to severe weather events and supply chain disruptions, there can be cumulative impacts from repeated events.

Social

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

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 will 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

¹¹⁴ Clause 16(2) memorandum (14 October 2025)

¹¹⁵ Clause 16(2) memorandum (14 October 2025)

¹¹⁶ Clause 16(2) memorandum (14 October 2025)

the number and types of crops and animals that the ~~land~~ land¹¹⁷ can sustain, food production systems and related food supply and food security needs, and the potential for ~~renewable electricity energy~~¹¹⁸ renewable electricity generation.¹¹⁹ 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. Our responses to ~~climate change~~ climate change,¹²⁰ whether that be mitigation or adaptation, will also impact on our economy and ~~environment~~ environment.¹²¹ An example of this will be the need to protect and maximise existing ~~renewable electricity generation activities~~ renewable electricity generation activities¹²² in the region, as well as providing for the development of new ~~renewable electricity generation activities~~ renewable electricity generation activities.¹²³

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. Rainfall and temperature change may result in drier soils and changes to ~~river~~ river¹²⁴ flow (low flow and floods), as well as increased occurrence of slips/landslides. Sea level rise will have impacts on coastal communities, ~~infrastructure~~ infrastructure¹²⁵ 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.

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 Taiari and North Otago, and flooding 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.

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 report¹²⁶. The following discussion is based on potential *climate change* impacts at 2050.

¹¹⁷ Clause 16(2) memorandum (14 October 2025)

¹¹⁸ ~~Clause 16(2) memorandum (5 December 2024)~~

¹¹⁹ Clause 16(2) memorandum (14 October 2025)

¹²⁰ Clause 16(2) memorandum (14 October 2025)

¹²¹ Clause 16(2) memorandum (14 October 2025)

¹²² Clause 16(2) memorandum (14 October 2025)

¹²³ Clause 16(2) memorandum (14 October 2025)

¹²⁴ Clause 16(2) memorandum (14 October 2025)

¹²⁵ Clause 16(2) memorandum (14 October 2025)

¹²⁶ Tonkin+Taylor, 2020, Otago Climate Change Risk Assessment (Commissioned by the Otago Regional Council)

Environmental

For terrestrial ecosystems and species, higher frequency of severe events (e.g. high/low temperatures, intense rainfall, drought, fire weather) could reduce *resilience* of 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.¹²⁷¹²⁸ As a result, *river* ecosystems could be altered through reduced flows during drought periods with 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, will be necessary and may give rise to adverse impacts on ecosystems, in addition to those imposed by *climate change* *climate change*¹²⁹ itself.

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

¹²⁷ <https://www.mfe.govt.nz/climate-change/likely-impacts-of-climate-change/how-could-climate-change-affect-my-region/otago>

¹²⁸ Clause 16(2) memorandum (14 October 2025)

¹²⁹ Clause 16(2) memorandum (14 October 2025)

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.

Some tourism activities may be affected. For example, the number of snow days experienced annually could decrease by as much as 30-40 days in some parts of the region. This reduction in natural snowfall will mean that ski fields will be more reliant on snowmaking. 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.

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.¹³⁰

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; sea level rise and salinity risk areas including South Dunedin, Harbor 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 impacted on by the effects of climate change.

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-

¹³⁰ <https://environment.govt.nz/assets/Publications/Files/impacts-report-jun01.pdf> (Accessed 28 May 2021)

income and marginalised groups) which has the potential to increase socio-economic and intergeneration 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~~contaminant¹³¹ zone and illegal liberations resulting in an expanding range within Otago, particularly Waitaki, Central Otago and Queenstown Lakes. *Wilding conifers* threaten high country and tussock grassland, changing the landscape and impacting *primary production*¹³², 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. Climate change may compound the impacts of existing pest species and provide opportunities for new pest species to establish.

Context

Otago's landscape, water and climate support many plants and animals considered to be pests. This includes weeds, vertebrate pests (e.g. rabbits), invertebrate pests, and diseases (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 2019-2029¹³³ 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.

¹³¹ Clause 16(2) memorandum (5 December 2024)

¹³² Clause 16(2) memorandum (5 May 2025)

¹³³ https://www.orc.govt.nz/media/8029/orc-pest-management-plan-2019_final_digital.pdf (accessed 26 May 2021)

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, natural features and landscapes.

Vertebrate browsing pests such as rabbits, wallabies and goats cause erosion and damage to land in both introduced pastures and native tussock communities, impacting significant lands and taoka species. 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, corresponding to a loss of native biodiversity equivalent to \$1.3 billion.¹³⁴ For example, wilding *conifers* 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, 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.¹³⁵

Economic

Pests can cause economic losses because of reduction in production, quality, efficiency and or functionality. This can include lost crop or animal production, higher *water* requirements and reductions in animal health. Weeds can affect wool quality, impact the quality of leather, 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 conifers) 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.

Weeds, for example, are conservatively estimated to cost the New Zealand economy \$1.6 billion per annum¹³⁶ 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, can also adversely impact *infrastructure*, for example, *water* systems including

¹³⁴ <https://www.royalsociety.org.nz/news/pests-costing-economy-and-environment-billions> (accessed 26 May 2021)

¹³⁵ SL Goldson, GW Bourdôt, EG Bockerhoff, 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

¹³⁶ <https://www.tandfonline.com/doi/abs/10.1080/14735903.2017.1334179?journalCode=tags20> (accessed 26 May 2021)

irrigation, dams, and levies; electricity generation infrastructure 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 (e.g. hay fever).¹³⁷ Zoonoses (bacterium, viruses, parasites, prions) can result in diseases being transferred from animals to humans and include, for example, leptospirosis and campylobacter.

SRMR-I4 – Poorly managed urban and residential growth affects productive *land*, treasured natural assets, *rural industry*, *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 Wānaka and Queenstown is changing the natural landscape. Mosgiel's and Cromwell's 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 225,186¹³⁸ in 2018) live in urban areas, while non-urban areas comprise 99% of the region.¹³⁹ 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.¹⁴⁰

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

¹³⁷ <https://stackset-allergynz-website-d95fbab4-800c-4-bucket8ayg9lmdqvqi.s3.ap-southeast-2.amazonaws.com/public/J143988Allergy-NZ-Pollen-Calendar-v2.pdf> (accessed 14 October 2025) (<http://www.allergy.org.nz/site/allergynz/files/Annual%20Pollen%20Calendar.pdf> (accessed 26 May 2021))

¹³⁸ 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)

¹³⁹ 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

¹⁴⁰ Statistics New Zealand Subnational Population Projections, 2018 base, published 31 March 2021 (accessed 26 May 2021)

also drives demand for rural residential living, particularly in areas with these qualities that are also in relative proximity to urban services.

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.

In addition, the productive *land* in Otago contributes to the social and economic well-being of the community through production of food and other rural production-based products. In some parts of Otago, *land* and soil resources are particularly valuable for food production. 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 ability of *land* to support *primary production* is compromised.

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*. Urban or rural lifestyle expansion can remove *land* and soil resources from productive uses, including for the production of food. 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.

Urban growth within *rural areas* can also lead to reverse-sensitivity *effects* on existing *primary production* activities and related rural based activities, because urban activities can be sensitive to the *effects* generated by *primary production* activities and related rural based activities. 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.¹⁴¹ 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.

Economic

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

¹⁴¹ “Alexandra, Arrowtown, Mosgiel and Milton Air Emission Inventory – 2016” & “Wanaka, Cromwell and Clyde Air Emission Inventory -2019”, prepared by Emily Wilton, Environet Ltd, for Otago Regional Council.

- the loss of *land* for *primary production* activities (either directly through building on it, or indirectly through reverse sensitivity effects);
- the consequences of previous decisions (low density development, including rural lifestyle, 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 challenges¹⁴² are present in the region and are negatively affected by urban growth where demand outpaces supply.
- conflict arising from the location of incompatible activities within proximity of each other, including the potential for *reverse sensitivity effects* on the continued operation and growth of the rural based activities.

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 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 deaths and serious injuries on the transport network.

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.

¹⁴² Clause 16(2) memorandum (5 May 2025)

SRMR-I5 – *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, renewable electricity generation and other 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 prioritise protection of the health and well-being of *water bodies*, meet the health needs of people and provide for economic, social and cultural well-being.

On 3 September 2020, new National Environmental Standards for Freshwater (NESF) and a new National Policy Statement for Freshwater Management (NPSFM)¹⁴³ came into force. They have a goal of making immediate improvements so that *freshwater* quality is materially improving within five years, reversing past degradation and bringing New Zealand’s *freshwater* resources, waterways and ecosystems to a healthy state within a generation. The NPS-FM also clarified the need to provide first for the health and well-being of *water bodies* and *freshwater* ecosystems; then health and needs of people (such as *drinking water*); and finally 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 affecting¹⁴⁴ *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.

¹⁴³ <https://www.mfe.govt.nz/fresh-water/freshwater-acts-and-regulations/national-policy-statement-freshwater-management> (accessed 26 May 2021)

¹⁴⁴ Clapcott, 2018, Our Freshwater 2020

Economic

Freshwater in the Otago region is a factor of production that directly contributes to human needs (*water* supply), ~~primary production~~ *primary production*,¹⁴⁵ industry and hydro-electric power supply. *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~~ *use*¹⁴⁶ is essential, including as part of planned urban growth and to support rural communities. It is possible this may require consideration of additional *freshwater* storage in the future. For the wider community, *water* is a source of kai and for food harvesting and food production. 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, health, landscape and aesthetic values and as such, reduced environmental flows have a corresponding negative impact on social and cultural values, including people's wellbeing.

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 very good *water* quality, some areas of Otago demonstrate poorer quality and declining trends in *water* quality which can often be attributed to *discharges* from *land* ~~use~~ *use*¹⁴⁷ 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.

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 health and 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)¹⁴⁸ came into force to make immediate improvements to *water* quality within five

¹⁴⁵ Clause 16(2) memorandum (14 October 2025)

¹⁴⁶ Clause 16(2) memorandum (14 October 2025)

¹⁴⁷ Clause 16(2) memorandum (14 October 2025)

¹⁴⁸ <https://www.mfe.govt.nz/fresh-water/freshwater-acts-and-regulations/national-policy-statement-freshwater-management> (accessed 26 May 2021)

years; and reverse past degradation 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 that in many areas 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 sub-catchments within the lower Clutha rohe, have some of the poorest *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.¹⁴⁹ Between 2006 and 2017, trends in a number of *water* quality parameters were worsening.¹⁵⁰

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 Poumāhaka, *E. coli* was the worst performing variable¹⁵¹. 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, Whakatipu Waimāori/Lake Wakatipu and Lake Hayes.

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.¹⁵²

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 *land* use, mining, and forestry also contribute.

¹⁴⁹ Rachel Ozanne and Adam Uytendaal (2017) *State of the Environment Surface Water Quality in Otago 2006 to 2017*: Otago Regional Council p ii

¹⁵⁰ Ibid.

¹⁵¹ Ibid.

¹⁵² Science Staff Survey, June 2020.

Agricultural *land* use 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, sediment and other contaminants) can have far-reaching *effects* potentially impacting tourism, property values, commercial fishing, recreational businesses, and many other sectors that depend on clean *water*.¹⁵³

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 for harvesting and food production. *Water* is also a source of recreation, including swimming, fishing and *water* sports. There are multiple dimensions to the way *water* quality impacts on peoples' interaction with *water bodies*, including environmental, health, landscape, and aesthetic factors. Otago's *rivers*, *lakes*, estuaries and bays are important destinations for recreational *use* including swimming, fishing and *water* sports. Eighty-two percent of Otago's *rivers* and *lakes* are swimmable.¹⁵⁴ 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 mahika kai~~¹⁵⁵ 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 diminishing of mana.

SRMR-I7 – 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

¹⁵³ <https://www.epa.gov/nutrientpollution/effects-economy> (accessed 26 May 2021)

¹⁵⁴ 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

¹⁵⁵ Clause 16(2) memorandum (14 October 2025)

the most modified regions in New Zealand.¹⁵⁶ 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~~ *indigenous*¹⁵⁷ *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 2019¹⁵⁸ found that our indigenous *biodiversity* is under significant pressure from introduced species, pollution, physical changes to our *environment* and harvesting of wild species.

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 61 ecosystems in the Otago region.¹⁵⁹ 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.

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 and trout

¹⁵⁶ Wildlands (2020). Unpublished Consultancy Report to Otago Regional Council R5015a. Mapping of potential natural ecosystems and current ecosystems in Otago region.

¹⁵⁷ Clause 16(2) memorandum (14 October 2025)

¹⁵⁸ <https://environment.govt.nz/assets/Publications/Files/environment-aotearoa-2019.pdf> (accessed 26 May 2021)

¹⁵⁹ Wildlands (2020). Unpublished Consultancy Report to Otago Regional Council R5015a. Mapping of potential natural ecosystems and current ecosystems in Otago region.

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-off is known to have contributed to the loss of kelp forests.¹⁶⁰ 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. There has been a 70% decline in the abundance of hoiho (yellow-eyed penguin) on the Otago coast since 2008.¹⁶¹ The effects of *climate change* will add significantly to risks of continuing *biodiversity* decline.

Economic

Biodiversity and ecosystem services underpin primary production (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~~ *land*,¹⁶² 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 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 natural 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 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.

¹⁶⁰ 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)

¹⁶¹ Department of Conservation, 2008, Unpublished data.

¹⁶² Clause 16(2) memorandum (14 October 2025)

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 and *plantation forestry*, fishing, tourism, and *mineral* extraction. Such activities are important contributors to the 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~~ *biodiversity*.¹⁶³ Recreational activities such as boating, fishing, swimming and general beach access are interconnected with coastal values. Conserving coastal ~~biodiversity~~ *biodiversity*¹⁶⁴ and marine reserves are associated with coastal values.¹⁶⁵ 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~~ *climate change*, ~~pests~~ *pests*, freshwater, and ~~biodiversity~~ *biodiversity*¹⁶⁶ 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~~ *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~~ *biodiversity*¹⁶⁷ loss.

Natural features, landscapes, seascapes, and *surf breaks* of national significance can be affected by human activity, ~~climate change~~ *climate change*, and ~~natural hazards~~ *natural hazards*.¹⁶⁸ Susceptibility 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~~ *uses*¹⁶⁹ on the coast; and beach erosion 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,

¹⁶³ Clause 16(2) memorandum (14 October 2025)

¹⁶⁴ Clause 16(2) memorandum (14 October 2025)

¹⁶⁵ ORC Committee Report, *RPS Consultation Summary*, ORC Agenda 27 May 2020

¹⁶⁶ Clause 16(2) memorandum (14 October 2025)

¹⁶⁷ Clause 16(2) memorandum (14 October 2025)

¹⁶⁸ Clause 16(2) memorandum (14 October 2025)

¹⁶⁹ Clause 16(2) memorandum (14 October 2025)

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~~ pests.¹⁷⁰

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 Wānaka, Whakatipu Waimāori/Lake Wakatipu, Lake Hāwea and Te Wairere/Dunstan and their environs attract visitors and residents from around the region, the country and the world. This influx supports human health and well-being and 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 electricity generation~~ renewable electricity generation.¹⁷¹

Urban growth is adversely affecting the natural features and landscapes around the ~~lakes~~ lakes.¹⁷² The amount of growth is demonstrated in the Queenstown Lakes District, including Queenstown and Wānaka, where the population tripled in the last 20 years from 16,750 in 1999 to 47,400 in 2020.¹⁷³ Continued growth is projected over the 30 years from 2020 to 2050 (by 63%).¹⁷⁴

This desire ~~of~~¹⁷⁵ 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).¹⁷⁶ The Otago-Lakes area also supplies significant renewable electricity for ~~use~~ use¹⁷⁷ in Otago and beyond.

¹⁷⁰ Clause 16(2) memorandum (14 October 2025)

¹⁷¹ Clause 16(2) memorandum (14 October 2025)

¹⁷² Clause 16(2) memorandum (14 October 2025)

¹⁷³ Infometrics online database (February 2021)

¹⁷⁴ Queenstown-Lakes District Council demand projections by Utility

¹⁷⁵ Clause 16(2) memorandum (5 May 2025)

¹⁷⁶ Infometrics online database; (February 2021)

¹⁷⁷ Clause 16(2) memorandum (14 October 2025)

Impact snapshot

Environmental

Population pressures arising from urban development, and tourism population pressures are impacting on the *environment*. Lake Wānaka, Lake Hāwea, and Whakatipu Waimāori/Lake Wakatipu, as well as the Kawarau River and upper reaches of the Clutha Mata-au and Taiari Rivers all have good *water* quality which equates to the “A” band (being top/best level) for the *National Objectives Framework*.¹⁷⁸

However, *water* quality is being adversely impacted by increased population, urban development and tourism demand which is straining existing waste management ~~infrastructure~~ *infrastructure*.¹⁷⁹ 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 can be adversely impacted by tourism and urban growth, and electricity generation.

Economic

The economic benefits of urban development, tourism, *primary production*, *renewable electricity generation* 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 if the quality of *lakes* becomes degraded or visitor numbers exceed the servicing capacity of the district. 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 *primary production* 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 ~~L~~akes¹⁸⁰ area but can adversely impact on both the *environment* and how *primary production* can operate.

Social

Over-crowding impacts can adversely affect urban amenity and recreation experiences of both tourists and residents, particularly outdoor recreation. *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-I10A – The social, cultural and economic well-being of Otago’s communities depends on the use and development of *natural and physical resources*, but that use and development can compromise or conflict with the achievement of *environmental outcomes*

¹⁷⁸ Land, Air, Water, Aotearoa: <https://www.lawa.org.nz/explore-data/otago-region/> (accessed 26 May 2021).

¹⁷⁹ Clause 16(2) memorandum (14 October 2025)

¹⁸⁰ Clause 16(2) memorandum (14 October 2025)

Statement

The ability to access, ~~and use~~ and develop *natural and physical resources*, including for *infrastructure, primary production, mineral and aggregate extraction, tourism and industrial activities*, is essential for the social, cultural and economic well-being of the region and, in some cases, the nation¹⁸¹. Access to, and the ability to use and develop¹⁸², *natural and physical resources* can be impacted by regulatory changes, incompatible *land uses, natural hazards and climate change*. Equally, the use and development of the region's *natural and physical resources* can have adverse effects on the environment ~~which that~~¹⁸³ need to be appropriately managed.

Context

The well-being of Otago's communities relies on the ability to access, ~~and use~~ and develop¹⁸⁴ the region's *natural and physical resources*. The quality of these resources and the ability to access them, including during emergencies and natural hazard events, has a direct bearing on the health, safety and¹⁸⁵ well-being of people and communities in the region.

Failing to plan and provide for activities that contribute to the regional economy can have ~~an~~¹⁸⁶ adverse socio-economic¹⁸⁷ consequences. Conversely, failure of activities to sustainably manage their impact on *natural and physical resources* can also lead to poor socioeconomic outcomes.

Appropriate access and use of *natural and physical resources*¹⁸⁸ needs a planning framework that recognises and provides for the essential operational, locational and functional requirements of activities while managing the adverse effects of these activities. The ongoing effects of *climate change* (addressed elsewhere in the Issues section) will have an ongoing impact on the operation of activities.

Impact snapshot

Environmental

The use of *natural and physical resources* can have adverse effects on the environment, which need to be appropriately managed to avoid, remedy or mitigate the adverse effects. Loss or degradation of resources can diminish their intrinsic values. Some of Otago's natural and physical¹⁸⁹ resources are nationally or regionally important for their natural values and economic potential and so warrant careful management.

However, it is recognised that the natural environment can benefit as activities change how they interact with, access, ~~and use~~ and develop¹⁹⁰ natural resources. Activities that use *natural and physical resources* can achieve positive *environmental outcomes*, for example enhancing public health, safety and wellbeing,¹⁹¹ riparian planting, habitat restoration and enhancement, public access, and *pest control* activities. This can be as mitigation or compensation for the effects of activities or as contributions from economically sustainable activities in the region. Some activities, for example ~~renewable electricity~~

¹⁸¹ Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208

¹⁸² Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208

¹⁸³ Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208

¹⁸⁴ Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208

¹⁸⁵ Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208

¹⁸⁶ Clause 16(2) memorandum (5 December 2024)

¹⁸⁷ Clause 16(2) memorandum (24 March 2025)

¹⁸⁸ Clause 16(2) memorandum (5 May 2025)

¹⁸⁹ Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208

¹⁹⁰ Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208

¹⁹¹ Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208

~~generation renewable electricity generation~~ and other ~~infrastructure infrastructure~~, will have a significant role to play in addressing ~~climate change climate change~~.¹⁹²

The functional needs and operational needs of some activities may impose locational and design constraints that can limit the extent to which some adverse effects on the environment can be avoided or mitigated.

The use and development of natural and physical resources in close proximity to existing activities may have direct, or reverse sensitivity, effects on the ability to undertake, operate, maintain, upgrade and develop those existing activities.¹⁹³

Economic

Activities that rely on *natural and physical resources* generate direct and indirect economic benefits; therefore, their ability for these activities to operate, maintain, upgrade and develop ~~or to improve their operational efficiency~~¹⁹⁴ affects the economy of the region.

Inter-regional links such as transport, electricity and communication networks traversing or originating from the Otago Region also supports the economy of other regions and New Zealand generally.¹⁹⁵

The ability to access, ~~and~~ use and develop *natural and physical resources* or a lack of integrated management and long-term strategic planning for activities¹⁹⁶ may impact the ability of activities to optimise the use of investments and assets and realise their potential economic value.

Activities that rely on *natural and physical resources* also rely on clear regulatory settings to inform investment decision-making about the use and development of *natural and physical resources*.

Social

The ability for activities to access, ~~and~~ use and develop *natural and physical resources* provides for the social and cultural well-being, and the health and safety, of people and communities including by supporting employment, liveability, recreation, resilience, food security and investment into communities. There is a community expectation that infrastructure is available to support our way of life.¹⁹⁷

Inappropriately located *subdivision*, use and development can increase the potential for harm to human health arising from incompatible activities locating in close proximity to each other.

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 poorly managed development and *primary production* activities can ~~flows~~ into streams and may harm ~~builds up in~~ the coastal environment, ~~smothering kelp forests and affecting rich underwater~~

¹⁹² Clause 16(2) memorandum (14 October 2025)

¹⁹³ Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208

¹⁹⁴ Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208

¹⁹⁵ Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208

¹⁹⁶ Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208

¹⁹⁷ Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208

~~habitats~~.¹⁹⁸ Water abstraction and wastewater and stormwater discharges adversely affect the natural environment, cultural and amenity values, and recreation. Agriculture, 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 and recreation, 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 important regional industries, such as¹⁹⁹ 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.²⁰⁰

However, economic activity needs to more effectively account for and manage its impacts on the region's natural resources.²⁰¹ 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~~ biodiversity²⁰² 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~~ biodiversity which provide pest control and pollination services, and loss of soil ~~biodiversity~~ biodiversity.²⁰³ 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 the ability of land to support primary production, for example, loss of soil through erosion or soil structure through compaction. Marine industries (e.g. fishing and aquaculture) can also be adversely affected.

¹⁹⁸ Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208

¹⁹⁹ Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208

²⁰⁰ Infometrics, August 2020.

²⁰¹ <https://www.orc.govt.nz/media/8882/community-consultation-summary-report-draft.pdf> (accessed 26 May 2021)

²⁰² Clause 16(2) memorandum (14 October 2025)

²⁰³ Clause 16(2) memorandum (14 October 2025)

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 also have social impacts. In extreme cases it can lead to 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 is 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.

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.²⁰⁴

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 being undertaken to address this challenge, [including by reducing greenhouse gas emissions](#),²⁰⁵ 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 or sets limits 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

²⁰⁴ <https://www.civildefence.govt.nz/cdem-sector/plans-and-strategies/national-disaster-resilience-strategy/national-disaster-resilience-strategy-summary-version/> (accessed 26 May 2021)

²⁰⁵ Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208

impact assessment in order to provide consenting decisions for regulated activities)²⁰⁶ 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.

²⁰⁶ <https://par.nsf.gov/servlets/purl/10047476> (accessed 26 May 2021)

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

Introduction²⁰⁷

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 interests²⁰⁸

Kāi Tahu values and interests are not properly considered in current *land* and *water* resource management. The well-being of *mahika kai* 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 values and provide for the

²⁰⁷ ENV-2024-CHC-30 Cain Whānau

²⁰⁸ ENV-2024-CHC-30 Cain Whānau

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~~ use* activities on freshwater habitats have resulted in adverse *effects* on the diversity and abundance of- ~~mahika kai~~ *mahika kai*²⁰⁹ 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 significant loss for mana whenua and diminishing 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. Inadequate regulation of commercial fishing of tuna (eels) and inaka (whitebait) has also exacerbated the impacts of degradation and loss of habitat from land and water use activities on remaining populations of these species.

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*

²⁰⁹ Clause 16(2) memorandum (14 October 2025)

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-I1 to RMIA-WAI-I5 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 of Kāi Tahu to exercise their role as kaitiaki as an expression of mana and rakatirataka.
 - 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* habitat.
 - Introduction of exotic weeds through poorly cleaned machinery, and the subsequent

- impact on bank habitat and *water* ecosystems.
- 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* and taoka species through a reduction in their habitat.

RMIA-MKB – *Mahika kai* 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* was abundant and in season. This lifestyle was unique to southern Kāi Tahu and *mahika kai* 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* 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* 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 effects~~²¹⁰ on one species will be felt throughout the rest of the system. ~~Effects Effects~~²¹¹ on *mahika kai* and taoka species diversity and abundance affect the relationship of Kāi Tahu with these species. Whānau are unable to access traditional *mahika kai* 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* due to the impacts of *contaminants* from both point and non-point source *discharges*, including human waste disposal to *mahika kai* areas.
- The ~~effects effects~~²¹² of soil contamination from poorly managed landfills, industrial sites and waste disposal sites.
- Continued urban spread encroaching on *mahika kai* sites.
- Genetic modification of indigenous flora and fauna, which represents deliberate alteration of whakapapa.
- The impact on *mahika kai* and indigenous *biodiversity* from weed and pest invasion.
- Loss of indigenous *freshwater* species, many of which are taoka and *mahika kai*, through displacement and predation.
- Loss of indigenous flora and fauna remnants and lack of co-ordinated management of habitat

²¹⁰ Clause 16(2) memorandum (14 October 2025)

²¹¹ Clause 16(2) memorandum (14 October 2025)

²¹² Clause 16(2) memorandum (14 October 2025)

corridors.

- Impacts on *mahika kai* 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 *mahika kai*, and ~~indigenous~~ indigenous²¹³ biodiversity.

RMIA-MKB-I2 – Regulatory and physical barriers have impeded the ability of Kāi Tahu to access *mahika kai* and to undertake customary harvest

The ability for Kāi Tahu to exercise customary rights to *mahika kai* has been impeded by obstacles to accessing *mahika kai* 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 the flow velocity and/or depth.

RMIA-MKB-I3 – Impacts of *climate change* on both species/habitat viability and increasing pest (flora/fauna) encroachments²¹⁴

Climate change is now affecting and will continue to affect ~~habitat~~ habitat²¹⁵ 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~~ habitat²¹⁶ and distributions for some species and affect ~~habitat~~ habitat²¹⁷ quality. These *effects* may also accumulate; for example, a native species may have worse and less ~~habitat~~ habitat²¹⁸ 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* and having regard for their impacts on Kāi Tahu and *mana whenua* values.

RMIA-MKB-I4 – Shortage of protected and secure areas for ~~biodiversity~~ biodiversity²¹⁹

Currently there are not enough protected and secure areas for ~~biodiversity~~ biodiversity²²⁰ 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.

²¹³ Clause 16(2) memorandum (14 October 2025)

²¹⁴ ENV-2024-CHC-30 Cain Whānau

²¹⁵ Clause 16(2) memorandum (14 October 2025)

²¹⁶ Clause 16(2) memorandum (14 October 2025)

²¹⁷ Clause 16(2) memorandum (14 October 2025)

²¹⁸ Clause 16(2) memorandum (14 October 2025)

²¹⁹ Clause 16(2) memorandum (14 October 2025)

²²⁰ Clause 16(2) memorandum (14 October 2025)

RMIA-MKB-I5 – Inconsistent approaches to ~~biodiversity~~ biodiversity²²¹ protection amongst regulatory authorities

~~Biodiversity~~ Biodiversity²²² 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 and the Department of Conservation has obligations under the Conservation Act 1987 and the Wildlife Act 1953. 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)

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.

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

Land, *freshwater*, and coastal 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 NTCSA (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 *wāhi tūpuna* can be adversely affected by inappropriate 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.

²²¹ Clause 16(2) memorandum (14 October 2025)

²²² Clause 16(2) memorandum (14 October 2025)

Specific *land* management 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.

RMIA-WTA – Wāhi tapu and wāhi taoka

Context

Ancestral 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 Māori, as the word ‘whenua’ means both ‘placenta’ and ‘land’. Ancestral lands were therefore regarded with deep veneration. For Kāi Tahu, *wāhi tapu* and *wāhi taoka* refers to the places with elevated mana and tapu due to their close association with atua and tūpuna. For example:

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

RMIA-WTA-I1 – Activities 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 direct and indirect *effects* of resource *use* and development. Direct *effects* can include those resulting from activities that require *earthworks* in proximity. Natural or human-induced changes to biophysical processes can threaten these sites, for example, 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~~ wastewater²²³ treatment plant at or near a *wāhi tapu* or *wāhi taoka*. *Nohoaka*, as sites where

²²³ Clause 16(2) memorandum (14 October 2025)

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.

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*, 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 impeded²²⁴

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. Many sites are privately owned and cannot be accessed. Some sites no longer exist, or the customary activities associated with them cannot be undertaken. For example, *nohoaka* sites associated with *mahika kai* gathering cannot be used if there is no way to reach the site or no safe way to harvest when at the site because of physical constraints. A limited number of *nohoaka* sites were granted to Kāi Tahu through the NTCSA 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, *freshwater* management practices, change 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~~ *environment*²²⁵ 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

²²⁴ ENV-2024-CHC-30 Cain Whānau

²²⁵ Clause 16(2) memorandum (14 October 2025)

health of *mahika kai* and people, and odour and other emissions impact on the tapu of wāhi tapu sites. Air emissions can also reduce the visibility of *wāhi tūpuna* features and of the moon, stars and rainbows.

Specific concerns include:

- Potential impacts of *climate change* which could negatively affect taoka such as wai māori and wai tai, *mahika kai* and biodiversity, *wāhi tūpuna*, wāhi tapu, and wāhi taoka, the well-being of all people, and the *environment* as an integrated system.
- Insufficient data has been collected and distributed about the *effects* of *discharges* to air.
- The *effects* of *discharges* to air on the health of people and *mahika kai*, 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* 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* 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 moana me te wai tai)

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* and coastal systems are adversely affected by lack of integrated management across the land-water interface

Management of *mahika kai* species and their habitats varies and is not holistic. Many important indigenous *mahika kai* 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.
- The *effects* of *land reclamation* on *water* quality and flow in enclosed harbours 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 mahika kai species distribution and the quality and locations of mahika kai habitat.*

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

The practice of using the marine environment as a sink for disposal of waste from activities that occur on *land* and in the marine *environment* 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*, 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 indiscriminate *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 *coasal waters* through *stormwater* drains.

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 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. 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 Arai Te Uru 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 *mahika kai* 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*, 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 *wāhi tūpuna* by *reclamation* and the inappropriate location of *structures* and activities associated with aquaculture, tourism activities, *infrastructure*, and vessel moorings.
- 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 of changing sea levels on coastal landscapes.

RMIA-PO – Pounamu

Context

Kāi Tahu customs are intricately linked to this special taoka. Many ara tāwhito, ancient trails, in Otago lead from coastal settlements to inland pounamu resources. Management of this taoka is currently dependent on the provisions of the Ngāi Tahu (Pounamu Vesting) Act 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.

RMIA-PO-I1 – Pounamu resources need protection

Pounamu is a taoka for Kāi Tahu and pounamu management according to mātauraka, tikaka and kawa is a tribal priority. Lack 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 degraded. Pounamu resources may be present on *land* or in waterways. Kāi Tahu relationship with these resources can be affected by extractive activities, for example by extraction of material for *road* aggregate, and by reduced *water* quality and poor *water body* management.

IM – Integrated management

Objectives

IM-O1 – Long term vision (mō tatou, ā, mō kā uri ā muri ake nei)

The management of *natural and physical resources*, by and for the people of Otago, in partnership with Kāi Tahu, achieves a healthy and resilient natural *environment*, including the ecosystem services it provides and supports the well-being of present and future generations.

IM-O2 – Ki uta ki tai

The management of *natural and physical resources* embraces ki uta ki tai, recognising that the *environment* is an interconnected system which depends on its connections to flourish and must be managed as an interdependent whole.

IM-O3 – Sustainable impact

Otago's communities provide for their social, economic, and cultural well-being by using, developing or protecting natural and physical resources²²⁶ in ways that support or restore environmental integrity, form, functioning, and resilience, so that the life-supporting capacities of air, water, soil, and ecosystems are sustainably managed,²²⁷ for future generations.

IM-O4 – Climate change

Otago's communities, including Kāi Tahu, understand what *climate change* means for their future, and responses to *climate change* in the region (including *climate change adaptation*²²⁸ and *climate change mitigation*²²⁹):

- (1) are aligned with national level *climate change* responses,
- (2) assist with achieving the national emissions reduction targets s for emissions reduction and plans²³⁰, including by having a highly renewable energy system, and
- (3) are recognised as integral to achieving the outcomes sought by this RPS.

²²⁶ Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296

²²⁷ Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296

²²⁸ Clause 16(2) memorandum (5 December 2024)

²²⁹ Clause 16(2) memorandum (5 December 2024)

²³⁰ Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296

Policies

~~IM-P1 – Integrated approach to decision-making~~

~~Giving effect to the integrated package of objectives and policies in this RPS and other relevant statutory provisions requires decision makers to:~~

- ~~(1) consider all provisions relevant to an issue or decision and apply them purposively according to the terms in which they are expressed and~~
- ~~(2) if after (1) there is an irreconcilable conflict between any of the relevant RPS and/or statutory provisions which apply to an activity, only consider the activity if:~~
 - ~~(a) the activity is necessary to give effect to a relevant policy or statutory provision and not merely desirable, and~~
 - ~~(b) all options for the activity have been considered and evaluated, and~~
 - ~~(c) if possible, the chosen option will not breach any other relevant policy or statutory provision, and~~
 - ~~(d) if (c) is not possible, any breach is only to the extent required to give effect to the policy or statutory provision providing for the activity, and~~
- ~~(3) if 2(d) applies, evaluate all relevant factors in a structured analysis to decide which of the conflicting policies or statutory provisions should prevail, or the extent to which any relevant policy or statutory provision should prevail, and~~
- ~~(4) in the analysis under (1), (2) or the structured analysis under (3), assess the nature of the activity against the values inherent in the relevant policies or statutory provisions in the particular circumstances.~~²³¹

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

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

- (1) enabling *mana whenua* to exercise rakatirataka and *kaitiakitaka*,
- (2) facilitating active participation of *mana whenua* in resource management processes and decision making,
- (3) incorporating mātauraka Māori in processes and decision-making, and
- (4) ensuring resource management provides for the connections of Kāi Tahu to *wāhi tūpuna*, wai māori (including awa [~~rivers~~rivers] and roto [~~lakes~~lakes] and wai tai (including te takutai moana [~~coastal marine area~~coastal marine area])) and *mahika kai* and ~~habitats~~ habitats²³² of taoka species.

IM-P4 – Setting a strategic approach to ecosystem health

Healthy and *resilient* ecosystems and ecosystem services are achieved by developing *regional plans* and *district plans* that:

- (1) have particular regard to the *intrinsic values* of ecosystems,
- (2) take a long-term strategic approach that recognises ongoing environmental change, including the impacts of *climate change*,

²³¹ Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296

²³² Clause 16(2) memorandum (14 October 2025)

- (3) recognise and provide for ecosystem complexity and interconnections, and
- (4) anticipate, or respond swiftly to, changes in activities, pressures, and trends.

IM-P5 – Managing environmental interconnections

Manage the use and development of interconnected *natural and physical resources* by recognising:

- (1) situations where the value and function of a *natural or physical resource* extends beyond the immediate, or directly adjacent, area of interest,
- (2) situations where *effects* of an activity extend to a different part of the *environment*, and
- (3) the impacts of management of one *natural or physical resource* on the values of another, or on the *environment*.

IM-P6 – Managing uncertainties

In resource management decision-making, manage uncertainties by using the best information available at the time, including scientific data and mātauraka Māori, and:

- (1) taking all practicable steps to reduce uncertainty, and
 - (a) in the absence of complete and scientifically robust data, using information obtained from modelling, reliable partial data, and local knowledge, with preference for sources of information that provide the greatest level of certainty, and
 - (b) avoiding unreasonable delays in making decisions because of uncertainty about the quality or quantity of the information available, and
- (2) adopting a precautionary approach, ~~including through use of adaptive management~~, towards activities whose *effects* are uncertain, unknown, or a little understood, but potentially significantly adverse, which may include the use of adaptive management where appropriate.²³³

IM-P7 – Cross boundary management

Coordinate the management of *natural and physical resources* and the ~~environment~~ environment²³⁴ across jurisdictional boundaries and, whenever possible, between overlapping or related agency responsibilities.

IM-P8 – Effects of climate change

Recognise and provide for the *effects* of *climate change* by:

- (1) identifying the *effects* of *climate change* in Otago, including from the perspectives of Kāi Tahu as mana whenua,
- (2) assessing how the *effects* are likely to change over time, and
- (3) taking into account those changes in resource management processes and decisions.

²³³ Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296

²³⁴ Clause 16(2) memorandum (14 October 2025)

IM-P10 – Climate change adaptation²³⁵ and climate change mitigation²³⁶

Identify and implement *climate change adaptation* and *climate change mitigation* methods for Otago that:

- (1) ~~minimise~~manage the *effects of climate change* ~~on to~~ existing activities and the wider environment, ~~and~~²³⁷
- (2) manage the establishment of new activities in areas subject to natural hazard risk from the effects of climate change in accordance with the HAZ-NH chapter, and²³⁸
- (3) provide Otago's communities, including Kāi Tahu, with the best chance to thrive, and
- (4) enhance environmental~~al~~, social, economic, and cultural *resilience* to the adverse *effects of climate change*, including by facilitati~~ng~~²³⁹ activities that reduce those effects, and
- (5) protect~~s~~²⁴⁰ Otago's existing renewable electricity facilities and provides for the development of new renewable electricity generation and infrastructure.

IM-P12 – Contravening limits for climate change mitigation²⁴¹ and climate change adaptation

If a proposed activity demonstrates it provides or will provide enduring regionally or nationally significant *climate change mitigation* or *climate change adaptation* ~~with and~~ commensurate benefits for the well-being of people and communities and the wider *environment*, decision makers may allow non-compliance with limits set in, or resulting from, any policy or method of this RPS if they are satisfied that unless those provisions give effect to national direction if they are satisfied that:²⁴²

- (21)²⁴³ the activity contributes to achieving the objectives or targets of the national emissions reduction plan or national adaptation plan prepared under the Climate Change Response Act 2002,²⁴⁴
- (32)²⁴⁵ adverse *effects* on the *environment* are avoided, remedied, or mitigated so that they are minimised to the extent reasonably practicable, and, if applicable, any ~~significant more than~~ minor²⁴⁶ residual adverse *effects* are offset, or compensated for, and
- (5) ~~the activity will not contravene a national policy statement or national environmental standard.~~²⁴⁷
- (43)²⁴⁸ there is no reasonably practicable alternative location or site for the activity.²⁴⁹

²³⁵ Clause 16(2) memorandum (5 December 2024)

²³⁶ Clause 16(2) memorandum (5 December 2024)

²³⁷ Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296

²³⁸ Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296

²³⁹ Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296

²⁴⁰ Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296

²⁴¹ Clause 16(2) memorandum (5 December 2024)

²⁴² Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296

²⁴³ Clause 16(2) memorandum (14 October 2025)

²⁴⁴ Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296

²⁴⁵ Clause 16(2) memorandum (14 October 2025)

²⁴⁶ Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296

²⁴⁷ Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296

²⁴⁸ Clause 16(2) memorandum (14 October 2025)

²⁴⁹ Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296

IM-P13 – Managing cumulative effects

In resource management decision-making, recognise and manage the impact of cumulative *effects* on the form, functioning and *resilience* of Otago’s *environment* (including *resilience to climate change*) and the opportunities available for future generations.

IM-P14 – Sustaining resource potential and life supporting capacity²⁵⁰

When preparing *regional plans* and *district plans*, ~~sustainably manage opportunities for~~ sustain the potential of *natural and physical resources* (excluding *minerals*) to meet the reasonably foreseeable needs of future generations and safeguard the life-supporting capacity of the natural environment²⁵¹ by:

- (1) ~~where necessary to achieve the objectives of this RPS, identifying limits beyond which the environment will be degraded, considering whether it is necessary to set limits or thresholds, and~~²⁵²
- (2) ~~encouraging requiring that~~ activities are to be established in places, and carried out in ways, that ~~are within those limits and~~ are compatible with the natural capabilities and capacities of the resources they rely on, and²⁵³
- (3) regularly assessing and adjusting ~~limits and~~²⁵⁴ the way activities are managed over time in light of the actual and potential environmental impacts, including those related to *climate change*, and
- (4) providing for activities that reduce, mitigate, or avoid adverse *effects* on the *environment*.

IM-P15 – Management of natural and physical resources

When preparing *regional plans* and *district plans*, recognise and provide for the role and use of *natural and physical resources* in a way or at a rate that supports the social, cultural and economic well-being of Otago’s communities now and in the future.²⁵⁵

Methods

IM-M1 – Regional and district plans

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

- (1) establish, ~~by December 2030,~~²⁵⁶ policy frameworks designed to achieve the objectives for Otago set out in IM-O1 to IM-O4,
- (2) include provisions to manage the *effects*, resources, and communities identified in accordance with IM-M3,
- (3) provide for activities that support *climate change adaptation* and *climate change mitigation* in accordance with IM-P10,
- (4) ensure cumulative *effects* of activities on *natural and physical resources* are accounted for in resource management decisions by recognising and managing such *effects*, including:
 - (a) the same *effect* occurring multiple times,

²⁵⁰ Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296

²⁵¹ Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296

²⁵² Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296

²⁵³ Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296

²⁵⁴ Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296

²⁵⁵ Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296

²⁵⁶ Clause 16(2) memorandum (24 March 2025)

- (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,
 - (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~~ local authorities²⁵⁷ to achieve consistent management of resources or *effects* that cross jurisdictional boundaries, and
- (6) establish clear thresholds for, and limits on, activities that have the potential to adversely affect healthy ecosystem services and *intrinsic values*.

IM-M2 – Relationships

~~Local authorities~~ Local authorities²⁵⁸ must:

- (1) partner with Kāi Tahu to ensure *mana whenua* involvement in resource management processes and decision-making,
- (2) work together and with other agencies (including ~~local authorities~~ local authorities²⁵⁹ in neighbouring regions) to enable consistent implementation of the objectives, policies and methods of this RPS where appropriate, 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 and community guidance

~~Local authorities~~ Local authorities²⁶⁰ must:

- (1) identify the specific types and locations of the *effects* of *climate change* 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,
- (~~1A2~~)²⁶¹ identify natural and built resources vital to environmental (including ~~indigenous~~ indigenous²⁶² *biodiversity* and ecosystems) and community *resilience* and well-being,
- (~~1B3~~)²⁶³ identify vulnerable resources and communities and develop adaptation pathways for them where possible, and

²⁵⁷ Clause 16(2) memorandum (14 October 2025)

²⁵⁸ Clause 16(2) memorandum (14 October 2025)

²⁵⁹ Clause 16(2) memorandum (14 October 2025)

²⁶⁰ Clause 16(2) memorandum (14 October 2025)

²⁶¹ Clause 16(2) memorandum (14 October 2025)

²⁶² Clause 16(2) memorandum (14 October 2025)

²⁶³ Clause 16(2) memorandum (14 October 2025)

(24)²⁶⁴ develop guidance to support communities to be prepared and *resilient*.

IM-M5 – Other methods

~~Local authorities~~Local authorities²⁶⁵ should:

- (1) align (to the extent practicable) 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 achieving IM-O1 through non-regulatory means,
- (3) encourage changes to business practice that will enable businesses and communities 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~~ environment²⁶⁶ and ensure that it supports people 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*, are at the centre of all resource management decision making and that changes are made where necessary to ensure the ~~environment's~~ environment's²⁶⁷ 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 RPS when necessary. Further, some direction in the NZCPS, 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. The provisions in this chapter set out core facets of integration - the interconnections and interdependencies within the ~~environment~~ environment,²⁶⁸ 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.

²⁶⁴ Clause 16(2) memorandum (14 October 2025)

²⁶⁵ Clause 16(2) memorandum (14 October 2025)

²⁶⁶ Clause 16(2) memorandum (14 October 2025)

²⁶⁷ Clause 16(2) memorandum (14 October 2025)

²⁶⁸ Clause 16(2) memorandum (14 October 2025)

The provisions set an expectation of integrated resource management that flows through to all other provisions of the RPS, and informs the limits and thresholds we set on human activities for protecting environmental health. It sets explicit expectations that ~~local authorities~~ local authorities²⁶⁹ 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.

Anticipated environmental results

IM-AER1	Monitoring shows the limits set for human activities are adhered to and are resulting in <i>resilience</i> in the natural <i>environment</i> .
IM-AER2	<i>Resilience</i> in the natural environment <u>environment</u> ²⁷⁰ is resulting in sustainable social, cultural, and economic well-being for all communities including Kāi Tahu.
IM-AER3	Communities, including Kāi Tahu, are aware of the potential impacts of <i>climate change</i> 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 <i>natural and physical resources</i> within the region, and across regional and jurisdictional boundaries.

²⁶⁹ Clause 16(2) memorandum (14 October 2025)

²⁷⁰ Clause 16(2) memorandum (24 March 2025)

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* and *mana whenua values*, and the life-supporting capacity of ecosystems.

AIR-O2 – Discharges to air

The localised adverse ~~effects~~ *effects*²⁷¹ of *discharges* to air do not compromise human health, *amenity values*, *mana whenua values* and the life-supporting capacity of ecosystems.

Policies

AIR-P1 – Maintain ambient air quality

Ambient air quality is, at a minimum, maintained across Otago by:

- (1) ensuring *discharges* to air comply with ambient air quality ~~limits~~ *limits*,²⁷² including *ambient air quality standards* and guidelines, where those have been set as ~~limits~~ *limits*,²⁷³ and
- (2) where limits, including *ambient air quality standards* and guidelines, have not been set, only allowing *discharges* to air if the adverse *effects* on ambient air quality are avoided, remedied or mitigated ~~no more than minor~~.²⁷⁴

AIR-P2 – Improve degraded ambient air quality

Degraded ambient air quality is improved across Otago by:

- (1) establishing, maintaining and enforcing plan provisions that set ~~limits~~ *limits*²⁷⁵ and timeframes for improving ambient air quality, including by managing the spatial distribution of activities and transport, and
- (2) prioritising actions to reduce *PM₁₀* and *PM_{2.5}* concentrations in *polluted airsheds*, including:
 - (a) phasing out existing domestic *solid fuel* burning appliances, and
 - (b) preventing any *discharges* from new domestic *solid fuel* burning appliances

²⁷¹ Clause 16(2) memorandum (14 October 2025)

²⁷² Clause 16(2) memorandum (14 October 2025)

²⁷³ Clause 16(2) memorandum (14 October 2025)

²⁷⁴ Clause 16(2) memorandum (5 December 2024)

²⁷⁵ Clause 16(2) memorandum (14 October 2025)

that do not comply with the standards set in the NESAQ.²⁷⁶

AIR-P3 – Providing for discharges to air

Provide for *discharges* to air that do not adversely affect human health, *amenity values*, *mana whenua* values and the life supporting capacity of ecosystems.

AIR-P4 – Managing certain discharges

Manage the adverse *effects* of *discharges* to air by:

- (1) avoiding noxious or dangerous *effects*,
- (2) ~~ensuring managing~~ *discharges* to air ~~so they~~²⁷⁷ do not cause offensive or objectionable *effects*,
- (3) avoiding, remedying or mitigating other adverse *effects* from *discharges* to air, including but not limited to *discharges* arising from:
 - (a) outdoor burning of organic material,
 - (b) agrichemical and fertiliser applications,
 - (c) *primary production* activities,
 - (d) activities that produce dust, and
 - (e) industrial and trade activities.
- (4) locating new sensitive activities to avoid potential ~~reverse sensitivity~~ *reverse sensitivity*²⁷⁸ ~~effects~~ *effects*²⁷⁹ from existing consented or permitted *discharges* to air, unless these can be appropriately managed.

AIR-P6 – Impacts on *mana whenua* values

Ensure that *discharges* to air do not 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*.

Methods

AIR-M1 – Review *airshed* boundaries

Prior to implementing AIR-M2, and within 12 months of the AIR chapter being made operative, 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:

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

AIR-M2 – Regional plans

Otago Regional Council must prepare or amend and maintain its *regional plans* to:

²⁷⁶ Clause 16(2) memorandum (5 December 2024)

²⁷⁷ Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 206

²⁷⁸ Clause 16(2) memorandum (14 October 2025)

²⁷⁹ Clause 16(2) memorandum (14 October 2025)

- (1A1)²⁸⁰ set ~~limits~~ limits²⁸¹ (including *ambient air quality standards* and *guidelines*) to maintain ambient air quality in accordance with AIR-P1, and improve ambient air quality in accordance with AIR-P2,
- (12)²⁸² manage the adverse ~~effects~~ effects²⁸³ of ~~discharges~~ discharges²⁸⁴ to air by avoiding noxious or dangerous ~~effects~~ effects²⁸⁵ and ~~managing~~ ensuring²⁸⁶ ~~discharges~~ discharges²⁸⁷ to air so that they²⁸⁸ do not cause offensive or objectionable effects,
- (23)²⁸⁹ include provisions to avoid, remedy, or mitigate other adverse *effects* from *discharges* to air,
- (34)²⁹⁰ prioritise the actions set out in AIR-P2 to reduce *PM₁₀* and *PM_{2.5}* concentrations in *polluted airsheds*,
- (45)²⁹¹ 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
- (6) include measures to ensure that ~~discharges~~ discharges²⁹² to air do not adversely affect *mana whenua* values or the ability of owners of native reserves and Māori land to use, develop and protect that land in accordance with MW-P4.²⁹³

AIR-M3 – Territorial authorities

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) encouraging or facilitating a reduced reliance on private non-electric motor vehicles and enabling the adoption of *active transport*, shared transport and *public transport* options to assist in achieving good air quality, ~~and~~²⁹⁴
- (2) managing the spatial distribution of activities.²⁹⁵
- (3) managing new sensitive activities to avoid ~~reverse sensitivity~~ reverse sensitivity²⁹⁶ ~~effect~~ effects²⁹⁷ in relation to consented and permitted activities that discharge to air.

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*, and

²⁸⁰ Clause 16(2) memorandum (14 October 2025)

²⁸¹ Clause 16(2) memorandum (14 October 2025)

²⁸² Clause 16(2) memorandum (14 October 2025)

²⁸³ Clause 16(2) memorandum (14 October 2025)

²⁸⁴ Clause 16(2) memorandum (14 October 2025)

²⁸⁵ Clause 16(2) memorandum (14 October 2025)

²⁸⁶ Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 206

²⁸⁷ Clause 16(2) memorandum (14 October 2025)

²⁸⁸ Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 206

²⁸⁹ Clause 16(2) memorandum (14 October 2025)

²⁹⁰ Clause 16(2) memorandum (14 October 2025)

²⁹¹ Clause 16(2) memorandum (14 October 2025)

²⁹² Clause 16(2) memorandum (14 October 2025)

²⁹³ Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 206

²⁹⁴ Clause 16(2) memorandum (5 May 2025)

²⁹⁵ Clause 16(2) memorandum (5 May 2025)

²⁹⁶ Clause 16(2) memorandum (14 October 2025)

²⁹⁷ Clause 16(2) memorandum (14 October 2025)

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

AIR-M5 – Incentives and other mechanisms

In partnership with Kāi Tahu ki Otago and in collaboration with *territorial authorities*, 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 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 framework also directs future reviews of the Air Plan to manage the adverse ~~effects~~ *effects* of ~~discharges~~ *discharges*²⁹⁸ to air.

Principal reasons

²⁹⁸ Clause 16(2) memorandum (14 October 2025)

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* and *district plan* provisions, however a collaborative approach with central government, other *local authorities*, stakeholders, communities and industry, and in partnership with Kāi Tahu as *mana whenua*, will support the achievement of the objectives over time.

Anticipated environmental results

AIR-AER1	Where air quality is degraded <u>degraded</u> ²⁹⁹ there is a decreasing trend in concentrations of PM_{10} and $PM_{2.5}$.
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 complies with ambient air quality limits <u>limits</u> ³⁰⁰ it is maintained.
AIR-AER6	Otago is compliant with NESAQ requirements.

²⁹⁹ Clause 16(2) memorandum (14 October 2025)

³⁰⁰ Clause 16(2) memorandum (14 October 2025)

CE – Coastal environment

Objectives

CE-O1A – Te Mauri o te Moana³⁰¹

The health of Otago's *coastal water* is:

- (a) protected from inappropriate activities so as to protect the health and well-being of the wider ~~environment~~ *environment* and the mauri of ~~coastal waters~~ *coastal waters*,³⁰² and
- (b) restored where it is ~~degraded~~ *degraded*,³⁰³ including through enhancing *coastal water* quality where it has deteriorated from its natural condition.

CE-O1 – Safeguarding the coastal environment (Te Hauora o Te Tai o Arai Te Uru)³⁰⁴

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

- (2) *coastal water* quality supports healthy ecosystems, natural habitats, water-based recreational activities, existing activities, and customary uses, including practices associated with *mahika kai* 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 significant indigenous *biodiversity* are protected
- (5) *surf breaks* of national significance are protected,
- (6) the interconnectedness of wai Māori and wai tai is protected, and the *effects* of terrestrial and *fresh water* uses and activities on *coastal waters* and ecosystems, are recognised and understood, and
- (7) the ongoing effects of *climate change* within the coastal environment are identified and planned for.

CE-O2 – Public access and recreation³⁰⁵

Public walking access and recreation opportunities in the coastal environment are maintained and enhanced, and vehicle access is controlled.

CE-O3 – Natural character, features and landscapes³⁰⁶

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

³⁰¹ ENV-2024-CHC-26 Forest & Bird

³⁰² Clause 16(2) memorandum (14 October 2025)

³⁰³ Clause 16(2) memorandum (14 October 2025)

³⁰⁴ ENV-2024-CHC-26 Forest & Bird, ENV-2024-CHC-30 Cain Whānau

³⁰⁵ ENV-2024-CHC-36 Kāi Tahu

³⁰⁶ ENV-2024-CHC-36 Kāi Tahu, ENV-2024-CHC-26 Forest & Bird

CE-O4 – Mana moana³⁰⁷

The enduring cultural relationship of Kāi Tahu with Otago’s coastal environment is recognised and provided for, and *mana whenua* are able to:

- (1) exercise their rakatirataka role, manaakitaka and their kaitiaki duty of care within the coastal environment, and
- (2) engage in customary fishing and other *mahika kai*.

CE-O5 – Activities in the coastal environment³⁰⁸

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 acknowledging that some activities have a *functional need* to be located in the coastal environment, and
- (4) maintain or enhance public access to and along the *coastal marine area*, including for customary uses, such as *mahika kai*, except where public access needs to be restricted for reasons of health and safety or ecological or cultural sensitivity.

Policies

CE-P1A – Integrated management/ki uta ki tai³⁰⁹

Implement an integrated approach to managing Otago’s coastal environment that:

- (1) recognises the interactions, ki uta ki tai, between the terrestrial *environment*, *fresh water*, and the *coastal marine area*, including the migration of fish species between *fresh water* and *coastal water*,
- (2) provides for the natural functioning of coastal processes at the physical interface between *land*, *fresh water*, and the *coastal water*,
- (3) ensures the *effects* of the use and development of *land* and *fresh water* maintain or enhance the health and well-being of the coastal environment, and
- (4) takes into account the ongoing *effects* of *climate change*.

CE-P1 – Links with other chapters³¹⁰

- (1) the provisions of the ECO~~7~~, ~~and~~ EIT~~7~~, ~~and~~ HAZ³¹¹ chapters apply within the coastal environment, except for the following provisions:

- (a) ECO-P3 to ECO-P6 and associated methods,

³⁰⁷ ENV-2024-CHC-30 Cain Whānau

³⁰⁸ ENV-2024-CHC-24 Aurora Energy Limited, Network Waitaki Limited, PowerNet Limited, ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-39 EDS, ENV-2024-CHC-26 Forest & Bird, ENV-2024-CHC-36 Kāi Tahu, ENV-2024-CHC-35 Transpower

³⁰⁹ ENV-2024-CHC-36 Kāi Tahu

³¹⁰ ENV-2024-CHC-24 Aurora Energy Limited, Network Waitaki Limited, PowerNet Limited, ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-36 Kāi Tahu, ENV-2024-CHC-33 Port Otago, ENV-2024-CHC-35 Transpower

³¹¹ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

- (b) EIT-INF-P13 and associated methods, and
- ~~(c) HAZ-NH-P1 to HAZ-NH-P4 and associated methods, and~~³¹²

(2) the provisions within the following chapters of this RPS apply in addition to the provisions within this chapter:

- (a) MW – Mana whenua,
- (b) IM – Integrated management,
- (c) AIR – Air,
- (d) LF – Land and freshwater,
- (e) HCV – Heritage and historical values, and
- (f) UFD – Urban form and development, and
- (g) HAZ – Hazards and risks³¹³

(3) the provisions of the NFL – Natural features and landscapes chapter do not apply in the coastal environment.

CE-P2 – Identification³¹⁴

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~~ wetlands,³¹⁵ and the margins of these,
- (d) areas at risk from ~~coastal hazards~~ coastal hazards³¹⁶ as identified in HAZ-NH-P1A,
- (e) coastal vegetation and the ~~habitat~~ habitat³¹⁷ 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 Tahu cultural association 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:

- (a) it is having a significant adverse *effect* on:

³¹² Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

³¹³ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

³¹⁴ ENV-2024-CHC-26 Forest & Bird, ENV-2024-CHC-36 Kāi Tahu

³¹⁵ Clause 16(2) memorandum (14 October 2025)

³¹⁶ Clause 16(2) memorandum (14 October 2025)

³¹⁷ Clause 16(2) memorandum (14 October 2025)

- (i) the health of *coastal water*, or
 - (ii) ecosystems, and natural ~~habitats~~ *habitats*,³¹⁸ or
 - (iii) water-based recreational activities, or
- (b) is restricting existing uses, such as:
- (i) customary fisheries, including mātaihai reserves and taiāpure,
 - (ii) cultural activities such as *mahika kai*, including harvesting of kaimoana, or
 - (iii) aquaculture and shellfish gathering,
- (3) areas of *coastal water* where *mana whenua* have a particular interest, including *wāhi tupuna*, mātaihai and taiāpure, and any aquaculture settlement areas gazetted under the Māori Commercial Aquaculture Claims Settlement Act 2004, and
- (5) the nationally significant *surf breaks* at Karitāne, Papatowai, The Spit, and Whareakeake.

CE-P3 – Coastal water quality³¹⁹

Manage water quality in the coastal environment by:

- (1A) restoring coastal water quality where it is considered to have deteriorated to the extent described within CE-P2(2),
- (1) maintaining or enhancing healthy coastal ecosystems, indigenous habitats provided by the coastal environment, *indigenous vegetation* and fauna, and the migratory patterns of indigenous *coastal water* species,
 - (2) sustaining Kāi Tahu relationships with and customary uses of *coastal water*,
 - (3) maintaining or enhancing recreation opportunities and existing uses of *coastal water*,
 - (5) controlling activities outside the coastal marine area that have an effect on coastal water quality,
 - (6) maintaining or enhancing water quality within areas of coastal water identified in CE-P2(3) where *mana whenua* have a particular cultural interest, and
 - (7) setting appropriate limits and targets for coastal water quality, including for ecosystem health, habitats of taoka species, sediment, contact recreation and safe kaimoana gathering.

CE-P4 – Natural character³²⁰

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*,

³¹⁸ Clause 16(2) memorandum (14 October 2025)

³¹⁹ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-26 Forest & Bird, ENV-2024-CHC-27 Forestry Appellants, ENV-2024-CHC-36 Kāi Tahu

³²⁰ ENV-2024-CHC-24 Aurora Energy Limited, Network Waitaki Limited, PowerNet Limited, ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-36 Kāi Tahu, ENV-2024-CHC-35 Transpower

- (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, and

(5) promoting *activities* and projects that will restore or rehabilitate natural character in the coastal environment where it has been reduced or lost.

CE-P5 – Coastal indigenous *biodiversity*³²¹

Protect indigenous *biodiversity* in the coastal environment by:

(1) identifying and avoiding adverse ~~effects~~ effects³²² on the following ecosystems, vegetation types and areas:

- (a) indigenous taxa that are listed as threatened or at risk in the New Zealand Threat 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~~ habitats³²³ 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~~ indigenous³²⁴ *biodiversity* under other legislation, and

(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~~ indigenous vegetation³²⁵ in the coastal environment,
- (b) ~~habitats~~ habitats³²⁶ in the coastal environment that are important during the vulnerable life stages of indigenous species,

³²¹ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-36 Kāi Tahu, ENV-2024-CHC-38 NZTA, ENV-2024-CHC-35 Transpower

³²² Clause 16(2) memorandum (14 October 2025)

³²³ Clause 16(2) memorandum (14 October 2025)

³²⁴ Clause 16(2) memorandum (14 October 2025)

³²⁵ Clause 16(2) memorandum (14 October 2025)

³²⁶ Clause 16(2) memorandum (14 October 2025)

- (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,
- (g) ecological corridors, and areas important for linking or maintaining biological values identified under this policy,
- (h) *significant natural areas* identified in accordance with APP2 that are not included in (1) above, and
- (i) indigenous species and ecosystems identified as taoka in accordance with ECO-M3 that are not included in (1) above.

CE-P6 – Natural features and landscapes (including seascapes)³²⁷

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

- (1) identifying their areas and values, at minimum by *land* typing, soil characterisation and landscape characterisation, in accordance with APP9,
- (2) avoiding adverse *effects* of activities on outstanding natural features and landscapes (including seascapes),
- (3) avoiding significant adverse *effects* and avoiding, remedying, or mitigating other adverse *effects* of activities on other natural features and natural landscapes (including seascapes), and
- (4) promoting restoration or enhancement of natural features and landscapes (including seascapes) where the values of these areas have been reduced or lost.

CE-P7 – Surf breaks³²⁸

Manage Otago's nationally significant *surf breaks* so that nationally significant *surf breaks* are protected by avoiding adverse *effects* on the *surf breaks*, including on access to and use and enjoyment of them.

CE-P8 – Public access³²⁹

Manage public walking and vehicle access to, along and adjacent to the *coastal marine area* by:

- (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 ~~significant natural areas~~ *significant natural areas*,³³⁰

³²⁷ ENV-2024-CHC-36 Kāi Tahu, ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-35 Transpower

³²⁸ ENV-2024-CHC-26 Forest & Bird, ENV-2024-CHC-36 Kāi Tahu

³²⁹ ENV-2024-CHC-36 Kāi Tahu, ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-26 Forest & Bird

³³⁰ Clause 16(2) memorandum (14 October 2025)

- (c) to protect dunes, estuaries and other sensitive natural areas or ~~habitats~~ habitats,³³¹
- (d) to protect places or areas of special or outstanding *historic heritage*,
- (e) to protect places or areas of significance to *mana whenua*, including wāhi tapu, wāhi tupuna 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.

CE-P9 – Activities on *land* within the coastal environment³³²

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,
- (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*³³³ and *operational needs*³³⁴ of infrastructure,
- (3) recognising the importance of the provision of *infrastructure*, and food production, and pastoral farming activities to the social, economic and cultural well-being of people and communities,
- (4) requiring development to be set back from the *coastal marine area* and other *coastal water* where practicable and reasonable, to protect the natural character, open space, public access and *amenity values* of the coastal environment,
- (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,
- (6) taking into account the ongoing *effects of climate change* and *coastal hazard* risk.
- (7) enabling mana whenua to provide for their cultural and social needs for ~~papakāika~~ papakāinga³³⁵, marae and associated developments and make appropriate provision for them.

CE-P10 – Activities within the *coastal marine area*³³⁶

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

- (1) enable multiple uses of the *coastal marine area* wherever reasonable and practicable, and
- (2) maintain or improve the health, integrity, form, function and *resilience* of the *coastal marine area*, or

³³¹ Clause 16(2) memorandum (14 October 2025)

³³² ENV-2024-CHC-24 Aurora Energy Limited, Network Waitaki Limited, PowerNet Limited, ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-39 EDS, ENV-2024-CHC-26 Forest & Bird, ENV-2024-CHC-36 Kāi Tahu

³³³ Clause 16(2) memorandum (24 March 2025)

³³⁴ Clause 16(2) memorandum (24 March 2025)

³³⁵ Clause 16(2) memorandum (5 December 2024)

³³⁶ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-39 EDS, ENV-2024-CHC-26 Forest & Bird, ENV-2024-CHC-36 Kāi Tahu

- (3) have a functional need 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 – Aquaculture³³⁷

Provide for the development and operation of *aquaculture activities* taking into account policies CE-P3 to CE-P12, and:

- (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-reclamation³³⁸

Manage reclamation and de-reclamation by:

- (1A) avoiding *reclamation* in the *coastal marine area*, unless:
 - (a) *land* outside the *coastal marine area* is not available for the proposed activity,
 - (b) the activity to be established on the ~~reclamation~~ *reclamation*³³⁹ can only occur immediately adjacent to the *coastal marine area*,
 - (c) there are no practicable alternative methods of providing for the activity, and³⁴⁰
 - (d) the ~~reclamation~~ *reclamation*³⁴¹ 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/or provide for more public open space.

CE-P13 – Rakatirataka and kaitiakitaka³⁴²

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

- (1) facilitating partnership with, and actively 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* and the harvesting of kaimoana,
- (4) incorporating the impact of activities on customary fisheries, mātaihai reserves and taiāpure in decision making, and
- (5) incorporating mātauraka Māori in the management and monitoring of activities in the coastal

³³⁷ ENV-2024-CHC-36 Kāi Tahu

³³⁸ ENV-2024-CHC-36 Kāi Tahu, ENV-2024-CHC-30 Cain Whānau

³³⁹ Clause 16(2) memorandum (14 October 2025)

³⁴⁰ Clause 16(2) memorandum (24 March 2025)

³⁴¹ Clause 16(2) memorandum (14 October 2025)

³⁴² ENV-2024-CHC-36 Kāi Tahu, ENV-2024-CHC-30 Cain Whānau

environment.

CE-PX – [new policy sought]³⁴³

Methods

CE-M1A – *Mana whenua*/mana moana involvement³⁴⁴

Otago Regional Council must partner with Kāi Tahu in coastal management by:

- (1) actively identifying and pursuing opportunities for *mana whenua* to be involved in coastal governance, including through use of available mechanisms such as transfers of functions (under section 33 of the RMA-1991)³⁴⁵ and supporting the establishment of mātaihai reserves and taiāpure,
- (2) implementing actions to foster the development of *mana whenua* capacity to contribute to the Council's decision-making processes,
- (3) supporting *mana whenua* initiatives that contribute to maintaining or improving the health and well-being of ~~coastal water~~ coastal water³⁴⁶ and ecosystems, and
- (4) providing relevant information to *mana whenua* for the purposes of (1), (2), and (3).

CE-M1 – Identifying the coastal environment

Local authorities must: ~~(1)~~ ³⁴⁷ work collaboratively, including with *local authorities* in neighbouring regions, to:

- ~~(a1)~~³⁴⁸ identify the landward extent of the coastal environment, in accordance with CE-P2(1),
- ~~(b2)~~³⁴⁹ map the landward extent of the coastal environment area in the relevant *regional plans* and *district plans*.

CE-M2 – Identifying other areas³⁵⁰

Local authorities must work collaboratively, with Kāi Tahu and *local authorities* in neighbouring regions, 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* 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, areas and values of outstanding natural features and landscapes (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* and *district plans*, and identify their capacity to accommodate change through use or development while protecting the

³⁴³ ENV-2024-CHC-36 Kāi Tahu

³⁴⁴ ENV-2024-CHC-30 Cain Whānau

³⁴⁵ Clause 16(2) memorandum (14 October 2025)

³⁴⁶ Clause 16(2) memorandum (14 October 2025)

³⁴⁷ Clause 16(2) memorandum (14 October 2025)

³⁴⁸ Clause 16(2) memorandum (14 October 2025)

³⁴⁹ Clause 16(2) memorandum (14 October 2025)

³⁵⁰ ENV-2024-CHC-30 Cain Whānau

values that contribute to the natural features and landscapes (including seascapes) being considered outstanding,

- (3) identify areas and values of ~~indigenous~~ *indigenous*³⁵¹ biodiversity within their jurisdictions in accordance with CE-P5, map the areas and describe their values in the relevant *regional* and *district plans*, and
- (4) prioritise identification under (1) – (3) in areas that are likely to face development or growth pressure over the life of this RPS.

CE-M3 – *Regional plans*³⁵²

Otago Regional Council must prepare or amend and maintain its *regional plans* ~~no later than 31 December 2028~~³⁵³ to:

- (1) map areas of deteriorated *water* quality in the coastal environment, in accordance with CE- P2(2)
- (1A) identify, manage, and improve where degraded, areas of *coastal water* where *mana whenua* have a particular interest, including *wāhi tūpuna*, statutory acknowledgement areas, *tōpuni* and *nohoaka* identified in the NTCSA, and customary fisheries,
- (1B) set water quality limits and targets for *coastal waters* in accordance with CE-P3,
- (2) map the areas and characteristics of, and access to, *surf breaks* of national significance,
- (3) require development to be set back from the *coastal marine area* and other *coastal water* 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 limits or targets for water quality by:
 - (a) using the smallest *mixing zone* necessary to achieve the required *water* quality standards in the *receiving environment*; and minimise adverse *effects* on the life-supporting capacity of *water* within any mixing zone,
 - (b) prohibiting any new *discharge* of untreated human *sewage* directly to water in the coastal environment,
 - (ba) requiring the implementation of methods to progressively reduce the volume and frequency of existing *discharges* of untreated human *sewage* from reticulated *wastewater* systems in the event of a system failure or overloading the system, including by minimising *stormwater* inflows and infiltration into *wastewater* systems,
 - (bb) encouraging methods and actions to reduce *contaminant discharges* at source,
 - (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

³⁵¹ Clause 16(2) memorandum (14 October 2025)

³⁵² ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-25 Dunedin City Council, ENV-2024-CHC-26 Forest & Bird, ENV-2024-CHC-27 Forestry Appellants

³⁵³ Clause 16(2) memorandum (24 March 2025)

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 *commercialplantation*³⁵⁴ *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 avoid cross-contamination between *wastewater* and *stormwater* systems and remedying cross-contamination where it currently exists in established systems, and

(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) manage *coastal water* quality; preserve and restore natural character; and protect natural features and landscapes (including seascapes), *wāhi tūpuna* and indigenous *biodiversity* of the *coastal marine area* in accordance with CE-P3, CE-P4, CE-P5, CE-P6 and HCV-WT-P2, and
- (b) manage Otago's *surf breaks* of national significance 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- P6 where:

- (a) there is scientific uncertainty or a lack of relevant knowledge, or
- (b) there are potentially significant or irreversible adverse *effects*, or
- (c) coastal resources are potentially vulnerable to effects from climate change,

(7) identify areas that may be appropriate for aquaculture,

(8) provide for walking access to, along, and adjacent to the *coastal marine area* in accordance with Policy 19 of the NZCPS,

(9) control vehicle access to, along, and adjacent to the *coastal marine area* in accordance with Policy 20 of the NZCPS,

(10) manage *reclamation* and de-reclamation 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 *coastal*

³⁵⁴ Clause 16(2) memorandum (24 March 2025)

water 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, and restoring natural character, features and landscapes (including seascapes) in accordance with CE-P3, CE-P4, CE-P5, CE-P6, and CE-P13, and
- (13) identify any aquaculture settlement areas gazetted under the Māori Commercial Aquaculture Claims Settlement Act 2004.

CE-M4 – District plans³⁵⁵

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*, mining, 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* in accordance with CE-P1A,
- (4) require *resource consent* for uses of *land* on reclamations that have occurred after the date this RPS becomes operative,
- (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-P6 where:
 - (a) there is scientific uncertainty or a lack of relevant knowledge, or
 - (b) there are potentially significant or irreversible adverse *effects*,
 - (c) coastal resources are potentially vulnerable to the effects of climate change.
- (7) provide for walking access to, along, and adjacent to the *coastal marine area* in accordance with Policy 19 of the NZCPS,
- (8) control vehicle access to, along, and adjacent to the *coastal marine area* in accordance with Policy 20 of the NZCPS,
- (9) recognise *mana 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, and
- (11) provide for and encourage activities undertaken for the primary purpose of enhancing coastal water quality, coastal habitats and ecosystems, customary fisheries and other *mahika kai* activities restoring natural character, features, or landscapes in accordance with CE-P1, CE-P3, CE-P4, CE-P6 and CE-P13.

³⁵⁵ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-26 Forest & Bird, ENV-2024-CHC-27 Forestry Appellants

CE-M5 – Other incentives and mechanisms

Local authorities shall consider the use of other mechanisms or incentives to assist in achieving Policies CE-P2 to CE-P13, 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~~ structures³⁵⁶ 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,
- (7) education and advice,
- (8) research relevant to the *effects* of activities on:
 - (a) coastal network *infrastructure*,
 - (b) coastal values,
 - (c) ~~coastal hazards~~ coastal hazards,³⁵⁷
 - (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, or
 - (f) ~~coastal water~~ coastal water³⁵⁸ quality, or
 - (g) coastal ~~habitats~~ habitats³⁵⁹ and ecosystems,
- (9) facilitating the restoration, rehabilitation or creation of coastal ~~habitats~~ habitats,³⁶⁰ particularly when it:
 - (a) encourages the natural regeneration of indigenous species, or³⁶¹
 - (b) buffers or links ecosystems, ~~habitats~~ habitats³⁶² and areas of significance that contribute to ecological corridors, or³⁶³
 - (c) maintains or enhances the provision of indigenous ecosystem services, or³⁶⁴
 - (d) benefits *mahika kai* and kaimoana species or customary fisheries areas, or

³⁵⁶ Clause 16(2) memorandum (14 October 2025)

³⁵⁷ Clause 16(2) memorandum (14 October 2025)

³⁵⁸ Clause 16(2) memorandum (14 October 2025)

³⁵⁹ Clause 16(2) memorandum (14 October 2025)

³⁶⁰ Clause 16(2) memorandum (14 October 2025)

³⁶¹ Clause 16(2) memorandum (5 December 2024)

³⁶² Clause 16(2) memorandum (14 October 2025)

³⁶³ Clause 16(2) memorandum (5 December 2024)

³⁶⁴ Clause 16(2) memorandum (5 December 2024)

- (e) will lead to the improvement of areas of deteriorated ~~water~~ water³⁶⁵ quality, and
- (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 shall:

- (1) establish a long-term monitoring programme for ~~coastal waters~~ coastal waters³⁶⁶ 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.

Explanation

CE-E1 – Explanation³⁶⁷

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~~ this RPS,³⁶⁸ 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 combination 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~~ Coastal waters³⁶⁹ can be influenced by activities which are undertaken beyond the coastal environment. This interconnectedness between coastal and ~~freshwater~~ freshwater environments

³⁶⁵ Clause 16(2) memorandum (14 October 2025)

³⁶⁶ Clause 16(2) memorandum (14 October 2025)

³⁶⁷ ENV-2024-CHC-30 Cain Whānau

³⁶⁸ Clause 16(2) memorandum (14 October 2025)

³⁶⁹ Clause 16(2) memorandum (14 October 2025)

environments³⁷⁰ means provisions contained within the LF – Land and freshwater chapter may also need to be considered to manage the coastal environment.

Some of the policies in the NZCPS are highly prescriptive and will be most effectively implemented through *regional plans*³⁷¹ 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*³⁷² 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 chapters of ~~the ORPS~~this RPS,³⁷³ as set out in CE-P1.

Principal reasons

CE-PR1 – Principal reasons³⁷⁴

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 and as set out in the NZCPS.

A number of activities occur within or affect the coastal ~~environment~~ environment including urban development, recreational activities, transport—~~infrastructure~~ infrastructure, port activities, *infrastructure*, energy generation and transmission, food production and other farming activities, ~~commercial plantation forestry~~, ~~rural industry~~ rural industry³⁷⁵ 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~~ indigenous³⁷⁶ *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~~.³⁷⁷ 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*/kaimoana resources and *wāhi tūpuna*. This environment was traditionally important for settlement and travel and continues to provide for settlement and *mahika kai* 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

³⁷⁰ Clause 16(2) memorandum (14 October 2025)

³⁷¹ Clause 16(2) memorandum (14 October 2025)

³⁷² Clause 16(2) memorandum (14 October 2025)

³⁷³ Clause 16(2) memorandum (14 October 2025)

³⁷⁴ ENV-2024-CHC-30 Cain Whānau

³⁷⁵ Clause 16(2) memorandum (14 October 2025)

³⁷⁶ Clause 16(2) memorandum (14 October 2025)

³⁷⁷ Clause 16(2) memorandum (14 October 2025)

ki uta ki tai ('mountains to the sea') philosophy. This interconnection requires careful consideration in managing the *effects* of *land* use activities.

Other chapters of ~~the Regional Policy Statement~~this RPS³⁷⁸ 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* 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 ³⁷⁹	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 increasing the 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-AER8	The mauri of the coastal environment is protected, and restored where it has been degraded.
CE-AER9 ³⁸⁰	Customary uses, including practices associated with <i>mahika kai</i> and kaimoana, are supported, and <i>mana whenua</i> exercise their kaitiaki role within the coastal environment.

³⁷⁸ Clause 16(2) memorandum (14 October 2025)

³⁷⁹ ENV-2024-CHC-26 Forest & Bird

³⁸⁰ ENV-2024-CHC-30 Cain Whānau

LF – Land and freshwater

LF-WAI – Te Mana o te Wai

Objectives

LF-WAI-O1 – Te Mana o te Wai

Otago's *water bodies* and their health and well-being are protected, and restored or improved³⁸¹ where they are *degraded*, so that the mauri of those water bodies is protected, and the management of *land* and *water* recognises and reflects that:

- (1) *water* is the foundation and source of all life – ~~na~~ nā te wai ko te hauora o ~~ngā~~ kā³⁸² mea katoa,
- (2) there is an integral kinship relationship between ~~water~~ water³⁸³ 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) *fresh water*, *land*, and *coastal water* have a connectedness that supports and perpetuates life,
- (4A) protecting the health and well-being of *water* protects the wider *environment*,
- (5) Kāi Tahu exercise rakatirataka, manaakitaka and their *kaitiakitaka* duty of care and attention over wai and all the life it supports, and
- (6) all people and communities have a responsibility to exercise stewardship, care, and respect in the management of *fresh water*.

Policies

LF-WAI-P1 – Prioritisation

In all decision-making affecting *fresh water* in Otago, prioritise:

- (1) first, the health and well-being of *water bodies* and *freshwater* ecosystems (te hauora o te wai) ~~and the contribution of this to the health and well-being of the environment (te hauora o te taiao) together with~~³⁸⁴ and the exercise of *mana whenua* to uphold ~~this~~ these,³⁸⁵
- (2) second, the health needs of people, (te hauora o te tangata) interacting with *water* through:
 - (a) ingestion (such as drinking of water water³⁸⁶ and consuming resources harvested from the ~~water body~~ water body³⁸⁷), ~~and~~
 - (b) immersive activities (such as harvesting resources and primary contact), and

³⁸¹ Judgment of J Dunningham dated 6 October 2025: CIV-2024-412-41

³⁸² Clause 16(2) memorandum (14 October 2025)

³⁸³ Clause 16(2) memorandum (14 October 2025)

³⁸⁴ Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

³⁸⁵ 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.

³⁸⁶ Clause 16(2) memorandum (14 October 2025)

³⁸⁷ Clause 16(2) memorandum (14 October 2025)

(c) personal hygiene activities (such as food preparation, utensil washing, oral hygiene, showering and flushing the toilet), and³⁸⁸

- (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 relationships of Kāi Tahu with *water bodies*,
- (3) providing for a range of customary uses, including *mahika kai*, specific to each *water body*,
- (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.

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

Manage the use of *fresh water* and *land*, using an integrated approach that is consistent with tikaka and kawa, that:

- (1) sustains and, to the greatest extent practicable, restores or improves:
 - (a) the natural connections and interactions between *water bodies* (large and small, surface and ground, fresh and coastal, permanently flowing, intermittent and ephemeral),
 - (b) the natural connections and interactions between *land* and *water*, from the mountains to the sea,
 - (c) the habitats of *mahika kai* and indigenous species, including taoka species associated with the *water bodies*,
- (4) manages the ~~effects-effects~~³⁸⁹ of the use and development of ~~land-land~~³⁹⁰ to maintain or enhance the health and well-being of *freshwater*, *coastal water* and associated ecosystems,
- (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-effects~~³⁹¹ of *climate change* on *water bodies*, including on their natural functioning,
- (7) has regard to cumulative *effects*, and
- (8) applies a precautionary approach where there is limited available information or uncertainty about potential adverse *effects*, in accordance with IM-P6.

LF-WAI-P4 – Giving effect to *Te Mana o te Wai*

All persons exercising functions and powers under this RPS and all persons who use, develop or protect resources to which this RPS applies must recognise that LF-WAI-O1, LF-WAI-P1, LF-WAI-P2 and LF-WAI-P3 are fundamental to upholding *Te Mana o te Wai*, and must be given effect to when making decisions affecting *fresh water*, including when interpreting and applying the provisions of the LF chapter.

³⁸⁸ Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

³⁸⁹ Clause 16(2) memorandum (14 October 2025)

³⁹⁰ Clause 16(2) memorandum (14 October 2025)

³⁹¹ Clause 16(2) memorandum (14 October 2025)

Methods

LF-WAI-M1 – Kāi Tahu rakatirataka

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) and supporting the establishment of *freshwater* mātaītai,
- (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*,
- (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.

LF-WAI-M2 – Other methods

In addition to method LF-WAI-M1, the methods in the LF–FW and LF–LS sections are also applicable.

Explanation

LF-WAI-E1 – Explanation

~~Water~~ Water³⁹² 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~~ water³⁹³, then Papatūānuku and Takaroa met and had children after which Takaroa took a long absence. Papatūānuku 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~~ rivers³⁹⁴, forests and seas, and all fish, bird and animal life. To Kāi Tahu, the whakapapa and spiritual source of *water* and *land* are 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, the whakapapa of *mana whenua* and ~~water~~ water³⁹⁵ are also integrally connected. There is a close kinship relationship, and *mana whenua* and the wai 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 and tūpuna. 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 and respect for *water’s* life-giving powers and its sanctity.

³⁹² Clause 16(2) memorandum (14 October 2025)

³⁹³ Clause 16(2) memorandum (14 October 2025)

³⁹⁴ Clause 16(2) memorandum (14 October 2025)

³⁹⁵ Clause 16(2) memorandum (14 October 2025)

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) 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. Giving effect to *Te Mana o te Wai*³⁹⁶ upholds the mauri of the wai and is consistent with this value base.

To Kāi Tahu, each *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. *Water* is valued by the community. 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*. Access to *water*, within *limits* (in relation to *water*), is an important contributor achieving social, cultural and economic well-being within Otago.

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 that 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~~*environment*)³⁹⁷ and te hauora o te takata (the health of the people). It is only after the health of the *water* and the health of the people is sustained that *water* can be used for economic purposes. When ~~water~~*water*³⁹⁸ is available for use, different uses may be prioritised in different ~~FMUs~~*FMUs*³⁹⁹ or rohe depending on the values identified by communities and the ~~environmental outcomes~~*environmental outcomes*⁴⁰⁰ seeking to be achieved. Giving effect to *Te Mana o te Wai* requires actively involving *mana 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 ~~effects~~*affects*⁴⁰¹ aquatic life and opportunities for ~~māhika kai~~*māhika kai*⁴⁰² gathering and recreational uses such as swimming and kayaking.

Anticipated environmental results

LF-WAI-AER2 The mauri of Otago's ~~water bodies~~*water bodies*⁴⁰³ and the health and well-

³⁹⁶ Clause 16(2) memorandum (5 May 2025)

³⁹⁷ Clause 16(2) memorandum (14 October 2025)

³⁹⁸ Clause 16(2) memorandum (14 October 2025)

³⁹⁹ Clause 16(2) memorandum (14 October 2025)

⁴⁰⁰ Clause 16(2) memorandum (14 October 2025)

⁴⁰¹ Clause 16(2) memorandum (14 October 2025)

⁴⁰² Clause 16(2) memorandum (14 October 2025)

⁴⁰³ Clause 16(2) memorandum (14 October 2025)

being of *water bodies* and *freshwater* ecosystems is protected, and restored where ~~degraded~~degraded.⁴⁰⁴
Kāi Tahu are actively involved in the management of *fresh water* and able to effectively exercise their rakatirataka, manaakitaka and *kaitiakitaka*.

⁴⁰⁴ Clause 16(2) memorandum (14 October 2025)

LF-FW – Fresh water

Note to readers: This chapter combines the LF-VM and LF-FW provisions as notified. The numbering in this section reflects the notified numbering of the provisions so that it is clear that the provision has been moved rather than introduced as 'new'. The numbering will be corrected when the RPS is made operative.

Objectives

LF-FW-O1A – Visions set for each ~~FMU~~ FMU⁴⁰⁵ and rohe

In each ~~FMU~~ FMU⁴⁰⁶ and rohe in Otago and within the timeframes specified in the *freshwater* visions in LF-VM-O2 to LF-VM-O6:

- (1) healthy *freshwater* and estuarine ecosystems support healthy populations of indigenous species (including non-diadromous galaxiids and Canterbury mudfish) and *mahika kai* that are 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) fish passage within and between catchments is provided for except where it is desirable to prevent the passage of some fish species in order to protect desired fish species, their life stages, or their habitats,
- (4) the form, function and character of *water bodies* reflects their natural characteristics and natural behaviours to the extent reasonably 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) sustainable *land* and *water* management practices:
 - (a) support ~~food and fibre production~~ food and fibre production⁴⁰⁷ and the continued social, economic, and cultural well-being of Otago's people and communities, and
 - (b) improve the resilience of communities to the *effects* of *climate change*, and
 - (c) ensure communities are appropriately serviced by community water supplies, and other three waters infrastructure,
- (8) direct *discharges* of *wastewater* to *water bodies* are phased out to the extent reasonably practicable, and
- (9) *freshwater* is managed as part of New Zealand's integrated response to ~~climate change~~ climate change and ~~renewable electricity generation activities~~ renewable electricity generation activities⁴⁰⁸ are provided for.

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

In the Clutha Mata-au *FMU*, and in addition to the matters in LF-FW-O1A:

⁴⁰⁵ Clause 16(2) memorandum (14 October 2025)

⁴⁰⁶ Clause 16(2) memorandum (14 October 2025)

⁴⁰⁷ Clause 16(2) memorandum (14 October 2025)

⁴⁰⁸ Clause 16(2) memorandum (14 October 2025)

- (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 Tāwhirimātea to the top of the mauka and into the awa,
- (1A) sustainable abstraction occurs from *lakes, river* main stems or *groundwater* in preference to tributaries, to the extent reasonably practicable,
- (6) the national significance of the ongoing operation, maintenance and upgrading of the Clutha hydro-electricity generation scheme, including its generation capacity, storage and operational flexibility and its contribution to *climate change mitigation*⁴⁰⁹, is recognised, provided for⁴¹⁰ and protected, and potential further development of the scheme in Lake Hāwea, on the Hāwea River, and on the Clutha River/Mata-au mainstem, upstream of Roxburgh (within existing consented upper operating levels as at the date this Regional Policy Statement is made operative) is provided for, ~~within this modified catchment~~,⁴¹¹
- (6A) *water bodies* support a range of outdoor recreation opportunities,
- (7) in the Upper Lakes rohe, the high quality *waters* of the *lakes* and their tributaries are protected, and if ~~degraded-degraded~~⁴¹² are improved recognising the significance of the purity of these *waters* to Kāi Tahu and to the wider community,
- (7A) in the Lower Clutha rohe, opportunities to restore the natural form and function of *water bodies* are promoted wherever practicable, and
- (8) the outcomes sought are to be achieved within the following timeframes:
 - (a) by 2030 in the Upper Lakes rohe,
 - (b) by 2045 in the Dunstan and Roxburgh rohe, and
 - (c) by 2050 in the Manuherekia and Lower Clutha rohe.

LF-VM-O3 – North Otago *FMU* vision

By 2050 in the North Otago *FMU*, and in addition to the matters in LF-FW-O1A:

- (1) the Waitaki River is managed holistically, ki uta ki tai, despite its catchments spanning the Canterbury and Otago regions,
- (1A) the national significance of the Waitaki hydroelectricity generation scheme is recognised, and⁴¹³
- (3) healthy riparian margins, *wetlands*, estuaries and lagoons support the health of downstream coastal ecosystems.⁴¹⁴

LF-VM-O4 – Taiari *FMU* vision

By 2050 in the Taiari *FMU*, and in addition to the matters in LF-FW-O1A:

- (3) the upper and lower catchment *wetland* complexes, including the Waipōuri/Waiholā ~~wetland-wetland~~

⁴⁰⁹ Clause 16(2) memorandum (5 December 2024)

⁴¹⁰ Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

⁴¹¹ Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

⁴¹² Clause 16(2) memorandum (14 October 2025)

⁴¹³ Clause 16(2) memorandum (5 December 2024)

⁴¹⁴ Clause 16(2) memorandum (5 December 2024)

complex, Upper Taiari ~~wetland-wetland~~⁴¹⁵ complex, and connected tussock areas are protected, restored or enhanced where they have been ~~degraded-degraded~~⁴¹⁶ or lost,

- (4) the gravel *bed* of the lower Taiari is restored and sedimentation of the Waipōuri/Waiholā ~~wetland-wetland~~⁴¹⁷ complex is reduced,
- (4A) the national significance of the Waipōuri 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, ~~and~~⁴¹⁸ ~~while~~ potential ~~future~~⁴¹⁹ ~~further~~ development of these schemes is provided for, in so far as is consistent with LF-FW-O1A(1)-(6) and LF-VM-O4(3),⁴¹⁸ and
- (5) creative ecological approaches contribute to reduced occurrence of didymo.

LF-VM-O5 – Dunedin & Coast FMU vision

By 2040 in the Dunedin & Coast FMU, and in addition to the matters in LF-FW-O1A:

- (3) healthy riparian margins, *wetlands*, estuaries and lagoons support the health of downstream coastal ecosystems, ~~and~~⁴¹⁹
- (4) opportunities to restore the natural form and function of *water bodies* are promoted wherever practicable.

LF-VM-O6 – Catlins FMU vision

By 2035 in the Catlins FMU, and in addition to the matters in LF-FW-O1A:

- (4) the high degree of naturalness of the *water bodies* and ecosystem connections between the forests, *freshwater* and coastal environment are preserved, and
- (6) healthy, clear and clean *water* supports opportunities for recreation.

LF-FW-O8 – Fresh water

In Otago's *water bodies* and their catchments ~~and~~⁴²⁰

~~(5) —~~ ~~The~~⁴²¹ significant and outstanding values of Otago's *outstanding water bodies* are identified and protected.

LF-FW-O9 – Wetlands

Otago's *wetlands* are protected from inappropriate ~~subdivision-subdivision~~⁴²² use and development and, where ~~degraded-degraded~~⁴²³ restoration is promoted so that:

- (1) ~~māhika kai~~⁴²⁴ ~~māhika kai~~ and other *mana whenua* values are sustained and enhanced now and for future generations,

⁴¹⁵ Clause 16(2) memorandum (14 October 2025)

⁴¹⁶ Clause 16(2) memorandum (14 October 2025)

⁴¹⁷ Clause 16(2) memorandum (14 October 2025)

⁴¹⁸ Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

⁴¹⁹ Clause 16(2) memorandum (5 December 2024)

⁴²⁰ Clause 16(2) memorandum (5 December 2024)

⁴²¹ Clause 16(2) memorandum (5 December 2024)

⁴²² Clause 16(2) memorandum (14 October 2025)

⁴²³ Clause 16(2) memorandum (14 October 2025)

⁴²⁴ Clause 16(2) memorandum (14 October 2025)

- (2) ~~there is no net decrease, and preferably an increase, in relation to~~⁴²⁵ the extent and diversity of ~~wetland~~ indigenous ecosystem types and ~~habitatshabitats:~~⁴²⁶ ~~and~~⁴²⁷
 - (a) ~~for wetlandswetlands~~⁴²⁸ ~~outside the coastal marine areacoastal marine area,~~⁴²⁹ ~~there is no net decrease, and preferably an increase, and~~⁴³⁰
 - (b) ~~for natural inland wetlandsnatural inland wetlands,~~⁴³¹ ~~there is no decrease, and preferably an increase, other than as provided by the NPSFM, and~~⁴³²
- (3) there is no reduction and, where ~~degradeddegraded,~~ there is an improvement in ~~wetland~~ ~~wetland~~⁴³³ ecosystem health, hydrological functioning, *amenity values*, extent or *water* quality, and
- (4) their flood attenuation and ~~water-water~~⁴³⁴ storage capacity is maintained or improved.

LF-FW-O10 – Natural character

The natural character of *wetlands*, *lakes* and *rivers* and their margins is preserved and protected from inappropriate ~~subdivisionsubdivision,~~⁴³⁵ use and development.

Policies

LF-VM-P5 – ~~Freshwater Management Units~~*Freshwater Management Units* (~~FMUs~~*FMUs*)⁴³⁶ and rohe

Otago's ~~fresh-water-fresh water~~⁴³⁷ resources are managed through the following *freshwater management units* or rohe which:

- (1) have coastal boundaries that follow either mean high water springs or, where this crosses a *water body*, the inner limit of the territorial sea, and
- (2) are shown on MAP1:

Table 3 – Freshwater Management Units and rohe

<i>Freshwater Management Unit</i>	<i>Rohe</i>
Clutha Mata-au	Upper Lakes Dunstan Manuherekia Roxburgh Lower Clutha
Taiari	n/a

⁴²⁵ Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

⁴²⁶ Clause 16(2) memorandum (14 October 2025)

⁴²⁷ Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

⁴²⁸ Clause 16(2) memorandum (14 October 2025)

⁴²⁹ Clause 16(2) memorandum (14 October 2025)

⁴³⁰ Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

⁴³¹ Clause 16(2) memorandum (14 October 2025)

⁴³² Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

⁴³³ Clause 16(2) memorandum (14 October 2025)

⁴³⁴ Clause 16(2) memorandum (14 October 2025)

⁴³⁵ Clause 16(2) memorandum (14 October 2025)

⁴³⁶ Clause 16(2) memorandum (14 October 2025)

⁴³⁷ Clause 16(2) memorandum (14 October 2025)

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) any additional *rohe*-specific *environmental outcomes*:
 - (a) must 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*, including by achieving target *attribute* states, 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* or action plan set for the parent *FMU* for the same *attribute*, and
 - (c) must not conflict with any *limit* set or action plan developed for the parent *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).

LF-FW-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 time⁴³⁸; 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-P7 – Fresh water

Environmental outcomes, *attribute states* (including target *attribute states*), environmental flows and levels, and ~~limits~~ *limits*⁴³⁹ ensure that:

- (1) the health and well-being of *water bodies* and *freshwater* ecosystems is maintained or, if *degraded*,

⁴³⁸ Clause 16(2) memorandum (5 December 2024)

⁴³⁹ Clause 16(2) memorandum (14 October 2025)

improved,

- (2) the ~~habitats~~habitats of indigenous species with life stages dependent on ~~water bodies~~bodies⁴⁴⁰ are protected and sustained,
- (2A) the ~~habitats~~habitats⁴⁴¹ of trout and salmon are protected insofar as this is consistent with (2),
- (2B) fish passage is provided for, except where it is desirable to prevent the passage of some fish species in order to protect desired fish species, their life stages, or their habitats,
- (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) resources harvested from *water bodies* including *mahika kai* and *drinking water* are safe for human consumption.

LF-FW-P7A – Water allocation and use

Within *limits* and in accordance with any relevant environmental flows and levels, the benefits of using *fresh water* are recognised and *over-allocation* is either phased out or avoided by:

- (1) managing ~~over-allocation~~over-allocation⁴⁴² as set out in LF-FW-M6,
- (2) allocating *fresh water* efficiently to support the social, economic, and cultural well-being of people and communities to the extent possible within *limits*, including for:
 - (a) community ~~drinking water~~drinking water⁴⁴³ supplies,
 - (b) maintaining generation output and capacity from existing *renewable electricity generation schemes*,
 - (c) *mana whenua* customary or cultural needs and activities, and
 - (d) ~~primary production~~primary production,⁴⁴⁴
- (3) ensuring that no more *fresh water* is abstracted than is necessary for its intended use,
- (4) ensuring that the efficiency of *fresh water* abstraction, storage and conveyancing *infrastructure* is improved,
- (5) providing for the harvesting and storage of *fresh water* to meet increasing demand for *water*, to manage *water* scarcity conditions and to provide ~~resilience~~resilience⁴⁴⁵ to the *effects* of *climate change*, and
- (6) providing for spatial and temporal sharing of allocated *fresh water* between uses and users where feasible.

LF-FW-P8 – Identifying *wetlands*

By 3 September 2030, identify and map:

⁴⁴⁰ Clause 16(2) memorandum (14 October 2025)

⁴⁴¹ Clause 16(2) memorandum (14 October 2025)

⁴⁴² Clause 16(2) memorandum (14 October 2025)

⁴⁴³ Clause 16(2) memorandum (14 October 2025)

⁴⁴⁴ Clause 16(2) memorandum (14 October 2025)

⁴⁴⁵ Clause 16(2) memorandum (14 October 2025)

- (1) any ~~wetland-wetland~~⁴⁴⁶ at risk of loss of extent or values,
- (2) any ~~wetland-wetland~~⁴⁴⁷ identified in a farm environment plan, or that may be affected by any application for, or a review of, a resource consent, and
- (3) all other natural inland wetlands that are:
 - (a)⁴⁴⁸ 0.05 hectares or greater in extent, or
 - (b)⁴⁴⁹ 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-P10A – Managing ~~wetlands-wetlands~~⁴⁵⁰

Otago's *wetlands* are managed:

- (1) in the coastal environment, in accordance with ~~CE – Coastal Environment~~ the NZCPS in addition to (2) and (3) below, and⁴⁵¹
- (2) by applying clause 3.22(1) to (3) of the NPSFM to ~~all-natural inland~~⁴⁵² wetlands, and
- (3) to improve the ecosystem health, hydrological functioning and extent of ~~wetlands-wetlands~~⁴⁵³ that have been ~~degraded-degraded~~⁴⁵⁴ or lost by promoting:
 - (a) an increase in the extent and condition of ~~habitat-habitat~~⁴⁵⁵ for indigenous species,
 - (b) the restoration of hydrological processes,
 - (c) control of ~~pest-pest~~⁴⁵⁶ species and vegetation clearance, and
 - (d) the exclusion of stock, except where stock grazing is used to enhance ~~wetland-wetland~~⁴⁵⁷ values, and
- (4) to sustain and enhance Māori ~~freshwater-freshwater~~⁴⁵⁸ values.⁴⁵⁹

LF-FW-P11 – Otago's outstanding water bodies

Otago's outstanding ~~water-bodies-water bodies~~⁴⁶⁰ are:

- (1) the Kawarau River and tributaries described in the Water Conservation (Kawarau) Order 1997,
- (2) Lake ~~Wanaka-Wānaka~~⁴⁶¹ and the outflow and tributaries described in the Lake Wanaka Preservation Act 1973, and

⁴⁴⁶ Clause 16(2) memorandum (14 October 2025)

⁴⁴⁷ Clause 16(2) memorandum (14 October 2025)

⁴⁴⁸ Clause 16(2) memorandum (5 December 2024)

⁴⁴⁹ Clause 16(2) memorandum (5 December 2024)

⁴⁵⁰ Clause 16(2) memorandum (14 October 2025)

⁴⁵¹ Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

⁴⁵² Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

⁴⁵³ Clause 16(2) memorandum (14 October 2025)

⁴⁵⁴ Clause 16(2) memorandum (14 October 2025)

⁴⁵⁵ Clause 16(2) memorandum (14 October 2025)

⁴⁵⁶ Clause 16(2) memorandum (14 October 2025)

⁴⁵⁷ Clause 16(2) memorandum (14 October 2025)

⁴⁵⁸ Clause 16(2) memorandum (14 October 2025)

⁴⁵⁹ Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

⁴⁶⁰ Clause 16(2) memorandum (14 October 2025)

⁴⁶¹ Clause 16(2) memorandum (14 October 2025)

- (4) any other *water bodies* identified in accordance with APP1.

LF-FW-P12 –Identifying and managing *outstanding water bodies*

Identify *outstanding water bodies* and their significant and outstanding values in the relevant *regional plans* and *district plans* and protect those values.

LF-FW-P13 – Preserving natural character and instream values

Preserve the natural character and instream values of *lakes* and *ivers* and the natural character of 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-effects~~⁴⁶² of the activity are managed by applying the ~~effects management hierarchy (in relation to natural inland wetlands and rivers)~~ *effects management hierarchy (in relation to natural inland wetlands and rivers)*,⁴⁶³
- (2) not granting ~~resource consent~~*resource consent*⁴⁶⁴ for activities in (1) unless the consent authority is satisfied that:
 - (a) the application demonstrates how each step of the *effects management hierarchy* (in relation to natural inland wetlands and rivers) 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 hierarchy (in relation to natural inland wetlands and rivers) in respect of any loss of values or extent of the ~~river~~*river*,⁴⁶⁵
 - (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 APP4A and APP4B~~,⁴⁶⁶ and has had to regard to the remaining principles in ~~Appendix 6 and 7 of the NPSFM APP4A and APP4B~~,⁴⁶⁷ as appropriate, and
 - (d) if *aquatic offsetting* or *aquatic compensation* is applied, any consent granted is subject to conditions that will ensure that the ~~offsetting~~*offsetting*⁴⁶⁸ or compensation will be maintained and managed over time to achieve the conservation outcomes,
- (3) establishing environmental flow and level regimes and *water* quality standards that support the health and well-being of the *water body*,
- (4) to the extent practicable, 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~~*Wānaka*,⁴⁶⁹
- (7) preventing modification that would permanently reduce the braided character of a *river*,

⁴⁶² Clause 16(2) memorandum (14 October 2025)

⁴⁶³ Clause 16(2) memorandum (14 October 2025)

⁴⁶⁴ Clause 16(2) memorandum (14 October 2025)

⁴⁶⁵ Clause 16(2) memorandum (14 October 2025)

⁴⁶⁶ Clause 16(2) memorandum (14 October 2025)

⁴⁶⁷ Clause 16(2) memorandum (14 October 2025)

⁴⁶⁸ Clause 16(2) memorandum (24 March 2025)

⁴⁶⁹ Clause 16(2) memorandum (14 October 2025)

- (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~~habitat and ~~biodiversity~~biodiversity,⁴⁷⁰ reduce *contaminant* loss to *water bodies* and support natural flow behaviour.

LF-FW-P14 – Restoring natural character and instream values⁴⁷¹

Where the natural character or instream values of *lakes* and *rivers* or the natural character of their margins has been reduced or lost, promote actions that, ~~where practicable~~:⁴⁷²

- (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 where necessary and appropriate, creating fish barriers to prevent incursions from undesirable species,
- (4) improve *water body* margins by naturalising bank contours and establishing indigenous vegetation and habitat, and
- (5) restore natural connectivity between and within *water* systems.

LF-FW-P15 – Stormwater discharges

Minimise the adverse *effects* of direct and indirect *discharges* of *stormwater* to *fresh water* by:

- (2) requiring:
 - (ab) integrated catchment management plans for management of *stormwater* in *urban areas*,
 - (b) all *stormwater* to be *discharged* into a reticulated system, where one is made available by the operator of the reticulated system, unless alternative treatment and disposal methods will result in the same or improved outcomes for *fresh water*,
 - (c) implementation of methods to progressively reduce unintentional ~~stormwater~~stormwater⁴⁷³ inflows to *wastewater* systems,
 - (e) that any *stormwater discharges* do not prevent *water bodies* from meeting any applicable water quality standards set for *FMUs* and/or *rohe*, and
 - (f) the use of ~~water~~water⁴⁷⁴ sensitive design techniques wherever practicable, and
- (3) promoting the reticulation of *stormwater* in ~~urban areas~~urban areas⁴⁷⁵ where appropriate, and
- (4) promoting source control as a method for reducing *contaminants* in *discharges* and the use of good practice guidelines for managing *stormwater*.

⁴⁷⁰ Clause 16(2) memorandum (14 October 2025)

⁴⁷¹ ENV-2024-CHC-26 Forest & Bird

⁴⁷² Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

⁴⁷³ Clause 16(2) memorandum (14 October 2025)

⁴⁷⁴ Clause 16(2) memorandum (14 October 2025)

⁴⁷⁵ Clause 16(2) memorandum (14 October 2025)

LF-FW-P16 – Discharges of wastewater, containing⁴⁷⁶ animal effluent, sewage, greywater and industrial and trade waste

Minimise the adverse *effects* of direct and indirect *discharges of wastewater, containing*⁴⁷⁷ animal effluent, sewage, greywater and industrial and trade waste to *fresh water* by:

- (1) phasing out existing *discharges of wastewater, containing*⁴⁷⁸ sewage or industrial and trade waste directly to *fresh*⁴⁸⁰ water⁴⁸¹ to the extent practicable,
- (2) requiring:
 - (a) new ~~discharges~~ *discharges of wastewater, containing*⁴⁸² ~~sewage~~ *sewage* or ~~industrial and trade waste~~ *industrial and trade waste*⁴⁸⁴ to be to ~~land~~ *land*,⁴⁸⁵ unless:
 - (i) the adverse *effects* associated with a discharge to land are demonstrably greater than a discharge to fresh water, or
 - (ii) the adverse *effects* associated with a discharge to water are significantly less than, and replace, an existing discharge(s),⁴⁸⁶ or
 - (iii) the discharged⁴⁸⁷ *discharge*⁴⁸⁸ is to a constructed ~~water body~~ *water body* from which there is no discharge of water or contaminants.⁴⁸⁹
 - (b) discharges of animal effluent from land-based primary production to be to land,
 - (c) that all *discharges* containing sewage or industrial and trade waste are discharged into a reticulated *wastewater* system, where one is made available by its owner, unless alternative treatment and disposal methods will result in improved outcomes for *fresh water*,
 - (d) implementation of methods to progressively reduce the frequency and volume of wet weather overflows and minimise the likelihood of dry weather overflows occurring from reticulated *wastewater* systems,
 - (e) on-site *wastewater* systems and animal effluent systems to be designed and operated in accordance with best practice standards,
 - (f) that any *discharges* do not prevent *water bodies* from meeting any applicable water quality standards set for FMUs and/or rohe,
- (3) to the greatest extent practicable, requiring the reticulation of *wastewater* in *urban areas*, and
- (4) promoting source control as a method for reducing *contaminants* in *discharges*.

⁴⁷⁶ Clause 16(2) memorandum (24 March 2025)

⁴⁷⁷ Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

⁴⁷⁸ Clause 16(2) memorandum (14 October 2025)

⁴⁷⁹ Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

⁴⁸⁰ Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

⁴⁸¹ Clause 16(2) memorandum (14 October 2025)

⁴⁸² Clause 16(2) memorandum (14 October 2025)

⁴⁸³ Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

⁴⁸⁴ Clause 16(2) memorandum (14 October 2025)

⁴⁸⁵ Clause 16(2) memorandum (14 October 2025)

⁴⁸⁶ Clause 16(2) memorandum (14 October 2025)

⁴⁸⁷ Clause 16(2) memorandum (14 October 2025)

⁴⁸⁸ Clause 16(2) memorandum (14 October 2025)

⁴⁸⁹ Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

Methods

LF-VM-M3 – Community involvement

Otago Regional Council must work with Kāi Tahu and communities to achieve the objectives and policies in this chapter, including by:

- (1) engaging with Kāi Tahu, communities and stakeholders to identify values and *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,
- (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*, and
- (4A) education, advocacy and co-ordination to encourage efficient use of ~~freshwater~~*freshwater*,⁴⁹⁰ including ~~water~~*water*⁴⁹¹ harvesting, use of storage and consideration of alternative water supply.

~~LF-VM-M4 – Other methods~~

~~In addition to method LF-VM-M3, the methods in the LF-WAI, LF-FW, and LF-LS sections are also applicable.~~⁴⁹²

LF-FW-M5 – Outstanding water bodies

Otago Regional Council must:

- (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-FW-P11,
- (2) identify the outstanding values of those *water bodies* (if any) in accordance with APP1,
- (3) consult with the public and relevant ~~local authorities~~*local authorities*⁴⁹³ 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 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* and, after it is made operative, maintain that *regional plan* to:

- (1A) implement the required steps in the NOF process in accordance with the NPSFM,
- (3) identify *water bodies* that are *over-allocated* and the methods and timeframes for phasing out that *over-allocation* (including through environmental flows and levels and *limits*) within the timeframes required to achieve the relevant *freshwater* vision,
- (5A) provide for the allocation and use of *fresh water* in accordance with LF-FW-P7A, including by providing

⁴⁹⁰ Clause 16(2) memorandum (14 October 2025)

⁴⁹¹ Clause 16(2) memorandum (14 October 2025)

⁴⁹² Clause 16(2) memorandum (14 October 2025)

⁴⁹³ Clause 16(2) memorandum (14 October 2025)

for off-stream ~~water-water~~⁴⁹⁴ storage,

- (7) identify and manage *wetlands* in accordance with LF-FW-P7, ~~LF-FW-P9~~⁴⁹⁵ and LF-FW-P10~~A~~⁴⁹⁶ while recognising that some activities in and around *wetlands* are managed under the ~~NPSFM~~,⁴⁹⁷ NESF and the NESCF,
- (8) manage the adverse *effects of stormwater* and discharges containing animal effluent, *sewage*, or *industrial and trade waste* in accordance with LF-FW-P15 and LF-FW-P16, and
- (9) recognise and respond to Kāi Tahu cultural and spiritual concerns about mixing of ~~water-water~~⁴⁹⁸ between different catchments.

LF-FW-M7 – District plans

Territorial authorities must prepare or amend and maintain their *district plans* 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 protect the significant and outstanding values of *outstanding water bodies*,
- (~~1A3~~)⁴⁹⁹ include provisions to preserve the natural character of lakes and rivers and their margins from the adverse effects of land use and development and activities on the surface of water,
- (~~34~~)⁵⁰⁰ require, wherever practicable, the adoption of water sensitive design techniques when managing the *subdivision*, use or development of *land*, and
- (~~45~~)⁵⁰¹ 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
- (2A) may prepare an action plan for any other purpose set out in the NPSFM, and

⁴⁹⁴ Clause 16(2) memorandum (14 October 2025)

⁴⁹⁵ Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

⁴⁹⁶ Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

⁴⁹⁷ Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

⁴⁹⁸ Clause 16(2) memorandum (14 October 2025)

⁴⁹⁹ Clause 16(2) memorandum (14 October 2025)

⁵⁰⁰ Clause 16(2) memorandum (14 October 2025)

⁵⁰¹ Clause 16(2) memorandum (14 October 2025)

- (3) must prepare any action plan in accordance with clause 3.15 of the NPSFM.

LF-FW-M8A – Identifying and managing species interactions between trout and salmon and indigenous species

- (1) When making decisions that might affect the interactions between trout and salmon and indigenous species, *local authorities* will have particular regard to the recommendations of the Department of Conservation, the Fish and Game Council for the relevant areas, Kāi Tahu, and the matters set out in LF-FW-M8A(2)(a) to (c), and
- (2) Otago Regional Council will work with the Department of Conservation, the relevant Fish and Game Council and Kāi Tahu to:
- (a) describe the habitats required to provide for the protection of indigenous species for the purposes of (2)(a), (b) and (c),
 - (b) identify areas where the protection of the ~~habitat~~habitat of trout and salmon, including fish passage, will be consistent with the protection of the ~~habitat~~habitat⁵⁰² of indigenous species and areas where it will not be consistent,
 - (c) for areas identified in (b) develop provisions for any relevant action plan(s) prepared under the NPSFM, including for fish passage, that will at minimum:
 - (i) determine information needs to manage the species,
 - (ii) set short, medium and long term objectives for the species involved,
 - (iii) identify appropriate management actions that will achieve the objectives determined in (ii), including measures to manage the adverse ~~effects~~effects⁵⁰³ of trout and salmon on indigenous species where appropriate, and
 - (iv) consider the use of a range of tools, including those in the Conservation Act 1987 and the Freshwater Fisheries Regulations 1983, as appropriate.

LF-FW-M8AA – Integrated catchment management

Otago Regional Council may:

- (1) develop and implement an integrated catchment management programme for the region,
- (2) work in partnership with ~~mana~~whenua~~mana~~ whenua⁵⁰⁴ and in collaboration with communities to develop catchment action plans that:
- (a) collate and build on existing work in the catchments,
 - (b) incorporate science and mātauraka Māori, and
 - (c) identify and target effective environmental management actions, and
- (3) encourage and support community initiatives, at varying catchment levels, that help to deliver catchment action plans.

LF-FW-M9 – Monitoring

Otago Regional Council, for every *FMU*, must:

⁵⁰² Clause 16(2) memorandum (14 October 2025)

⁵⁰³ Clause 16(2) memorandum (14 October 2025)

⁵⁰⁴ Clause 16(2) memorandum (14 October 2025)

- (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
- (3) regularly prepare reports on the matters in (1) and (2) and publish those reports in accordance with clause 3.30 of the NPSFM, and
- (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.

LF-FW-M10 – Other methods

In addition to methods ~~LF-FW-M5~~LF-VM-M3⁵⁰⁵ to LF-FW-M9, the methods in the LF-WAI, ~~LF-VM~~⁵⁰⁶ and LF-LS sections are also applicable.

Explanation

LF-VM-E2 – 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. [Note to reader: originally LF-FW-E3 para 1].

Implementing the NPSFM requires Council to identify ~~Freshwater Management Units (FMUs)~~⁵⁰⁷ 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.

The outcomes sought for *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 *wetlands*, rather than only inland natural wetlands (those outside the *coastal marine area*) as the NPSFM directs. This reflects the views of *mana 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 *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 and the ~~indigenous biodiversity~~indigenous biodiversity⁵⁰⁸ and hydrological values of wetland systems. [Note to reader: originally LF-FW-E3 para 2]

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~~⁵⁰⁹ they meet the criteria in APP1 which lists the types of values which may be considered outstanding: cultural and spiritual,

⁵⁰⁵ Clause 16(2) memorandum (14 October 2025)

⁵⁰⁶ Clause 16(2) memorandum (14 October 2025)

⁵⁰⁷ Clause 16(2) memorandum (14 October 2025)

⁵⁰⁸ Clause 16(2) memorandum (14 October 2025)

⁵⁰⁹ Clause 16(2) memorandum (14 October 2025)

ecology, landscape, natural character, recreation and physical. The significant values of *outstanding water bodies* are to be identified and protected from adverse effects. [Note to reader: originally LF-FW-E3 para 3]

Preserving the natural character of *lakes* and *rivers*, and their *beds* and margins, is a matter of national importance under section 6 of the RMA⁵¹⁰. 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 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. [Note to reader: originally LF-FW-E3 para 4]

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-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)*.

Otago's *water bodies* are significant features of the region and play an important role in Kāi Tahu beliefs and traditions. They support people and communities to provide for their social, economic, and cultural well-being. 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 urban and rural *land* uses, contribute to ongoing *water* quality and quantity issues in some *water bodies*, with significant cultural effects. [Note to reader: originally LF-FW-PR3 para 1]

This section of the LF chapter 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 RMA⁵¹¹. 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*. [Note to reader: originally LF-FW-PR3 para 2]

Anticipated environmental results

⁵¹⁰ Clause 16(2) memorandum (14 October 2025)

⁵¹¹ Clause 16(2) memorandum (14 October 2025)

LF-VM-AER3	The <i>fresh water</i> visions in this section implement <i>Te Mana o Te Wai</i> according to the particular characteristics of FMUs <i>FMUs</i> ⁵¹² and rohe and the outcomes they seek are achieved within the timeframes specified.
LF-FW-AER4	<i>Fresh water</i> is allocated within limits <i>limits</i> 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-VMLF-FW <i>LF-FW</i> ⁵¹³ section of this chapter.
LF-FW-AER5	<i>Specified rivers and 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 objectives in the LF-FW 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	Direct <i>discharges</i> of <i>wastewater</i> to <i>water</i> are phased out to the greatest extent practicable and 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 an improvement in the extent and condition or quality of Otago's <i>wetlands</i> .
LF-FW-AER11A	The economic, social, and cultural well-being of communities is sustained.

⁵¹² Clause 16(2) memorandum (14 October 2025)

⁵¹³ Clause 16(2) memorandum (14 October 2025)

LF-LS – Land and soil

Note to readers: As a result of Council’s decisions, the following provisions have been moved to the LF-LS chapter:

- (a) UFD-O4 – Development in rural areas
- (b) UFD-P7 – Rural areas
- (c) UFD-P8 – Rural lifestyle and residential zones
- (d) UFD-M2(8) and (9)
- (e) UFD-E1 – Explanation (third paragraph)
- (f) UFD-PR1 – Principal reasons (sixth paragraph)

The notified numbering of UFD-O4 and UFD-P7 has been retained in the LF-LS chapter as an interim measure so that it is easier to link submission and appeal points to provisions. The numbering of both chapters will be updated and made chronological once appeals are resolved.

Objectives

LF-LS-O11 – Land and soil

The availability and *productive capacity*⁵¹⁴ of *highly productive land*⁵¹⁵ for *primary production* is protected from inappropriate use and development⁵¹⁶ now and for future generations.

LF-LS-O12 – Use, development, and protection

The use, development, and protection of *land* and soil:

- (1) safeguards the life-supporting capacity of soil,
(1A) sustains the potential of *land* and soil to meet the reasonably foreseeable needs of future generations while recognising the extractive nature of mining.⁵¹⁷
- (2) contributes to achieving *environmental outcomes* for *fresh water*, and
- (3) recognises the role of these resources in providing for the social, economic, and cultural well-being of Otago’s people and communities.

UFD-O4 – Development in rural areas

Use and Development⁵¹⁸ in Otago’s *rural areas* occurs in a way that:

- (4) provides for the ongoing use of *rural areas* for *primary production* and *rural industry*, and
- (4A) does not compromise the long term viability of *primary production* and rural communities-, and
(5) enables the use and development of Native Reserves and Māori land.⁵¹⁹

⁵¹⁴ Clause 16(2) memorandum (5 December 2024)

⁵¹⁵ Clause 16(2) memorandum (5 December 2024)

⁵¹⁶ Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

⁵¹⁷ Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

⁵¹⁸ Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

⁵¹⁹ Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

Policies

LF-LS-P16A – Managing pests

Reduce the impact of *pests*, including *wilding conifers*, by:

- (1) avoiding afforestation and replanting of plantation forests with wilding conifer species listed in APP5 within:
 - (a) areas identified as outstanding natural features, outstanding natural landscapes, or *significant natural areas*, and
 - (b) buffer zones adjacent to the areas listed in (a) where it is necessary to protect those areas,
- (1A) if the spread risk of the species to be replanted is greater than the species in the existing forest because either the spreading vigour is greater or the species is less palatable, avoiding replanting of plantation forests with wilding conifer species listed in APP5 within:
 - (a) outstanding natural features and outstanding natural landscapes, and
 - (b) buffer zones adjacent to the areas listed in (a) where it is necessary to protect those areas,⁵²⁰
- (2) outside other than the afforestation or replanting of⁵²¹ *plantation forests*, avoiding the planting of *wilding conifer* species listed in APP5 and any other *pests* in a way that is consistent with the Otago Regional Pest Management Plan 2019-2029,
- (3) enabling the control of *pests* on *land*, and
- (4) supporting initiatives to control or eliminate *pests* and limit or prevent⁵²² their further spread.

LF-LS-P16 – Maintaining soil quality

Maintain soil quality by managing both *land* and *freshwater* resources, including the interconnections between soil health, vegetative cover and *water* quality and quantity.

LF-LS-P17 – Soil values

Maintain the health and productive potential of soils, to the extent reasonably practicable,⁵²³ by managing the use and development of *land* in a way that is suited to the soil characteristics and that sustains mauri through healthy:

- (1) soil biological activity and *biodiversity*,
- (2) soil structure, and
- (3) soil fertility.

LF-LS-P18 – Soil erosion

Minimise soil erosion, and the associated risk of sedimentation in ~~water bodies~~*water bodies*,⁵²⁴ resulting from *land* use activities by:

- (2) maintaining vegetative cover on erosion-prone *land*, to the extent practicable,

⁵²⁰ Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

⁵²¹ Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

⁵²² Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

⁵²³ Clause 16(2) memorandum (14 October 2025)

⁵²⁴ Clause 16(2) memorandum (14 October 2025)

- (1) implementing management practices to minimise the potential for soil to be *discharged* to *water bodies*, including by controlling the timing, duration, scale and location of soil exposure, and
- (3) promoting activities that enhance soil retention.

LF-LS-P20 – *Land use change*

Promote changes in *land* use or *land* management practices that support and improve:

- (1) the sustainability and efficiency of *water* use,
- (2) resilience to the impacts of *climate change*,
- (3) the health and quality of soil, or
- (4) *water* quality

LF-LS-P21 – *Land use and fresh water*

The health and well-being of *water bodies* and ~~freshwater~~⁵²⁵ *ecosystems* is maintained ~~or, if degraded~~⁵²⁶ ~~degraded~~⁵²⁷ *improved* to meet *environmental outcomes* set for ~~Freshwater Management Units~~⁵²⁸ and/or rohe by:

- (1) reducing or otherwise ~~managing~~⁵²⁹ ~~maintaining~~⁵³⁰ the adverse ~~effects~~⁵³¹ ~~effects~~ of direct and indirect *discharges* of *contaminants* to *water* from the use and development of *land*,
- (2) managing *land* uses that may have adverse *effects* on the flow of *water* in surface *water bodies* or the recharge of *groundwater*,
- (3) recognising the drylands nature of some of Otago and the resulting *low* water availability, and
- (4) maintaining or, where degraded, enhancing the ~~habitat and biodiversity~~⁵³¹ values of riparian margins.

LF-LS-P19 – *Highly productive land*

Maintain the availability and *productive capacity*⁵³² of *highly productive*⁵³³ *land* by:

~~(1) — identifying highly productive⁵³⁴ land based on the following criteria:~~

~~(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:~~

⁵²⁵ Clause 16(2) memorandum (14 October 2025)

⁵²⁶ Clause 16(2) memorandum (14 October 2025)

⁵²⁷ Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

⁵²⁸ Clause 16(2) memorandum (14 October 2025)

⁵²⁹ Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

⁵³⁰ Clause 16(2) memorandum (14 October 2025)

⁵³¹ Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

⁵³² Clause 16(2) memorandum (5 December 2024)

⁵³³ Clause 16(2) memorandum (5 December 2024)

~~⁵³⁴ Clause 16(2) memorandum (5 December 2024)~~

- ~~(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 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, and~~
- ~~(2) — prioritising identifying and managing⁵³⁵ the use of *highly productive land* for *land-based primary production*⁵³⁶ in accordance with the NPSHPL~~

UFD-P7 – Rural Areas

The management of use and⁵³⁷ development in *rural areas*:

- (2) maintains *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,
- (3) prioritises land-based *primary production* on highly productive land in accordance with the NPS-HPL, except as provided for in (5) below,
- ~~(4) provides for *primary production, rural industry, and supporting activities, and recognises:*~~
 - ~~(a) the importance of these activities to the social and economic wellbeing of Otago’s communities, and~~
 - ~~(b) that mining and aggregate activities can only be located where those resources are present,⁵³⁸~~
- (5) enables the use by Kāi Tahu of Native Reserves and Māori Land, ~~for *papakāika, kāika, nohoaka, marae and marae-related activities*~~⁵³⁹ in accordance with MW-P4,
- (6) restricts the establishment of non-rural activities which could adversely affect, including by way of reverse sensitivity or fragmentation, the productive capacity of highly productive *land*, or existing or anticipated *primary production* and *rural industry* activities, except as provided for in (5) or the NPS-HPL; and
- ~~(7) recognises the national and regional importance of the Otago Corrections Facility to the health, safety and welfare of communities and enables its continued use, upgrading and development, including by:~~
 - ~~(a) avoiding the establishment of incompatible activities which could give rise to adverse *effects* on the security and operation of the Facility and/or the welfare of its occupants; and~~
 - ~~(b) managing the adverse *effects* of *primary production* and *rural industry* on the security and operation of the Facility and/or the welfare of its occupants.⁵⁴⁰~~

UFD-P8 – Rural lifestyle development

The establishment, development or expansion of rural lifestyle development only occurs where:

⁵³⁵ Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

⁵³⁶ Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

⁵³⁷ Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

⁵³⁸ Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

⁵³⁹ Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

⁵⁴⁰ Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

- (2) it 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 development would foreclose or reduce efficient realisation of that urban development potential,
- (3) it minimises impacts on existing or anticipated⁵⁴¹ *primary production, rural industry* and other rural activities and the potential for reverse sensitivity effects⁵⁴²
- (4) it avoids *highly productive land* except as provided for in the NPS-HPL,
- (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 *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 services and *additional infrastructure*

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 access by *mana whenua* in their role as kaitiaki and for gathering of *mahika kai*, and
- (3) encouraging landowners to avoid restricting access unless it is necessary to protect:
 - (a) health and safety,
 - (b) ~~significant natural areas~~ *significant natural areas*,⁵⁴³
 - (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 Kāi Tahu, including wāhi taoka, wāhi tapu and ~~wāhi-tūpuna~~ *wāhi tupuna*,⁵⁴⁴
 - (g) establishing vegetation, or
 - (h) a level of security consistent with the operational requirements of a lawfully established activity.

Methods

⁵⁴¹ Clause 16(2) memorandum (5 December 2024)

⁵⁴² Clause 16(2) memorandum (5 May 2025)

⁵⁴³ Clause 16(2) memorandum (14 October 2025)

⁵⁴⁴ Clause 16(2) memorandum (14 October 2025)

LF-LS-M11A – Identification of *highly productive land*

- (1) ~~In collaboration with territorial authorities and in consultation with *mana whenua*,~~⁵⁴⁵ Otago Regional Council must identify *highly productive land* in Otago in accordance with LS-LS-P19(1)~~;-~~
 - (a) ~~in collaboration with territorial authorities,~~
 - (b) ~~in consultation with *mana whenua*, and~~
 - (c) ~~in consultation with owners of Māori freehold land in relation to their land,~~⁵⁴⁶ and
- (2) Otago Regional Council must include maps of the *highly productive land* identified in accordance with (1) in the Regional Policy Statement by the date specified in the ~~NPSHPL National Policy Statement for Highly Productive Land.~~⁵⁴⁷

LF-LS-M11 – Regional plans

Otago Regional Council must publicly notify a Land and Water *Regional Plan* 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*
 - (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
- (2) provide for changes in *land* use that improve the sustainable and efficient use of *fresh water* and that reduce water demand where there is existing ~~over-allocation~~*over-allocation*,⁵⁴⁸ and
- (2A) enable the *discharge of contaminants* to *land* for *pest* control, and
- (3) implement policies LF-LS-P16 to LF-LS-P22.

LF-LS-M12 – District plans

Territorial authorities must prepare or amend and maintain their *district plans* ~~no later than 31 December 2026~~⁵⁴⁹ to:

- (1A) ~~manage activities that may affect the ability of *environmental outcomes* for *fresh water* to be achieved,~~⁵⁵⁰
- (1) manage *land* use change by:
 - (aa) ~~avoiding-managing~~ the planting of *pest plants* in accordance with LF-LS-P16A, ~~and, when identifying any need for and size of a buffer zone for the purposes of LF-LS-P16A, territorial~~

⁵⁴⁵ Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

⁵⁴⁶ Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

⁵⁴⁷ Clause 16(2) memorandum (5 December 2024)

⁵⁴⁸ Clause 16(2) memorandum (14 October 2025)

⁵⁴⁹ Clause 16(2) memorandum (24 March 2025)

⁵⁵⁰ Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

authorities must justify in the circumstances of each district the use of a buffer zone in addition to the NESCF to prevent the spread of *wilding conifer* species listed in APP5 into the area to be protected,⁵⁵¹

~~(a) —controlling the establishment of new or any spatial extension of existing *land use activities* where necessary to give effect to an objective developed under the NPSFM, and~~⁵⁵²

(b) avoiding, where practicable, and otherwise⁵⁵³ minimising the removal of montane tall tussock grasslands, to recognise their ability to capture and hold precipitation, and

(2) provide for and promote the creation and enhancement of vegetated riparian margins and constructed *wetlands*, and maintain these where they already exist,

(3) facilitate public access to and along *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*, and any other means of public access rights that connect with *esplanade reserves* and *esplanade strips*., and

(4) maintain the availability and *productive capacity* of *highly productive land* identified and mapped under LF-LS-M11A in accordance with LF-LS-P19, and

(8) manage development in *rural areas* in accordance with UFD-P7,

(9) manage ~~and~~⁵⁵⁴ rural lifestyle activities development in in accordance with UFD-P8.

LF-LS-M13 – Management of *beds* and riparian margins

Local authorities must prepare or amend and maintain their *regional plans* 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 enhance existing ~~indigenous-indigenous~~⁵⁵⁵ *biodiversity* values,

(2) increase the presence, resilience and abundance of indigenous flora and fauna, particularly taoka species, including by providing for *wetlands* and *biodiversity* corridors within *river* systems, and requiring riparian buffers that are sufficient to maintain ~~indigenous-indigenous~~⁵⁵⁶ *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-M11⁵⁵⁷ to LF-LS-M13, the methods in the LF-WAI and LF-FW sections are also applicable.

Explanation

⁵⁵¹ Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

⁵⁵² Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

⁵⁵³ Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

⁵⁵⁴ Clause 16(2) memorandum (5 May 2025)

⁵⁵⁵ Clause 16(2) memorandum (14 October 2025)

⁵⁵⁶ Clause 16(2) memorandum (14 October 2025)

⁵⁵⁷ Clause 16(2) memorandum (14 October 2025)

LF-LS-E4 – Explanation

The policies in this section of the LF chapter seek to maintain the health of Otago's soils, reduce the impact of ~~pests-pests~~⁵⁵⁸ and manage *land* uses as part of an integrated approach to sustaining soil and *water* health and maintaining the *productive capacity* of rural land. The connections and interactions between these resources require a holistic approach to management.

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 and has adverse impacts on both soil and *water* health. The policies provide direction for managing erosion resulting from *land* use activities to ensure soil is retained and to prevent its *discharge* to *water*.

In addition, this chapter seeks to manage development in Otago's *rural areas*, to support the viability of the rural sector. This includes direction on the different types of development within *rural areas*, including rural lifestyle development. These provisions work closely with those in the UFD chapter, which include direction on managing the impacts of urban growth on *rural areas*.

Highly productive land is *land* used for *land-based primary production* 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 and sustainable use of *water*, *resilience* to *climate change*, the health and quality of soil, and ~~water-water~~⁵⁵⁹ quality. 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. The policies in this section seek to maintain existing public access opportunities and where appropriate promote enhanced public access to and along *lakes* and *rivers*. Circumstances which restrict public access are set out where, for example, health and safety is at risk or valued parts of the *environment* may be compromised.

Principal reasons

LF-LS-PR4 – Principal reasons

Pests, including *wilding conifers*, pose a range of threats to Otago's environment. While the regional pest management plan is the primary tool for controlling *pests* under the Biosecurity Act 1993, it is important that the management of ~~land-land~~⁵⁶⁰ works alongside that tool to reduce the impacts of *pests*.

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

⁵⁵⁸ Clause 16(2) memorandum (14 October 2025)

⁵⁵⁹ Clause 16(2) memorandum (14 October 2025)

⁵⁶⁰ Clause 16(2) memorandum (14 October 2025)

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 *mahika kai* 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* 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*) are mainly on the Taiari 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~~*pests*.⁵⁶¹

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*.

~~Rural areas~~*Rural areas*⁵⁶² contain activities and resources critical for rural production. There is pressure from non-rural activities and rural lifestyle development to locate within the ~~rural area~~*rural area*,⁵⁶³ but these activities can be sensitive to *primary production* or *rural industry* and can adversely affect rural production. The provisions in this chapter focus on managing the potential *effects* of development on productive potential and the wide range of environmental values, features and resources that *rural areas* contain are. 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 lifestyle development, ~~local authorities~~*local authorities*⁵⁶⁴ will need to be aware of the potential future constraints on future urban expansion and development, including the cumulative impacts of ~~infrastructure~~*infrastructure*⁵⁶⁵ servicing irrespective of whether this is onsite, community or through connections to urban reticulated schemes.

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.

Anticipated environmental results

LF-LS-AER12A	The area of <i>land</i> vegetated by <i>wilding conifers</i> is reduced.
LF-LS-AER12B	The extent and distribution of <i>pests</i> does not increase.
LF-LS-AER12	The life-supporting capacity of soil is maintained or improved throughout Otago.
LF-LS-AER13	The availability and capability of Otago's highly productive land <i>highly productive land</i> ⁵⁶⁶ is maintained.
LF-LS-AER14	The use of <i>land</i> supports the achievement of <i>environmental outcomes</i> and objectives in Otago's <i>FMUs</i> and rohe.

⁵⁶¹ Clause 16(2) memorandum (14 October 2025)

⁵⁶² Clause 16(2) memorandum (14 October 2025)

⁵⁶³ Clause 16(2) memorandum (14 October 2025)

⁵⁶⁴ Clause 16(2) memorandum (14 October 2025)

⁵⁶⁵ Clause 16(2) memorandum (14 October 2025)

⁵⁶⁶ Clause 16(2) memorandum (14 October 2025)

UFD-AER11

New rural lifestyle development occurs within areas appropriate for this use.

LF-LS-AER15

The establishment of activities within *rural areas* does not result in adverse *effects* on activities functionally dependent on rural resources and rural surroundings.

TOPICS

ECO – Ecosystems and indigenous *biodiversity*

Objectives

ECO-O1 – ~~Indigenous-Indigenous~~⁵⁶⁷ *biodiversity*⁵⁶⁸

Otago's *indigenous biodiversity* is healthy and thriving and any overall decline in condition, quantity and diversity is halted.

ECO-O2 – Restoring and enhancing⁵⁶⁹

Restoration and enhancement activities result in an overall increase in the extent and *occupancy* of Otago's *indigenous biodiversity*.

ECO-O3 – *Kaitiakitaka* and stewardship⁵⁷⁰

Mana whenua exercise their role 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*⁵⁷¹

Enable Kāi Tahu to exercise their role as kaitiaki of Otago's *indigenous biodiversity* by:

- (1) partnering with Kāi Tahu in the management of *indigenous biodiversity* to the extent desired by *mana whenua*,
- (1A) working with Kāi Tahu to identify *indigenous species* and ecosystems that are taoka,
- (2) incorporating the use of mātauraka Māori in the management and monitoring of *indigenous biodiversity*, and
- (3) facilitating access to and use of *indigenous biodiversity* by Kāi Tahu, including ~~māhika kai~~*māhika kai*,⁵⁷² according to tikaka.

⁵⁶⁷ Clause 16(2) memorandum (14 October 2025)

⁵⁶⁸ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-39 EDS, ENV-2024-CHC-26 Forest & Bird, ENV-2024-CHC-27 Forestry Appellants

⁵⁶⁹ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-26 Forest & Bird, ENV-2024-CHC-27 Forestry Appellants

⁵⁷⁰ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-27 Forestry Appellants

⁵⁷¹ ENV-2024-CHC-39 EDS, ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-27 Forestry Appellants

⁵⁷² Clause 16(2) memorandum (14 October 2025)

ECO-P2 – Identifying *significant natural areas* and taoka⁵⁷³

Identify and map:

- (1) the areas of significant *indigenous vegetation* or significant *habitat* of indigenous fauna that qualify as *significant natural areas* using the assessment criteria in APP2 and in accordance with ECO-M2, and
- (2) where appropriate, ~~indigenous-species~~*indigenous species*⁵⁷⁴ and ecosystems that are taoka, including those identified by *mana whenua* as requiring protection, in accordance with ECO-M3.

ECO-P3 – Protecting *significant natural areas* and taoka⁵⁷⁵

Outside the coastal environment, and except as provided for by ECO-P4 and ECO-P5A, protect *significant natural areas* and indigenous species and ecosystems that are taoka by:

- (1) first avoiding adverse *effects* that result in:
 - (aa) loss of ecosystem representation and extent,
 - (ab) disruption to sequences, mosaics, or *ecosystem function*,
 - (ac) fragmentation of *significant natural areas* or the loss of buffers or connections within an SNA,
 - (ad) a reduction in the function of the *significant natural area* as a buffer or connection to other important ~~habitats~~*habitats*⁵⁷⁶ or ecosystems, or
 - (ae) a reduction in the population size or occupancy of *Threatened or At Risk (declining) species* that use a ~~an~~⁵⁷⁷ *significant natural area* for any part of their life cycle,
 - (b) any loss of taoka values identified by *mana whenua* as requiring protection under ECO-P2(2), and
- (2) after (1), applying the *effects management hierarchy (in relation to indigenous biodiversity)* to areas and values other than those covered by ECO-P3(1), and
- (3) prior to *significant natural areas* and ~~indigenous-species~~*indigenous species*⁵⁷⁸ and ecosystems that are taoka being identified and mapped in accordance with ECO-P2, adopt a precautionary approach towards activities in accordance with IM-P6(2).

ECO-P4 – Provision for new activities⁵⁷⁹

Outside of the coastal environment, maintain Otago's indigenous *biodiversity* by following the sequential steps in the *effects management hierarchy (in relation to indigenous biodiversity)* when making decisions on plans, applications for ~~resource-consent~~*resource consent*⁵⁸⁰ or notices of requirement for the following activities in

⁵⁷³ ENV-2024-CHC-24 Aurora Energy Limited, Network Waitaki Limited, PowerNet Limited, ENV-2024-CHC-39 EDS, ENV-2024-CHC-30 Cain Whānau

⁵⁷⁴ Clause 16(2) memorandum (14 October 2025)

⁵⁷⁵ ENV-2024-CHC-24 Aurora Energy Limited, Network Waitaki Limited, PowerNet Limited, ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-26 Forest & Bird, ENV-2024-CHC-27 Forestry Appellants, ENV-2024-CHC-29 Oceana Gold

⁵⁷⁶ Clause 16(2) memorandum (14 October 2025)

⁵⁷⁷ Clause 16(2) memorandum (5 May 2025)

⁵⁷⁸ Clause 16(2) memorandum (14 October 2025)

⁵⁷⁹ ENV-2024-CHC-24 Aurora Energy Limited, Network Waitaki Limited, PowerNet Limited, ENV-2024-CHC-26 Forest & Bird, ENV-2024-CHC-27 Forestry Appellants, ENV-2024-CHC-32 Manawa Energy Limited, ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-22 Meridian Energy Limited, ENV-2024-CHC-29 Oceana Gold, ENV-2024-CHC-35 Transpower

⁵⁸⁰ Clause 16(2) memorandum (14 October 2025)

significant natural areas, or where they may adversely affect ~~indigenous species~~*indigenous species*⁵⁸¹ and ecosystems that are taoka that have been identified by *mana whenua* as requiring protection:

- (1) the development, operation, maintenance or upgrade of *specified infrastructure* that provides significant national or regional public benefit that has a *functional need* or *operational need* to locate within the relevant *significant natural area(s)* or where they may adversely affect ~~indigenous species~~*indigenous species*⁵⁸² or ecosystems that are taoka, and there are no practicable alternative locations,
- (1A) the development, operation and maintenance 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, and there are no practicable alternative locations,
- (1B) the development, operation and maintenance 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,
- (1C) the operation or expansion of any coal mine that was lawfully established before August 2023 that has 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, and there are no practicable alternative locations; except that, after 31 December 2030, this exception applies only to such coal mines that extract coking coal,
- (2) the development of *papakāika*, marae and ancillary facilities associated with customary activities on Native reserves and *Māori land*,
- (2A) the sustainable use of *mahika kai* and kaimoana (seafood) by *mana whenua*,
- (3) the use of Native reserves and *Māori land* to enable *mana whenua* to maintain their connection to their whenua and enhance social, cultural or economic well-being,
- (4) activities that are for the purpose of protecting, maintaining, restoring or enhancing a *significant natural area* or *indigenous species* or ecosystems that are taoka,
- (5) activities that are for the purpose of addressing a severe or immediate risk to public health or safety,
- (6) activities that are for the purpose of ~~a~~⁵⁸³ developing a single residential dwelling on an allotment that was created before 4 August 2023, and can demonstrate there is no practicable location within the allotment where a single residential dwelling and essential associated on-site infrastructure can be constructed, or
- (7) activities that are for the purpose of harvesting indigenous tree species from ~~a~~⁵⁸⁴ *significant natural area* carried out in accordance with a forest management plan or permit under Part 3A of the Forests Act 1949.

⁵⁸¹ Clause 16(2) memorandum (14 October 2025)

⁵⁸² Clause 16(2) memorandum (14 October 2025)

⁵⁸³ Clause 16(2) memorandum (5 May 2025)

⁵⁸⁴ Clause 16(2) memorandum (5 May 2025)

ECO-P5 – [deleted in Decisions Version]⁵⁸⁵

ECO-P5A – Managing adverse ~~effects-effects~~⁵⁸⁶ of *established activities on significant natural areas*^{587,588}

Outside of the coastal environment, enable the maintenance, operation, and upgrade of established activities (excluding activities managed under ECO-P3 and ECO-P4), where the *effects* of the activity, including cumulative *effects*, on a *significant natural area*:

- (1) are no greater in intensity, scale, or character over time than at 4 August 2023, and
- (2) do not result in the loss of extent or degradation of *ecological integrity* of a *significant natural area*.

ECO-P6 – Maintaining ~~indigenous-indigenous~~⁵⁸⁹ *biodiversity*⁵⁹⁰

Outside the coastal environment and excluding areas protected under ECO-P3, manage Otago's *indigenous biodiversity* by:

- (1) applying the *effects management hierarchy (in relation to indigenous biodiversity)*⁵⁹¹ to manage significant adverse ~~effects-effects~~⁵⁹² on ~~indigenous biodiversity-indigenous biodiversity~~,⁵⁹³ and
- (2) requiring the *maintenance of indigenous biodiversity* for all other adverse *effects* of any activity, and
- (3) notwithstanding (1) and (2) above, for *regionally significant infrastructure*⁵⁹⁴ and *nationally significant infrastructure*⁵⁹⁵ that is either *renewable electricity generation*⁵⁹⁶ or the *National Grid*⁵⁹⁷ avoid, remedy or mitigate adverse *effects*⁵⁹⁸ to the extent practicable.

ECO-P7 – Coastal *indigenous biodiversity*^{599,600}

Indigenous biodiversity in the coastal environment is managed by CE-P5 in addition to all objectives and policies of the ECO chapter except ECO-P3, ECO-P4, ECO-P5A and ECO-P6.

⁵⁸⁵ ENV-2024-CHC-24 Aurora Energy Limited, Network Waitaki Limited, PowerNet Limited, ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-27 Forestry Appellants, ENV-2024-CHC-35 Transpower

⁵⁸⁶ Clause 16(2) memorandum (14 October 2025)

⁵⁸⁷ Clause 16(2) memorandum (5 May 2025)

⁵⁸⁸ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-26 Forest & Bird, ENV-2024-CHC-27 Forestry Appellants, ENV-2024-CHC-32 Manawa Energy Limited, ENV-2024-CHC-29 Oceana Gold

⁵⁸⁹ Clause 16(2) memorandum (14 October 2025)

⁵⁹⁰ ENV-2024-CHC-24 Aurora Energy Limited, Network Waitaki Limited, PowerNet Limited, ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-26 Forest & Bird, ENV-2024-CHC-27 Forestry Appellants, ENV-2024-CHC-32 Manawa Energy, ENV-2024-CHC-22 Meridian Energy Limited, ENV-2024-CHC-29 Oceana Gold, ENV-2024-CHC-35 Transpower

⁵⁹¹ Clause 16(2) memorandum (5 May 2025)

⁵⁹² Clause 16(2) memorandum (14 October 2025)

⁵⁹³ Clause 16(2) memorandum (14 October 2025)

⁵⁹⁴ Clause 16(2) memorandum (5 May 2025)

⁵⁹⁵ Clause 16(2) memorandum (5 May 2025)

⁵⁹⁶ Clause 16(2) memorandum (5 May 2025)

⁵⁹⁷ Clause 16(2) memorandum (5 May 2025)

⁵⁹⁸ Clause 16(2) memorandum (5 May 2025)

⁵⁹⁹ Clause 16(2) memorandum (5 May 2025)

⁶⁰⁰ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-27 Forestry Appellants

ECO-P8 – Restoration and enhancement^{601,602}

The extent, *occupancy* and condition of Otago's ~~indigenous~~ *indigenous*⁶⁰³ biodiversity is increased by:

- (1) restoring and enhancing habitat for ~~indigenous species~~ *indigenous species*, including taoka and ~~mahika~~ *kaimahika kai*⁶⁰⁴ species,
- (2) improving the health and *resilience* of *indigenous biodiversity*, including ecosystems, species, ~~ecosystem~~ *ecosystem function*,⁶⁰⁵ and *intrinsic values*,
- (3) buffering or linking ecosystems, ~~habitats~~ *habitats*⁶⁰⁶ and ecological corridors, ki uta ki tai, and
- (4) prioritising all the following for *restoration*:
 - (a) ~~significant natural areas~~ *significant natural areas* whose ~~ecological integrity~~ *ecological integrity* is ~~degraded~~ *degraded*,⁶⁰⁷
 - (b) threatened and rare ecosystems representative of naturally occurring and formerly present ecosystems,
 - (c) areas that provide important connectivity or buffering functions,
 - (d) areas of *indigenous biodiversity* on native reserves and *Māori land* where *restoration* is advanced by the Māori landowners,
 - (e) any other priorities specified in regional biodiversity strategies or any national priorities for *indigenous biodiversity restoration*.

ECO-P9 – [deleted in Decisions Version]⁶⁰⁸

ECO-P10 – Integrated approach⁶⁰⁹

Manage *indigenous biodiversity* and the *effects* on it from ~~subdivisions~~ *subdivision*,⁶¹⁰ use and development in an integrated way, which means:

- (1) ensuring any permitted or controlled activity in a *regional plan* or *district plan* rule does not compromise the achievement of ECO-O1,
 - (2) recognising 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
 - (b) the effects of land-use activities on coastal biodiversity and ecosystems,
- (2A) acknowledging that *climate change* will affect *indigenous biodiversity* and managing activities which may exacerbate the *effects* of *climate change*,

⁶⁰¹ Clause 16(2) memorandum (5 May 2025)

⁶⁰² ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-26 Forest & Bird, ENV-2024-CHC-27 Forestry Appellants

⁶⁰³ Clause 16(2) memorandum (14 October 2025)

⁶⁰⁴ Clause 16(2) memorandum (14 October 2025)

⁶⁰⁵ Clause 16(2) memorandum (14 October 2025)

⁶⁰⁶ Clause 16(2) memorandum (14 October 2025)

⁶⁰⁷ Clause 16(2) memorandum (14 October 2025)

⁶⁰⁸ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-27 Forestry Appellants

⁶⁰⁹ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-27 Forestry Appellants, ENV-2024-CHC-39 EDS, ENV-2024-CHC-26 Forest & Bird

⁶¹⁰ Clause 16(2) memorandum (14 October 2025)

- (3) providing for the coordinated management and control of ~~subdivisions~~*subdivision*,⁶¹¹ use and development, as it affects *indigenous biodiversity* across administrative boundaries,
- (4) working towards aligning strategies and other planning tools required or provided for in legislation that are relevant to *indigenous biodiversity*,
- (5) recognising the critical role of people and communities in actively managing the remaining *indigenous biodiversity* occurring on private *land*, and
- (6) adopting regulatory and non-regulatory regional *pest* management programmes.

ECO-P11 – Resilience to *climate change*⁶¹²

Promote the resilience of *indigenous biodiversity* to *climate change*, including at least by:

- (1) allowing and supporting the natural adjustment of *habitats* and ecosystems to the changing climate, and
- (2) considering the *effects* of *climate change* when making decisions on:
 - (a) *restoration* proposals, and
 - (b) managing and reducing new and existing biosecurity risks, and
- (3) maintaining and promoting the enhancement of the connectivity between ecosystems, and between existing and potential *habitats*, to enable migrations so that species can continue to find viable niches as the climate changes, and
- (4) recognising the role of *indigenous biodiversity* in mitigating the *effects* of *climate change*.

ECO-P12 – Plantation forestry activities⁶¹³

Manage:

- (1) the adverse *effects* of *plantation forestry* activities in any existing *plantation forest* on any *significant natural area* in a manner that:
 - (a) maintains *indigenous biodiversity* in the *significant natural area* as far as practicable, while
 - (b) provides for *plantation forestry* activities to continue, and
- (2) over the course of consecutive rotations of production, any part of a *significant natural area* that is within an area of an existing *plantation forest* that is planted, or is intended to be, replanted in trees for harvest in the manner necessary to maintain the long-term populations of any *Threatened or At Risk (declining) species* present in the area.

ECO-PXX – [new policy sought]⁶¹⁴

Methods

⁶¹¹ Clause 16(2) memorandum (14 October 2025)

⁶¹² ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-39 EDS, ENV-2024-CHC-26 Forest & Bird, ENV-2024-CHC-27 Forestry Appellants

⁶¹³ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-27 Forestry Appellants

⁶¹⁴ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-27 Forestry Appellants

ECO-M1 – Statement of responsibilities⁶¹⁵

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~~ regional council⁶¹⁶ 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~~ regional council⁶¹⁷ is responsible for specifying objectives, policies and methods in *regional plans*:
 - (a) in the ~~coastal marine area~~ coastal marine area,⁶¹⁸
 - (b) in ~~wetlands~~ wetlands,⁶¹⁹ ~~lakes~~ lakes,⁶²⁰ and ~~rivers~~ rivers,⁶²¹ 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~~ regional council⁶²² under (4), and
- (4) the ~~Regional Council~~ regional council⁶²³ may be responsible for specifying objectives, policies and methods in *regional plans* outside of the areas listed (1) above if:
 - (a) the ~~Regional Council~~ regional council⁶²⁴ 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 1991⁶²⁵ occurs from the relevant *territorial authority* or *territorial authorities* to the ~~Regional Council~~ regional council.⁶²⁶

ECO-M2 – Identification of *significant natural areas*⁶²⁷

~~Local authorities~~ Local authorities⁶²⁸ must:

- (1) in accordance with the statement of responsibilities in ECO-M1, identify the areas and *indigenous biodiversity* values of *significant natural areas* as required by ECO-P2, and
- (2) map and verify the areas and include the *indigenous biodiversity* values identified under (1) in the relevant *regional plans* and *district plans* no later than 31 December 2030, and⁶²⁹

⁶¹⁵ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-27 Forestry Appellants

⁶¹⁶ Clause 16(2) memorandum (14 October 2025)

⁶¹⁷ Clause 16(2) memorandum (14 October 2025)

⁶¹⁸ Clause 16(2) memorandum (14 October 2025)

⁶¹⁹ Clause 16(2) memorandum (14 October 2025)

⁶²⁰ Clause 16(2) memorandum (14 October 2025)

⁶²¹ Clause 16(2) memorandum (14 October 2025)

⁶²² Clause 16(2) memorandum (14 October 2025)

⁶²³ Clause 16(2) memorandum (14 October 2025)

⁶²⁴ Clause 16(2) memorandum (14 October 2025)

⁶²⁵ Clause 16(2) memorandum (14 October 2025)

⁶²⁶ Clause 16(2) memorandum (14 October 2025)

⁶²⁷ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-27 Forestry Appellants, ENV-2024-CHC-39 EDS, ENV-2024-CHC-26 Forest & Bird

⁶²⁸ Clause 16(2) memorandum (14 October 2025)

⁶²⁹ Clause 16(2) memorandum (5 May 2025)

- (3A) 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* and *district plans*, and
- (3) recognise that *indigenous biodiversity*⁶³⁰ 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*⁶³¹ is managed in accordance with this RPS,
- (4) until *significant natural areas* are identified and mapped in accordance with (1) and (2), require ecological assessments to be provided with applications for ~~resource consent~~*resource consent*, plan changes and notices of requirement that identify whether affected areas are *significant natural areas* in accordance with APP2, and
- (5) in the following areas, prioritise identification under (1):⁶³²
- (a) intermontane basins that contain *indigenous vegetation*⁶³³ and *habitats*,⁶³⁴
 - (b) areas of dryland shrubs,
 - (c) braided *rivers*, including the Makarore, Mātakitaki and Lower Waitaki Rivers,
 - (d) areas of montane tall tussock grasslands, and
 - (e) limestone habitats~~-, and~~⁶³⁵
- (6) When identifying *significant natural areas*, ensuring that:
- (a) if the values or extent of a proposed *significant natural area* are disputed by the landowner, the *local authority*⁶³⁶:
 - (i) conducts a physical inspection of the area, ~~or~~⁶³⁷
 - (ii) ~~or~~⁶³⁸ if a physical inspection is not practicable, uses the best information available to it at the time, and
 - (b) if requested by a *territorial authority*, the regional council⁶³⁹ will assist the *territorial authority*⁶⁴⁰ in undertaking its district-wide assessment, and
 - (c) where a *territorial authority* has identified a *significant natural area* prior to 4 August 2023, and prior to 4 August 2027, a suitably qualified ecologist is engaged by the *territorial authority* to confirm that the methodology originally used to identify the area as a *significant natural area*, and its application, is consistent with the assessment approach in APP2, and
 - (d) if a *territorial authority* becomes aware (as a result of a ~~resource consent~~*resource consent*⁶⁴¹ application, notice of requirement or any other means) that an area may be an area of significant

⁶³⁰ Clause 16(2) memorandum (5 May 2025)

⁶³¹ Clause 16(2) memorandum (5 May 2025)

⁶³² Clause 16(2) memorandum (5 May 2025)

⁶³³ Clause 16(2) memorandum (5 May 2025)

⁶³⁴ Clause 16(2) memorandum (5 May 2025)

⁶³⁵ Clause 16(2) memorandum (5 December 2024)

⁶³⁶ Clause 16(2) memorandum (5 May 2025)

⁶³⁷ Clause 16(2) memorandum (5 May 2025)

⁶³⁸ Clause 16(2) memorandum (5 May 2025)

⁶³⁹ Clause 16(2) memorandum (5 May 2025)

⁶⁴⁰ Clause 16(2) memorandum (5 May 2025)

⁶⁴¹ Clause 16(2) memorandum (14 October 2025)

indigenous vegetation or significant *habitat* of indigenous fauna that qualifies as a *significant natural area*, the *territorial authority*:

- (i) conducts an assessment of the area in accordance with APP2 as soon as practicable, and
- (ii) if a new *significant natural area* is identified as a result, includes it in the next appropriate plan or plan change notified by the *territorial authority*, and

- (e) when a *territorial authority* does its 10-yearly plan review, it assesses its district in accordance with ECO-P2 and APP2 to determine whether changes are needed, and

- (7) allow an area of Crown-owned land to qualify as a *significant natural area* without the need for the assessment required by ECO-P2, using APP2, if:

- (a) the ~~land-land~~⁶⁴² is managed by the Department of Conservation under the Conservation Act 1987 or any other Act specified in Schedule 1 of that Act, and
- (b) the *territorial authority* is reasonably satisfied, after consultation with the Department of Conservation, that all or most of the area would qualify as a *significant natural area* under APP2, and
- (c) the area is:
 - (i) a large and more-or-less contiguous area managed under a single protection classification (such as a national park), or
 - (ii) a large, compact, and more-or-less contiguous area under more than one classification (such as adjoining reserves and a conservation park), or
 - (iii) a well-defined landscape or geographical feature (such as an island or mountain range), or
 - (iv) a scientific, scenic or nature reserve under the Reserves Act 1977, a sanctuary area, ecological area, or wildlife management area under the Conservation Act 1987, or an isolated part of a national park.

ECO-M3 – Identification of taoka⁶⁴³

Local authorities must:

- (1) work together with *mana whenua* to agree a process for:
 - (a) identifying ~~indigenous species~~*indigenous species*⁶⁴⁴ and ecosystems that are taoka, including those identified by *mana whenua* as requiring protection, and how they are values with reference to mātauraka Māori,
 - (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 plans*⁶⁴⁵ and *district plans* to include

⁶⁴² Clause 16(2) memorandum (14 October 2025)

⁶⁴³ ENV-2024-CHC-30 Cain Whānau

⁶⁴⁴ Clause 16(2) memorandum (14 October 2025)

⁶⁴⁵ Clause 16(2) memorandum (14 October 2025)

matters (1)(b) to (1)(d) above, and

(4) recognise that the possible adverse *effects* on identified taoka⁶⁴⁶ include *effects* on:

- (a) the mauri of the taoka⁶⁴⁷,
- (b) the values of the taoka⁶⁴⁸ as identified by *mana whenua*⁶⁴⁹
- (c) the historical, cultural, and spiritual relationship of ~~the tangata whenua~~⁶⁵⁰ *akata whenua* with the taoka⁶⁵¹, as identified by *mana whenua*, and

(5) notify the relevant landowner of the ~~presence~~⁶⁵² *present* of the ~~taoka-taoka~~⁶⁵³ prior to identifying acknowledged ~~taoka-taoka~~⁶⁵⁴ in a proposed *district plan*.

ECO-M4 – *Regional plans*⁶⁵⁵

Otago Regional Council must prepare or amend and maintain its *regional plans* to:

(1) if the requirements of ECO-P3 to ECO-P6 can be met, provide for the use of *lakes* and *ivers*⁶⁵⁶ and their *beds*, including:

- (a) activities undertaken for the purposes of ~~pest-pest~~⁶⁵⁷ control or maintaining or enhancing the *habitats*⁶⁵⁸ of indigenous fauna, and
- (b) the maintenance and use of existing *structures* that are lawfully established (including *infrastructure*), and
- (c) *infrastructure* that has a *functional need* or *operational need* to be sited or operated in a particular location,

(1A) manage the clearance or modification of *indigenous vegetation*, while allowing for *mahika kai* and kaimoana (seafood) activities (including through the development, in partnership with *mana whenua*⁶⁵⁹, of provisions for *mahika kai*⁶⁶⁰ and kaimoana activities that may provide an alternative approach to ~~effects-effects~~⁶⁶¹ management than the policies in this ECO chapter,

(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*) have been followed, and
- (b) that consents are not granted if the sequential steps in the *effects management hierarchy* (*in*

⁶⁴⁶ Clause 16(2) memorandum (5 May 2025)

⁶⁴⁷ Clause 16(2) memorandum (5 May 2025)

⁶⁴⁸ Clause 16(2) memorandum (5 May 2025)

⁶⁴⁹ Clause 16(2) memorandum (5 May 2025)

⁶⁵⁰ Clause 16(2) memorandum (14 October 2025)

⁶⁵¹ Clause 16(2) memorandum (5 May 2025)

⁶⁵² Clause 16(2) memorandum (5 May 2025)

⁶⁵³ Clause 16(2) memorandum (5 May 2025)

⁶⁵⁴ Clause 16(2) memorandum (5 May 2025)

⁶⁵⁵ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-26 Forest & Bird, ENV-2024-CHC-27 Forestry Appellants, ENV-2024-CHC-29 Oceana Gold

⁶⁵⁶ Clause 16(2) memorandum (14 October 2025)

⁶⁵⁷ Clause 16(2) memorandum (14 October 2025)

⁶⁵⁸ Clause 16(2) memorandum (5 May 2025)

⁶⁵⁹ Clause 16(2) memorandum (5 May 2025)

⁶⁶⁰ Clause 16(2) memorandum (5 May 2025)

⁶⁶¹ Clause 16(2) memorandum (14 October 2025)

relation to indigenous biodiversity) ~~in ECO-P6~~⁶⁶² have not been followed, and

- (3) provide for activities undertaken for the purpose of restoring or enhancing the *habitats*⁶⁶³ of indigenous fauna.

ECO-M4A – Increasing indigenous vegetation cover⁶⁶⁴

~~(1)~~⁶⁶⁵ Otago Regional Council must:

~~(a1)~~⁶⁶⁶ assess the percentage of ~~indigenous vegetation~~*indigenous vegetation*⁶⁶⁷ cover in

~~(i)~~⁶⁶⁸ each of its ~~urban environments~~*urban environments*⁶⁶⁹; and

~~(ii)~~⁶⁷⁰ its non-urban environments

~~(b2)~~⁶⁷¹ the assessment may be done by a desktop analysis, by ground truthing, or both, and must be done in collaboration with relevant *territorial authorities*⁶⁷², and *mana whenua* (to the extent they wish to be involved),

~~(c3)~~⁶⁷³ set a target of at least 10% ~~indigenous vegetation~~*indigenous vegetation* cover for any urban or non-urban environment that has less than 10% cover of ~~indigenous vegetation~~*indigenous vegetation*⁶⁷⁴ and

~~(i)~~⁶⁷⁵ consider, in consultation with ~~mana whenua~~*mana whenua* and ~~territorial authorities~~*territorial authorities*, setting higher targets for urban and non-urban environments that already have at least 10% coverage of ~~indigenous vegetation~~*indigenous vegetation*⁶⁷⁶ and

~~(ii)~~⁶⁷⁷ include any indigenous vegetation cover targets in their regional policy statements.

~~(2)~~⁶⁷⁸ ~~Local authorities~~*Local authorities* must:

~~(a1)~~⁶⁷⁹ promote the increase of indigenous vegetation cover in their regions and districts through objectives, policies, and methods in their policy statements and plans:

~~(i)~~⁶⁸⁰⁶⁸¹ having regard to any targets set under ECO-M4A(3); and

⁶⁶² Clause 16(2) memorandum (5 May 2025)

⁶⁶³ Clause 16(2) memorandum (5 May 2025)

⁶⁶⁴ ENV-2024-CHC-30 Cain Whānau

⁶⁶⁵ Clause 16(2) memorandum (24 March 2025)

⁶⁶⁶ Clause 16(2) memorandum (24 March 2025)

⁶⁶⁷ Clause 16(2) memorandum (14 October 2025)

⁶⁶⁸ Clause 16(2) memorandum (24 March 2025)

⁶⁶⁹ Clause 16(2) memorandum (14 October 2025)

⁶⁷⁰ Clause 16(2) memorandum (24 March 2025)

⁶⁷¹ Clause 16(2) memorandum (24 March 2025)

⁶⁷² Clause 16(2) memorandum (5 May 2025)

⁶⁷³ Clause 16(2) memorandum (24 March 2025)

⁶⁷⁴ Clause 16(2) memorandum (14 October 2025)

⁶⁷⁵ Clause 16(2) memorandum (24 March 2025)

⁶⁷⁶ Clause 16(2) memorandum (14 October 2025)

⁶⁷⁷ Clause 16(2) memorandum (24 March 2025)

⁶⁷⁸ Clause 16(2) memorandum (24 March 2025)

~~⁶⁷⁹ Clause 16(2) memorandum (24 March 2025)~~

~~⁶⁸⁰ Clause 16(2) memorandum (24 March 2025)~~

⁶⁸¹ Clause 16(2) memorandum (14 October 2025)

~~(iibb)~~^{682,683} giving priority to all the following:

- ~~(i)~~^{684,685} areas referred to in ECO-P8(4)~~);~~⁶⁸⁶
- ~~(Hii)~~^{687,688} ensuring *indigenous species* richness appropriate to the ecosystem;⁶⁸⁹
- ~~(Hiii)~~^{690,691} *restoration* at a landscape scale across the region;⁶⁹² and
- ~~(IViv)~~^{693,694} using species, and seed from species, that are local to the area.

ECO-M4B – ~~Specified highly mobile fauna~~^{695,696}*Specified highly mobile fauna*

~~Local authorities~~⁶⁹⁷*Local authorities* must:

- (1) include objectives, policies, or methods in their policy statements and plans for managing the adverse ~~effects~~⁶⁹⁸*effects* of new ~~subdivisions~~⁶⁹⁹*subdivision*, use, and development on highly mobile fauna areas, in order to maintain viable populations of ~~specified highly mobile fauna~~⁷⁰⁰*specified highly mobile fauna* across their natural range~~;~~ and
- (2) provide information to their communities about:
 - (a) highly mobile fauna and their *habitats*; and
 - (b) best practice techniques for managing adverse effects on any ~~specified highly mobile fauna~~⁷⁰¹*specified highly mobile fauna* and their *habitats* in their regions and districts.

ECO-M4C – *Maintenance of improved pasture for farming*^{702,703}

~~Local authorities~~⁷⁰⁴*Local authorities* must~~:-~~

~~(1)~~ — allow the *maintenance of improved pasture* to continue if:

- ~~(a1)~~⁷⁰⁵ there is adequate evidence to demonstrate that the *maintenance of improved pasture* is part of a regular cycle of periodic maintenance of that pasture; and

⁶⁸² ~~Clause 16(2) memorandum (24 March 2025)~~

⁶⁸³ Clause 16(2) memorandum (14 October 2025)

⁶⁸⁴ ~~Clause 16(2) memorandum (24 March 2025)~~

⁶⁸⁵ Clause 16(2) memorandum (14 October 2025)

⁶⁸⁶ Clause 16(2) memorandum (14 October 2025)

⁶⁸⁷ ~~Clause 16(2) memorandum (24 March 2025)~~

⁶⁸⁸ Clause 16(2) memorandum (14 October 2025)

⁶⁸⁹ Clause 16(2) memorandum (14 October 2025)

⁶⁹⁰ ~~Clause 16(2) memorandum (24 March 2025)~~

⁶⁹¹ Clause 16(2) memorandum (14 October 2025)

⁶⁹² Clause 16(2) memorandum (14 October 2025)

⁶⁹³ ~~Clause 16(2) memorandum (24 March 2025)~~

⁶⁹⁴ Clause 16(2) memorandum (14 October 2025)

⁶⁹⁵ Clause 16(2) memorandum (14 October 2025)

⁶⁹⁶ ENV-2024-CHC-30 Cain Whānau

⁶⁹⁷ Clause 16(2) memorandum (14 October 2025)

⁶⁹⁸ Clause 16(2) memorandum (14 October 2025)

⁶⁹⁹ Clause 16(2) memorandum (14 October 2025)

⁷⁰⁰ Clause 16(2) memorandum (14 October 2025)

⁷⁰¹ Clause 16(2) memorandum (14 October 2025)

⁷⁰² Clause 16(2) memorandum (5 May 2025)

⁷⁰³ ENV-2024-CHC-30 Cain Whānau

⁷⁰⁴ Clause 16(2) memorandum (14 October 2025)

⁷⁰⁵ Clause 16(2) memorandum (14 October 2025)

- (b2)⁷⁰⁶ any adverse ~~effects-effects~~⁷⁰⁷ of the *maintenance of improved pasture* on a *significant natural area* are no greater in intensity, scale, or character than the ~~effects-effects~~⁷⁰⁸ of activities previously undertaken as part of the regular cycle of periodic maintenance of that pasture; and
- (e3)⁷⁰⁹ the ~~improved pasture~~⁷¹⁰ *improved pasture* has not itself become a ~~significant natural area~~ *significant natural area*⁷¹¹; and
- (e4)⁷¹² the ~~land-land~~ is not an uncultivated ~~Depositional-depositional~~⁷¹³ *landform*; and
- (e5)⁷¹⁴ the *maintenance of improved pasture*⁷¹⁵ will not adversely affect a *Threatened or At Risk (declining)*⁷¹⁶ species.

ECO-M4D – Native reserves and Māori land⁷¹⁷

Local authorities must:

- (1) work in partnership (which includes acting in good faith) with *mana whenua* and owners of native reserves and ~~Māori-land~~⁷¹⁸ *Māori land* to develop, and include in *district plans* and *regional plans* objectives, policies, and methods that may include providing an alternative approach to ~~effects-effects~~⁷¹⁹ management for *indigenous biodiversity*⁷²⁰ than the policies in this ECO chapter (excluding CE-P5). These objectives, policies and methods will seek, to the extent practicable to:⁷²¹
 - (a) maintain and restore indigenous biodiversity on native reserves and Māori land, and
 - (b) protect *significant natural areas* and identified *taoka* on native reserves and Māori land, and
- (2) ensure that objectives, policies, and methods developed under (6):
 - (a) enable new occupation, use, and development of nature reserves and ~~Māori-land~~⁷²² *Māori land* to support the social, cultural, and economic wellbeing of *mana whenua*, and
 - (b) enable the provision of new *papakāika*, marae and ancillary community facilities, dwellings, and associated ~~infrastructure~~⁷²³ *infrastructure*, and
 - (c) enable alternative approaches to, or locations for, new occupation, use and development that avoid, minimise, or remedy adverse *effects* on *significant natural areas* and identified ~~taoka~~⁷²⁴ *taoka* on native reserves and ~~Māori-land~~⁷²⁵ *Māori land*, and enable options for offsetting and

⁷⁰⁶ Clause 16(2) memorandum (14 October 2025)

⁷⁰⁷ Clause 16(2) memorandum (14 October 2025)

⁷⁰⁸ Clause 16(2) memorandum (14 October 2025)

⁷⁰⁹ Clause 16(2) memorandum (14 October 2025)

⁷¹⁰ Clause 16(2) memorandum (14 October 2025)

⁷¹¹ Clause 16(2) memorandum (5 May 2025)

⁷¹² Clause 16(2) memorandum (14 October 2025)

⁷¹³ Clause 16(2) memorandum (14 October 2025)

⁷¹⁴ Clause 16(2) memorandum (14 October 2025)

⁷¹⁵ Clause 16(2) memorandum (5 May 2025)

⁷¹⁶ Clause 16(2) memorandum (5 May 2025)

⁷¹⁷ ENV-2024-CHC-30 Cain Whānau

⁷¹⁸ Clause 16(2) memorandum (14 October 2025)

⁷¹⁹ Clause 16(2) memorandum (14 October 2025)

⁷²⁰ Clause 16(2) memorandum (5 May 2025)

⁷²¹ Clause 16(2) memorandum (5 May 2025)

⁷²² Clause 16(2) memorandum (14 October 2025)

⁷²³ Clause 16(2) memorandum (14 October 2025)

⁷²⁴ Clause 16(2) memorandum (14 October 2025)

⁷²⁵ Clause 16(2) memorandum (14 October 2025)

compensation, and

- (d) recognise and be ~~respon~~sive⁷²⁶ to the fact there may be no or limited alternative location for *mana whenua* to occupy, use, and develop their ~~lands~~⁷²⁷, and
- (e) recognise that there are circumstances where development will prevail over *indigenous biodiversity*, and
- (f) recognise and be responsive to any recognised historical barriers *mana whenua* have faced in occupying, using, and developing their ancestral lands.

ECO-M5 – District plans⁷²⁸

Territorial authorities must prepare or amend and maintain their *district plans* to:

- (1) if the requirements of ECO-P3 to 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~~-~~pest~~ control or maintaining or enhancing the ~~habitats~~⁷²⁹ 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) manage the clearance or modification of ~~indigenous vegetation~~⁷³⁰ *indigenous vegetation*, while allowing for *mahika kai* activities (including through the development, in partnership with *mana whenua*⁷³¹, of provisions for *mahika kai*⁷³² activities that may provide an alternative approach to ~~effects~~⁷³³ management than the policies in this ECO chapter),
- (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*,
- (4) require:
 - (a) ~~resource consent~~⁷³⁴ *resource consent* applications to include information that demonstrates that the sequential steps in the *effects management hierarchy (in relation to indigenous biodiversity)*⁷³⁵ have been followed, and
 - (b) that consents are not granted if the sequential steps in the *effects management hierarchy (in relation to indigenous biodiversity)*⁷³⁶ have not been followed, and
- (5) provide for activities undertaken for the purpose of restoring or enhancing the *habitats*⁷³⁷ of indigenous

⁷²⁶ Clause 16(2) memorandum (5 May 2025)

⁷²⁷ Clause 16(2) memorandum (14 October 2025)

⁷²⁸ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-39 EDS, ENV-2024-CHC-26 Forest & Bird, ENV-2024-CHC-27 Forestry Appellants

⁷²⁹ Clause 16(2) memorandum (14 October 2025)

⁷³⁰ Clause 16(2) memorandum (14 October 2025)

⁷³¹ Clause 16(2) memorandum (5 May 2025)

⁷³² Clause 16(2) memorandum (5 May 2025)

⁷³³ Clause 16(2) memorandum (14 October 2025)

⁷³⁴ Clause 16(2) memorandum (14 October 2025)

⁷³⁵ Clause 16(2) memorandum (5 May 2025)

⁷³⁶ Clause 16(2) memorandum (5 May 2025)

⁷³⁷ Clause 16(2) memorandum (5 May 2025)

fauna, and

- (7) require buffer zones adjacent to *significant natural areas* where it is necessary to protect the *significant natural area*.

ECO-M6 – Engagement⁷³⁸

Local authorities, when implementing the policies in this chapter, will:

- (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-M7A – Kāi Tahu *kaitiakitaka*^{739,740}

*Local authorities*⁷⁴¹ must partner with Kāi Tahu in the management of *indigenous biodiversity* to the extent desired by *mana whenua*, including by:

- (1) ensuring that engagement with *mana whenua*⁷⁴² is early, meaningful, and in accordance with ~~tikanga~~ *tikaka*⁷⁴³ Māori,
- (2) actively supporting the role of *mana whenua* as kaitiaki,
- (3) facilitating opportunities for *mana whenua* to be involved in resource management (including decision-making),
- (4) enabling the *mahika kai* practices of *mana whenua* in accordance with tikaka, including the customary use of identified taoka,
- (5) supporting *mana whenua* initiatives that contribute to restoring or enhancing te hauora o te kaiaora (the health of *indigenous biodiversity*),
- (6) where appropriate, incorporating Kāi Tahu mātauraka and tikaka in *indigenous biodiversity* management and monitoring, and
- (7) providing relevant information to *mana whenua* for the purposes of *indigenous biodiversity* management and monitoring.

ECO-M7B – Information requirements⁷⁴⁴

*Local authorities*⁷⁴⁵ must:

- (1) require that, in relation to an application for a ~~resource consent~~ *resource consent*⁷⁴⁶ for an activity that

⁷³⁸ ENV-2024-CHC-30 Cain Whānau

⁷³⁹ Clause 16(2) memorandum (5 May 2025)

⁷⁴⁰ ENV-2024-CHC-30 Cain Whānau

⁷⁴¹ Clause 16(2) memorandum (5 May 2025)

⁷⁴² Clause 16(2) memorandum (5 May 2025)

⁷⁴³ Clause 16(2) memorandum (14 October 2025)

⁷⁴⁴ ENV-2024-CHC-30 Cain Whānau

⁷⁴⁵ Clause 16(2) memorandum (5 May 2025)

⁷⁴⁶ Clause 16(2) memorandum (14 October 2025)

would have more than minor adverse ~~effects-effects~~⁷⁴⁷ on *indigenous biodiversity*, the application is not considered unless it includes a report that:

- (a) is prepared by a suitably qualified ecologist and, as required, any other person with suitable expertise, such as someone with expertise in mātauraka Māori; and
- (b) complies with subclause (2); and
- (c) is commensurate with the scale and significance (to *indigenous biodiversity*) of the proposal.

(2) the report required within ECO-M2(4A) above must:

- (a) include a description of the existing ecological features and values of the site; and
- (b) include a description of the adverse ~~effects-effects~~⁷⁴⁸ of the proposal on *indigenous biodiversity* and how those ~~effects-effects~~⁷⁴⁹ will be managed; and
- (c) identify any ~~effects-effects~~⁷⁵⁰ on identified taoka; and
- (d) identify the ecosystem services associated with *indigenous biodiversity* at the site; and
- (e) include an assessment of the ecological integrity and connectivity within and beyond the site; and
- (f) include mātauraka Māori and tikaka Māori assessment methodology, where relevant; and
- (g) if *biodiversity offsetting* is proposed, set out:
 - (i) a detailed plan of what is proposed, including a quantified loss and gain calculation, the currency used in the calculation, and the data that informs the calculation and plan; and
 - (ii) a description of how the relevant principles in ~~APP3APP4~~⁷⁵¹ have been addressed; and
 - (iii) an assessment of the likely success of the plan in achieving a net gain in biodiversity values; and
- (h) if *biodiversity compensation*⁷⁵² is proposed, set out:
 - (i) a detailed plan of what is proposed; and
 - (ii) a description of how the relevant principles in ~~APP4Appendix 4 of this National Policy Statement~~⁷⁵³ have been addressed; and
 - (iii) an assessment of the likely success of the plan in achieving its outcomes.

ECO-M7 – Monitoring⁷⁵⁴

*Local authorities*⁷⁵⁵ will:

- (1) establish long-term monitoring programmes for areas identified under ECO-P2 that measure the net loss and gain of *indigenous biodiversity*⁷⁵⁶,
- (2) record information (including data) over time about the state of species, vegetation types and

⁷⁴⁷ Clause 16(2) memorandum (14 October 2025)

⁷⁴⁸ Clause 16(2) memorandum (14 October 2025)

⁷⁴⁹ Clause 16(2) memorandum (14 October 2025)

⁷⁵⁰ Clause 16(2) memorandum (14 October 2025)

⁷⁵¹ Clause 16(2) memorandum (5 May 2025)

⁷⁵² Clause 16(2) memorandum (5 May 2025)

⁷⁵³ Clause 16(2) memorandum (5 May 2025)

⁷⁵⁴ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-39 EDS

⁷⁵⁵ Clause 16(2) memorandum (5 May 2025)

⁷⁵⁶ Clause 16(2) memorandum (5 May 2025)

ecosystems, including *mahika kai* species and ecosystems,

- (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 mechanisms⁷⁵⁷

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~~ restoration⁷⁵⁸ and enhancement of indigenous ecosystems, *habitats*⁷⁵⁹, taoka and *mahika kai* species and ecosystems,
- (2) funding assistance for restoration projects (for example, through Otago Regional Council's ECO Fund),
- (3) supporting the control of ~~pest-pest~~ pest⁷⁶⁰ 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*⁷⁶¹, including through the QEII National Trust,
- (6) advocating for a collaborative approach between central and local government to fund *indigenous biodiversity*⁷⁶² maintenance and enhancement, and
- (7) gathering information on indigenous ecosystems, *habitats*⁷⁶³, and taoka and *mahika kai* species and ecosystems, including outside *significant natural areas*.

ECO-M9 – Regional Biodiversity Strategy⁷⁶⁴

The Regional Council must initiate preparation of a regional biodiversity strategy that complies with Appendix 5 of the National Policy Statement for Indigenous Biodiversity 2023.

Explanation

ECO-E1 – Explanation⁷⁶⁵

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~~ indigenous species⁷⁶⁶ 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-indigenous~~ biodiversity, the policies set out mandatory and sequential steps in an

⁷⁵⁷ ENV-2024-CHC-30 Cain Whānau

⁷⁵⁸ Clause 16(2) memorandum (14 October 2025)

⁷⁵⁹ Clause 16(2) memorandum (5 May 2025)

⁷⁶⁰ Clause 16(2) memorandum (14 October 2025)

⁷⁶¹ Clause 16(2) memorandum (5 May 2025)

⁷⁶² Clause 16(2) memorandum (5 May 2025)

⁷⁶³ Clause 16(2) memorandum (5 May 2025)

⁷⁶⁴ ENV-2024-CHC-30 Cain Whānau

⁷⁶⁵ ENV-2024-CHC-30 Cain Whānau

⁷⁶⁶ Clause 16(2) memorandum (14 October 2025)

~~effects management hierarchy~~⁷⁶⁷ to be implemented through decision making, including providing for *biodiversity* ~~offsetting~~⁷⁶⁸ and ~~compensation~~⁷⁶⁹ *biodiversity compensation*⁷⁶⁸ 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.

The policies recognise that managing ecosystems and ~~indigenous~~⁷⁶⁹ *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~~⁷⁷⁰ *biodiversity*.

Principal reasons

ECO-PR1 – Principal reasons⁷⁷¹

The health of New Zealand's *indigenous biodiversity* has declined significantly since the arrival of humans and remains under significant pressure. *Mahika kai* and taoka species, including their 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~~⁷⁷² *indigenous species*⁷⁷² 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 plan* 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-AER1⁷⁷³

There is no further decline in the condition, quantity or diversity of Otago's *indigenous biodiversity*⁷⁷⁴.

⁷⁶⁷ Clause 16(2) memorandum (14 October 2025)

⁷⁶⁸ Clause 16(2) memorandum (14 October 2025)

⁷⁶⁹ Clause 16(2) memorandum (14 October 2025)

⁷⁷⁰ Clause 16(2) memorandum (14 October 2025)

⁷⁷¹ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-26 Forest & Bird

⁷⁷² Clause 16(2) memorandum (14 October 2025)

⁷⁷³ ENV-2024-CHC-30 Cain Whānau

⁷⁷⁴ Clause 16(2) memorandum (5 May 2025)

ECO-AER2⁷⁷⁵	The condition, quantity and diversity of <i>indigenous biodiversity</i> ⁷⁷⁶ within Otago improves over the life of this Regional Policy Statement.
ECO-AER3⁷⁷⁷	Kāi Tahu are involved in the management of <i>indigenous biodiversity</i> ⁷⁷⁸ and able to effectively exercise their <i>kaitiakitaka</i> .
ECO-AER4⁷⁷⁹	[deleted in Decisions Version]

⁷⁷⁵ ENV-2024-CHC-30 Cain Whānau

⁷⁷⁶ Clause 16(2) memorandum (5 May 2025)

⁷⁷⁷ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-39 EDS

⁷⁷⁸ Clause 16(2) memorandum (5 May 2025)

⁷⁷⁹ ENV-2024-CHC-39 EDS

EIT – Energy, infrastructure and transport

Note to readers:

Parts of this Chapter of the PORPS has been re-ordered compared to the Notified version under clause 16(2), Schedule 1, RMA. The notified numbering has been retained as an interim measure so that it is easier to link submission and appeal points to provisions. The numbering will be updated and made chronological once appeals are resolved.

EIT-INF – Infrastructure

Objectives

EIT-INF-O4 – Provision of infrastructure

Effective, efficient, safe and resilient *infrastructure, nationally significant infrastructure and regionally significant infrastructure* enables the people and communities to provide for their social and cultural well-being, their health and safety, and supports sustainable economic development and growth in the region-~~z~~ while adverse effects are managed.⁷⁸⁰

EIT-INF-O5 – Integration

Development of *infrastructure* ~~and, as well as~~ *land use change* is coordinated, where appropriate, occurs in a co-ordinated manner to minimise adverse effects on the environment and increase efficiency in the delivery, operation and use of the infrastructure.⁷⁸¹

EIT-INF-OX – Protecting infrastructure with national or regional significance

Regionally significant infrastructure and nationally significant infrastructure are not compromised by subdivision, use and development.⁷⁸²

EIT-INF-O6 – Electricity transmission

The national, regional and local benefits of electricity transmission are realised by the facilitation of the operation, maintenance, upgrade and development of the National Grid.

Long-term investment in, and planning for, electricity transmission infrastructure, and its integration with land use, is sustained.⁷⁸³

Policies

EIT-~~EN~~INF-P9A⁷⁸⁴ – Providing for electricity distribution

Recognise and provide for electricity distribution infrastructure, by all of the following:

⁷⁸⁰ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁷⁸¹ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁷⁸² Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁷⁸³ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁷⁸⁴ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

(1A) managing adverse effects in accordance with EIT-INF-P13 and EIT-INF-P13A,⁷⁸⁵

- (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,~~⁷⁸⁶

- (5) identifying ~~significant electricity distribution infrastructure~~⁷⁸⁷ and managing ~~effects-effects~~⁷⁸⁸ of potentially incompatible activities through methods such as corridors, and

(5A) ensuring that the ability to develop, use and protect native reserves and Māori land in accordance with MW-P4 is not compromised.⁷⁸⁹

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 needs* of *nationally significant infrastructure* and *regionally significant infrastructure*.

EIT-INF-P12 – Upgrades and development

Provide for upgrades to existing, and development of new, *nationally significant infrastructure* or *regionally significant infrastructure* while ensuring that:

- (1) it is designed and located, as far as practicable, to maintain functionality during and after *natural hazard* events,

(1A) it is resilient, to the extent reasonably practicable, to the current and future effects of sea level rise and climate change,⁷⁹⁰

- (2) it is, as far as practicable, co-ordinated with long-term *land* use planning, and
- (3) its delivery, operation or use is efficient.

EIT-INF-P13 – Locating and managing effects of infrastructure, nationally significant infrastructure and regionally significant infrastructure outside the coastal environment

When providing for new *infrastructure*, *nationally significant infrastructure* and *regionally significant infrastructure* 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,

⁷⁸⁵ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁷⁸⁶ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁷⁸⁷ Clause 16(2) memorandum (14 October 2025)

⁷⁸⁸ Clause 16(2) memorandum (14 October 2025)

⁷⁸⁹ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁷⁹⁰ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

- (c) natural inland wetlands and rivers,⁷⁹¹
 - (d) outstanding water bodies,
 - (f) areas or places of significant or outstanding *historic heritage*, and
 - (g) ~~wāhi tupuna~~ wāhi tupuna,⁷⁹² and
- (2) if it is not reasonably practicable to avoid locating in the areas listed in (1) above because of the *functional needs* or *operational needs* of the *infrastructure*, *nationally significant infrastructure* and *regionally significant infrastructure* manage adverse effects as follows:
- (a) for *nationally significant infrastructure, ~~or~~ regionally significant infrastructure, or electricity distribution networks*:⁷⁹³
 - (i) in *significant natural areas*, in accordance with ECO-P3, ECO-P4, and ECO-~~P6~~5A,⁷⁹⁴
 - (ii) in natural inland wetlands or rivers, in accordance with LF-FW-P10A and LF-FW-P13~~the relevant provisions in the NESF~~,⁷⁹⁵
 - (iii) in *outstanding water bodies*, in accordance with LF-FW-P12,
 - (iiia) in relation to *wāhi tūpuna*, in accordance with HCV-WT-P2,
 - (iv) in other areas listed in EIT-INF-P13 (1) above, the adverse *effects* of the *infrastructure* on the values that contribute to the area's importance shall be:
 - (I) remedied or mitigated to the extent practicable, and⁷⁹⁶
 - (II) where they cannot be practicably remedied or mitigated, regard shall be had to offsetting and/or compensation of more than minor residual adverse ~~effect~~effects,⁷⁹⁷ and⁷⁹⁸
 - (b) for all *infrastructure* that is not *nationally significant infrastructure*, ~~or~~ *regionally significant infrastructure*, or electricity distribution networks,⁷⁹⁹ avoid adverse *effects* on the values that contribute to the area's outstanding nature or significance except in relation to historic heritage which is not significant or outstanding, then HCV-HH-P5(3) will apply.

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.

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

⁷⁹¹ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁷⁹² Clause 16(2) memorandum (14 October 2025)

⁷⁹³ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁷⁹⁴ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁷⁹⁵ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁷⁹⁶ Clause 16(2) memorandum (5 December 2024)

⁷⁹⁷ Clause 16(2) memorandum (14 October 2025)

⁷⁹⁸ Clause 16(2) memorandum (5 December 2024)

⁷⁹⁹ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

significant or irreversible, and

- (1A) ~~require consideration of the current and future effects of sea level rise and climate change, and~~⁸⁰⁰
- (2) ~~recognise that utilise the opportunity of substantial upgrades of infrastructure may provide opportunities to reduce adverse effects of that result from the existing infrastructure, including on sensitive activities, where appropriate.~~⁸⁰¹

EIT-INF-P15 – Protecting nationally significant infrastructure and regionally significant infrastructure

Protect the efficient and effective operation, maintenance, upgrading and development⁸⁰² of nationally significant infrastructure and regionally significant infrastructure by:

- (1) ~~to the extent reasonably possible, managing avoiding activities, to ensure that the extent reasonably practicable, that may give rise to an adverse effect on the functional needs or operational needs of the operation, maintenance, upgrading and development of~~ nationally significant infrastructure or regionally significant infrastructure, is not compromised,⁸⁰³
- (2) ~~avoiding activities,~~ to the extent reasonably possible practicable, managing activities to avoid that may result in⁸⁰⁴ reverse sensitivity effects on nationally significant infrastructure or regionally significant infrastructure, and
- (3) identifying areas where sensitive activities are to be avoided.⁸⁰⁵
- ~~(3) — avoid or minimise the effects of activities and development so that the opportunity to adapt, upgrade or extend existing nationally significant infrastructure or regionally significant infrastructure to meet future demand is not compromised.~~⁸⁰⁶

EIT-~~EN~~INF-P16⁸⁰⁷ – Providing for the National Grid

~~Maintain a secure and sustainable electricity supply in Otago by:~~ Facilitate the operation, maintenance, upgrade and development of the National Grid by:⁸⁰⁸

- (4) enabling the reasonable operation, maintenance and minor ~~upgrade~~ upgrading⁸⁰⁹ requirements of established National Grid assets, and
- (1) providing for ~~the effective operation, maintenance, more than minor upgrading, and development of the National Grid assets. development of, and upgrades to, the electricity transmission network and requiring, as far as reasonably practicable, its integration with land use,~~⁸¹⁰
- ~~(2) — considering the requirements of and constraints associated with the functional and operational needs of the National Grid in its management,~~
- ~~(5) — minimising the adverse effects of the National Grid on urban amenity, and avoiding adverse effects on~~

⁸⁰⁰ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸⁰¹ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸⁰² Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸⁰³ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸⁰⁴ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸⁰⁵ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸⁰⁶ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸⁰⁷ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸⁰⁸ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸⁰⁹ ~~Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323~~

⁸¹⁰ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

- ~~town centres, areas of high amenity or recreational value and existing *sensitive activities*,~~
- ~~(6) in rural areas, seeking⁸¹¹ to avoid adverse effects in areas of high natural character and areas of high recreation value and amenity, and, where this is not practicable, applying⁸¹² EIT-INF-P13(2)(a)(iv), and~~
- ~~(7) in addition to clause (6), apply EIT-INF-P13 where relevant.⁸¹³~~

EIT-INF-PX – Managing the effects of the development of the *National Grid* within and outside the coastal environment

Manage the adverse effects of the operation, maintenance, upgrade and development of the *National Grid* by:

- (1) enabling the operation, maintenance and minor upgrading of the *National Grid*,
- (2) in urban environments, avoiding adverse effects on the values and characteristics of town centres, areas of high recreation value and existing *sensitive activities*,
- (3) managing effects on the values or extent of *wetlands* in accordance with LF-FW-P10A(1) and (2),
- (4) managing effects on the values or extent of rivers and lakes in accordance with LF-FW-P13(1) and (2),
- (5) in the coastal environment, recognising in terms of CE – Coastal Environment that there will be areas where avoidance of adverse *effects* on the values and characteristics of those areas is required,
- (6) for *wāhi tupuna*:
 - (a) as a first priority, seek to avoid adverse effects on the values or characteristics of *wāhi tupuna*; and
 - (b) where it is demonstrated that adverse *effects* on the values or characteristics of *wāhi tupuna* cannot be avoided, then either remedying or mitigating adverse *effects* in a manner that maintains the values of the *wāhi tupuna*,
- (7) ensuring that the ability to develop, use and protect native reserves and *Māori land* in accordance with MW-P4 is not compromised,
- (8) where (1) to (7) do not apply (and including in the coastal environment), as a first priority, seeking to avoid adverse *effects* on the values or characteristics of the following:
 - (a) *outstanding water bodies*,
 - (b) areas of high or outstanding natural character,
 - (c) outstanding natural features, outstanding natural landscapes or outstanding natural seascapes,
 - (d) *significant natural areas*,
 - (e) areas or places of special or outstanding historic heritage,
 - (f) in rural environments, areas of high recreation value and amenity (including *highly valued*⁸¹⁴ *natural features and landscapes*) and existing *sensitive activities*,
- (9) where adverse effects on the values or characteristics of the areas or places listed in (8) cannot be avoided, then remedying or mitigating adverse *effects*, while having regard to:
 - (a) the operational needs and functional needs of the *National Grid* and the extent those

⁸¹¹ Clause 16(2) memorandum (5 December 2024)

⁸¹² Clause 16(2) memorandum (5 December 2024)

⁸¹³ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸¹⁴ Clause 16(2) memorandum (14 October 2025)

requirements constrain measures to avoid, remedy or mitigate adverse effects,

- (b) the extent to which significant adverse effects are avoided,
- (c) the extent to which any adverse effects have been avoided, remedied or mitigated by route, site and construction method selection for new infrastructure or major upgrades,
- (d) the extent to which existing adverse effects have been reduced as part of any substantial upgrade,
- (e) the extent to which adverse effects on urban amenity have been minimised,
- (f) the extent to which the upgrading or development of the *National Grid* is required to provide the benefits of electricity transmission for present and future generations,
- (g) in circumstances where there are more than minor residual adverse effects on indigenous biodiversity values, the need to:
 - (i) first, provide biodiversity offsetting if that is reasonably possible; or
 - (ii) provide biodiversity compensation, if that is practicable;
- (10) avoiding, remedying, or mitigating other adverse effects other than those addressed in (2) to (8), having regard to the matters in (9)(a) to (g); and
- (11) the objectives and policies in this regional policy statement apply, except that in the event of any conflict between EIT-INF-PX and other policies in this regional policy statement, EIT-INF-PX prevails over those policies.⁸¹⁵

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.

EIT-INF-PZ – Established community-scale irrigation and stockwater infrastructure

Encourage and provide for the upgrade of established community-scale irrigation and stockwater infrastructure in preference to the maintenance of existing infrastructure where this will contribute to achieving the long-term visions for freshwater.⁸¹⁶

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, 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~~ water⁸¹⁷ or contaminants, and

⁸¹⁵ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸¹⁶ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸¹⁷ Clause 16(2) memorandum (14 October 2025)

(2) recognise and provide for the operation, maintenance, upgrade and development of the *National Grid*.

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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~~~~land~~⁸¹⁹ use and infrastructure, ~~nationally significant infrastructure~~nationally significant infrastructure⁸²⁰ or ~~regionally significant infrastructure~~regionally significant infrastructure,⁸²¹
- (4) manage the subdivision, use and development of *land* to ensure *infrastructure, nationally significant infrastructure or regionally significant infrastructure* can develop to meet increased demand,
- (5) manage the adverse *effects* of developing, operating, maintaining, or upgrading *infrastructure, nationally significant infrastructure or regionally significant infrastructure*, including, where appropriate, identifying activities that qualify as minor upgrades, that are on:
 - (a) the surface of *rivers* and *lakes* and on *land* outside the *coastal marine area*, and
 - (b) the beds of ~~lakes~~lakes and ~~rivers~~rivers,⁸²²
- (6) ensure that development is adequately served with *infrastructure*

(X) In relation to the *National Grid*:

- (a) enable planning for the *National Grid*.
- (b) map the *National Grid*, and identify a buffer corridor within which *sensitive activities* shall generally not be allowed.
- (c) where necessary, establish controls for *subdivision, buildings, structures* and other activities adjacent to the *National Grid*, to ensure the *National Grid* is not compromised.⁸²³

EIT-INF-M6 – Advocacy

Local authorities should work proactively with *infrastructure* providers to co-ordinate the upgrading or development of *nationally significant infrastructure 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* or *operational needs* of *nationally significant infrastructure* and *regionally significant infrastructure*. For

⁸¹⁸ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸¹⁹ Clause 16(2) memorandum (14 October 2025)

⁸²⁰ Clause 16(2) memorandum (14 October 2025)

⁸²¹ Clause 16(2) memorandum (14 October 2025)

⁸²² Clause 16(2) memorandum (14 October 2025)

⁸²³ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

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* 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* 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, where this is practicable, 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* and *district plan* provisions.

Anticipated environmental results

EIT-INF-AER5	<i>Infrastructure</i> provides safe, effective and efficient services to the Otago community and beyond.
EIT-INF-AER6	The provision of <i>infrastructure</i> is co-ordinated and integrated to service growth efficiently.
EIT-INF-AER7	<i>Nationally significant infrastructure</i> ⁸²⁴ and <i>regionally significant infrastructure</i> is protected from adverse effects, including reverse sensitivity <i>effects</i> caused by incompatible activities.
EIT-INF-AER8	The adverse <i>effects</i> associated with <i>infrastructure</i> are avoided to the extent

⁸²⁴ Clause 16(2) memorandum (5 December 2024)

practicable or are minimised.

EIT-EN – Energy

Objectives

EIT-EN-O1 – Energy and social and economic well-being

The health and wellbeing of Otago’s communities and economy are supported by *renewable electricity⁸²⁵energy* generation within the region that is safe, secure, and *resilient*.

EIT-EN-O3 – 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-O2A – Greenhouse gas emissions and renewable energy targets

Otago’s *renewable electricity⁸²⁶energy* generation supports the overall reduction in New Zealand *greenhouse gas⁸²⁷greenhouse gas* emissions and achieving the national target for emissions reduction.

EIT-EN-O2 – Renewable electricity generation

The generation capacity of *renewable electricity generation* activities in Otago:

- (1) is protected and maintained and, where appropriate, increased, and
- (2) contributes to meeting New Zealand’s national target for *renewable electricity generation*.

EIT-INF-O6 – Long-term planning for the National Grid and distribution infrastructure

Long-term investment in, and planning for, electricity transmission *infrastructure*, and its integration with *land* use, is sustained.

Policies

EIT-EN-P1 – Operation, maintenance and upgrade

The operation, maintenance, and upgrade of existing *renewable electricity generation activities* is provided for including the maintenance of generation output and protection of operational capacity.

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 the national, regional and local benefits of *renewable electricity generation activities*,
- (2) have particular regard to the need for, and benefits of, maintenance-maintaining, and increasing of

⁸²⁵ Clause 16(2) memorandum (24 March 2025)

⁸²⁶ Clause 16(2) memorandum (24 March 2025)

⁸²⁷ Clause 16(2) memorandum (14 October 2025)

~~current~~⁸²⁸ *renewable electricity generation capacity*, and

~~(3) — recognise that the attainment of increases in renewable electricity generation capacity will require significant development of renewable electricity generation activities.~~⁸²⁹

EIT-EN-P3 – The security of renewable electricity generation supply

The security and installed capacity 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 electricity generation activities*.

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*.

EIT-EN-P5 – Non-renewable ~~electricity~~⁸³⁰ *energy*⁸³¹ generation

In relation to non-renewable ~~electricity~~⁸³¹ *energy*⁸³² generation:

- (1) except as provided for in (2) below, restrict the development of non-renewable ~~electricity~~⁸³² *energy*⁸³³ generation activities in Otago, ~~where practicable~~⁸³³, and facilitate the replacement of non-renewable energy sources, including the use of fossil fuels, in energy generation, and
- (2) in relation to *new heat devices* for *industrial process heat*:
 - (a) avoid discharges from *new heat devices* that burn coal and deliver heat at or above 300 degrees Celsius, unless there is no technically feasible and financially viable lower emissions alternative,
 - (b) avoid discharges from *new heat devices* that burn coal and deliver heat below 300 degrees Celsius, and
 - (c) avoid discharges from *new heat devices* that burn any *fossil fuel* other than coal, unless there are no technically feasible and financially viable lower emissions alternative, and
- (3) in relation to existing heat devices for ~~industrial process heat~~⁸³⁴ *industrial process heat*:
 - (a) restrict *discharges* from existing *heat devices* that burn coal and deliver heat at or above 300 degrees Celsius,
 - (b) restrict and phase out *discharges* from existing *heat devices* that burn coal and deliver heat below 300 degrees Celsius, and
 - (c) restrict *discharges* from existing *heat devices* that burn any *fossil fuel* other than coal.

EIT-EN-P6 – Managing effects

Manage the adverse effects of *renewable electricity generation activities* by:

⁸²⁸ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸²⁹ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸³⁰ Clause 16(2) memorandum (24 March 2025)

⁸³¹ Clause 16(2) memorandum (24 March 2025)

⁸³² Clause 16(2) memorandum (24 March 2025)

⁸³³ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸³⁴ Clause 16(2) memorandum (14 October 2025)

- (1) applying EIT-INF-P13 and EIT-INF-P13A, while⁸³⁵
 - (2) having particular regard to:
 - (a) the functional need to locate ~~renewable electricity generation activities~~renewable electricity generation activities⁸³⁶ 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
 - (3) having regard to the extent and magnitude of adverse *effects* on the *environment* and the degree to which unavoidable adverse *effects* can be remedied or mitigated, or ~~significant~~more than minor⁸³⁷ residual adverse *effects* are offset or compensated for; and
- (3A) while also providing for the ability of Kāi Tahu to develop, use and protect native reserves and Māori land (excluding in relation to the allocation and prioritisation of freshwater) in accordance with MW-P4, and⁸³⁸
- (4) 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 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.~~⁸³⁹

~~EIT-EN-P8 – Small and community scale distributed electricity generation~~Small and community scale distributed electricity generation⁸⁴⁰

Provide for *small and community scale distributed electricity generation* activities that increase the local community's *resilience* and security of energy supply.

EIT-EN-P9 – Energy conservation and efficiency

Development supports energy conservation and efficiency by designing subdivisions to maximise solar access, and locating subdivision development to minimise, as far as practicable, transportation costs, car dependency and *greenhouse gas* emissions.

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

⁸³⁵ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸³⁶ Clause 16(2) memorandum (14 October 2025)

⁸³⁷ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸³⁸ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸³⁹ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸⁴⁰ Clause 16(2) memorandum (14 October 2025)

and energy sources for *renewable electricity generation*,

- (3) manage the adverse *effects* of developing or upgrading *renewable electricity generation activities*, including identifying activities that qualify as minor upgrades, that:
 - (a) are within the beds of ~~lakes-lakes~~ and ~~rivers-rivers~~ and the ~~coastal marine area~~*coastal marine area*,⁸⁴¹ or
 - (b) involve the taking, use, damming or diversion of *water* and *discharge* of *water* or *contaminants*,
- (4) provide for the operation and maintenance of existing *renewable electricity generation activities*, including their *natural and physical resource* requirements, along with opportunities to increase the installed capacity of ~~renewable electricity generation~~*renewable electricity generation*⁸⁴² assets, and
- (5) restrict the establishment of activities that may adversely affect the efficient functioning of *renewable electricity generation activities* (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*,
 - (3) manage the adverse *effects* of developing or upgrading *renewable electricity generation activities* ~~and National Grid infrastructure, including identifying activities that qualify as minor upgrades that are on:~~⁸⁴³
 - (a) ~~are on~~⁸⁴⁴ the surface of *rivers* and *lakes* and on *land* outside the *coastal marine area*, or
 - (b) the beds of ~~lakes-lakes~~ and ~~rivers-rivers~~,⁸⁴⁵
 - (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 National Grid,~~⁸⁴⁶
- ~~(5B) —map the National Grid, and identify a buffer corridor within which sensitive activities shall generally not be allowed,~~⁸⁴⁷
- (5C) map ~~significant electricity distribution infrastructure~~*significant electricity distribution infrastructure*⁸⁴⁸ and, where necessary, provide controls on activities to ensure that the ~~functional needs~~*functional needs*⁸⁴⁹ of the ~~significant electricity distribution infrastructure~~*significant electricity distribution infrastructure*⁸⁵⁰ are not compromised,
 - (5D) where necessary, establishing controls for *buildings, structures* and other activities adjacent to

⁸⁴¹ Clause 16(2) memorandum (14 October 2025)

⁸⁴² Clause 16(2) memorandum (14 October 2025)

⁸⁴³ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸⁴⁴ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸⁴⁵ Clause 16(2) memorandum (14 October 2025)

⁸⁴⁶ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸⁴⁷ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸⁴⁸ Clause 16(2) memorandum (14 October 2025)

⁸⁴⁹ Clause 16(2) memorandum (14 October 2025)

⁸⁵⁰ Clause 16(2) memorandum (14 October 2025)

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 and the Electricity (Hazards from Trees) Regulations 2003 (prepared under the Electricity Act 1992), and

- (6) require the design of *subdivision* development to optimise solar gain, including through roading, lot size, dimensions, layout and orientation.

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 energy efficiency and energy conservation, and
 - (b) opportunities for ~~small and community scale distributed electricity generation~~small and community scale distributed electricity generation.⁸⁵¹
- (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~~climate change⁸⁵² and energy demands. Increasing energy security will assist with ensuring that communities have options for clean heat and electricity for health and wellbeing services.

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* 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 significant 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.

To ensure the on-going functionality of *renewable electricity generation* 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 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.

⁸⁵¹ Clause 16(2) memorandum (14 October 2025)

⁸⁵² Clause 16(2) memorandum (14 October 2025)

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.

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. *Renewable electricity generation facilities may not be appropriate in some locations.*⁸⁵³

In relation to the *National Grid* and *significant electricity distribution infrastructure* (which are both a subset of infrastructure), specific provision is made which recognises some of the operational and functional constraints for conveying electricity, as well as addressing matters that are required to be given effect to by the NPSET.

The provisions in this chapter assist in giving effect to the NPSREG, NPSET and NPSFM and implementing section 7(j) of the RMA 1991. Implementation of the provisions will occur primarily through *regional plans* 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 ~~electricity~~energy*⁸⁵⁴ *generation activities* (including *small and community scale distributed electricity generation*) in Otago increases over time.

EIT-EN-AER2 Energy use in Otago becomes more efficient over time and security of supply

⁸⁵³ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸⁵⁴ Clause 16(2) memorandum (24 March 2025)

is maintained.

EIT-EN-AER3

The adverse *effects* associated with renewable ~~electricity~~⁸⁵⁵~~energy~~ generation activities are avoided, remedied or mitigated, or where appropriate, offset or compensated for.

EIT-EN-AER4

The proportion of *greenhouse gas* emissions per capita from energy generation reduces over time.

⁸⁵⁵ Clause 16(2) memorandum (24 March 2025)

EIT-TRAN – Transport

Objectives

EIT-TRAN-O7 – Effective, efficient, and safe transport

Otago has an integrated air, *land* and water-based 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-effects~~ of ~~climate-change~~*climate change*,⁸⁵⁶ and the changing needs of communities.

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

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.

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 communities of Otago through:

- (1) integration with *land* use activities and across transport modes, and
- (2) provision of transport *infrastructure* that enables safe and efficient service delivery in response to demand.

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, improved, and responsive to growth 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, and improved access to public

⁸⁵⁶ Clause 16(2) memorandum (14 October 2025)

spaces, including the *coastal marine area, lakes and rivers*.

EIT-TRAN-P20 – Public transport

Maintenance and development of the transport system enhances the uptake of *public transport* by:

- (1) promoting safe and reliable alternatives to low occupancy private vehicle use,
- (2) including measures to ensure pedestrian and cyclist safety and amenity, and
- (3) taking into consideration the accessibility needs of the community.

EIT-TRAN-P21 – Operation of the transport system

The efficient and effective operation of the transport system is maintained by:

- (1) avoiding or mitigating adverse *effects* of activities on the functioning of the transport system,
- (2) avoiding the impacts of incompatible activities, to the extent reasonably practicable, including those that may result in reverse sensitivity *effects*,
- (3) avoiding or minimising the ~~effects-effects~~⁸⁵⁷ of activities and development so that the opportunity to adapt, upgrade or develop the transport system to meet future transport demand, is not compromised,
- (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, 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 throughout Otago.

EIT-TRAN-P23 – Commercial port activities

Recognise the national and regional significance of *commercial port activities* by:

- (1) ensuring that other activities in the coastal environment do not adversely affect the efficient and safe operation of commercial port activities, or their connections with other transport modes,⁸⁵⁸
- (12)⁸⁵⁹ providing for the efficient and safe operation of commercial port activities the ports and efficient connections with other transport modes, and for the development of the ports' capacity for national and international shipping in and adjacent to existing commercial port activities, while meeting the requirements of policies CE-P3 to CE-P12, CE-P13(4), CE-P14, CE-P15 and HAZ-NH-P3,⁸⁶⁰
- (2) ~~providing for the development of the ports' capacity for national and international shipping in and adjacent to existing port activities,~~⁸⁶¹

⁸⁵⁷ Clause 16(2) memorandum (14 October 2025)

⁸⁵⁸ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸⁵⁹ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸⁶⁰ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸⁶¹ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

- ~~(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, and~~⁸⁶²
- ~~(3) if any of policies CE-P3 to CE-P12, CE-P13(4), CE-P14 and CE-P15, cannot be implemented while providing for the safe and efficient operation of *commercial port activities*, then apply the following effects management steps:~~
- ~~(a) give preference to avoiding activities locating within areas or values referenced in CE-P3 to CE-P12, CE-P13(4), CE-P14 and CE-P15 then~~
- ~~(b) where it is not practicable to meet (a) because of *functional need or operational need*, avoid, remedy or mitigate significant adverse *effects* to the extent practicable;~~⁸⁶³
- (4) ~~if any of policies CE-P3 to CE-P12 cannot be achieved while providing for the safe and efficient operation or development of~~ provided the steps in (3) above have been undertaken and where *commercial port activities* may cause adverse effects on the values that contribute to the significant or outstanding matters addressed in policies CE-P3 to CE-P12, CE-P13(4), CE-P14, CE-P15, or in respect of natural hazards where HAZ-NH-P3 cannot be met,⁸⁶⁴ then resource consent for such activities may be sought where:
- (a) the proposed work is required for the safe and efficient operation of *commercial port activities*, and
- (b) the adverse effects from the operation or development are established to be the minimum necessary to achieve the safe and efficient operation of the *commercial port activities*.

Methods

EIT-TRAN-M7 – Regional plans

Otago Regional Council must prepare or amend and maintain its *regional plans* to:

- (1) provide for the development, operation, maintenance, or upgrade of the transport system that:
- (a) is within the beds of ~~lakes-lakes~~ and ~~rivers-rivers~~ or the ~~coastal marine area~~coastal marine area,⁸⁶⁵ or
- (b) involves the taking, use, damming or diversion of *water* and *discharge* of *water* and *contaminants*,
- (2) include policies and methods that provide for the *commercial port activities*, and
- (3) facilitate the safe and efficient operation and development of *commercial port activities* including previously approved *resource consents* for the following activities in the coastal development area mapped in MAP2:
- (a) dredging of Otago lower harbour (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,

⁸⁶² Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸⁶³ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸⁶⁴ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

⁸⁶⁵ Clause 16(2) memorandum (14 October 2025)

and A0, 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 to be integrated with public transport services where sufficient public transport services exist or are planned and provide for safe pedestrian and cycling access, where this is practicable,
- (3) include *subdivision* and *infrastructure* design standards to facilitate the use of travel modes other than private vehicles, enable public transport networks to operate where this is practicable, provide access for emergency services, and recognise the accessibility needs of the community, including the mobility impaired, the elderly and children,
- (3A4) require the design of transport *infrastructure* to provide for multi-modal transport options in urban areas, and in rural lifestyle locations where there is a practical opportunity to connect with an existing transport infrastructure network.
- (45) restrict or prevent the establishment or expansion of activities adjacent to transport *infrastructure* that may compromise the operation or safety of the transport system,
- (56) provide for the establishment of transport *infrastructure* that supports modes of transport that are not reliant on fossil fuels, and
- (67) include policies and methods that provide for *commercial port activities—activities*⁸⁶⁶ and avoid encroachment of activities which give rise to reverse sensitivity *effects*.
- ~~(7) require the design of transport *infrastructure* to provide for multi-modal transport options in urban areas, and in rural lifestyle locations where there is a practical opportunity to connect with an existing transport infrastructure network.~~⁸⁶⁷

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*

⁸⁶⁶ Clause 16(2) memorandum (14 October 2025)

⁸⁶⁷ Clause 16(2) memorandum (5 December 2024)

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*.

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 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, increased use of rail for freight, 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.

HAZ – Hazards and risks

HAZ-NH – Natural hazards

Objective

HAZ-NH-O1 – Natural hazards

~~Activities do not exacerbate natural hazard risks to people, communities and property from natural hazards within Otago, and are maintained where they are acceptable, and managed to reduce significant natural hazard risk. ensure they do not exceed a tolerable level.~~⁸⁶⁸

HAZ-NH-O2 – Adaptation

Otago's people, communities, ~~and property,~~ and other aspects of the environment⁸⁶⁹ are prepared for and able to adapt to the effects of natural hazards, including natural hazard risks that are exacerbated by climate change.

Policies

HAZ-NH-P1A – Identifying areas subject to coastal hazards

Identify areas that are potentially affected by coastal hazards ~~(including tsunami),~~⁸⁷⁰ giving priority to the identification of areas at high risk of being affected.

HAZ-NH-P1 – Identifying areas subject to natural hazards

For hazards not identified in accordance with HAZ-NH-P1A, using the best available information, 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,~~⁸⁷¹
- ~~(34) changes over time, including due to any effects of climate change,~~
- ~~(45)~~ the likelihood of different hazard scenarios occurring, and
- ~~(56)~~⁸⁷² any other exacerbating factors.

⁸⁶⁸ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁸⁶⁹ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁸⁷⁰ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁸⁷¹ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁸⁷² Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

HAZ-NH-P2 – Natural hazard Risk⁸⁷³ assessments

Within areas identified under HAZ-NH-P1 as being subject⁸⁷⁴ to *natural hazards*, assess the⁸⁷⁵ *natural hazard* risk as significant, tolerable, or acceptable by determining a range of *natural hazard* event scenarios and their potential consequences in accordance with the criteria set out within⁸⁷⁶ APP6.

HAZ-NH-P2A – Coastal hazard risk assessments

Within areas identified under HAZ-P1A as being subject to *coastal hazards*, assess *coastal hazard* risk as significant, tolerable, or acceptable over at least the next 100 years by determining a range of *natural hazard* event scenarios and their potential consequences in accordance with APP6.⁸⁷⁷

HAZ-NH-P3 – Managing ~~N~~ew activities for coastal hazard risk and natural hazard risk⁸⁷⁸

~~Once the level of~~For *natural hazard* risk ~~associated with an activity that~~ has been determined in accordance with HAZ-NH-P2, HAZ-NH-P2A and APP6,⁸⁷⁹ manage new activities to achieve the following outcomes:

- (1) significant *natural hazard* risks are avoided,
- (2) when the *natural hazard* risk is tolerable, manage the level of risk so that it does not exceed tolerable and
- (3) when the *natural hazard* risk is acceptable, maintain the level of risk.

HAZ-NH-P4 – Existing *natural hazard* risk

In areas identified under HAZ-NH-P1 as subject to *natural hazards*, reduce existing *natural hazard* risk to a tolerable or acceptable level by:

- (1) encouraging activities that reduce risk, or reduce community vulnerability,
- (3) managing existing activities within areas of significant risk to people, communities, and property,
- (4) encouraging design that facilitates:
 - (b) relocation to areas of acceptable risk, or
 - (c) reduction of risk,
- (5) relocating *lifeline utilities*, and facilities for essential and emergency services, away from areas of significant risk, where appropriate and practicable, and
- (6) enabling development, upgrade, maintenance and operation of *lifeline utilities* and facilities for essential and emergency services.

⁸⁷³ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁸⁷⁴ Clause 16(2) memorandum (5 December 2024)

⁸⁷⁵ Clause 16(2) memorandum (5 May 2025)

⁸⁷⁶ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁸⁷⁷ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁸⁷⁸ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁸⁷⁹ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

HAZ-NH-P5 – Precautionary approach to *natural hazard* risk

Where the *natural hazard* risk⁸⁸⁰ either individually or cumulatively, is uncertain or unknown, but potentially significant or irreversible, apply a precautionary approach to identifying, assessing and managing that risk by adopting an avoidance or adaptive management response.

HAZ-NH-P6 – Protecting features and systems that provide hazard mitigation

Protect the ability of natural or modified features and systems to mitigate the *effects of natural hazards* and *climate change*.

HAZ-NH-P7 – Mitigating *natural hazards*

Prioritise risk management approaches that reduce the need for *hard protection structures* or similar engineering interventions, and provide for *hard protection structures* only when:

(~~1A1~~)⁸⁸¹ the following apply:

- (a) there are no reasonable alternatives that manage or reduce the risk exposure to a level the community is able to tolerate,
- (b) *hard protection structures* would not result in a more than minor increase in risk to people, communities, ~~and~~ property, and other aspects of the environment,⁸⁸² including displacement of risk off-site,
- (c) the adverse *effects* of the *hard protection structures* can be adequately managed, and
- (d) the mitigation is viable in the reasonably foreseeable long term or provides time for future adaptation methods to be implemented, or

(~~1B2~~)⁸⁸³ 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

Locate, 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 services

Protect ~~the functional needs and operational needs~~⁸⁸⁴ of⁸⁸⁵ 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

⁸⁸⁰ Clause 16(2) memorandum (14 October 2025)

⁸⁸¹ Clause 16(2) memorandum (14 October 2025)

⁸⁸² Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁸⁸³ Clause 16(2) memorandum (14 October 2025)

~~⁸⁸⁴ Clause 16(2) memorandum (24 March 2025)~~

⁸⁸⁵ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

those measures, utilities or services,

- (3) maintaining access to those measures, utilities or services for maintenance and operational purposes, ~~and~~⁸⁸⁶
- (4) restricting the establishment of other activities that may result in reverse sensitivity *effects* on those measures, utilities or services, ~~and~~⁸⁸⁷
- (5) providing for necessary operation, maintenance and upgrades.⁸⁸⁸

HAZ-NH-P10 – Coastal hazards

~~On any land that is potentially affected by coastal hazards over at least the next 100 years:~~

- ~~(1) — avoid increasing the risk of social, environmental and economic harm from coastal hazards,~~
- ~~(2) — ensure no land use change or redevelopment occurs that would increase the risk to people and communities from that coastal hazard,~~
- ~~(3) — encourage land use change or redevelopment that reduces the risk from that coastal hazard,~~
- ~~(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.~~⁸⁸⁹

HAZ-NH-P11 – Kāi Tahu rakatirataka

Recognise and provide for the rakatirataka of Kāi Tahu by:

- (1) enabling *mana whenua*, ~~and owners of Māori land in relation to their land,~~ to lead approaches on the management of *natural hazard* risks affecting native reserves and ~~Māori-Māori~~⁸⁹⁰ land, to ensure that land is able to be used and developed in accordance with MW-P4,⁸⁹¹ and
- (2) including Kāi Tahu in decision-making on the management of *natural hazard* risks affecting the values of *wāhi tūpuna*.

Methods

HAZ-NH-M1 – Statement of responsibilities

In accordance with section 62(1)(i)(i) of the RMA, 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* and *district plans* for managing *land* subject to *natural hazard* risk,
- (2) the Regional Council is responsible for:
 - (a) specifying objectives, policies and methods (including mapping)⁸⁹² in *regional plans*:

⁸⁸⁶ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁸⁸⁷ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁸⁸⁸ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁸⁸⁹ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁸⁹⁰ Clause 16(2) memorandum (14 October 2025)

⁸⁹¹ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁸⁹² Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

- (i) in the ~~coastal marine area~~coastal marine area,⁸⁹³
- (ii) in ~~wetlands~~wetlands, ~~lakes~~lakes and ~~rivers~~rivers,⁸⁹⁴
- (iii) in, on or under the *beds of rivers and lakes*, and
- (iv) on ~~land~~land⁸⁹⁵ in relation to the avoidance or mitigation of natural hazard risk reduction,⁸⁹⁶

~~(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) identifying coastal hazards as required by HAZ-NH-P1A 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~~

~~(d) continually monitoring natural hazard risk to understand how levels of natural hazard risk change over time⁸⁹⁷, and where required, update the natural hazard mapping areas identified in 2(b) and (c) above;⁸⁹⁸~~

(3) ~~territorial authorities~~territorial authorities⁸⁹⁹ are responsible for:

~~(a) specifying objectives, policies and methods (including mapping) in district plans for land outside of the areas listed in (2)(a)(i), (ii) and (iii); 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 of those areas in the relevant district plan(s).⁹⁰⁰~~

HAZ-NH-MX – Identifying and monitoring natural hazards

(1) Otago Regional Council must:

(a) identify areas in the region subject to natural hazards and describe their characteristics as required by Policy HAZ-NH-P1, mapping the extent of those areas in any relevant regional plan(s) and on a natural hazard register or database;

(b) identify coastal hazards as required by HAZ-NH-P1A in accordance with Policy 24 of the NZCPS, mapping the extent of those areas in any relevant regional plan(s) and on a natural hazard register or database; and

(c) monitor natural hazard risk to understand how levels of natural hazard risk change over time, and where required, update the natural hazard mapping areas identified above.

(2) Territorial authorities must map or identify via the natural hazard register or database, areas identified in (1) above subject to natural hazards and describe the characteristics of those areas in the relevant district plan(s).

(3) Territorial authorities may map and identify land subject to natural hazards in accordance with HAZ-NH-

⁸⁹³ Clause 16(2) memorandum (14 October 2025)

⁸⁹⁴ Clause 16(2) memorandum (14 October 2025)

⁸⁹⁵ Clause 16(2) memorandum (14 October 2025)

⁸⁹⁶ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

~~⁸⁹⁷ Clause 16(2) memorandum (5 December 2024)~~

⁸⁹⁸ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁸⁹⁹ Clause 16(2) memorandum (14 October 2025)

⁹⁰⁰ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

P1 and HAZ-NH-P1A for inclusion in the *natural hazard* register or database in addition to areas already identified by the Otago Regional Council.⁹⁰¹

HAZ-NH-M2 – Local authorities

Local authorities must work collaboratively to:

- (1) assess the level of *natural hazard* risk in their region or district in accordance with HAZ-NH-P2, HAZ-NH-P2A⁹⁰² and APP6, including by:
 - (a) consulting with communities, stakeholders and Kāi Tahu, including with *local authorities* in neighbouring regions partners⁹⁰³ regarding risk levels thresholds,
 - (b) developing a Risk Table in accordance with Step 3 of APP6 at a district or community scale, and
 - (c) identifying areas of significant risk,
- (2) continue to undertake research on the identification of *natural hazard* risk and amend *natural hazard* registers, databases, *regional plans* 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* 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*, and⁹⁰⁴
 - (d) encouraging system *resilience*, and⁹⁰⁵
- (5) agree how *natural hazard* management is undertaken to achieve a collaborative approach between the local authorities.⁹⁰⁶

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-P3 to HAZ-NH-P6, and the outcomes of the Risk Table established within HAZ-NH-M2(1),
- (2) include *natural hazard* risk reduction measures, such as removing or restricting existing *land* uses, where there is significant risk to people or property,
- (3) protect natural or modified features and systems that provide mitigation from the adverse *effects* of *natural hazards* in accordance with HAZ-NH-P6,

⁹⁰¹ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁹⁰² Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁹⁰³ Clause 16(2) memorandum (5 December 2024)

⁹⁰⁴ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁹⁰⁵ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁹⁰⁶ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

- (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, and⁹⁰⁷
- (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 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 activity be undertaken where an activity requires a *resource consent* to change the use of *land* 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, 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*.⁹⁰⁸~~

HAZ-NH-M4 – *District plans*

Territorial authorities must prepare or amend and maintain their *district plans* to:

- (1) achieve policies HAZ-NH-P3 to HAZ-NH-P6, and incorporate the outcomes of the Risk Table established within HAZ-NH-M2(1), 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 subject to *natural hazard* risk,
- (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 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 activity be undertaken where an activity requires a plan change ~~or *resource consent*~~ to change the use of *land* 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 operative, the *natural hazard risk* assessment must include including:~~⁹⁰⁹

⁹⁰⁷ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁹⁰⁸ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁹⁰⁹ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

- (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*.~~⁹¹⁰

HAZ-NH-MX – Natural hazard assessment

~~(1) Prior to the *natural hazard* risk assessment required by HAZ-NH-M2(1) being completed, included in the relevant regional plan or district plan, and made operative, when a *natural hazard* risk assessment is required within a regional plan or district plan as part of a resource consent, local authorities are encouraged to consider whether that *natural hazard* risk assessment:~~

- ~~(a) includes an assessment of the level of *natural hazard* risk associated with the proposal, commensurate with the level of risk, and~~
- ~~(b) demonstrates how the proposal will achieve the outcomes set out in Policies HAZ-NH-P3 and HAZ-NH-P4,~~

~~(2) Once the *natural hazard* risk assessment required by HAZ-NH-M2(1) has been completed, included in the relevant *regional plan* or *district plan*, and made operative, unless otherwise expressly required by the relevant *regional plan* or *district plan*, not requiring a *natural hazard* risk assessment in accordance with APP6 for *resource consent* applications.~~⁹¹¹

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-P1⁹¹² to HAZ-NH-P11, including but not limited to:

- (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
- (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

⁹¹⁰ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁹¹¹ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁹¹² Clause 16(2) memorandum (14 October 2025)

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 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 has been established, following consultation with communities, stakeholders and partners, the provisions direct that *district plans* 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 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 reasons

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 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 majority of the region is subject to some form of hazards risk, to a greater or lesser extent. While avoidance of *natural hazard* risk 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. 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.

Anticipated environmental results

HAZ-NH-AER1	The location and design of new developments and natural resource use reduces community exposure to the adverse <i>effects of natural hazards</i> 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.
HAZ-NH-AER4	Where existing development is subject to risks from <i>natural hazards</i> , the level of risk is reduced to a tolerable level.
HAZ-NH-AER5	The impact on people, communities and property, <i>lifeline utilities</i> , and essential services from <i>natural hazards</i> and <i>climate change</i> is managed to a tolerable or acceptable level.

HAZ-CL – Contaminated land

Objectives

HAZ-CL-O3 – ~~Contaminated land~~ Contaminated land⁹¹³

Contaminated land and waste materials are managed to protect human health and do not harm Kāi Tahu values and the environment in Otago.⁹¹⁴

Policies

HAZ-CL-P13 – Identifying contaminated land

Identify sites of known or potentially contaminated land in Otago.

HAZ-CL-P14 – Managing contaminated land

Manage 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, monitoring contaminant levels and environmental risks,
- (2) protecting human health in accordance with regulatory requirements,
- (3) avoiding further or continuing effects,⁹¹⁵ as the first priority, and only where avoidance is not reasonably practicable, mitigating or remediating, adverse effects of the contaminants on the environment,
- (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.

HAZ-CL-P15 – New contaminated land

Avoid the creation of new contaminated land or, where this is not practicable, minimise to the extent reasonably practicable adverse effects on the environment and Kāi Tahu 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.

⁹¹³ Clause 16(2) memorandum (14 October 2025)

⁹¹⁴ Clause 16(2) memorandum (14 October 2025)

⁹¹⁵ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

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) to the extent reasonably practicable, minimise 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, ~~and~~
- (5) have particular regard to adverse *effects* on the cultural values of identified wāhi tūpuna in accordance with HCV-WT-P2.⁹¹⁶

HAZ-CL-PX – Operation and development of municipal *landfills*

- (1) recognise the regional importance of operation and development of landfills which are designated by, or are owned or operated by a *local authority* to the health, safety and welfare of communities, and the operational constraints on the location of these facilities,
- (2) when providing for the operation and development of *landfills* which are designated by, or are owned or operated by a *local authority* in the following areas outside the coastal environment, avoid, as the first priority, locating in:
 - (a) *significant natural areas*,
 - (b) natural inland *wetlands*,
 - (c) *wāhi tūpuna*, and
 - (d) outstanding natural landscapes,
- (3) if it is not reasonably practicable to avoid locating in the areas listed in (2) above because of the *functional needs* or *operational needs* of the *landfill*, manage adverse *effects* as follows:
 - (a) in *significant natural areas*, in accordance with ECO-P3 and ECO-P5A,
 - (b) in natural inland *wetlands*, in accordance with LF-FW-P10A,
 - (c) in relation to *wāhi tūpuna*, in accordance with HCV-WT-P2,
 - (d) in outstanding natural landscapes, adverse *effects* on the values that contribute to the area's importance shall be:
 - (i) remedied or mitigated to the extent practicable,
 - (ii) where they cannot be practicably remedied or mitigated, regard shall be had to offsetting and/or compensation of more than minor residual adverse *effects*, and
- (4) ensure that the ability to develop, use and protect *native reserves* and Māori *land* in accordance with MW-P4 is not compromised.⁹¹⁷

Methods

⁹¹⁶ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

⁹¹⁷ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

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,
- (2) prepare or amend and maintain its *regional plans* to:
 - (a) in accordance with HAZ-CL-P14 and HAZ-CL-P15⁹¹⁸ 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~~*beds*⁹¹⁹ of *rivers, lakes* and other *water bodies*,
 - (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~~*effects*⁹²⁰ of *climate change*,
- (2) assess the risk and the potential *effects* of release of *contaminants*,
- (3) develop and implement action plans to avoid release of *contaminants* from ~~the~~⁹²¹ identified closed *landfills* and *contaminated land*, prioritising sites at greatest risk, and
- (4) review sites and their level of risk every five years.

HAZ-CL-M9 – Other incentives and mechanisms

Local authorities may:

- (1) encourage the application of the *waste* management hierarchy by:

⁹¹⁸ Clause 16(2) memorandum (14 October 2025)

⁹¹⁹ Clause 16(2) memorandum (14 October 2025)

⁹²⁰ Clause 16(2) memorandum (14 October 2025)

⁹²¹ Clause 16(2) memorandum (14 October 2025)

- (a) giving preference to reducing ~~waste-waste~~⁹²² 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.

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 NESCS. 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-Waste~~⁹²³ 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.

NESCS 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*.

⁹²² Clause 16(2) memorandum (14 October 2025)

⁹²³ Clause 16(2) memorandum (14 October 2025)

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~~environment,⁹²⁴ people and communities are not harmed by *waste* materials.

HAZ-CL-AER7 The waste hierarchy is implemented, resulting in less *waste* requiring disposal and a reduction of the environmental *effects* generated from *waste*.

⁹²⁴ Clause 16(2) memorandum (14 October 2025)

HCV – Historical and cultural values

HCV-WT – *Wāhi tūpuna*

Objectives

HCV-WT-O1 – Kāi Tahu *wāhi tūpuna*

Wāhi tūpuna and their associated cultural values are identified and protected.

HCV-WT-O2 – Rakatirataka⁹²⁵

The rakatirataka of *mana whenua* over *wāhi tūpuna* is recognised, and *mana whenua* are able to exercise their role as kaitiaki within these areas.

Policies

HCV-WT-P1 – Recognise and identify *wāhi tūpuna*⁹²⁶

Sustain the enduring Kāi Tahu relationship with *wāhi tūpuna*, including by:

- (1) enabling Kāi Tahu to identify 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 their role as kaitiaki 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 effects on *wāhi tūpuna*⁹²⁷

Wāhi tūpuna are protected by:

- (1) avoiding significant adverse *effects* on the cultural values of identified *wāhi tūpuna*,
- (1A) avoiding, as the first priority, other adverse ~~effects~~effects on the cultural values of identified ~~wāhi tūpuna~~wāhi tūpuna,⁹²⁸
- (2) where other adverse *effects* demonstrably cannot be completely avoided, then either remedying or mitigating adverse *effects* in a manner that maintains the values of the *wāhi tūpuna*

HCV-WT-P2A – Management of *wāhi tūpuna*

Wāhi tūpuna are protected by:

⁹²⁵ ENV-2024-CHC-30 Cain Whānau

⁹²⁶ ENV-2024-CHC-30 Cain Whānau

⁹²⁷ ENV-2024-CHC-35 Transpower, ENV-2024-CHC-22 Meridian Energy Limited

⁹²⁸ Clause 16(2) memorandum (14 October 2025)

- (3) managing identified *wāhi tūpuna* in accordance with tikaka Māori, and
- (5) encouraging the enhancement of access to *wāhi tūpuna* to the extent compatible with the particular *wāhi tūpuna*.

Methods

HCV-WT-M3 – Treaty Partnership with Kāi Tahu

Local authorities must:

- (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
- (3) collaborate with Kāi Tahu to share information relevant to Kāi Tahu interests.

HCV-WT-M1 – Identification⁹²⁹

Local authorities must:

- (1) enable Kāi Tahu to identify, in accordance with tikaka, *wāhi tūpuna* sites, areas and values, using the guide set out in APP7,
- (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 record using methods determined by *mana whenua* (which may include mapping) and protect the sites, areas and values identified under (1) in the relevant *regional plans* and *district plans*.

HCV-WT-M2 – Regional plans and district plans

Local authorities must prepare or amend and maintain their *regional plans* and *district plans* to include methods that are in accordance with tikaka to:

- (1) ~~manage control~~⁹³⁰ activities in, or ~~affecting adjacent to~~,⁹³¹ *wāhi tūpuna* sites and areas,
- (2) require cultural impact assessments where activities have the potential to adversely affect values of *wāhi tūpuna* and Kāi Tahu have identified the need for an assessment to protect particular values,
- (3) require conditions on *resource consents* or designations to protect *wāhi tūpuna values* from incompatible activities,
- (4) require accidental discovery protocols as an advice note on *resource consents* or designations for activities that may unearth archaeological sites, in accordance with APP11, and
- (5) maintain existing access to identified *wāhi tūpuna* sites and areas and promote improved access where practicable.

Explanation

⁹²⁹ ENV-2024-CHC-30 Cain Whānau

⁹³⁰ Clause 16(2) memorandum (24 March 2025)

⁹³¹ Clause 16(2) memorandum (24 March 2025)

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* to ensure that activities do not have any significant adverse *effects* on the values of the identified *wāhi tūpuna*. The policies also direct that the management of activities within or affecting *wāhi tūpuna* must occur in accordance with tikaka.

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 sections 6(e), 7(a) and 8 of the RMA and the NZCPS, as well as providing for the principles of te Tiriti o Waitangi, by requiring:

- the identification of *wāhi tūpuna* by Kāi Tahu in accordance with tikaka Māori,
- 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* 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	<i>Wāhi tūpuna</i> areas <u>areas</u> and sites are identified in the relevant <i>regional plans</i> and <i>district plans</i> using tiakaka <u>tikaka</u> ⁹³² for identification of <i>wāhi tūpuna</i> and their values and the manner of recording those being determined by Kāi Tahu.
HCV-WT-AER2	<i>Wāhi tūpuna</i> and their values are protected and improved where their values have been degraded by human activities.

⁹³² Clause 16(2) memorandum (14 October 2025)

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 people's understanding and appreciation of it is enhanced, and ~~that~~⁹³³ it is protected for future generations against inappropriate ~~subdivisions~~subdivision,⁹³⁴ use and development.

Policies

HCV-HH-P3 – Recognising *historic heritage*

Recognise that Otago's *historic heritage* includes:

- (1) Māori cultural and *historic heritage* values and sites, and places and areas,
- (2) archaeological sites,
- (3) residential and commercial *buildings*,
- (4) pastoral sites,
- (5) surveying equipment, communications and transport, including *roads*, bridges, railway ~~infrastructure~~infrastructure⁹³⁵ and routes,
- (6) industrial *historic heritage*, including mills, quarries, limekilns, grain stores, water supply ~~infrastructure~~infrastructure⁹³⁶ and brickworks,
- (7) gold, limestone and other mining systems and settlements,
- (8) dredge and ship wrecks, and coastal structures and buildings, including breakwaters, jetties and lighthouses,
- (9) ruins,
- (10) coastal *historic heritage*, particularly Kāi Tahu occupation sites and those associated with early European activities such as whaling,
- (11) memorials,
- (12) trees and,
- (13) military structures or remains, and
- (14) Historic places within the meaning under section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

HCV-HH-P4 – Identifying *historic heritage*

Identify the places and areas of *historic heritage* in Otago in accordance with APP8

⁹³³ Clause 16(2) memorandum (5 December 2024)

⁹³⁴ Clause 16(2) memorandum (14 October 2025)

⁹³⁵ Clause 16(2) memorandum (14 October 2025)

⁹³⁶ Clause 16(2) memorandum (14 October 2025)

HCV-HH-P5 – Managing *historic heritage*⁹³⁷

Except as provided for in EIT-INF-P13, protect *historic heritage* from inappropriate subdivision, use and development by:

- (1) requiring the use of accidental discovery protocols in accordance with APP11,
- (2) avoiding adverse *effects* on areas or places which have been identified as having special or outstanding *historic heritage* or qualities, except that in circumstances (a) to (f) below, they are remedied or mitigated to the extent practicable:
 - (a) where HCV-HH-P6 applies, or
 - (b) a project has significant public benefit that outweighs the loss of ~~historic heritage~~*historic heritage*⁹³⁸ or
 - (c) the activity has functional or locational constraints and has a significant public benefit
 - (d) the area or place is already impacted by an existing, lawfully established activity; or
 - (e) there is significant risk to safety or property; or
 - (f) any adverse ~~effects~~*effects* are minor and relate to work necessary to adapt a ~~historic heritage building~~*historic heritage building*⁹³⁹ to modern use.
- (3) avoiding, remedying or mitigating adverse *effects* on other areas or places with *historic heritage* values or qualities

HCV-HH-P6A – Maintenance and enhancement of *historic heritage*

Encourage the ongoing use and adaptive re-use of *historic heritage* in a way that, as far as practicable, maintains and enhances the identified heritage values.

Methods

HCV-HH-M4 – *Regional plans*⁹⁴⁰

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 the coastal marine area*,
 - (b) ~~indigenous vegetation~~*indigenous vegetation*⁹⁴¹ 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*,

⁹³⁷ ENV-2024-CHC-29 Oceana Gold, ENV-2024-CHC-35 Transpower

⁹³⁸ Clause 16(2) memorandum (14 October 2025)

⁹³⁹ Clause 16(2) memorandum (14 October 2025)

⁹⁴⁰ ENV-2024-CHC-30 Cain Whānau

⁹⁴¹ Clause 16(2) memorandum (14 October 2025)

- (d) ~~discharges~~discharges⁹⁴² 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~~historic heritage values for ~~mana whenua~~mana whenua in accordance with HCV-HH-P4 that are located on the ~~beds~~beds of ~~lakes~~lakes and ~~rivers~~rivers,⁹⁴³ and in ~~wetlands~~wetlands and the ~~coastal marine areas~~coastal marine areas,⁹⁴⁴

(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.

HCV-HH-M5 – *District Plans*⁹⁴⁵

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*,
- (c) the location and scale of *earthworks* and ~~indigenous vegetation~~indigenous vegetation⁹⁴⁶ 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~~historic heritage values for ~~mana whenua~~mana whenua in accordance with HCV-HH-P4 that are located on the ~~beds~~beds of ~~lakes~~lakes and ~~rivers~~rivers, and in ~~wetlands~~wetlands and the ~~coastal marine areas~~coastal marine areas,⁹⁴⁷

(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

⁹⁴² Clause 16(2) memorandum (14 October 2025)

⁹⁴³ Clause 16(2) memorandum (14 October 2025)

⁹⁴⁴ Clause 16(2) memorandum (14 October 2025)

⁹⁴⁵ ENV-2024-CHC-30 Cain Whānau

⁹⁴⁶ Clause 16(2) memorandum (14 October 2025)

⁹⁴⁷ Clause 16(2) memorandum (14 October 2025)

- 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 education⁹⁴⁸

Local authorities are encouraged to use other mechanisms or incentives to assist in achieving 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*.

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 places and areas of significant *historic heritage* to be identified using regionally consistent methodology, then protecting or managing those sites or areas to ensure that activities do not detract from the region’s special character and sense of identity. This also includes encouraging the ongoing use and adaptive re-use of historic heritage 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) 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.

⁹⁴⁸ ENV-2024-CHC-30 Cain Whānau

The provisions in this chapter assist in implementing section 6(f) of the RMA and the NZCPS by requiring:

- the identification of places and areas with *historic heritage* values and qualities using clear criteria that is regionally consistent and providing for the assessing of special or outstanding values and qualities with a regionally consistent criteria and methodology where this is required.
- the protection of *historic heritage* from inappropriate *subdivision*, use and development,
- the ~~*maintenance-maintenance*~~ and enhancement of *historic heritage* through ~~*encouraging its ongoing use and adaptive re-use of historic heritage*~~*encouraging its ongoing use and adaptive reuse*⁹⁴⁹ 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 plan* 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 <i>historic heritage</i> are identified and protected.
HCV-HH-AER4	The number, type, extent and distribution of <i>historic heritage</i> sites and places with special or outstanding values or qualities are maintained.
HCV-HH-AER5	Otago's existing built <i>historic heritage</i> is maintained and enhanced through efficient use, or adaptive reuse, where appropriate.

⁹⁴⁹ Clause 16(2) memorandum (14 October 2025)

NFL – Natural features and landscapes

Advice note: Pursuant to CE-P1 the provisions within this chapter do not apply in the coastal environment.

Objectives

NFL-O1 – Outstanding ~~natural features and landscapes~~ natural features and landscapes^{950, 951}

The areas and values of Otago’s outstanding *natural features and landscapes* are identified, and the use and development of Otago’s *natural and physical resources* results in the protection of them from inappropriate *subdivision*, use and development.

Policies

NFL-P1 – Identification⁹⁵²

Identify the areas and values of outstanding *natural features and landscapes* in accordance with Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines', Tuia Pito Ora New Zealand Institute of Landscape Architects, July 2022.

NFL-P2 – Protection of outstanding natural features and landscapes⁹⁵³

Protect outstanding natural features and landscapes from inappropriate *subdivision*, use and development by:

- (1A) avoiding exceeding the landscape capacity of the natural feature or landscape,
- (1) maintaining the values that contribute to the natural feature or landscape being considered outstanding, even if those values are not themselves outstanding,
- (2) avoiding, remedying or mitigating other adverse *effects*; and
- (3) managing the adverse ~~effects-effects~~ of ~~infrastructure-infrastructure~~⁹⁵⁴ on the values of outstanding natural features and landscapes in accordance with EIT-INF-P13.

NFL-P3 – [deleted in Decisions Version]⁹⁵⁵

NFL-P4 – [deleted in Decisions Version]⁹⁵⁶

Methods

⁹⁵⁰ Clause 16(2) memorandum (14 October 2025)

⁹⁵¹ ENV-2024-CHC-26 Forest & Bird, ENV-2024-CHC-31 GlenPanel Limited, ENV-2024-CHC-37 QLDC

⁹⁵² ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-31 GlenPanel Limited, ENV-2024-CHC-23 Real NZ

⁹⁵³ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-26 Forest & Bird, ENV-2024-CHC-31 GlenPanel Limited, ENV-2024-CHC-23 Real NZ, ENV-2024-CHC-35 Transpower

⁹⁵⁴ Clause 16(2) memorandum (14 October 2025)

⁹⁵⁵ ENV-2024-CHC-37 QLDC

⁹⁵⁶ ENV-2024-CHC-26 Forest & Bird

NFL-M1 – Identification⁹⁵⁷

Territorial authorities must:

- (1) include in their *district plans* a map or maps and a statement of the values of the areas of outstanding *natural features and landscapes* in accordance with NFL-P1,
- (2) in areas likely to face development or growth pressure, include in their *district plans* a statement of the capacity of outstanding *natural features and landscapes* to accommodate use or development while protecting the values that contribute to the natural feature and landscape being considered outstanding,
- (2A) collaborate with Kāi Tahu to identify the areas, values, and capacity of natural features and landscapes of significance for Kāi Tahu in accordance with tikaka, and record and apply appropriate management responses as determined by *mana whenua*,
- (3) recognise that natural features and landscapes may span jurisdictional boundaries and work together, including with the Regional Council and adjoining Regional Councils, to identify areas under (1) to ensure that the identification of outstanding natural features and landscapes are treated uniformly across district boundaries and, where appropriate, regional boundaries, 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 plans⁹⁵⁸

Otago Regional Council must prepare or amend and maintain its *regional plans* to 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.

NFL-M3 – District plans⁹⁵⁹

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,
- (2) manage *wilding conifer* spread in accordance with LF-LS-P16A.

NFL-M4 – Other incentives and mechanisms⁹⁶⁰

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,

⁹⁵⁷ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-31 GlenPanel Limited

⁹⁵⁸ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-31 GlenPanel Limited

⁹⁵⁹ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-31 GlenPanel Limited

⁹⁶⁰ ENV-2024-CHC-31 GlenPanel Limited

- (5) education and advice,
- (6) waiver or reduction of processing fees for activities where the primary purpose is to enhance the values of *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 – Explanation⁹⁶¹

The policies in this chapter are designed to require outstanding *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. 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 reasons⁹⁶²

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 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 *natural features and landscapes* by requiring:

- the identification of outstanding *natural features and landscapes* using regionally consistent criteria,
- the protection of outstanding *natural features and landscapes*,
- 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* 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-AER1⁹⁶³

The number, type, extent and distribution of identified outstanding *natural features and landscapes* are maintained over the life of this RPS.

NFL-AER2⁹⁶⁴

The values of outstanding and *highly valued natural features and landscapes* are

⁹⁶¹ ENV-2024-CHC-31 GlenPanel Limited

⁹⁶² ENV-2024-CHC-31 GlenPanel Limited

⁹⁶³ ENV-2024-CHC-31 GlenPanel Limited

⁹⁶⁴ ENV-2024-CHC-31 GlenPanel Limited

not reduced or lost.

UFD – Urban form and development

Note to readers: As a result of Council decisions, the following notified provisions have been moved to the LF-LS chapter:

- UFD-O4 – Development in rural areas
- UFD-P7 – Rural areas
- UFD-P8 – Rural lifestyle and rural residential zones
- UFD-M2(8) and (9)
- UFD-E1 – Explanation (third paragraph)
- UFD-PR1 – Principal reasons (sixth paragraph)

The notified numbering has been retained in the LF-LS chapter as an interim measure so that it is easier to link submission and appeal points to provisions. The numbering of both chapters will be updated and made chronological once appeals are resolved.

Objectives

UFD-O1 – Development of *urban areas*⁹⁶⁵

The development and change of Otago’s *urban areas* occurs in a strategic and coordinated way, which:

- (1) accommodates the diverse and changing needs and preferences of Otago’s people and communities, now and in the future,
- (2) integrates effectively with surrounding *urban areas* and *rural areas*,
- (2A) results in a consolidated, well-connected and well-designed urban form which is integrated with *infrastructure*, and
- (2B) supports *climate change adaptation*⁹⁶⁶ and *climate change mitigation*⁹⁶⁷.

UFD-O2 – [deleted in Decisions Version]⁹⁶⁸

UFD-O3 – [deleted in Decisions Version]⁹⁶⁹

Policies

UFD-P1 – Strategic planning⁹⁷⁰

Strategic planning processes, undertaken at an appropriate scale and detail, precede urban growth and development and:

- (1) identify how housing choice, quality, and affordability will be improved,

⁹⁶⁵ ENV-2024-CHC-24 Aurora Energy Limited, Network Waitaki Limited, PowerNet Limited, ENV-2024-CHC-31 GlenPanel Limited, ENV-2024-CHC-36 Kāi Tahu, ENV-2024-CHC-40 Queenstown Airport, ENV-2024-CHC-37 QLDC

⁹⁶⁶ Clause 16(2) memorandum (5 December 2024)

⁹⁶⁷ Clause 16(2) memorandum (5 December 2024)

⁹⁶⁸ ENV-2024-CHC-40 Queenstown Airport

⁹⁶⁹ ENV-2024-CHC-36 Kāi Tahu, ENV-2024-CHC-40 Queenstown Airport

⁹⁷⁰ ENV-2024-CHC-24 Aurora Energy Limited, Network Waitaki Limited, PowerNet Limited, ENV-2024-CHC-31 GlenPanel Limited, ENV-2024-CHC-36 Kāi Tahu

- (1A) 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 reducing contributions of communities to *climate change*, and facilitate adaptation to changing demand, needs, preferences and *climate change*,
- (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 needs of future communities, and
- (8A) identify areas of potential conflict between incompatible activities and sets out the methods by which these are to be resolved.

UFD-P2 – Sufficiency of *development capacity*⁹⁷¹

Ensure that at least sufficient housing and business *development capacity* is provided in *urban areas* in the short, medium and long term, including by:

- (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,
- (5A) being responsive to plan changes that demonstrate compliance with UFD-P10, and
- (6) requiring Tier 2 *urban environments* to meet, at least, the relevant housing bottom lines in APP10.

UFD-P3 – Urban intensification⁹⁷²

Manage intensification in ~~urban areas~~*urban areas*,⁹⁷³ so that as a minimum:⁹⁷⁴

- (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,
- (3) enables heights and densities that 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*, and⁹⁷⁵
- (5) addresses issues of concern to iwi and hapū, including those identified in any relevant iwi planning documents.⁹⁷⁶

⁹⁷¹ ENV-2024-CHC-36 Kāi Tahu, ENV-2024-CHC-31 GlenPanel Limited

⁹⁷² ENV-2024-CHC-24 Aurora Energy Limited, Network Waitaki Limited, PowerNet Limited, ENV-2024-CHC-36 Kāi Tahu, ENV-2024-CHC-31 GlenPanel Limited, ENV-2024-CHC-40 Queenstown Airport, ENV-2024-CHC-35 Transpower

⁹⁷³ Clause 16(2) memorandum (14 October 2025)

⁹⁷⁴ Clause 16(2) memorandum (5 May 2025)

⁹⁷⁵ Clause 16(2) memorandum (5 December 2024)

⁹⁷⁶ Clause 16(2) memorandum (5 December 2024)

UFD-P4 – Urban expansion⁹⁷⁷

Expansion of existing *urban areas* may occur where, at a minimum,⁹⁷⁸ 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,
- (1B) achieves consolidated, well designed and sustainable development in and around existing *urban areas*,
- (2) is logically and appropriately staged, and 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,
- (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, and⁹⁷⁹
- (6) avoids, highly productive land except as provided for in the NPS-HPL, and considers adverse *effects*, particularly *reverse sensitivity* effects, on existing and anticipated *primary production* or *rural industry* activities when determining the location of the new urban/rural boundary.

UFD-P5 – Commercial activities⁹⁸⁰

Provide for *commercial activities* in *urban areas* by:

- (1) enabling a wide variety and scale of *commercial activities*, social, recreational and cultural activities to concentrate in city, metropolitan, town centre and commercial zoned areas, where appropriate, especially if they are highly accessible by *public transport* or *active transport*,
- (2) enabling smaller local and neighbourhood centres, mixed use zones and rural settlements to accommodate a variety of *commercial activities*, social, recreational and cultural activities of a scale appropriate to service local community needs, and
- (4) outside the areas described in (1) and (2), provide 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, to avoid the likelihood of

⁹⁷⁷ ENV-2024-CHC-24 Aurora Energy Limited, Network Waitaki Limited, PowerNet Limited, ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-25 Dunedin City Council, ENV-2024-CHC-36 Kāi Tahu, ENV-2024-CHC-31 GlenPanel Limited

⁹⁷⁸ Clause 16(2) memorandum (5 December 2024)

⁹⁷⁹ Clause 16(2) memorandum (5 December 2024)

⁹⁸⁰ ENV-2024-CHC-25 Dunedin City Council, ENV-2024-CHC-36 Kāi Tahu, ENV-2024-CHC-31 GlenPanel Limited

reverse sensitivity *effects* on existing or potential *industrial activities* arising, unless the potential for reverse sensitivity is insignificant.

UFD-P10 – Criteria for significant development capacity⁹⁸¹

Significant development capacity is provided for where a proposed plan change affecting an *urban environment* meets all of the following criteria:

- (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 planning⁹⁸²

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,
- (3) must, where they are Tier 2 and Tier 3 ~~local authorities~~*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~~*local authorities*⁹⁸³ are encouraged to do so,
- (4) must coordinate the redevelopment and intensification of *urban areas* and the development of expansions to *urban areas* with *infrastructure* planning and development programmes, to:
 - (a) provide the required *development infrastructure* and *additional infrastructure* in an integrated,

⁹⁸¹ ENV-2024-CHC-25 Dunedin City Council, ENV-2024-CHC-36 Kāi Tahu, ENV-2024-CHC-31 GlenPanel Limited

⁹⁸² ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-36 Kāi Tahu, ENV-2024-CHC-31 GlenPanel Limited

⁹⁸³ Clause 16(2) memorandum (14 October 2025)

timely, efficient and effective way, and

(b) identify major existing and future activities, constraints and opportunities

and for Tier 2 ~~local authorities~~*local authorities*⁹⁸⁴ 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~~*local authorities*,⁹⁸⁵ 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 must involve *mana whenua*, and provide opportunities for iwi, hapū and whānau involvement in planning processes, including in decision making.

UFD-M2 – *District plans*⁹⁸⁶

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 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 identified *land* size and locational needs of the commercial and industrial sectors,

(3) ensure that urban development is designed to:

(a) achieve a built form that relates well to its surrounding *environment*,

(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) minimise the potential for reverse sensitivity *effects* to arise, by managing the location of incompatible activities, within the *urban area*, and at the rural-urban interface, and

(e) reduce the adverse *effects* of Otago's cooler winter climate through designing new ~~subdivision~~*subdivision*⁹⁸⁷ and development to maximise passive winter solar gain and winter heat retention, including through roading, lot size, dimensions, layout and orientation,

⁹⁸⁴ Clause 16(2) memorandum (14 October 2025)

⁹⁸⁵ Clause 16(2) memorandum (14 October 2025)

⁹⁸⁶ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-36 Kāi Tahu, ENV-2024-CHC-31 GlenPanel Limited

⁹⁸⁷ Clause 16(2) memorandum (14 October 2025)

- (4) identify and provide for locations that are suitable for urban intensification in accordance with UFD-P3,
- (5) identify and provide for locations that are suitable for urban expansion, if any, in accordance with UFD-P4,
- (6) identify and provide for *commercial activities* in accordance with UFD-P5,
- (7) identify and provide for *industrial activities* in accordance with UFD-P6, and
- (8) involve *mana whenua* and provide opportunities for iwi, hapū and whānau involvement in planning processes, including in decision making

UFD-M3 – Design of public spaces and surrounds⁹⁸⁸

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 – Explanation⁹⁸⁹

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 and urban expansion decisions should be preceded and guided by strategic planning processes that consider how best this can be achieved 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

Otago's *urban areas* also contain significant natural, cultural and historic values and features as identified by other parts of this RPS. In all cases while facilitating urban development these values must also be identified, maintained and, wherever possible, enhanced. This approach includes direction on different types of development within *rural areas*, managing the expansion and location of *urban areas*, and rural lifestyle and rural residential 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. The provisions in this chapter also include direction on managing the expansion and location of *urban areas* in terms of the *effects* on and interface with *rural areas*. These provisions work closely with those in the LF-LS chapter which apply to *rural areas*.

The policies in this chapter are primarily focused on directing where urban 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, 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 which will identify how constraints to urban development,

⁹⁸⁸ ENV-2024-CHC-36 Kāi Tahu

⁹⁸⁹ ENV-2024-CHC-31 GlenPanel Limited

such as hazards, landscapes, *highly productive land*, and limits are responded to, and opportunities for meeting demand, integration with lifeline utilities, *infrastructure* and other requirements may be provided for. They will be implemented by a range of regulatory and non-regulatory methods, including 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.

Principal reasons

UFD-PR1 – Principal reasons⁹⁹⁰

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 RMA 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~~NPSUD.⁹⁹¹

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 utilities* and other and services across the region. Upgrade and replacement of the existing development and ~~infrastructure~~infrastructure⁹⁹² 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~~natural environment, including the impacts of ~~climate change~~climate change.⁹⁹³ ~~Urban areas~~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~~urban areas⁹⁹⁴ 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~~urban environments⁹⁹⁵ 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~~urban environments,⁹⁹⁶ 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-land~~ and *infrastructure*

⁹⁹⁰ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-31 GlenPanel Limited

⁹⁹¹ Clause 16(2) memorandum (14 October 2025)

⁹⁹² Clause 16(2) memorandum (14 October 2025)

⁹⁹³ Clause 16(2) memorandum (14 October 2025)

⁹⁹⁴ Clause 16(2) memorandum (14 October 2025)

⁹⁹⁵ Clause 16(2) memorandum (14 October 2025)

⁹⁹⁶ Clause 16(2) memorandum (14 October 2025)

infrastructure (including transport ~~infrastructure~~*infrastructure*).⁹⁹⁷ 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~~*urban areas*,⁹⁹⁸ 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~~*land*⁹⁹⁹ 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. Reduced consumption reduces sewerage loads, and *water* sensitive design reduces impacts on both supplying and receiving natural systems and can reduce flooding from *stormwater*, and maximise the winter capture and retention of the sun's 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.

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~~*territorial authorities*¹⁰⁰⁰ 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.

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-AER1¹⁰⁰¹

Appropriately scaled strategic planning occurs in advance of regulatory planning, and regulatory plans are changed in a timely manner to facilitate the outcomes identified in these processes.

UFD-AER2¹⁰⁰²

Urban expansion only occurs when suitable and sufficient *development infrastructure* is in place or will be provided at the time of expansion and provision is made for the needs of *additional infrastructure*.

⁹⁹⁷ Clause 16(2) memorandum (14 October 2025)

⁹⁹⁸ Clause 16(2) memorandum (14 October 2025)

⁹⁹⁹ Clause 16(2) memorandum (14 October 2025)

¹⁰⁰⁰ Clause 16(2) memorandum (14 October 2025)

¹⁰⁰¹ ENV-2024-CHC-31 GlenPanel Limited

¹⁰⁰² ENV-2024-CHC-31 GlenPanel Limited

UFD-AER3¹⁰⁰³	<i>Development infrastructure</i> is in place in time to facilitate reasonably expected urban intensification or planned expansion.
UFD-AER4¹⁰⁰⁴	New developments including redevelopments are designed to maximise energy and transport efficiency and minimise impacts on <i>water</i> quality and quantity.
UFD-AER5¹⁰⁰⁵	The majority of new urban 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-AER6¹⁰⁰⁶	The mode share and use of <i>active transport</i> and where available, <i>public transport</i> increases.
UFD-AER9¹⁰⁰⁷	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-AER10¹⁰⁰⁸	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-AER11¹⁰⁰⁹	New rural lifestyle development occurs within areas appropriate for this use.
UFD-AER12¹⁰¹⁰	Urban expansion and urban activities are appropriately planned so that they do not adversely affect the long-term viability of the rural sector and rural communities.
UFD-AER13¹⁰¹¹	<i>Mana whenua</i> are involved in strategic planning and other planning processes.

¹⁰⁰³ ENV-2024-CHC-31 GlenPanel Limited

¹⁰⁰⁴ ENV-2024-CHC-31 GlenPanel Limited

¹⁰⁰⁵ ENV-2024-CHC-31 GlenPanel Limited

¹⁰⁰⁶ ENV-2024-CHC-31 GlenPanel Limited

¹⁰⁰⁷ ENV-2024-CHC-31 GlenPanel Limited

¹⁰⁰⁸ ENV-2024-CHC-31 GlenPanel Limited

¹⁰⁰⁹ ENV-2024-CHC-31 GlenPanel Limited

¹⁰¹⁰ ENV-2024-CHC-31 GlenPanel Limited

¹⁰¹¹ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-31 GlenPanel Limited

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 procedure¹⁰¹²

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 and must be given effect through *regional plans* and *district plans*. As the ORPS is given effect through *regional plans* 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* 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's 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 *mana whenua* and the wider community, so *mana whenua* and stakeholders will be encouraged to be involved with monitoring the provisions of the ORPS.

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 environmental, social, economic, cultural and *historic heritage* values. It will increase transparency by stating what is monitored and why.

¹⁰¹² ENV-2024-CHC-30 Cain Whānau

This goes hand in hand with increasing the ORC's leadership and facilitation role in several areas, including *climate change*.

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, noting that sub-values are not all-inclusive:

Table 4: *Values of outstanding water bodies*

Values	Description	Example sub-values
Ecology	A <i>water body</i> which has outstanding ecological value as a habitat for: • Native birds • Native fish • Other aquatic species	Native birds, native fish, native plants, aquatic macroinvertebrates
Landscape	A <i>water body</i> that: (1) is an essential component of a landscape or natural feature that is “conspicuous, eminent, remarkable or iconic” within the region, and (2) has landscape, wild and/or scenic values that contain distinctive qualities which are outstanding in the context of the region.	Scenic, association, natural characteristics (includes hydrological, ecological and geological features)
Natural character	A <i>water body</i> with naturalness that: (1) exhibits combination of natural processes, natural patterns and natural elements that is exceptional in the context of the region, and (2) has little to no human 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 – Criteria for identifying areas that qualify as ~~significant indigenous~~¹⁰¹³ natural areas (SNAs)¹⁰¹⁴

This appendix sets out the criteria for identifying significant ~~indigenous vegetation~~¹⁰¹⁵ indigenous vegetation¹⁰¹⁵ or significant *habitats* of indigenous fauna in a specific area, so that the area qualifies as an SNA.

The assessment must be done using the assessment criteria in this Appendix~~1~~¹⁰¹⁶ and in accordance with the following principles:

- (a) partnership: ~~territorial authorities~~¹⁰¹⁷ territorial authorities engage early with ~~mana whenua~~¹⁰¹⁷ mana whenua¹⁰¹⁷ and landowners and share information about *indigenous biodiversity*, potential management options, and any support and incentives that may be available:
- (b) transparency: ~~territorial authorities~~¹⁰¹⁸ territorial authorities clearly inform ~~mana whenua~~¹⁰¹⁸ mana whenua¹⁰¹⁸ and landowners about how any information gathered will be used and make existing information, draft assessments and other relevant information available to ~~mana whenua~~¹⁰¹⁸ mana whenua¹⁰¹⁸ and relevant landowners for review:
- (c) quality: wherever practicable, the values and extent of natural areas are verified by physical inspection; but if a physical inspection is not practicable (because, for instance, the area is inaccessible, or a landowner does not give access) the *local authority*¹⁰¹⁹ uses the best information available to it at the time:
- (d) access: if a physical inspection is required, permission of the landowner is first sought and the powers of entry under section 333 of the Act are used only as a last resort:
- (e) consistency: the criteria in this Appendix~~1~~¹⁰²⁰ are applied consistently, regardless of who owns the ~~land~~¹⁰²¹ land¹⁰²¹:
- (f) boundaries: the boundaries of areas of significant ~~indigenous vegetation~~¹⁰²² indigenous vegetation¹⁰²² or significant *habitat* ~~of~~¹⁰²³ indigenous fauna are determined without regard to artificial margins (such as property boundaries) that would affect the extent or ecological integrity of the area identified.

1 What qualifies as an SNA

- (1) An area qualifies as an SNA if it meets any one of the attributes of the following four criteria:

- (a) representativeness:
- (b) diversity and pattern:
- (c) rarity and distinctiveness:

¹⁰¹³ Clause 16(2) memorandum (5 December 2024)

¹⁰¹⁴ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-38 NZTA, ENV-2024-CHC-29 Oceana Gold

¹⁰¹⁵ Clause 16(2) memorandum (14 October 2025)

¹⁰¹⁶ Clause 16(2) memorandum (24 March 2025)

¹⁰¹⁷ Clause 16(2) memorandum (14 October 2025)

¹⁰¹⁸ Clause 16(2) memorandum (14 October 2025)

¹⁰¹⁹ Clause 16(2) memorandum (5 May 2025)

¹⁰²⁰ Clause 16(2) memorandum (24 March 2025)

¹⁰²¹ Clause 16(2) memorandum (14 October 2025)

¹⁰²² Clause 16(2) memorandum (14 October 2025)

¹⁰²³ Clause 16(2) memorandum (24 March 2025)

(d) ecological context.

(2) If an area would ~~qualify~~quality¹⁰²⁴ as an *SNA* solely on the grounds that it provides *habitat* for a single indigenous fauna species that is At Risk (declining), and that the species is widespread in at least three other regions, the area does not ~~qualify~~quality¹⁰²⁵ as an *SNA* unless:

- (a) the species is rare within the region or *ecological district* where the area is located; or
- (b) the protection of the species at that location is important for the persistence of the species as a whole.

(3) If an area would qualify as an *SNA* solely on the grounds that it contains one or more indigenous flora species that are *Threatened or At Risk (declining)*¹⁰²⁶, and those species are widespread in at least three other regions, the area does not qualify as an *SNA* unless:

- (a) the species is rare within the region or *ecological district* where the area is located; or
- (b) the protection of the species at that location is important for the persistence of the species as a whole.

2 Context for assessment

(1) The context for an assessment of an area is:

- (a) its *ecological district*; and
- (b) for the ~~rarity~~rarity¹⁰²⁷ assessment only, its *ecological district*, its region and the national context.

3 Manner and form of assessment

(1) Every assessment must include at least:

- (a) a map of the area; and
- (b) a general description of its significant attributes, with reference to relevant criteria (as specified below); and
- (c) a general description of the ~~indigenous vegetation~~indigenous vegetation,¹⁰²⁸ indigenous fauna, *habitat*, and ecosystems present; and
- (d) additional information, such as the key threats, pressures, and management requirements; and
- (e) for *SNAs* in areas of Crown-owned land referred to in clause 3.8(8), the conservation management strategy or plan or national park management plan that applies to the area.

(2) An assessment under this appendix must be conducted by a suitably qualified ecologist (which, in the case of an assessment of a geothermal ecosystem, requires an ecologist with geothermal expertise).

A Representativeness criterion

(1) Representativeness is the extent to which the ~~indigenous vegetation~~indigenous vegetation¹⁰²⁹ or *habitat* of indigenous fauna in an area is typical or characteristic of the *indigenous biodiversity* of the relevant *ecological district*.

¹⁰²⁴ Clause 16(2) memorandum (24 March 2025)

¹⁰²⁵ Clause 16(2) memorandum (24 March 2025)

¹⁰²⁶ Clause 16(2) memorandum (5 May 2025)

¹⁰²⁷ Clause 16(2) memorandum (24 March 2025)

¹⁰²⁸ Clause 16(2) memorandum (14 October 2025)

¹⁰²⁹ Clause 16(2) memorandum (14 October 2025)

- (2) Significant ~~indigenous vegetation~~indigenous vegetation has ecological integrity typical of the ~~indigenous vegetation~~indigenous vegetation of the *ecological district* in the present-day ~~environment~~environment. It includes seral (regenerating) ~~indigenous vegetation~~indigenous vegetation that is recovering following natural or induced disturbance, provided species composition is typical of that type of ~~indigenous vegetation~~indigenous vegetation.¹⁰³⁰
- (3) Significant indigenous fauna *habitat* is that which supports the typical suite of indigenous animals that would occur in the present-day environment. *Habitat* of indigenous fauna may be indigenous or exotic.
- (4) Representativeness may include commonplace ~~indigenous vegetation~~indigenous vegetation¹⁰³¹ and the *habitats* of indigenous fauna, which is where most *indigenous biodiversity* is present. It may also include degraded indigenous vegetation, ecosystems and *habitats* that are typical of what remains in depleted *ecological districts*. It is not restricted to the best or most representative examples, and it is not a measure of how well that ~~indigenous vegetation~~indigenous vegetation¹⁰³² or *habitat* is protected elsewhere in the *ecological district*.
- (5) When considering the typical character of an *ecological district*, any highly developed ~~land-land~~¹⁰³³ or built-up areas should be excluded.
- (6) The application of this criterion should result in identification of indigenous vegetation and *habitats* that are representative of the full range and extent of ecological diversity across all environmental gradients in an *ecological district*, such as climate, altitude, landform, and soil sequences. The ecological character and pattern of the indigenous vegetation in the *ecological district* should be described by reference to the types of indigenous vegetation and the landforms on which it occurs,

Attributes of representativeness

- (7) An area that qualifies as an *SNA* under this criterion has at least¹⁰³⁴ one of the following attributes:
 - (a) Indigenous vegetation that has ecological integrity that is typical of the character of the *ecological district*:
 - (b) *habitat* that supports a typical suite of indigenous fauna that is characteristic of the *habitat* type in the *ecological district* and retains at least a moderate range of species expected for that *habitat* type in the *ecological district*.

B Diversity and pattern criterion

- (1) Diversity and pattern is the extent to which the expected range of diversity and pattern¹⁰³⁵ of biological and physical components within the relevant *ecological district* is present in an area.

Key assessment principles

- (2) **Diversity of biological components** is expressed in the variation of species, communities, and ecosystems. ~~Biological diversity~~Biological diversity¹⁰³⁶ is associated with variation in physical components, such as geology, soils/substrate, aspect/exposure, altitude/depth, temperature, and salinity.
- (3) **Pattern** includes changes along environmental and landform gradients, such as ecotones and

¹⁰³⁰ Clause 16(2) memorandum (14 October 2025)

¹⁰³¹ Clause 16(2) memorandum (14 October 2025)

¹⁰³² Clause 16(2) memorandum (14 October 2025)

¹⁰³³ Clause 16(2) memorandum (14 October 2025)

¹⁰³⁴ Clause 16(2) memorandum (24 March 2025)

¹⁰³⁵ Clause 16(2) memorandum (24 March 2025)

¹⁰³⁶ Clause 16(2) memorandum (14 October 2025)

sequences.

- (4) **Natural areas** that have a wider range of species, *habitats* or communities or wider environmental variation due to ecotones, gradients, and sequences in the context of the *ecological district*, rate more highly under this criterion.

Attributes of diversity and pattern

- (5) An area that qualifies as a ~~significant natural area~~ significant natural area¹⁰³⁷ under this criterion has at least one of the following attributes:

- (a) at least a moderate diversity of ~~indigenous species~~ indigenous species,¹⁰³⁸ vegetation, *habitats* of indigenous fauna or communities in the context of the *ecological district*:
- (b) presence of indigenous ecotones, complete or partial gradients or sequences.

C Rarity and distinctiveness criterion

- (1) Rarity and distinctiveness is the presence of rare or distinctive indigenous taxa, *habitats* of indigenous fauna, ~~indigenous vegetation~~ indigenous vegetation¹⁰³⁹ or ecosystems.¹⁰⁴⁰

Key assessment principles

- (2) **Rarity** is the scarcity (natural or induced) of indigenous elements: species, ~~habitats~~ habits¹⁰⁴¹, vegetation, or ecosystems. Rarity includes elements that are uncommon or threatened.
- (3) **The list of Threatened and At Risk species** is regularly updated by the Department of Conservation. Rarity at a regional or *ecological district* scale is defined by regional or district lists or determined by expert ecological advice. The significance of nationally listed Threatened and At Risk species should not be downgraded just because they are common within a region or *ecological district*.
- (4) **Depletion of** ~~indigenous vegetation~~ indigenous vegetation **or ecosystems** is assessed using *ecological districts* and ~~land-land environments~~ environments.¹⁰⁴²
- (5) **Distinctiveness** includes distribution limits, type localities, local endemism, relict distributions and ~~special species~~ species¹⁰⁴³ ecological or scientific features.

Attributes of rarity and distinctiveness

- (6) An area that qualifies as an *SNA* under this criterion has at least one of the following attributes:
- (a) provides *habitat* for an indigenous species that is listed as *Threatened or At Risk (declining)*¹⁰⁴⁴ in the New Zealand Threat Classification System lists:
- (b) an ~~indigenous vegetation~~ indigenous vegetation¹⁰⁴⁵ type or an indigenous species that is uncommon within the region or *ecological district*:
- (c) an ~~indigenous species~~ indigenous species¹⁰⁴⁶ or plant community at or near its natural

¹⁰³⁷ Clause 16(2) memorandum (14 October 2025)

¹⁰³⁸ Clause 16(2) memorandum (14 October 2025)

¹⁰³⁹ Clause 16(2) memorandum (14 October 2025)

¹⁰⁴⁰ Clause 16(2) memorandum (24 March 2025)

¹⁰⁴¹ Clause 16(2) memorandum (24 March 2025)

¹⁰⁴² Clause 16(2) memorandum (14 October 2025)

¹⁰⁴³ Clause 16(2) memorandum (24 March 2025)

¹⁰⁴⁴ Clause 16(2) memorandum (5 May 2025)

¹⁰⁴⁵ Clause 16(2) memorandum (14 October 2025)

¹⁰⁴⁶ Clause 16(2) memorandum (14 October 2025)

distributional limit:

- (d) ~~indigenous vegetation~~indigenous vegetation¹⁰⁴⁷ that has been reduced to less than 20 per cent of its prehuman extent in the *ecological district*, region, or land environment:
- (e) ~~indigenous vegetation~~indigenous vegetation¹⁰⁴⁸ or *habitat* of indigenous fauna occurring on naturally uncommon ecosystems:
- (f) the type locality of an ~~indigenous species~~indigenous species.¹⁰⁴⁹
- (g) the presence of a distinctive assemblage or community of ~~indigenous species~~indigenous vegetation.¹⁰⁵⁰
- (h) the presence of a special ecological or scientific feature.

D Ecological context criterion

- (1) Ecological context is the extent to which the size, shape, and configuration of an area within the wider surrounding landscape contributes to its ability to maintain *indigenous biodiversity* or affects the ability of the surrounding landscape to maintain its *indigenous biodiversity*.

Key assessment principles

- (2) Ecological context has two main assessment principles:
 - (a) the characteristics that help maintain *indigenous biodiversity* (such as size, shape, and configuration) in the area; and
 - (b) the contribution the area makes to protecting *indigenous biodiversity* in the wider landscape (such as by linking, connecting to or buffering other natural areas, providing 'stepping stones' of *habitat* or maintaining ecological integrity).

Attributes of ecological context

- (3) An area that qualifies as an *SNA* under this criterion has at least one of the following attributes:
 - (a) at least moderate size and compact shape, in the context of the relevant *ecological district*:
 - (b) well-buffered relative to remaining *habitats* in the relevant *ecological district*:
 - (c) provides an important full or partial buffer to, or link between, one or more important *habitats* of indigenous fauna or *significant natural areas*:
 - (d) important for the natural functioning of an ecosystem relative to remaining *habitats* in the *ecological district*; and
 - (e) an area that is important for a population of indigenous fauna during a critical part of their lifecycle, either seasonally or permanently, e.g. for feeding, resting, nesting, breeding, spawning or refuges from predation.

¹⁰⁴⁷ Clause 16(2) memorandum (14 October 2025)

¹⁰⁴⁸ Clause 16(2) memorandum (14 October 2025)

¹⁰⁴⁹ Clause 16(2) memorandum (14 October 2025)

¹⁰⁵⁰ Clause 16(2) memorandum (14 October 2025)

APP3 – Principles for ~~biodiversity offsetting~~biodiversity offsetting^{1051, 1052}

These principles apply to the use of ~~biodiversity offsets~~biodiversity offsets for adverse ~~effects-effects~~¹⁰⁵³ on *indigenous biodiversity*. An applicant is to comply with principles 1 to 6 and have regard to the remaining principles as appropriate.¹⁰⁵⁴

- (1) **Adherence to ~~effects—management hierarchy~~effects management hierarchy**¹⁰⁵⁵ A ~~biodiversity offset~~biodiversity offset is a commitment to redress more than minor residual adverse ~~effects-effects~~ and should be contemplated only after steps to avoid, minimise, and remedy adverse ~~effects-effects~~¹⁰⁵⁶ are demonstrated to have been sequentially exhausted.
- (2) **When *biodiversity offsetting* is not appropriate:** ~~Biodiversity offsets~~Biodiversity offsets¹⁰⁵⁷ are not appropriate in situations where *indigenous biodiversity* values cannot be offset to achieve a net gain. Examples of an offset not being appropriate include where:
 - (a) residual adverse ~~effects-effects~~¹⁰⁵⁸ cannot be offset because of the irreplaceability or vulnerability of the *indigenous biodiversity* affected;
 - (b) ~~effects-effects~~ on *indigenous biodiversity* are uncertain, unknown, or little understood, but potential ~~effects-effects~~¹⁰⁵⁹ are significantly adverse or irreversible;
 - (c) there are no technically feasible options by which to secure gains within an acceptable timeframe.
 - (d) the loss from an *ecological district* of any individuals of Threatened *taxa*, other than ~~kanuka~~kānuka¹⁰⁶⁰ (*Kunzea robusta* and *Kunzea serotina*), under the New Zealand Threat Classification System (Townsend et al, 2008); or
 - (e) the likely worsening of the conservation status of any *indigenous biodiversity* as listed under the New Zealand Threat Classification System (Townsend et al, 2008); or
 - (f) the removal or loss of health and *resilience* of a naturally uncommon ecosystem type that is associated with *indigenous vegetation* or *habitat* of indigenous fauna.
- (3) **Net gain:** This principle reflects a standard of acceptability for demonstrating, and then achieving, a net gain in *indigenous biodiversity* values. Net gain is demonstrated by a like-for-like quantitative loss/gain calculation of the following, and is achieved when the *indigenous biodiversity* values at the offset site are equivalent to or exceed those being lost at the impact site:
 - (a) types of *indigenous biodiversity*, including when ~~indigenous species~~indigenous species¹⁰⁶¹ depend on introduced species for their persistence; and
 - (b) amount; and
 - (c) condition (structure and quality).

¹⁰⁵¹ Clause 16(2) memorandum (14 October 2025)

¹⁰⁵² ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-27 Forestry Appellants, ENV-2024-CHC-38 NZTA, ENV-2024-CHC-29 Oceana Gold

¹⁰⁵³ Clause 16(2) memorandum (14 October 2025)

¹⁰⁵⁴ Clause 16(2) memorandum (24 March 2025)

¹⁰⁵⁵ Clause 16(2) memorandum (14 October 2025)

¹⁰⁵⁶ Clause 16(2) memorandum (14 October 2025)

¹⁰⁵⁷ Clause 16(2) memorandum (14 October 2025)

¹⁰⁵⁸ Clause 16(2) memorandum (14 October 2025)

¹⁰⁵⁹ Clause 16(2) memorandum (14 October 2025)

¹⁰⁶⁰ Clause 16(2) memorandum (14 October 2025)

¹⁰⁶¹ Clause 16(2) memorandum (14 October 2025)

- (4) **Additionality:** A ~~biodiversity offset~~biodiversity offset achieves gains in *indigenous biodiversity* above and beyond gains that would have occurred in the absence of the offset, such as gains that are additional to any minimisation and remediation undertaken in relation to the adverse ~~effects~~effects¹⁰⁶² of the activity.
- (5) **Leakage:** ~~Biodiversity offset~~Biodiversity offset¹⁰⁶³ design and implementation avoids displacing harm¹⁰⁶⁴ to other *indigenous biodiversity* in the same or any other location.
- (6) **Long-term outcomes:** A ~~biodiversity offset~~biodiversity offset¹⁰⁶⁵ is managed to secure outcomes of the activity that last at least as long as the impacts, and preferably in perpetuity. Consideration must be given to long-term issues around funding, location, management and monitoring.
- (7) **Landscape context:** *Biodiversity offsetting* is undertaken where this will result in the best ecological outcome, preferably close to the impact site or within the same *ecological district*. The action considers the landscape context of both the impact site and the offset site, taking into account interactions between species, *habitats* and ecosystems, special connections, and *ecosystem function*.
- (8) **Time lags:** The delay between loss of, or ~~effects~~effects¹⁰⁶⁶ on, *indigenous biodiversity* values at the impact site and the gain or maturity of *indigenous biodiversity* at the offset site is minimised so that the calculated gains are achieved within the consent period or, as appropriate, a longer period (but not more than 35 years).
- (9) **Science and mātauraka Māori:** The design and implementation of a ~~biodiversity offset~~biodiversity offset¹⁰⁶⁷ is a documented process informed by science and mātauraka Māori.
- (10) ~~Mana whenua~~Mana whenua and stakeholder participation: Opportunity for the effective and early participation of ~~mana whenua~~mana whenua and stakeholders is demonstrated when planning ~~biodiversity offsets~~biodiversity offset,¹⁰⁶⁸ including their evaluation, selection, design, implementation, and monitoring.
- (11) **Transparency:** The design and implementation of a ~~biodiversity offset~~biodiversity offset,¹⁰⁶⁹ and communication of its results to the public, is undertaken in a transparent and timely manner.

¹⁰⁶² Clause 16(2) memorandum (14 October 2025)

¹⁰⁶³ Clause 16(2) memorandum (14 October 2025)

¹⁰⁶⁴ Clause 16(2) memorandum (24 March 2025)

¹⁰⁶⁵ Clause 16(2) memorandum (14 October 2025)

¹⁰⁶⁶ Clause 16(2) memorandum (14 October 2025)

¹⁰⁶⁷ Clause 16(2) memorandum (14 October 2025)

¹⁰⁶⁸ Clause 16(2) memorandum (14 October 2025)

¹⁰⁶⁹ Clause 16(2) memorandum (14 October 2025)

APP4 – Principles for ~~biodiversity compensation~~biodiversity compensation^{1070, 1071}

These principles apply to the use of ~~biodiversity compensation~~biodiversity compensation for adverse ~~effects~~effects¹⁰⁷² on *indigenous biodiversity*. An applicant is to comply with principles 1 to 6 and have regard to the remaining principles as appropriate.¹⁰⁷³

- (1) **Adherence to ~~effects—management hierarchy~~effects management hierarchy**:¹⁰⁷⁴ *Biodiversity compensation* is a commitment to redress more than minor residual adverse ~~effects~~effects, and should be contemplated only after steps to avoid, minimise, remedy, and offset adverse ~~effects~~effects¹⁰⁷⁵ are demonstrated to have been sequentially exhausted.
- (2) **When *biodiversity compensation* is not appropriate**: *Biodiversity compensation* is not appropriate where *indigenous biodiversity* values are not able to be compensated for. Examples of *biodiversity compensation* not being appropriate include where:

- (a) the *indigenous biodiversity* affected is irreplaceable or vulnerable;
- (b) ~~effects~~effects¹⁰⁷⁶ on *indigenous biodiversity* are uncertain, unknown, or ~~a~~¹⁰⁷⁷ little understood, but potential ~~effects~~effects¹⁰⁷⁸ are significantly adverse or irreversible;
- (c) there are no technically feasible options by which to secure a proposed net gain within acceptable timeframes;¹⁰⁷⁹
- (d) the loss from an ecological district of Threatened taxa, other than ~~kanuka-kānuka~~ (~~Kunzea robusta~~Kunzea robusta and ~~Kunzea serotina~~Kunzea serotina),¹⁰⁸⁰ under the New Zealand Threat Classification System (Townsend et al, 2008); ~~or~~,¹⁰⁸¹
- (e) removal or loss of viability of the *habitat* of a Threatened *indigenous species* of fauna or flora under the New Zealand Threat Classification System (Townsend et al, 2008);¹⁰⁸²
- (f) removal or loss of health and *resilience* of a naturally uncommon ecosystem type that is associated with *indigenous vegetation* or *habitat* of indigenous fauna;¹⁰⁸³
- (g) the likely worsening of the conservation status of any *Threatened or At Risk*¹⁰⁸⁴ *indigenous biodiversity* listed under the New Zealand Threat Classification System (Townsend et al, 2008).

- (3) **Scale of ~~biodiversity compensation~~biodiversity compensation**: The *indigenous biodiversity* values lost through the activity to which the *biodiversity compensation* applies are addressed by positive ~~effects~~effects¹⁰⁸⁵ to *indigenous biodiversity* (including when indigenous species depend on introduced species

¹⁰⁷⁰ Clause 16(2) memorandum (14 October 2025)

¹⁰⁷¹ ENV-2024-CHC-30 Cain Whānau, ENV-2024-CHC-27 Forestry Appellants, ENV-2024-CHC-38 NZTA, ENV-2024-CHC-29 Oceana Gold

¹⁰⁷² Clause 16(2) memorandum (14 October 2025)

¹⁰⁷³ Clause 16(2) memorandum (24 March 2025)

¹⁰⁷⁴ Clause 16(2) memorandum (14 October 2025)

¹⁰⁷⁵ Clause 16(2) memorandum (14 October 2025)

¹⁰⁷⁶ Clause 16(2) memorandum (14 October 2025)

¹⁰⁷⁷ Clause 16(2) memorandum (24 March 2025)

¹⁰⁷⁸ Clause 16(2) memorandum (14 October 2025)

¹⁰⁷⁹ Clause 16(2) memorandum (24 March 2025)

¹⁰⁸⁰ Clause 16(2) memorandum (14 October 2025)

¹⁰⁸¹ Clause 16(2) memorandum (24 March 2025)

¹⁰⁸² Clause 16(2) memorandum (24 March 2025)

¹⁰⁸³ Clause 16(2) memorandum (24 March 2025)

¹⁰⁸⁴ Clause 16(2) memorandum (5 May 2025)

¹⁰⁸⁵ Clause 16(2) memorandum (14 October 2025)

for their persistence), that outweigh the adverse effects.

- (4) **Additionality:** *Biodiversity compensation* achieves gains in *indigenous biodiversity* above and beyond gains that would have occurred in the absence of the compensation, such as gains that are additional to any minimisation and remediation or offsetting undertaken in relation to the adverse ~~effects-effects~~¹⁰⁸⁶ of the activity.
- (5) **Leakage:** *Biodiversity compensation* design and implementation avoids displacing harm to other *indigenous biodiversity* in the same or any other location.
- (6) **Long-term outcomes:** *Biodiversity compensation* is managed¹⁰⁸⁷ to secure outcomes of the activity that last as least as long as the impacts, and preferably in perpetuity. Consideration must be given to long-term issues around funding, location, management, and monitoring.
- (7) **Landscape context:** *Biodiversity compensation* is undertaken where this will result in the best ecological outcome, preferably close to the impact site or within the same *ecological district*. The action considers the landscape context of both the impact site and the compensation site taking into account interactions between species, *habitats*,¹⁰⁸⁸ and ecosystems, spatial connections, and *ecosystem function*.
- (8) **Time lags:** The delay between loss of, or ~~effects-effects~~¹⁰⁸⁹ on, *indigenous biodiversity* values at the impact site and the gain or maturity of *indigenous biodiversity* at the compensation site is minimised so that the calculated gains are achieved within the consent period or, as appropriate, a longer period (but not more than 35 years).¹⁰⁹⁰
- (9) **Trading up:** When trading up forms part of *biodiversity compensation*¹⁰⁹¹, the proposal demonstrates that the *indigenous biodiversity* gains are demonstrably greater or higher than those lost. The proposal also shows the values are not to *Threatened or At Risk (declining) species* or to species considered vulnerable or irreplaceable.
- (10) **Financial contributions:** A financial contribution is only considered if:
 - (a) there is no effective option available for delivering biodiversity gains on the ground; and
 - (b) it directly funds an intended biodiversity gain or benefit that complies with the rest of these principles.
- (11) **Science and mātauraka Māori:** The design and implementation of *biodiversity compensation* is a documented process informed by science, and mātauraka Māori.
- (12) ~~Mana whenua~~*Mana whenua* **and stakeholder participation:** Opportunity for the effective and early participation of ~~mana whenua~~*mana whenua* and stakeholders is demonstrated when planning for ~~biodiversity compensation~~*biodiversity compensation*,¹⁰⁹² including its evaluation, selection, design, implementation, and monitoring.
- (13) **Transparency:** The design and implementation of *biodiversity compensation*¹⁰⁹³, and communication of its results to the public, is undertaken in a transparent and timely manner.
- (14) **Achievability:** The *biodiversity compensation* outcome is demonstrably achievable.

¹⁰⁸⁶ Clause 16(2) memorandum (14 October 2025)

¹⁰⁸⁷ Clause 16(2) memorandum (24 March 2025)

¹⁰⁸⁸ Clause 16(2) memorandum (24 March 2025)

¹⁰⁸⁹ Clause 16(2) memorandum (14 October 2025)

¹⁰⁹⁰ Clause 16(2) memorandum (14 October 2025)

¹⁰⁹¹ Clause 16(2) memorandum (24 March 2025)

¹⁰⁹² Clause 16(2) memorandum (14 October 2025)

¹⁰⁹³ Clause 16(2) memorandum (24 March 2025)

APP4A – Principles for ~~aquatic offsetting~~aquatic offsetting¹⁰⁹⁴

These principles apply to the use of ~~aquatic offsets~~aquatic offsets for the loss of extent or values of natural inland ~~wetlands~~wetlands and ~~rivers~~rivers¹⁰⁹⁵ (“extent or values” below).

1. **Adherence to ~~effects management hierarchy~~effects management hierarchy:** An ~~aquatic offset~~aquatic offset is a commitment to redress more than minor residual adverse ~~effects~~effects, and should be contemplated only after steps to avoid, minimise, and remedy adverse ~~effects~~effects¹⁰⁹⁶ are demonstrated to have been sequentially exhausted.
2. **When ~~aquatic offsetting~~aquatic offsetting is not appropriate:** ~~Aquatic offsets~~Aquatic offsets¹⁰⁹⁷ are not appropriate in situations where, in terms of conservation outcomes, the extent or values cannot be offset to achieve no net loss, and preferably a net gain, in the extent and values. Examples of an offset not being appropriate would include where:
 - (a) residual adverse ~~effects~~effects¹⁰⁹⁸ cannot be offset because of the irreplaceability or vulnerability of the extent or values affected:
 - (b) ~~effects~~effects on the extent or values are uncertain, unknown, or little understood, but potential ~~effects~~effects¹⁰⁹⁹ are significantly adverse:
 - (c) there are no technically feasible options by which to secure proposed no net loss and preferably a net gain outcome within an acceptable timeframe.
3. **No net loss and preferably a net gain:** This is demonstrated by a like-for-like quantitative loss/gain calculation, and is achieved when the extent or values gained at the offset site (measured by type, amount and condition) are equivalent to or exceed those being lost at the impact site.
4. **Additionality:** An ~~aquatic offset~~aquatic offset achieves gains in extent or values above and beyond gains that would have occurred in the absence of the offset, such as gains that are additional to any minimisation and remediation undertaken in relation to the adverse ~~effects~~effects¹¹⁰⁰ of the activity.
5. **Leakage:** ~~Aquatic offset~~Aquatic offset design and implementation avoids displacing harm to other locations (including harm to existing ~~biodiversity~~biodiversity¹¹⁰¹ at the offset site).
6. **Long-term outcomes:** An aquatic offset is managed to secure outcomes of the activity that last at least as long as the impacts, and preferably in perpetuity. Consideration must be given to long-term issues around funding, location, management and monitoring.
7. **Landscape context:** An ~~aquatic offset~~aquatic offset action is undertaken where this will result in the best ecological outcome, preferably close to the impact site or within the same ~~ecological district~~ecological district. The action considers the landscape context of both the impact site and the offset site, taking into account interactions between species, ~~habitats~~habitats and ecosystems, spatial and hydrological connections, and ~~ecosystem function~~ecosystem function.¹¹⁰²
8. **Time lags:** The delay between loss of extent or values at the impact site and the gain or maturity of

¹⁰⁹⁴ Clause 16(2) memorandum (14 October 2025)

¹⁰⁹⁵ Clause 16(2) memorandum (14 October 2025)

¹⁰⁹⁶ Clause 16(2) memorandum (14 October 2025)

¹⁰⁹⁷ Clause 16(2) memorandum (14 October 2025)

¹⁰⁹⁸ Clause 16(2) memorandum (14 October 2025)

¹⁰⁹⁹ Clause 16(2) memorandum (14 October 2025)

¹¹⁰⁰ Clause 16(2) memorandum (14 October 2025)

¹¹⁰¹ Clause 16(2) memorandum (14 October 2025)

¹¹⁰² Clause 16(2) memorandum (14 October 2025)

extent or values at the offset site is minimised so that the calculated gains are achieved within the consent period or, as appropriate, a longer period (but not more than 35 years).

9. **Science and ~~mātauranga-mātauraka~~ Māori:** The design and implementation of an ~~aquatic-offset~~aquatic offset is a documented process informed by science where available, and ~~mātauranga-mātauraka~~¹¹⁰³ Māori at place.
10. **~~Tangata-whenua~~Takata whenua or stakeholder participation:** Opportunity for the effective and early participation of ~~tangata-whenua~~takata whenua or stakeholders is demonstrated when planning ~~aquatic offsets~~aquatic offsets,¹¹⁰⁴ including their evaluation, selection, design, implementation, and monitoring.
11. **Transparency:** The design and implementation of an ~~aquatic-offset~~aquatic offset,¹¹⁰⁵ and communication of its results to the public, is undertaken in a transparent and timely manner.

¹¹⁰³ Clause 16(2) memorandum (14 October 2025)

¹¹⁰⁴ Clause 16(2) memorandum (14 October 2025)

¹¹⁰⁵ Clause 16(2) memorandum (14 October 2025)

APP4B – Principles for ~~aquatic compensation~~aquatic compensation¹¹⁰⁶

These principles apply to the use of ~~aquatic compensation~~aquatic compensation for the loss of extent or values of natural inland ~~wetlands~~wetlands and ~~rivers~~rivers¹¹⁰⁷ (“extent or values” below).

1. **Adherence to ~~effects—management—hierarchy~~effects management hierarchy:** ~~Aquatic compensation~~Aquatic compensation is a commitment to redress more than minor residual adverse ~~effects~~effects, and should be contemplated only after steps to avoid, minimise, remedy, and offset adverse ~~effects~~effects¹¹⁰⁸ are demonstrated to have been sequentially exhausted.
2. **When ~~aquatic compensation~~aquatic compensation is not appropriate:** ~~Aquatic compensation~~Aquatic compensation¹¹⁰⁹ is not appropriate where, in terms of conservation outcomes, the extent or values are not able to be compensated for. Examples of aquatic compensation not being appropriate would include where:
 - (a) the affected part of the natural inland ~~wetland~~wetland or ~~river~~river ~~bed~~bed,¹¹¹⁰ or its values, including species, are irreplaceable or vulnerable:
 - (b) ~~effects~~effects on the extent or values are uncertain, unknown, or little understood, but potential ~~effects~~effects¹¹¹¹ are significantly adverse:
 - (c) there are no technically feasible options by which to secure gains within an acceptable timeframe.
3. **Scale of aquatic compensation:** The extent or values to be lost through the activity to which the aquatic compensation applies are addressed by positive effects that outweigh the adverse effects.
4. **Additionality:** ~~Aquatic compensation~~Aquatic compensation achieves gains in extent or values above and beyond gains that would have occurred in the absence of the compensation, such as gains that are additional to any minimisation and remediation or offsetting undertaken in relation to the adverse ~~effects~~effects¹¹¹² of the activity.
5. **Leakage:** ~~Aquatic compensation~~Aquatic compensation design and implementation avoids displacing harm to other locations (including harm to existing ~~biodiversity~~biodiversity¹¹¹³ at the compensation site).
6. **Long-term outcomes:** Aquatic compensation is managed to secure outcomes of the activity that last as long as the impacts, and preferably in perpetuity. Consideration must be given to long-term issues around funding, location, management, and monitoring.
7. **Landscape context:** An ~~aquatic compensation~~aquatic compensation action is undertaken where this will result in the best ecological outcome, preferably close to the impact site or within the same ~~ecological district~~ecological district. The action considers the landscape context of both the impact site and the compensation site, taking into account interactions between species, ~~habitats~~habitats and ecosystems, spatial and hydrological connections, and ~~ecosystem function~~ecosystem function.¹¹¹⁴

¹¹⁰⁶ Clause 16(2) memorandum (14 October 2025)

¹¹⁰⁷ Clause 16(2) memorandum (14 October 2025)

¹¹⁰⁸ Clause 16(2) memorandum (14 October 2025)

¹¹⁰⁹ Clause 16(2) memorandum (14 October 2025)

¹¹¹⁰ Clause 16(2) memorandum (14 October 2025)

¹¹¹¹ Clause 16(2) memorandum (14 October 2025)

¹¹¹² Clause 16(2) memorandum (14 October 2025)

¹¹¹³ Clause 16(2) memorandum (14 October 2025)

¹¹¹⁴ Clause 16(2) memorandum (14 October 2025)

8. **Time lags:** The delay between loss of extent or values at the impact site and the gain or maturity of extent or values at the compensation site is minimised so that the calculated gains are achieved within the consent period or, as appropriate, a longer period (but not more than 35 years).
9. **Trading up:** When trading up forms part of ~~aquatic compensation~~aquatic compensation, the proposal demonstrates that the aquatic extent or values gained are demonstrably of greater or higher value than those lost. The proposal also shows the values lost are not to ~~Threatened or At Risk/Declining~~Threatened or At Risk (declining)¹¹¹⁵ species or to species considered vulnerable or irreplaceable.
10. **Financial contribution:** A financial contribution is only considered if it directly funds an intended aquatic gain or benefit that complies with the rest of these principles.
11. **Science and ~~mātauranga—mātauraka~~ Māori:** The design and implementation of ~~aquatic compensation~~aquatic compensation is a documented process informed by science where available, and ~~mātauranga—mātauraka~~¹¹¹⁶ Māori at place.
12. **~~Tangata whenua~~Takata whenua or stakeholder participation:** Opportunity for the effective and early participation of ~~tangata whenua~~takata whenua or stakeholders is demonstrated when planning ~~aquatic compensation~~aquatic compensation,¹¹¹⁷ including its evaluation, selection, design, implementation, and monitoring.
13. **Transparency:** The design and implementation of aquatic compensation, and communication of its results to the public, is undertaken in a transparent and timely manner.

¹¹¹⁵ Clause 16(2) memorandum (14 October 2025)

¹¹¹⁶ Clause 16(2) memorandum (14 October 2025)

¹¹¹⁷ Clause 16(2) memorandum (14 October 2025)

APP5 – ~~Species prone to wilding conifer spread~~ Conifer species with spread risk¹¹¹⁸

For the avoidance of doubt, biologically sterile (including as a result of genetic modification) variants of the species listed below are considered to be excluded from this appendix because they do not pose a risk of wilding spread.¹¹¹⁹

Table 5: ~~Species prone to wilding conifer spread~~ Conifer species with spread risk¹¹²⁰

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>Pinus 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> ¹¹²¹
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> ¹¹²²
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>
Strobus pine	<i>Pinus strobus</i>
Western red cedar	<i>Thuja plicata</i>
Western white pine	<i>Pinus monticola</i>

¹¹¹⁸ Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

¹¹¹⁹ Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

¹¹²⁰ Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

¹¹²¹ Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

¹¹²² Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

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) 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.¹¹²³
- (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 should use the Shared Socio-Economic Pathway (SSP) scenarios or Representative Concentration Pathways (RCP) scenarios provided in the National Adaptation Plan.

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

~~Advice note 1: Table 7 shall be utilised by local authorities determining the level of risk presented by a hazard(s) when undertaking plan change or plan review processes.~~

~~Advice note 2: The matters listed in (1) to (11) provide useful considerations for local 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).~~¹¹²⁴

~~Using Table 7 and t~~The matters listed in (1) to (1011) below, are used to inform assess the consequence (catastrophic, major, moderate, minor, or insignificant) of the *natural hazard* scenarios identified in ~~s~~Step 1 for Table 7¹¹²⁵ considering:

- (1) the nature and scale of existing¹¹²⁶ activities in the area,
(1A) the natural and scale of the activity proposed or provided for and any hazard mitigation measures,¹¹²⁷
- (2) individual and community vulnerability and *resilience*,
- (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,

¹¹²³ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

¹¹²⁴ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

¹¹²⁵ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

¹¹²⁶ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

¹¹²⁷ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

- (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-multiple~~¹¹²⁸ 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 impact area have functionality compromised	≥50% of <i>buildings</i> within hazard impact area have functionality compromised	≥25% of critical facilities within hazard impact area 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
Major (IV)	11-24% of <i>buildings</i> of social/cultural significance within hazard impact area have functionality compromised	21-49% of <i>buildings</i> within hazard impact area have functionality compromised	11-24% of <i>buildings</i> within hazard impact area 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)	1 – 10 dead and/or 101 – 1000 injured
Moderate (III)	6-10% of <i>buildings</i> of social/cultural significance within hazard impact area have functionality compromised	11-20% of <i>buildings</i> within hazard impact area have functionality compromised	6-10% of <i>buildings</i> within hazard impact area 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)	11 – 100 injured
Minor (II)	1-5% of <i>buildings</i> of social/cultural significance within hazard impact area have functionality compromised	2-10% of <i>buildings</i> within hazard impact area have functionality compromised	1-5% of <i>buildings</i> within hazard impact area 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)	10 injured
Insignificant (I)	No <i>buildings</i> of social/cultural significance within hazard impact area have functionality compromised	< 1% of <i>buildings</i> within hazard impact area have functionality compromised	No damage within hazard impact area, 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

¹¹²⁸ Clause 16(2) memorandum (14 October 2025)

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.

Step 3 – Assessing 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 acceptable, tolerable, or significant.

Table 8: Risk table

Likelihood	Consequences				
	Insignificant	Minor	Moderate	Major	Catastrophic
Almost certain					
Likely					
Possible					
Unlikely					
Rare					
Green: Acceptable Risk Yellow: Tolerable Risk Red: Significant Risk ¹¹²⁹ Hatching: Quantitative assessment required					

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.

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, undertake with major consequences with an almost certain or likely likelihood, or catastrophic consequence with an almost certain, likely, or possible likelihood, then~~ a quantitative risk assessment is required. If appropriate, there is discretion for local authorities to also require a quantitative risk assessment for risk that does not come within these categories. A quantitative risk assessment will be undertaken utilising¹¹³⁰ the following methodology:¹¹³¹

¹¹²⁹ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

¹¹³⁰ Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

¹¹³¹ This methodology has been developed in general accordance with the Australian Geomechanics Society, 2007 methodology, which may usefully provide additional guidance.

- (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 three hazard scenarios with varying likelihoods to model,¹¹³² including the maximum credible event.
- (2) Model the Annual Individual Fatality Risk (AIFR)¹¹³³ and Annual Property Risk (APR)¹¹³⁴ 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:
 - (a) for areas of new development where the greatest 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 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.

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.

¹¹³² The model should include an analysis of uncertainty.

¹¹³³ Annual probability that an individual most at risk is killed in any one year as a result of the hazards occurring.

¹¹³⁴ Annual probability of total property loss (relating to permanent structures) as a result of the hazards occurring.

APP7 – Identifying *wāhi tūpuna*¹¹³⁵

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 and places that embody the relationship of mana whenua and their culture and traditions with their ancestral lands, *water*, sites, *wāhi tapu* and other taoka. 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 areas of significance include:

Table 9: Areas of significance to Kāi Tahu

Area 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>mahika kai</i> 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>mahika kai</i>	The places where the customary gathering of food or natural materials occurs. <i>Mahika kai</i> 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 wharenui, 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.
Repo raupō	Wetlands or swamps. These provide valued habitat for taoka species and <i>mahika kai</i> resources.
Taumanu	Fishing sites. These are traditional fishing easements which have been gazetted by the South Island Māori Land Court.
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.
Tuhituhi neherā	Rock art sites.
Umu, Umu-tī	Earth ovens. Used for cooking tī-kōuka (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

¹¹³⁵ ENV-2024-CHC-30 Cain Whānau

	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 moa-hunter 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 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).

APP8 – Identification criteria for places and areas of *historic heritage*¹¹³⁶

1. Identifying Areas and Places with Historic Heritage

A place or area is considered to have *historic heritage* if it meets any one or more of criteria below:¹¹³⁷

Archaeological	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	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	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	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	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.
Social	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	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	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

¹¹³⁶ ENV-2024-CHC-30 Cain Whānau

¹¹³⁷ 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, with the exception that the 'Aesthetic' criterion has been removed.

the place particularly able to contribute towards our understanding of this technology.

Traditional

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.

Identification of Special or Outstanding Heritage Values or Qualities

Where, for example, in a resource consent or notice of requirement process, a place or an area that has been identified as having historic heritage values or qualities, and is required to be assessed to determine whether those values or qualities are special or outstanding, that assessment must:

(1) utilise the following criteria:

- (a) the extent to which the place reflects important or representative aspects of Otago or New Zealand history,
- (b) the association of the place with events, persons, or ideas of importance in Otago or New Zealand history,
- (c) the potential of the place to provide knowledge of Otago or New Zealand history,
- (d) the importance of the place to *mana whenua*,¹¹³⁸
- (e) the community association with, or public esteem for, the place,
- (f) the potential of the place for public education,
- (g) the technical accomplishment, value, or design of the place,
- (h) the symbolic or commemorative value of the place,
- (i) the importance of identifying historic places known to date from an early period of Otago's or New Zealand's settlement,
- (j) the importance of identifying rare types of historic places, and
- (k) the extent to which the place forms part of a wider historical and cultural area, and

(2) apply 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).

¹¹³⁸ Clause 16(2) memorandum (5 May 2025)

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 Protocol

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 papatipu rūnaka of the discovery and ensure site access to enable appropriate cultural procedures and tikaka 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 papatipu rūnaka and the above process under 4 must apply. Papatipu rūnaka will lead the management of any kōiwi tangata (human remains of a Māori person) that have been uncovered, in line with the Te Rūnanga o Ngāi Tahu Kōiwi Tangata policy 2019. Remains are not to be moved until such time as papatipu rūnaka 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. Works affecting a site of Māori origin or containing kōiwi tangata must not resume until papatipu rūnaka give 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.

APP12 – Specified highly mobile fauna

Scientific Name	Common name	Ecosystem	Threat category	Found in Otago?	Listed in ORC's Schedule?
<i>Anarhynchus frontalis</i>	ngutu parore/wrybill	Coastal/riverine	Threatened (Nationally Increasing)	Yes	Yes
<i>Anas chlorotis</i>	pāteke/brown teal	wetland/riverine	Threatened (Nationally increasing)		Yes
<i>Anas superciliosa superciliosa</i>	pārera/grey duck	wetland/riverine	Threatened (Nationally Vulnerable)		Yes
<i>Anthus novaeseelandiae novaeseelandiae</i>	pīhoihoi/NZ pipit	forest/open	At Risk (Declining)	Yes	
<i>Apteryx australis 'northern Fiordland'</i>	northern Fiordland tokoeka	forest/open	Threatened (Nationally Vulnerable)		
<i>Apteryx australis australis</i>	southern Fiordland tokoeka	forest/open	Threatened (Nationally Endangered)		
<i>Apteryx haastii</i>	roa/great spotted kiwi	forest/open	Threatened (Nationally Vulnerable)		
<i>Ardea modesta</i>	kotuku/white heron	wetland/riverine	Threatened (Nationally Critical)		Yes
<i>Botaurus poiciloptilus</i>	matuku/bittern	wetland/riverine	Threatened (Nationally Critical)	Yes	Yes
<i>Bowdleria punctata stewartiana</i>	mātātā/Stewart Island fernbird	wetland/riverine	Threatened (Nationally Vulnerable)		
<i>Bowdleria punctata punctata</i>	koroātito/South Island fernbird	wetland/riverine	At Risk (Declining)	Yes	
<i>Bowdleria punctata vealeae</i>	mātātā/North Island fernbird	wetland/riverine	At Risk (Declining)		
<i>Calidris canutus rogersi</i>	huahou/lesser knot	coastal/riverine	At Risk (Declining)	Maybe?	
<i>Chalinolobus tuberculatus</i>	pekapeka/long-tailed bat	forest/open	Threatened (Nationally Critical)	Yes	yes
<i>Charadrius bicinctus bicinctus</i>	pohowera/banded dotterel	coastal/riverine	At Risk (Declining)	Yes	
<i>Charadrius obscurus</i>	tūtiriwhatu/northern NZ dotterel	coastal/riverine	Threatened (Nationally		

Scientific Name	Common name	Ecosystem	Threat category	Found in Otago?	Listed in ORC's Schedule?
<i>aquilonius</i>			Increasing)		
<i>Charadrius obscurus obscurus</i>	tūtiriwhatu/southern NZ dotterel	coastal/riverine	Threatened (Nationally Critical)		
<i>Chlidonias albobristatus</i>	tara pirohe/blackfronted tern	coastal/riverine	Threatened (Nationally Endangered)	Yes	Yes
<i>Egretta sacra sacra</i>	matuku moana/reef heron	coastal/riverine	Threatened (Nationally Endangered)	Yes	Yes
<i>Falco novaeseelandiae ferox</i>	kārearea/bush falcon	forest/open	Threatened (Nationally Increasing)		
<i>Falco novaeseelandiae novaeseelandiae</i>	kārearea/eastern falcon	forest/open	Threatened (Nationally Vulnerable)		
<i>Falco novaeseelandiae 'southern'</i>	kārearea/southern falcon	forest/open	Threatened (Nationally Endangered)		
<i>Gallirallus australis greyi</i>	North Island weka	forest/open	At Risk (Relict)		
<i>Gallirallus philippensis assimilis</i>	moho pererū/banded rail	wetland/riverine	At Risk (Declining)		
<i>Haematopus finschi</i>	tōrea/South Island pied oystercatcher	coastal/riverine	At Risk (Declining)	Yes	
<i>Haematopus unicolor</i>	tōrea tai/variable oystercatcher	coastal/riverine	At Risk (Recovering)	Yes	
<i>Himantopus novaeseelandiae</i>	kakī/black stilt	wetland/riverine	Threatened (Nationally Critical)	Yes	Yes
<i>Hydroprogne caspia</i>	taranui/Caspian tern	coastal/riverine	Threatened (Nationally Vulnerable)	Yes	Yes
<i>Hymenolaimus malacorhynchos</i>	whio/blue duck	riverine	Threatened (Nationally Vulnerable)	Yes	Yes
<i>Larus bulleri</i>	tarāpukā/black-billed gull	coastal/riverine	At Risk (Declining)	Yes	
<i>Larus novaehollandiae scopulinus</i>	tarāpunga/red-billed gull	coastal/riverine	At Risk (Declining)	Yes	
<i>Limosa lapponica baueri</i>	kuaka/eastern bartailed godwit	coastal/riverine	At Risk (Declining)	Yes	
<i>Mystacina tuberculata</i>	pekapeka/northern	forest/open	Threatened (Nationally		

Scientific Name	Common name	Ecosystem	Threat category	Found in Otago?	Listed in ORC's Schedule?
<i>aupourica</i>	short-tailed bat		Endangered)		
<i>Mystacina tuberculata rhyacobia</i>	pekapeka/central shorttailed bat	forest/open	At Risk (Declining)		
<i>Mystacina tuberculata tuberculata</i>	pekapeka/southern short-tailed bat	forest/open	At Risk (Recovering)	Yes / maybe?	
<i>Nestor meridionalis meridionalis</i>	kākā/South Island kākā	forest/open	Threatened (Nationally Vulnerable)	Yes	
<i>Nestor meridionalis septentrionalis</i>	kākā/North Island kākā	forest/open	At Risk (Recovering)		
<i>Nestor notabilis</i>	kea	forest/open	Threatened (Nationally Endangered)	Yes	
<i>Petroica australis australis</i>	kakariwai/South Island robin	forest/open	At Risk (Declining)	Yes	
<i>Phalacrocorax varius varius</i>	kāruhiruhi/pied shag	coastal/riverine	At Risk (Recovering)	Yes	
<i>Podiceps cristatus australis</i>	kāmana/southern crested grebe	wetland/riverine	Threatened (Nationally Vulnerable)	Yes	Yes
<i>Poliocephalus rufopectus</i>	weweia/NZ dabchick	wetland/riverine	Threatened (Nationally Increasing)		
<i>Porzana pusilla affinis</i>	koitareke/marsh crake	wetland/riverine	At Risk (Declining)	Yes	
<i>Porzana tabuensis</i>	pūweto/spotless crake	wetland/riverine	At Risk (Declining)		
<i>Sterna striata striata</i>	tara/white-fronted tern	coastal/riverine	At Risk (Declining)	Yes	
<i>Sternula nereis davisae</i>	tara iti/NZ fairy tern	coastal/riverine	Threatened (Nationally Critical)		
<i>Thinornis novaeseelandiae</i>	tuturuatu/NZ shore plover	coastal/riverine	Threatened (Nationally Critical)		
<i>Xenicus gilviventris 'northern'</i>	pīwauwau/northern rock wren	forest/open	Threatened (Nationally Critical)		
<i>Xenicus gilviventris 'southern'</i>	pīwauwau/southern rock wren	forest/open	Threatened (Nationally Endangered)	Yes	

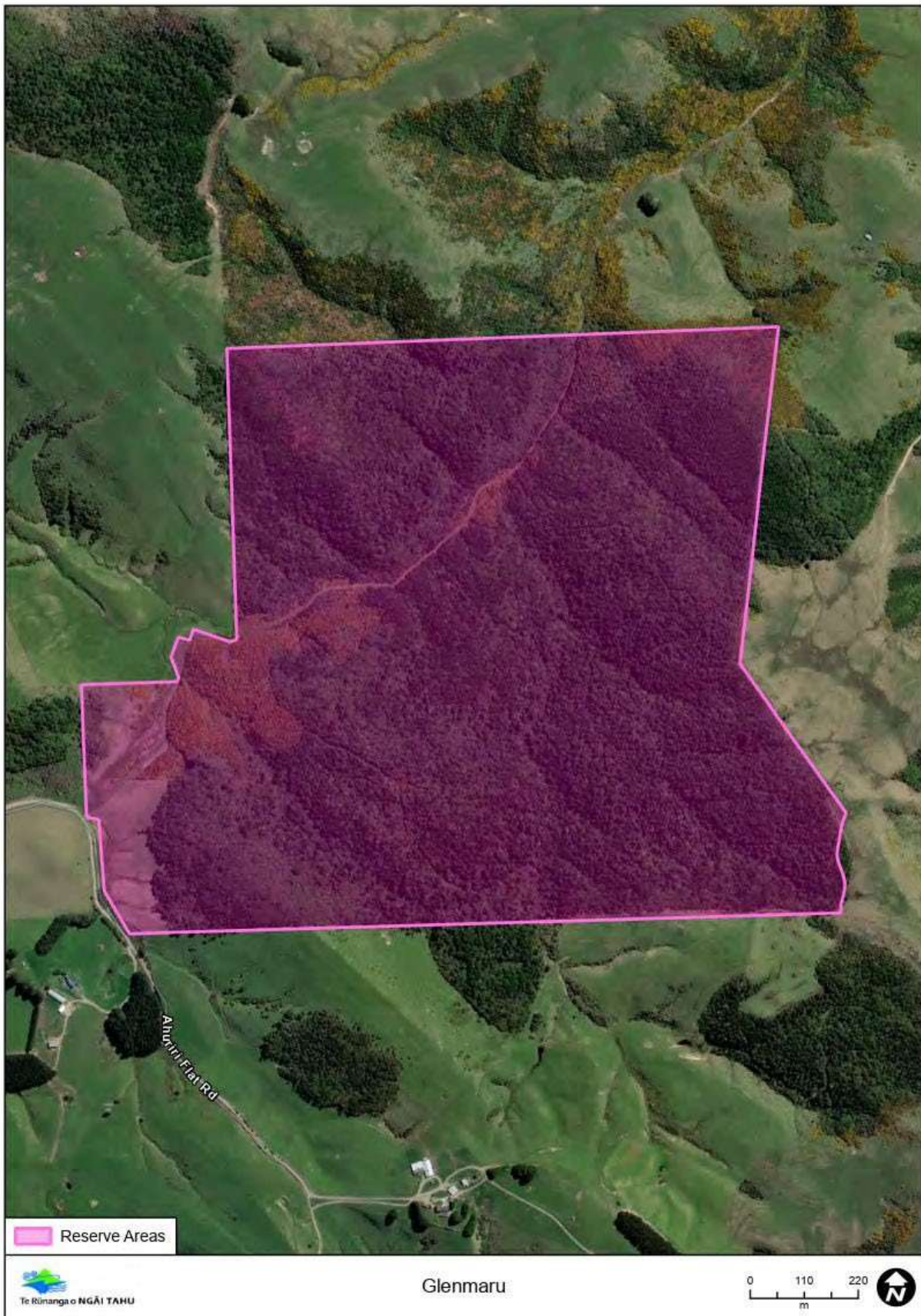
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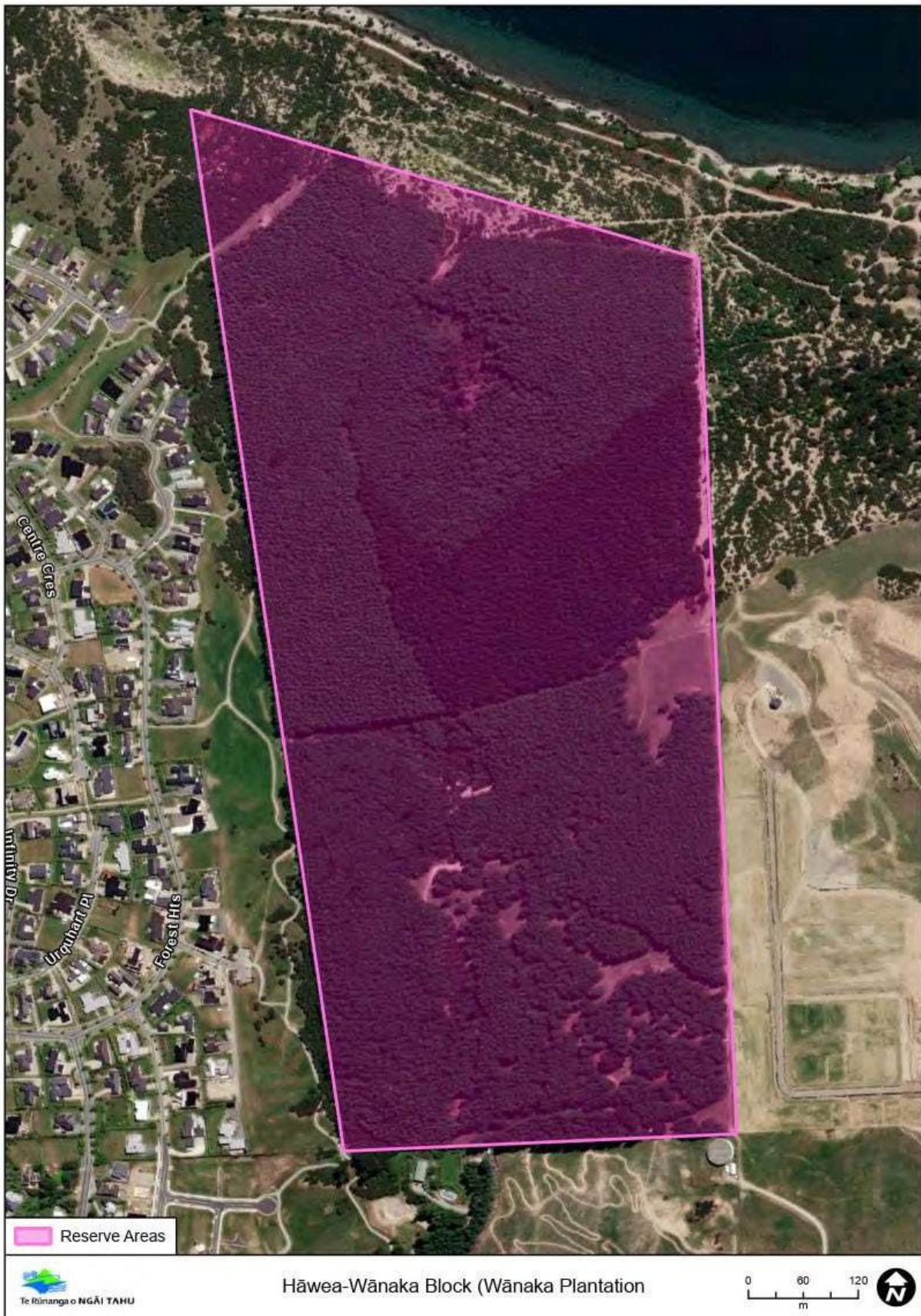
MAP0 – Native Reserves

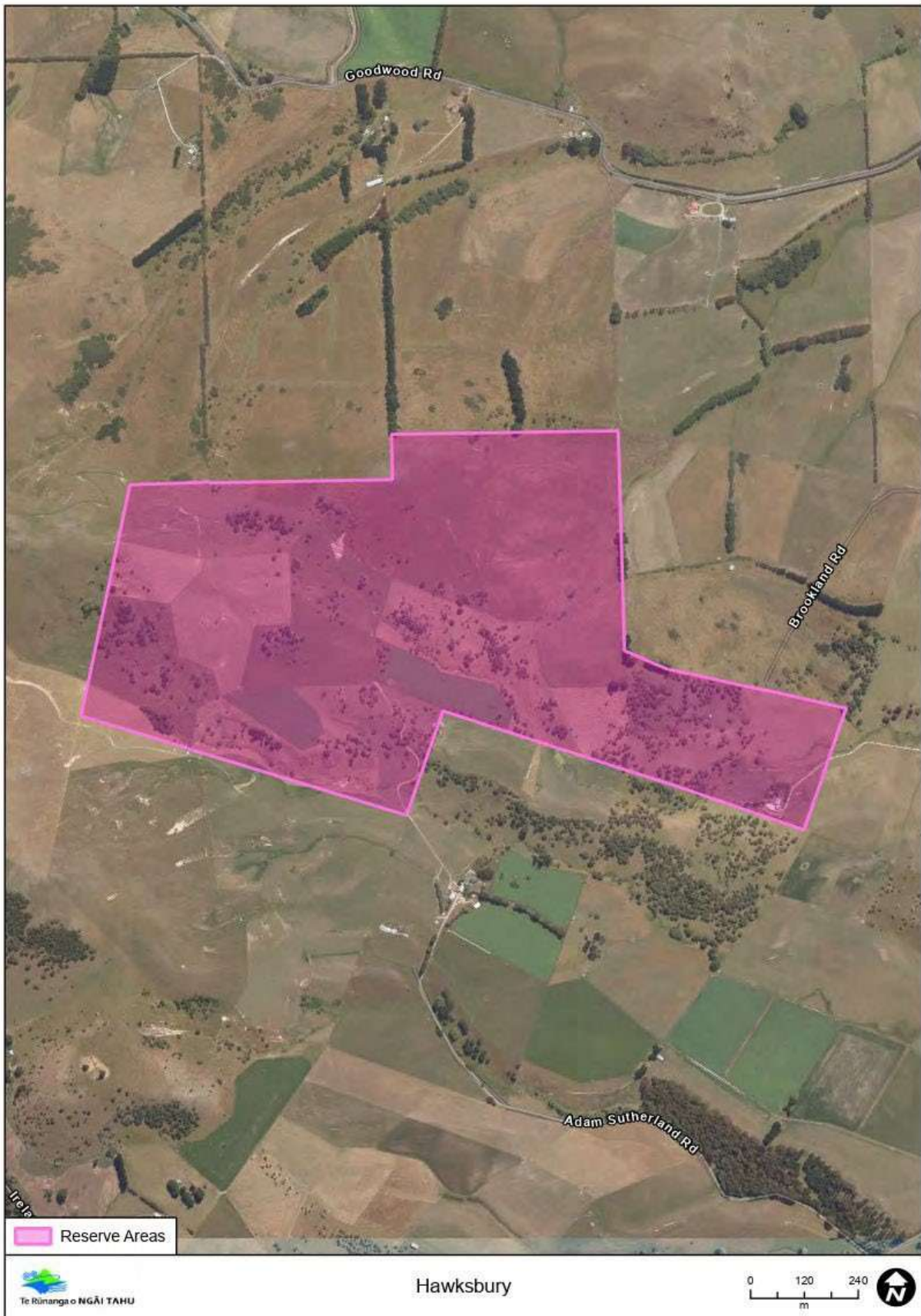


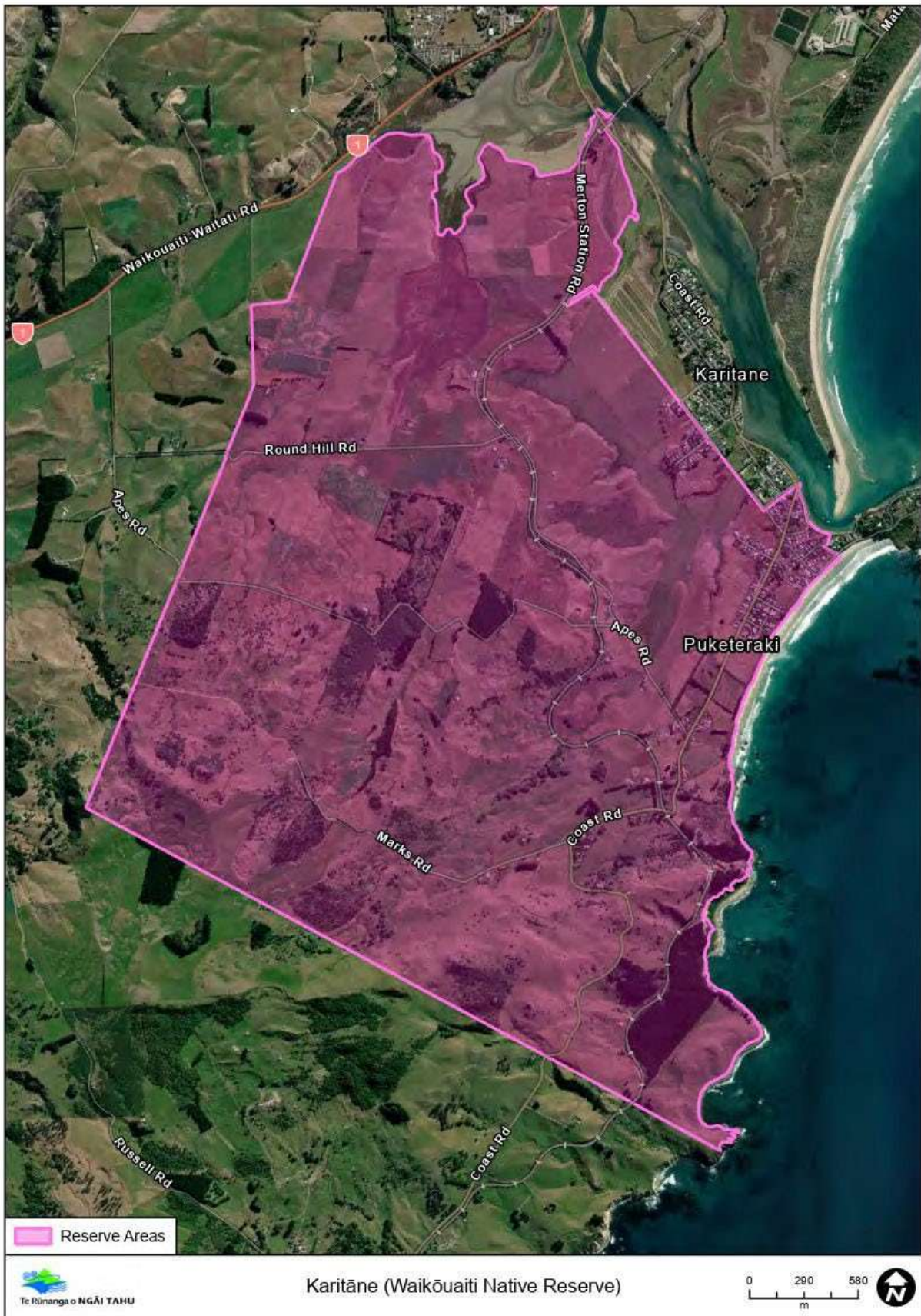






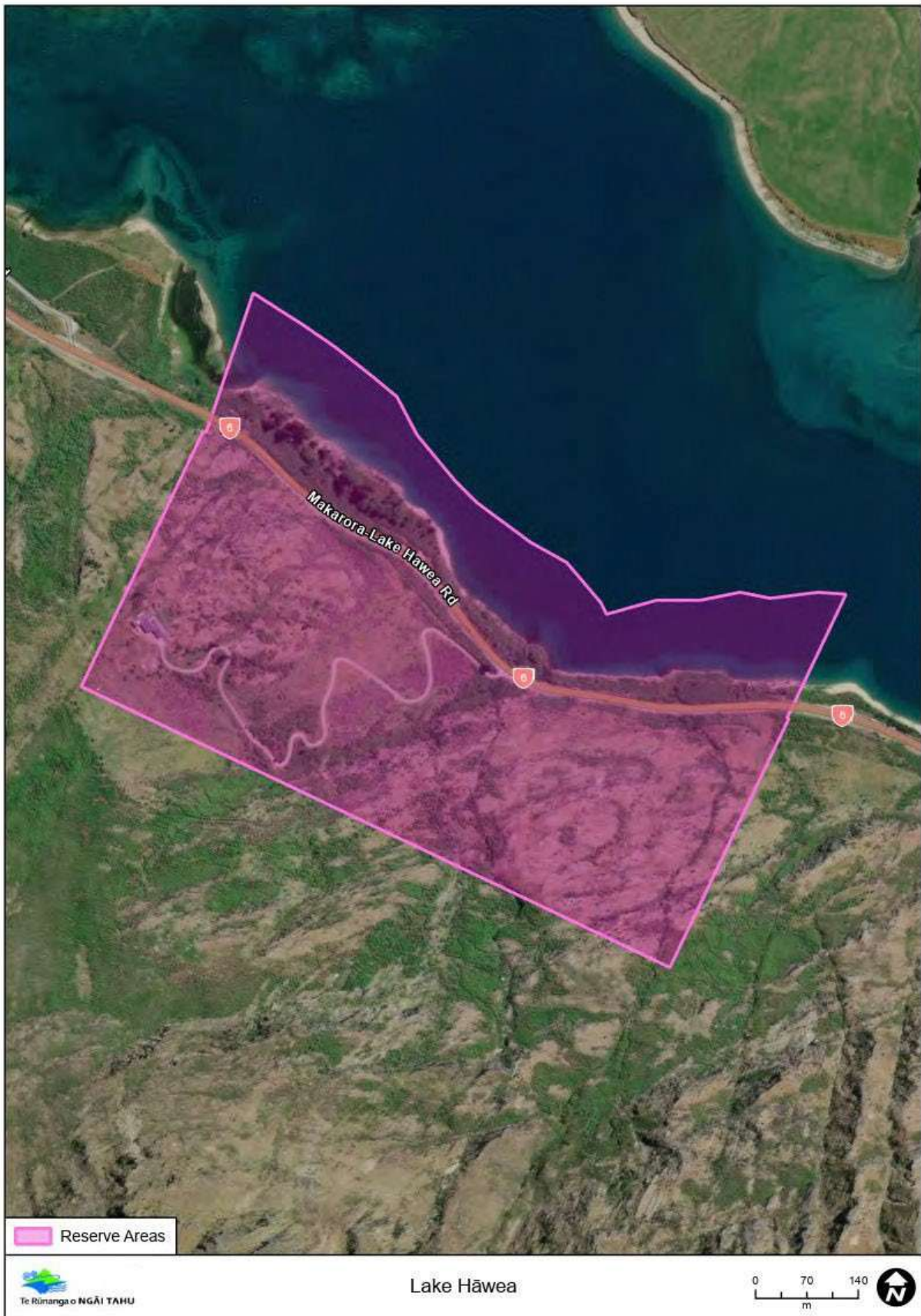








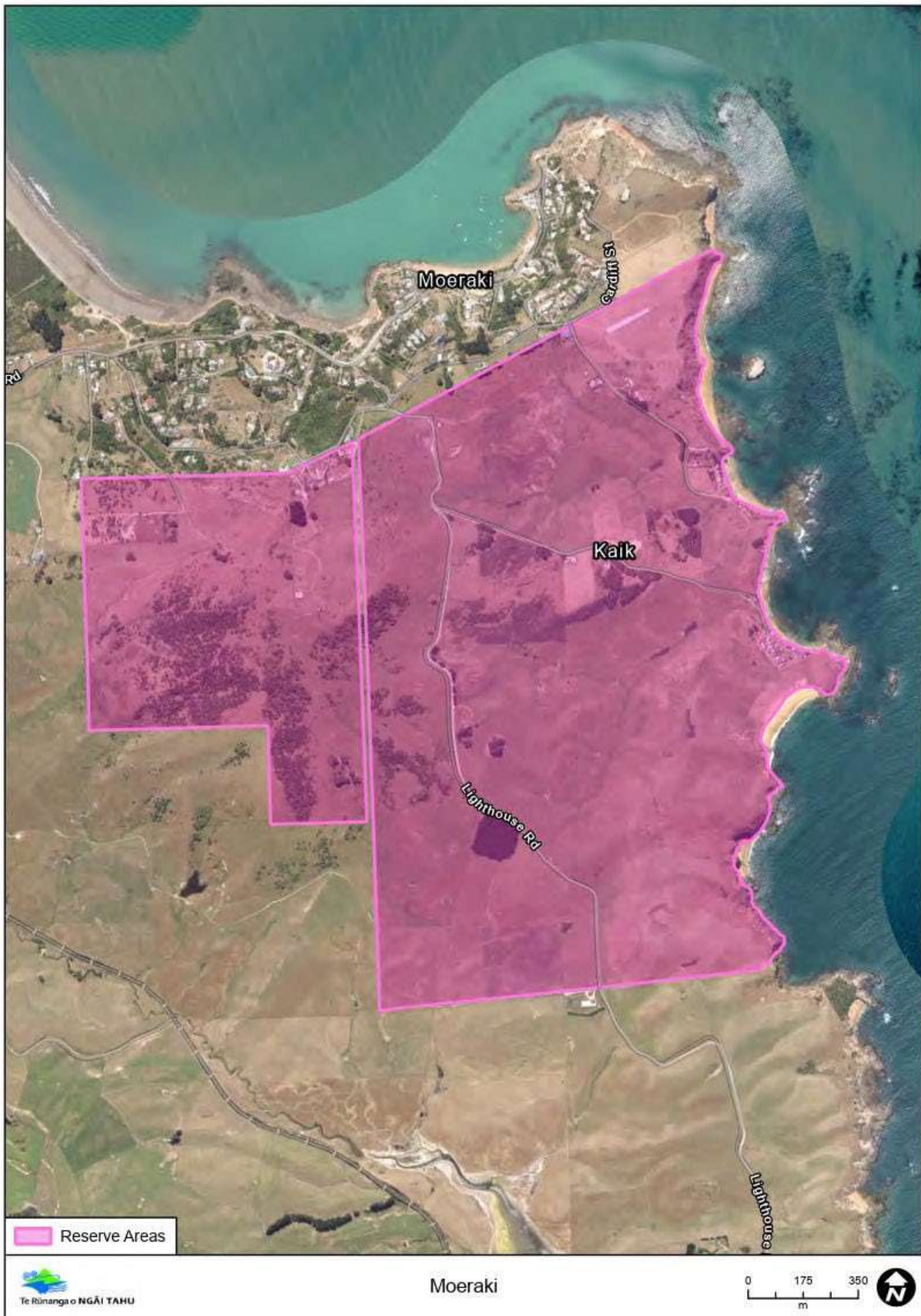


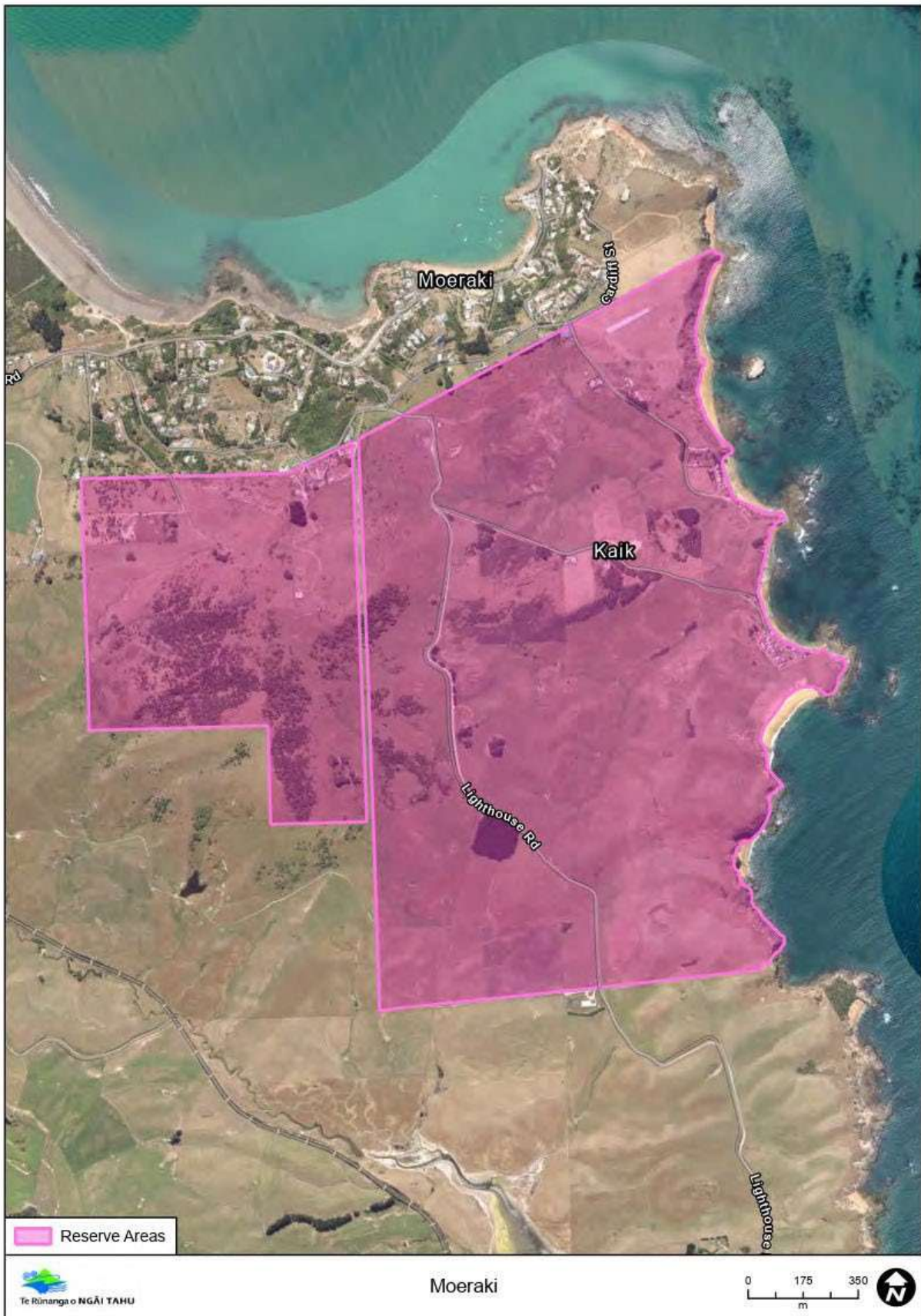


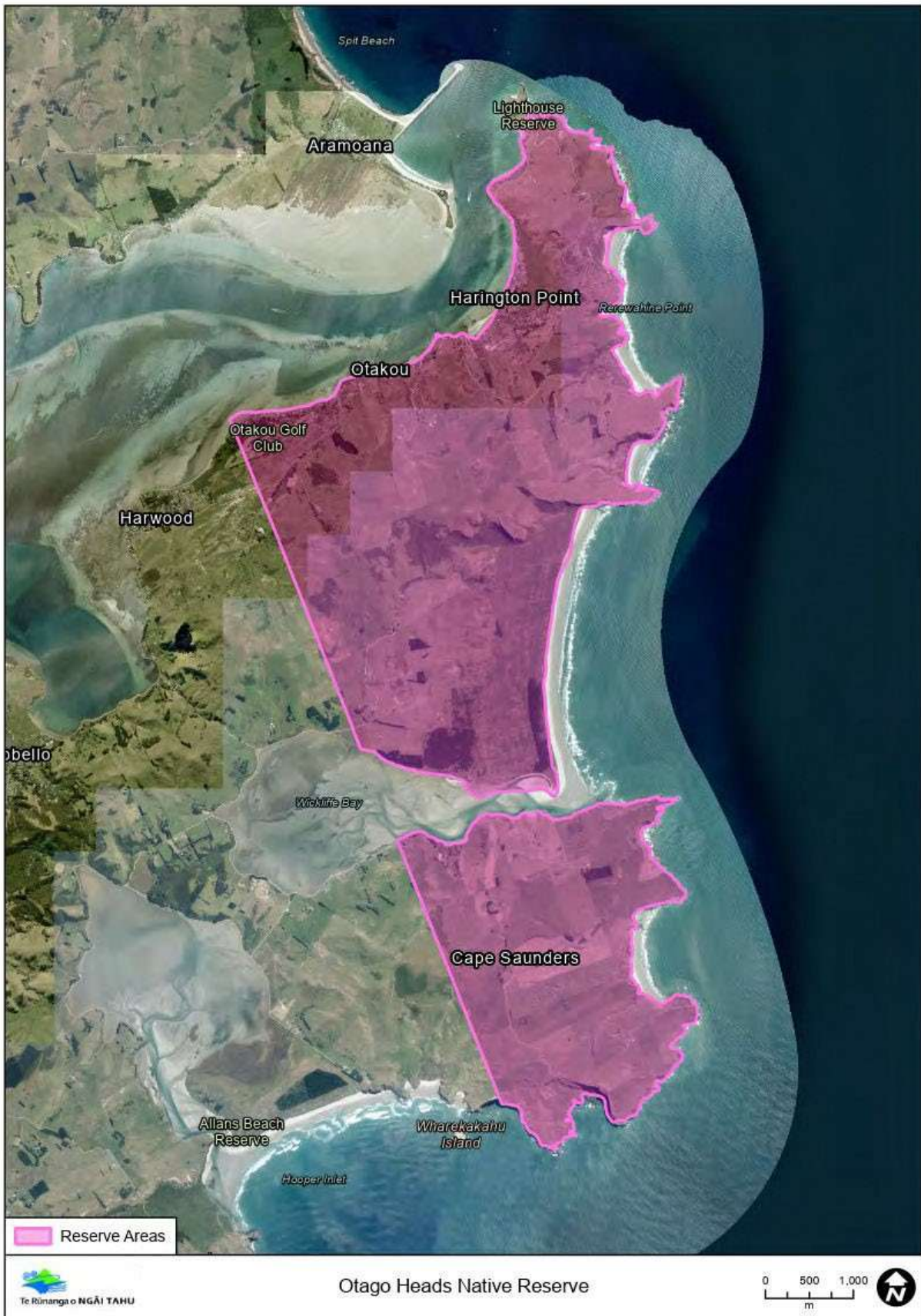




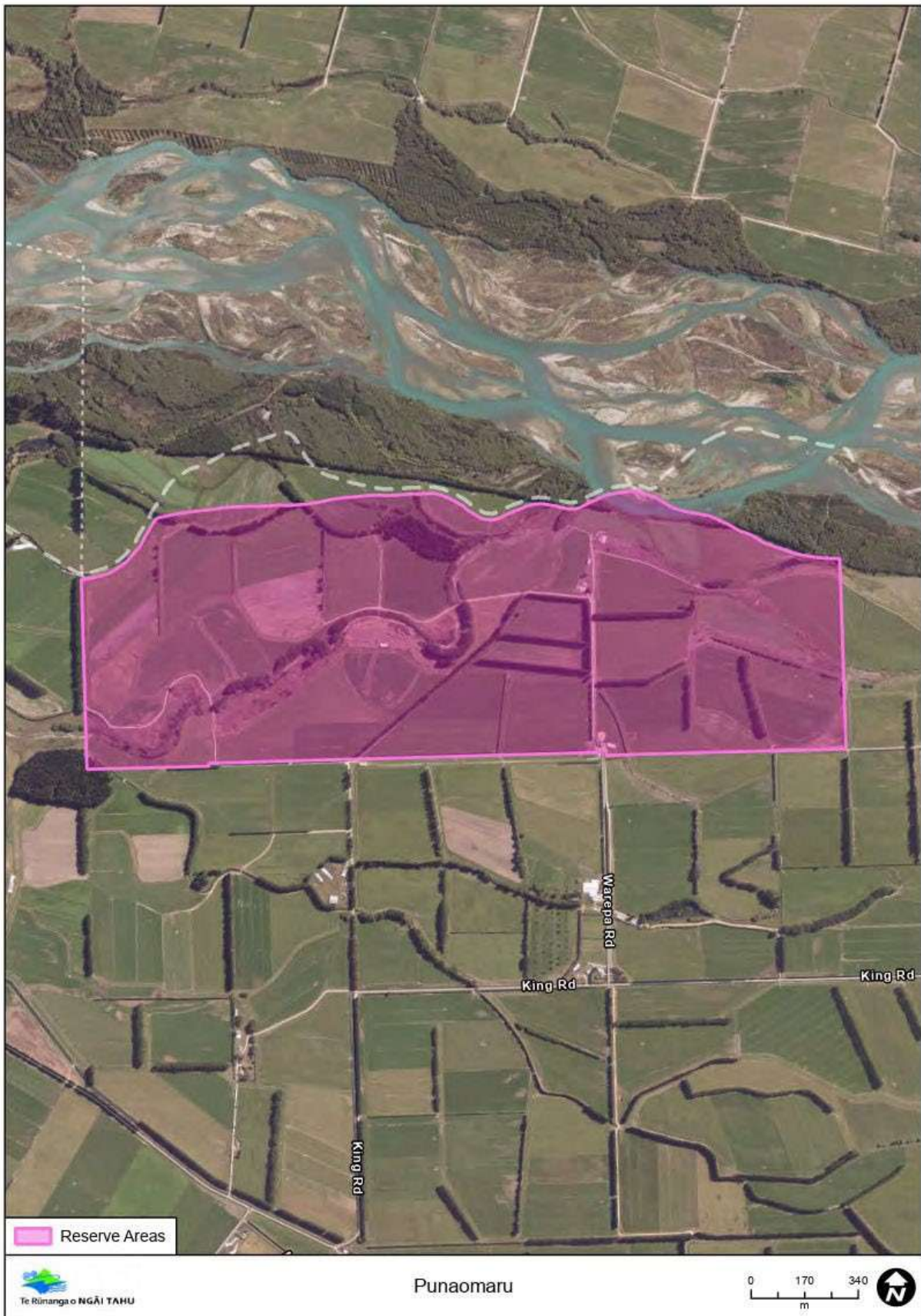


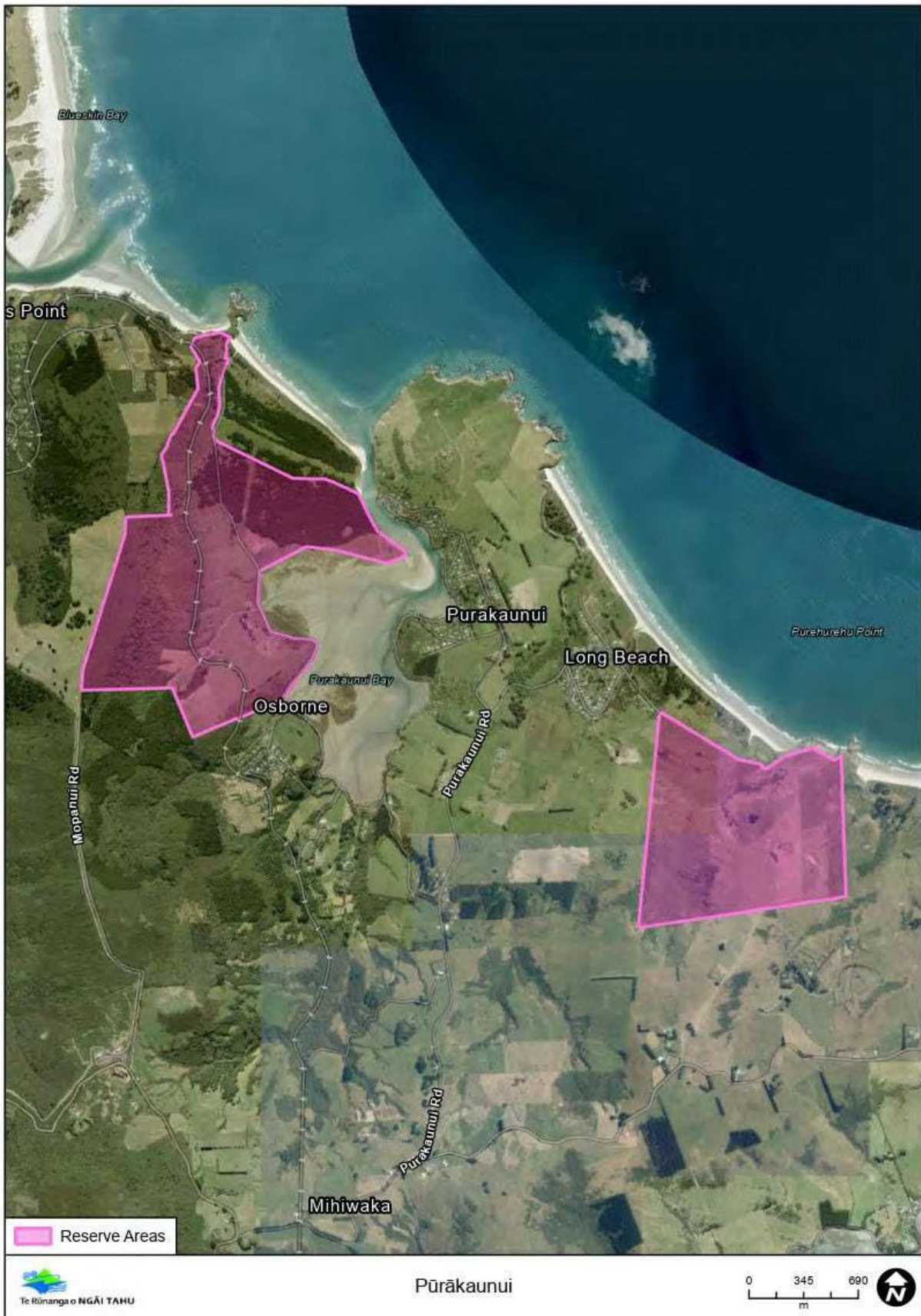


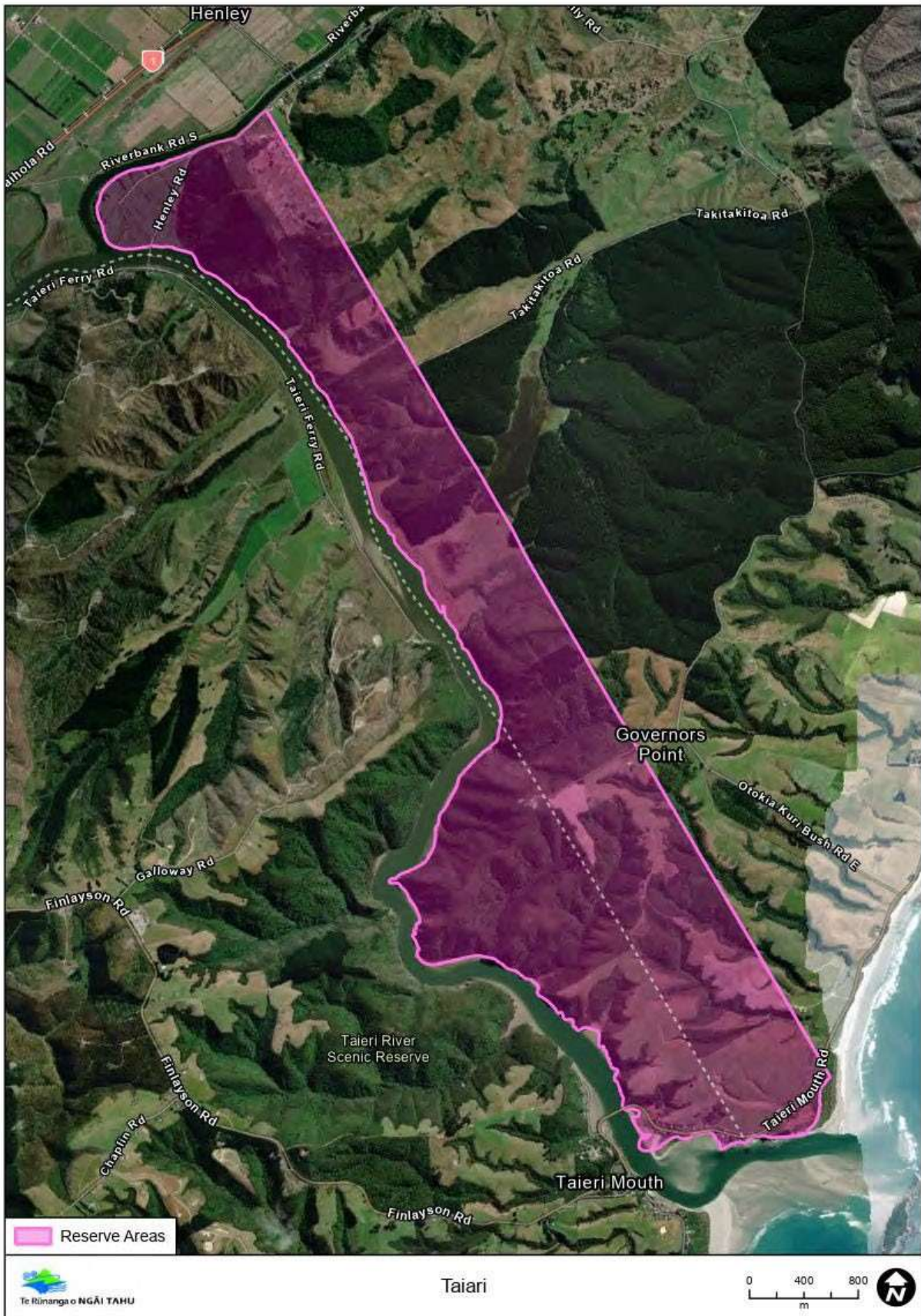


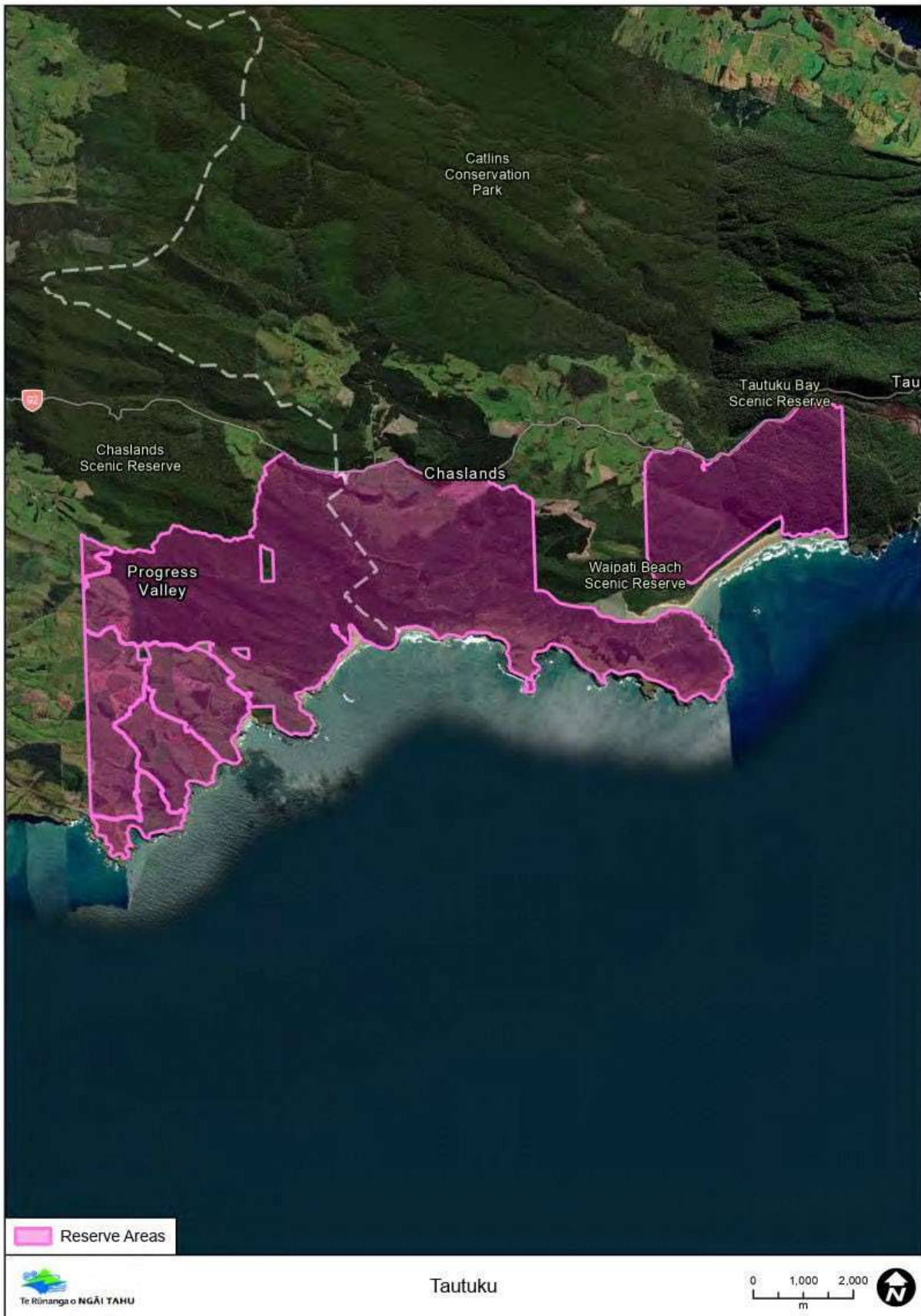






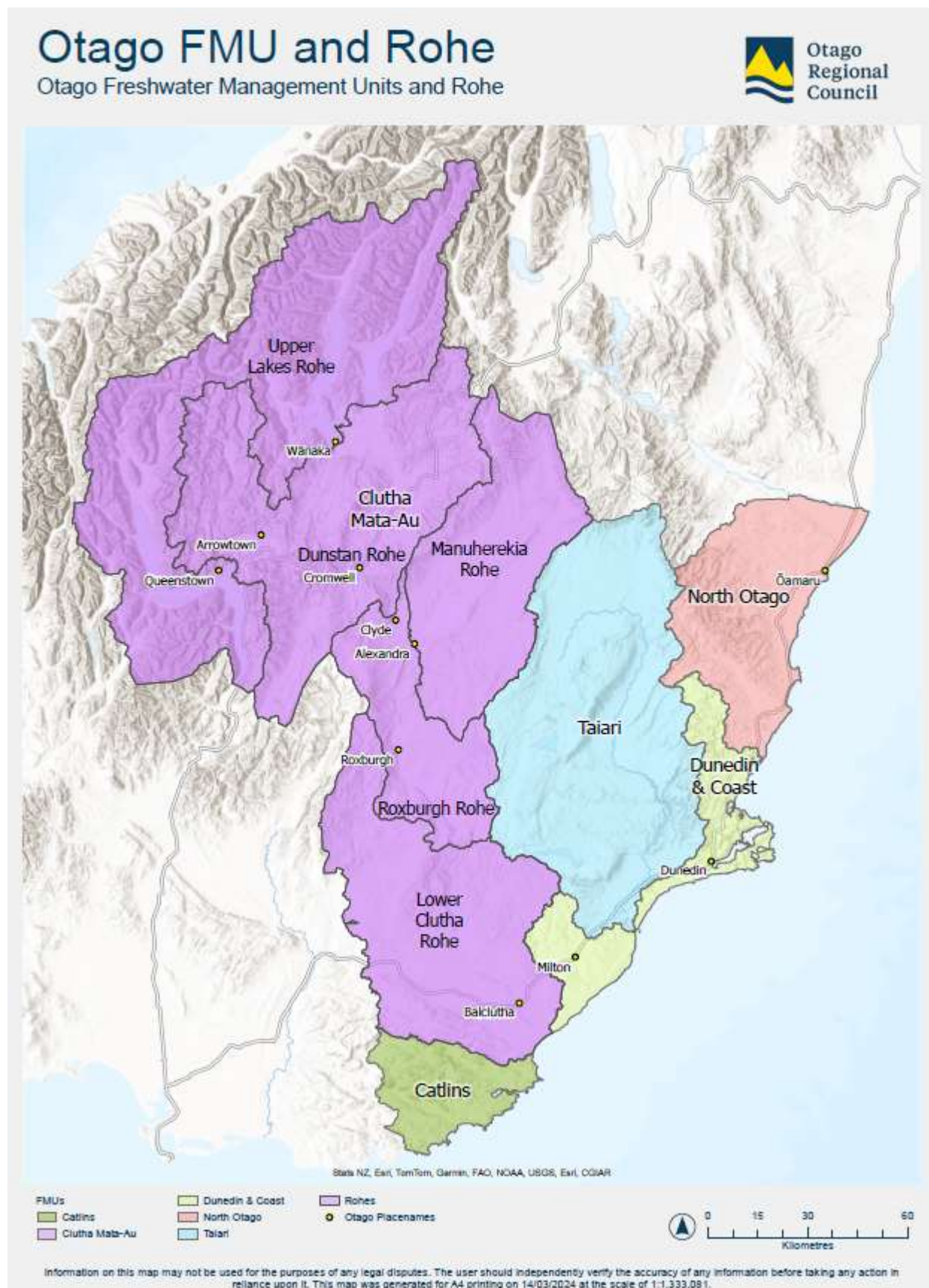








MAP1 – Freshwater Management Units



MAP2 – EIT-TRAN-M7 Port Activities¹¹³⁹

¹¹³⁹ Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

