

16 May 2025

Waitaki District Council

Oamaru

Sent via email: planreview@waitaki.govt.nz

Dear Sir/Madam

Otago Regional Council submission on Waitaki Proposed District Plan

Otago Regional Council (ORC) congratulates the Waitaki District Council (WDC) on its development and notification of the proposed District Plan (proposed plan or proposed WDP). We recognise the significant effort made by WDC, its partners, stakeholders and the public to get to this milestone in the process. We welcome the opportunity to make a submission on the proposed Waitaki District Plan as notified on 1 March 2025.

ORC has reviewed the notified proposed plan. We appreciated that much of our feedback we provided on the pre-notification draft plan consultation in 2022 was acknowledged and reflected in the notified proposed plan. We thank you for valuing our input to date.

Since that time, ORC has progressed the proposed Regional Policy Statement 2021 (pORPS) through to a decision. Appeals to various provisions in the Decisions Version of the pORPS are currently being mediated. A number of our submission points are made with reference to the Decisions version of the pORPS. While there are still some matters subject to High Court and Environment Court decisions, it is appropriate to consider the Decisions version (and any provisions already settled or beyond appeal) rather than the Notified version of the pORPS. This provides an opportunity to seek better alignment between the proposed district planning framework and the future regional planning framework.

We have provided comments on the specific provisions of the proposed WDP in the table below, and in addition, the following overarching comments on the proposed plan form part of our submission:

- There are many areas of the proposed plan ORC supports with respect to biodiversity and ecology. Where possible, we've identified any additional suggestions to enhance these provisions for the benefit of both WDC and plan users.
- We recognise the work undertaken by WDC to develop a planning framework for significant natural areas (SNAs) that gives effect to both current national direction, and the pORPS policy framework. ORC is mindful that Central Government has signalled there are likely to be changes to national direction on SNAs. We encourage WDC to include in its proposed plan provisions that focus on retaining existing SNA values within Otago but submit it would be pragmatic to await Central Government's steer on any changes to current national direction on SNA identification, assessment and management.

- There is opportunity for greater clarity where the proposed plan's rules relate to activities where both councils may have a regulatory function. User notes (or other plan provisions) to direct plan users to ORC for further advice would be helpful.
- The overall framework for recognising, identifying and managing natural hazard risk, and effects on significant infrastructure is strong throughout various topics in the plan, and supported by ORC. There are some areas where we have identified additions to the provisions that would benefit the district's approach to complex matters, particularly in the coastal environment.
- Clarification or changes are sought throughout the plan for better alignment with the pORPS.

This cover statement, and the attached table form the ORC submission, and give details on decisions we seek from Waitaki District Council for specific provisions of the notified draft plan.

We wish to be heard in support of our submission.

Yours sincerely



Gretchen Robertson

Chairperson

Chapter	Objective/policy/ rule/standard/ overlay	Oppose/ support	Reasons	Decision requested
General	Land use rules in Part 2 District Wide Matters and Part 3 - Zones	Support in part	<p>Various land use rules in Part 2 and 3 of the proposed WDP don't appear to make reference to the potential requirement to obtain resource consent from ORC for various activities associated with a land use. Reference to likely or potential ORC consenting requirements (e.g., for air, water, land discharges) would be helpful for plan users, including applicants seeking land use consent.</p> <p>This would be particularly useful, in the following instances:</p> <ul style="list-style-type: none"> – For industrial activities in any zone – For residential and commercial activities in the rural zones (or wherever reticulated services are not available) – For residential earthworks. 	Include a user note at the beginning of relevant chapters, or near relevant rules, in the proposed WDP that alert plan users to the need to determine if there are any ORC consent requirements.
General	Provisions relating to Biosecurity and pest management	Support	Given our role in biodiversity and pest management, we are supportive of the proposed WDC provisions that encourage activities that reduce pest prevalence and allow the ability to install pest proof fencing in rural areas.	Retain
Part 1 – Introduction and	How the Plan Works General Approach	Oppose/clarify	The provision may create confusion as it will not be clear from reading the proposed plan whether a consent for the same	Alternative approaches that may reduce the risk of confusion would be to:

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General Provisions	<i>..... Where a consent is required for the same purpose in a district plan and from the regional council, the requirement for the consent lies with the regional council.</i>		activity will be required from the district council.	<ul style="list-style-type: none"> – Ensure that the rules in the proposed WDP for activities that are managed for the same purpose in a regional plan are not inconsistent with those in the regional plan; or – Where an activity is also managed under a regional plan include an advice note alerting plan users to this matter.
Part 1 – Introduction and General Provisions	<p>How the Plan Works</p> <p>General approach</p> <p>Classes of activities</p> <p>Table 1 and Chapeau</p>	Support	This section clearly explains the status of activities, including through colour coding. This is likely to lead to more comprehensive understanding of activity status by plan users.	Retain
Part 1 – Introduction and General Provisions	<p>How the Plan Works</p> <p>Cross boundary matters</p>	Support in Part	<p>The Resource Management Act seeks to integrate the management of air, land, fresh water and marine areas and allows for integration in decision making between regional council and territorial authorities where an activity requires resource consents from more than one agency. (e.g. through joint hearings or development of joint policies between two or more councils.)</p> <p>There could be significant benefits for ORC, WDC and plan users in general from the joint processing of resource consent</p>	<p>Recommend inclusion of:</p> <ul style="list-style-type: none"> – A policy that provides for joint processing of consent applications between ORC and WDC where consenting matters overlap.

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			applications for activities where both ORC and WDC have overlapping responsibilities (e.g. residential earthworks).	
Part 1 – Introduction and General Provisions	Interpretation - Definitions Definition of Regionally significant infrastructure	Oppose/clarify	This definition is not aligned with the definition of Regionally Significant Infrastructure as defined in the pORPS 2021. We recognise that, at the time of making this submission, the definition in the pORPS is under appeal, but look forward to appeals being resolved before the proposed district plan hearing.	Amend to ensure alignment with the definition of Regionally Significant Infrastructure as defined in the pORPS.
Part 1 – Introduction and General Provisions	Interpretation - Definitions Definition of mahika kai activities	Oppose	This definition is not aligned with the definition of mahika kai as defined in the pORPS.	Amend to ensure alignment with the definition of mahika kai as defined in the pORPS.
Part 1 – Introduction and General Provisions	Interpretation - Definitions Definition of reticulated stormwater network	Support	The specific exclusion of natural waterbodies in this definition will resolve several of our concerns across the lower Waitaki District in relation to the functions we are mandated to manage (such as drainage).	Retain
Part 1 – Introduction and General Provisions	Interpretation - Definitions Definition: Improved pasture	Oppose	The proposed plan adopts the definition of improved pasture from the National Policy Statement for Indigenous Biodiversity (NPSIB 2023). We note that Central Government has signalled there will be changes made with respect to significant natural areas. ORC considers it would be pragmatic to await the results of any consultation on such changes before	Ensure definitions are consistent with the NPSIB 2023 and pORPS, and any other relevant national direction.

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			making any decision on provisions which exceed the requirements of the current NPSIB and pORPS require.	
Part 1 – Introduction and General Provisions	Interpretation - Definitions Definitions: <ul style="list-style-type: none"> • Intensive primary production, • intensive indoor primary production, • intensive outdoor primary production 	Support	Support the definitions and their application through the plan.	Retain
Part 1 – Introduction and General Provisions	Interpretation - Definitions Definition: indigenous vegetation	Oppose/clarify	ORC query's the use of a new definition of 'indigenous vegetation' noting the differences between the proposed definition and the definitions in the operative District Plan, NPSIB and pORPS. The definition may prove to be problematic in its application through the plan. Would like to understand the implications of this definition in the rules to ensure the provisions are able to be implemented and also be understood by plan users.	Use a definition that aligns with the NPSIB and pORPS.
Part 2 - District- Wide Matters Strategic Direction	Natural environment <i>SD-NE-01 Natural character, landscapes and features and ecosystems</i>	Oppose in part	Waitaki "Identity" is an uncertain concept to set as an objective in a regulatory plan. It is likely to also be subjective, and difficult to measure in terms of achieving the objective.	Amend the objective and/or include additional provisions within the plan that describe the district's identity so the objective is more certain and clearer and the achievement of it can be objectively measured

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Part 2 – District- Wide Matters Strategic Directions	Risk Resilience and Natural Hazards SD-RRNH-O1	Support	Provides appropriately for environmental effects associated with Engineering’s infrastructure	Retain
Part 2 – District- Wide Matters Strategic Directions	Risk Resilience and Natural Hazards SD-RRNH-O2 – Adapting to Climate Change	Support in part	Agree with the strategic direction taken, but seek to ensure that there is recognition of the role of mitigation measures in the adaptation process	Insert an additional clause: <i>5. recognising and providing for the maintenance and repair of existing hard protection structures that provide for the management of natural hazards.</i>
Part 2 - District- Wide Matters Energy, Infrastructure and Transport	Energy Policies and Rules	Oppose in part	The policies do not appear to be consistent with pORPS EIT-ENG-P6, which requires (via EIT-INF-P13) new infrastructure to avoid, as a first priority, locating in specific environments, e.g. SNAs and ONFLs. Note that these provisions of the pORPS are currently under appeal and are subject to change. SNA provisions in the pORPS may also be impacted by changes signalled to relevant national direction.	Amend the relevant policies and rules in the ENG chapter to ensure consistency with the direction set in the EIT chapter of the pORPS.
Part 2 - District- Wide Matters Energy, Infrastructure and Transport	Energy Policy ENG-P7	Oppose	The intent of this policy is not clear.	Amend ENG-P7 so it is clear whether the proposed WDP seeks to prevent or control the establishment of large- scale renewable energy generation activities in any zone other than the General Rural Zone and any overlay. The pORPS recognises that in managing the effects of these activities, there will be instances where

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				the need for energy activities to be located may be supported by reasons such as functional need (EIT-EN-P6) and national and local significance and benefit (EIT-EN-P2).
Part 2 - District-Wide Matters Energy, Infrastructure and Transport	Infrastructure Policies and Rules	Oppose in part	The policies and rules do not appear to be consistent with pORPS decision version of EIT-INF-P13 which requires new infrastructure to avoid particular areas as a first priority, when locating in specific environments, e.g. SNAs and ONFLs. Note that these provisions of the pORPS are currently under appeal and are subject to change. SNA provisions in the pORPS may also be impacted by changes signalled by Central Government to relevant national direction.	Amend any relevant policies and rules in the INF chapter to ensure consistency with the EIT chapter of the pORPS.
Part 2 - District-Wide Matters Energy, Infrastructure and Transport	Infrastructure INF-P1 – Recognise the benefits of regionally significant infrastructure	Oppose in part	This policy provides a framework for some regionally significant infrastructure, but fails to recognise the importance of the ORC's natural hazard mitigation works that is undertaken to provide a public benefit. It is appropriate that the policy framework provides support for the establishment, operation and maintenance of such infrastructure.	Insert an additional clause as follows: <i>5. Effective and efficient mitigation of flood hazards to maintain public health and safety.</i>
Part 2 - District-Wide Matters	Infrastructure	Support in part	It is not only existing infrastructure that has locational, operational and functional needs, proposed infrastructure is also	Delete “existing” from this policy. This makes the policy more consistent with

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Energy, Infrastructure and Transport	INF-P9 – Recognise the operational needs and functional needs of infrastructure		expected to have these requirements, and it is appropriate that this is also recognised in the policy.	policy INF-P4 -Provision of Infrastrutcure
Part 2 – District-Wide Matters Energy, Infrastructure and Transport	Stormwater <i>STORM-O1 Stormwater quantity neutrality</i>	Support.	The requirement for hydraulic neutrality in the specified zones will prevent increases in flood and erosion risk.	Retain
Part 2 – District-Wide Matters Energy, Infrastructure and Transport	Stormwater <i>STORM-O2 Stormwater management</i>	Support	The objective will contribute to the protection of the health and well-being of waterbodies and will assist with improving water quality where it is degraded .	Retain
Part 2 – District-Wide Matters Energy, Infrastructure and Transport	Stormwater STORM-P1, STORM-P2	Support.	The requirement for hydraulic neutrality in the specified zones will prevent increases in flood and erosion risk.	Retain
Part 2 – District-Wide Matters Energy, Infrastructure and Transport	Stormwater <i>STORM-R1 and STORM-R2 and interactions with the standards and policies</i>	Support in part	The matters of discretion rules do not allow for consideration of water sensitive design (STORM-P4).	Amend rules STORM-R1 and STORM-R2 so water sensitive design (STORM-P4) can be considered at the consenting stage.

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Part 2 - District-Wide Matters Energy, Infrastructure and Transport	Transport <i>Objectives and policies</i>	Support in part.	<p>The proposed WDP objectives and policies are focused on safety, effectiveness, efficiency, and integration. This is supported as it gives effect to outcomes envisaged by the EIT-TRAN – Transport objectives in the pORPS.</p> <p>However, the end state described in the pORPS objectives (especially EIT-TRAN-O7 and EIT-TRAN-O9) also includes that the transport network is resilient to natural hazards and the effects of climate change. These matters are not adequately covered by the objectives and policies in the Transport Chapter of the proposed WDP.</p>	Amend objectives and policies in the Transport Chapter of the proposed WDP to align with broader resilience factors included in EIT-TRAN-O7 and EIT-TRAN-O9 of the pORPS.
Part 2 - District-Wide Matters Energy, Infrastructure and Transport	Transport <i>Zones applied to roads on planning maps</i>	Support in part	<p>The planning maps indicate that roads carry the zoning of the adjacent land, but this does not appear to be stated anywhere.</p> <p>As the same rules apply to all zones, it may be helpful to plan users to explain in the introduction that roads technically have the zoning of the adjacent land. Alternatively, this could be helpful to include in guidance material.</p> <p>NB the roading classification is clear – this comment is about zones only.</p>	Clarify that roads technically have the same zoning as the adjacent land.
Part 2 -	Natural Hazards	Oppose	The last paragraph of the Introduction states that the objectives, policies and	It is recommended that the Introduction clarifies which provisions

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District-Wide Matters Hazards and Risks	<i>Natural Hazards Introduction</i> <i>Approach to Natural Hazards in the Plan (last paragraph)</i>		rules in the Natural Hazards chapter do not cover coastal hazards. The objectives, policies and rules in the Coastal Environment chapter address coastal hazards. However, some coastal hazards (e.g. tsunami) have potential to cause effects outside the coastal environment. Similarly, some non-coastal hazards (e.g. earthquakes) have potential to cause effects in the coastal environment.	apply in these two circumstances, consistent with the provisions of the pORPS.
Part 2 - District-Wide Matters Hazards and Risks	Natural Hazards NH-P3 – Critical facilities and regionally significant infrastructure	Support	This policy provides a basis for any future flood protection/drainage works within the District.	Retain.
Part 2 - District-Wide Matters Hazards and Risks	Natural Hazards NH-P4 – Natural Protection Features	Support	We support the development of nature based solutions to protect, mitigate or remediate flood risk. This is supported under Policy HAZ-NH-P7 of the pORPS which prioritises risk management that reduces hard protection structures/interventions.	Retain
Part 2 - District-Wide Matters	Natural Hazards NH-P5 – Site specific assessment/investigation	Support	This policy requires a risk assessment for subdivision, use and development in areas subject to risk from natural hazards. Areas subject to flooding risk are defined using the overlay zonings, and the rules support	Amend to ensure greater alignment with the process steps, matters and criteria in APP6 – Methodology for natural hazard risk assessment in the pORPS; including considering

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Hazards and Risks			this outcome. We note that while Policy NH-P5 requires a number of important assessments, it is not fully consistent with APP6 of the pORPS. We recognise that, at the time of making this submission the pORPS is under appeal, but look forward to appeals being resolved before the proposed district plan hearing.	<ol style="list-style-type: none"> 1. cumulative effects including multiple and cascading hazards, where present 2. the effects of climate change 3. assessing vulnerability and resilience
Part 2 - District-Wide Matters Hazards and Risks	Natural Hazards NH-P7 – Otago Flood Assessment Overlay and Waitaki River Floodplain Assessment Overlay	Support	This policy highlights the need to appropriately assess the potentially significant effects of flood hazards on development activities within this area.	Retain
Part 2 - District-Wide Matters Natural Environment Values	Ecosystems and indigenous biodiversity Objectives ECO-O1	Support in part.	Support general intent to establish an objective to maintain indigenous biodiversity with possible amendments. This objective reasonably aligns with the function of territorial authorities in the RMA, and NPSIB requirements. This objective also aligns with Te Mana o Te Taiao – the Aotearoa New Zealand Biodiversity Strategy. Achievement of this objective contributes to the maintenance of indigenous biodiversity in the Otago region, a function of regional councils in the RMA.	This objective may be better titled as “ <i>Maintain indigenous biodiversity</i> ” and the wording of the chapeau modified to better reflect the wording of NPSIB 1.7 (e.g., “ <i>The Waitaki District’s indigenous biodiversity is maintained so there is at least no overall reduction, and ecosystems and habitats are restored and enhanced where necessary.</i> ”)
Part 2 - District-Wide Matters	Ecosystems and indigenous biodiversity Objectives	Support in part	Support the intent of these objectives and alignment with higher order documents. and alignment with the Proposed Otago	Maintain these objectives to ensure that existing identified values are maintained and protected.

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Natural Environment Values	ECO-O2 and O3		Regional Policy Statement (PORPS 2021). Beyond this it would be pragmatic to await Central Government's steer on any changes to current national direction on SNA identification, assessment and management in developing any more stringent policy framework.	
Part 2 - District-Wide Matters	Ecosystems and indigenous biodiversity Policies	Support	Support the intent of the policy framework through these ECO policies.	Retain
Natural Environment Values	ECO-P1 – ECO-P15			
Part 2 - District-Wide Matters	Ecosystems and indigenous biodiversity Rules	Support	Support the rule framework to give effect to the policy intent and achieve objectives for the district.	Retain
Natural Environment Values	ECO-R1 – ECO-R8			
				–
Part 2 - District-Wide Matters	Ecosystems and indigenous biodiversity Standards	Support in part	Support the suite of Standards in principle, alongside feedback for specific Standards and APP9 relating to them (see below).	Retain subject to requested amendments outlined in this submission
Natural Environment Values	ECO-S1 – ECO-S5			

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Part 2 - District-Wide Matters Natural Environment Values	Ecosystems and indigenous biodiversity Standards ECO-S1 and associated map layer: Skink Habitat Management Area	Support in part.	Support the protection from indigenous vegetation clearing in select highly sensitive ecological environments that are not currently identified as SNAs. The list of environments includes some examples of threatened Naturally Uncommon Ecosystems ¹ relevant to the district. The list also includes Skink Habitat Management Areas. Skinks and their habitats are particularly vulnerable to vegetation clearance, and some skinks in the Waitaki District (including those that are endemic to Otago) are threatened with extinction. The inclusion of Skink Habitat Management Areas in the list of locations (1 to 7) included in ECO-S1 is supported subject to amendments to the District Plan map layers.	Recommend extension to skink habitat management areas in the map layers. This will better maintain indigenous biodiversity and provide effective and efficient planning pathways for permitted and discretionary activities.
Part 2 - District-Wide Matters Natural Environment Values	Ecosystems and indigenous biodiversity Standards ECO-S3	Support in part	Support the intent of approach for stricter controls of vegetation clearance in areas with less than 20% indigenous cover remaining, acknowledging some vegetation clearance may have occurred in the district since the development of the Threatened Environment Classification (TEC).	A tiered approach may prove to be more useful for this Standard, for example replacing ECO-S3 with: <i>“Indigenous vegetation clearance must not exceed 500m² on a site in any continuous period of five years in:</i>

¹ Holdaway et al. 2012, Status assessment of New Zealand's Naturally Uncommon Ecosystems.

https://www.researchgate.net/publication/228064956_Status_Assessment_of_New_Zealand's_Naturally_Uncommon_Ecosystems

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			This Standard additionally assumes knowledge of the TEC to set the activity status for vegetation clearance as permitted or discretionary, which will not be instinctive for many plan users. There may be a more straightforward way of communicating the intended planning framework for vegetation clearance Standards including through the use of other spatial identifiers (e.g., Ecological Districts). Altitude could be another additional useful control for activity status, as most historic and recent vegetation clearance has occurred below 900m elevation.	<p>(i) <i>Macraes, Oamaru, Waikouaiti, and Duntroon Ecological Districts, or</i></p> <p>(ii) <i>At an elevation greater than 900m above sea level, or</i></p> <p>(iii) <i>In land environments with less than 20% remaining indigenous vegetation cover as defined by Threatened Environment Classification (TEC) version 2012). Refer APP9 – Threatened Environment Classification. “</i></p>
Part 2 - District-Wide Matters Natural Environment Values	Ecosystems and indigenous biodiversity Standards ECO-S4	Oppose	Oppose the loosening of measures to control vegetation clearance of tussock through ECO-S4, noting that in the operative plan, this control is set to 1000m ² and the proposed plan has increased this to 5000m ² . Further enabling the clearance of tussock lands may prevent achievement of the Objective framework in the Eco systems and Indigenous Biodiversity chapter of the proposed plan, specifically ECO-01. Clearance of vegetation in the Waitaki District has previously been identified as (i) a major threat to biodiversity and wilderness values , (ii)	Reconsider the permitted activity threshold in ECO-S4 to ensure ECO-01 is achieved.

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			accelerating in the district , and (iii) at extreme extents nationally .	
Part 2 - District-Wide Matters Natural Environment Values	Natural Character NATC-P2 – Enabling appropriate buildings, structures, earthworks, vegetation clearance and planting within riparian margins NATC-R1 – Buildings and structures within a riparian margin	Support	This policy specifically recognises and provides for structures, earthworks, vegetation clearance and planting carried out by the ORC for flood and/or erosion management, recognising the importance of managing natural hazard risk. The rule provides a complementary rule for this policy approach.	Retain
Part 2 - District-Wide Matters Natural Environment Values	Natural Character NATC-R3 – Planting indigenous vegetation within riparian margins	Oppose in part	These rules provide for planting as a permitted activity. However, the rules fail to recognise that the Flood Protection Management Bylaw may limit the ability to undertake such planting. In particular, the Waikoura, Hendersons and Hilderthorpe floodways may be considered watercourses, and planting would hinder the efficacy of these flood protection devices.	Amend the rules to include cross reference to the Otago Regional Council's Flood Protection Management Bylaw 2022.
Part 2 - District-Wide Matters	Natural Character NATC-R4 – Planting exotic vegetation within riparian margins	Oppose in part	ORC supports the intent of the rule but considers that the rule as currently drafted is overly restrictive and will limit the ability for landowners or groups such as catchment groups to plant for flood and	Amend the rule to: – encourage good practice and ensure alignment with the regional plan provisions – avoid setting different requirements based on the type of

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Natural Environment Values	EW-R5 – Earthworks within a riparian margin		erosion control and undertake repairs to banks. ORC Engineering often provides willow poles for landowners to plant themselves. It is not clear that the inclusion of “or their agents” in this rule would include this situation. More broadly, this rule is more restrictive than rule 13.6.2.1 in the Regional Plan: Water for Otago which permits (anyone) to introduce plants on the bed of lake or river to mitigate flooding erosion.	persons or agencies that can undertake these activities – allow for third parties to undertake planting for erosion control (on behalf of the ORC).
Part 2 - District-Wide Matters Natural Environment Values	Natural Features and Landscapes NFL-P4 – Avoiding inappropriate activities on or within Outstanding Natural Features or Landscapes NFL-P5 – Avoiding inappropriate activities on or within Significant Natural Features and Rural Scenic Landscapes	Oppose in part.	By their function, flood protection works can be located within these defined landscapes. While other policies may provide a consenting pathway for such works, it would be appropriate to recognise that, by their very function, flood protection works may be required in these sensitive landscape environments. As such, it is appropriate to seek an amendment to provide such a pathway, noting that no other changes are sought to the objectives and policies of the proposed WDP as it relates to natural features and landscapes.	Amend policies NFL-P4 and NFL-P5 to include: <i>3. avoids, remedies or mitigates the adverse effects of natural hazards, including natural hazard mitigation.</i>
Part 2 - District-Wide Matters	Public Access	Support.	This policy approach recognises the need to minimise adverse effects on regionally significant infrastructure and hazard mitigation works (amongst others).	Retain

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Natural Environment Values	PA-O2 – Provision of public access minimises adverse effects			
Part 2 - District-Wide Matters Subdivision	Introduction User Notes	Support	ORC supports the inclusion of User Notes in the subdivision chapter of the proposed WDP that make reference to ORC consent requirements for servicing at the time of subdivision.	Retain
Part 2 - District-Wide Matters Subdivision	Subdivision SUB-O4 – Subdivision and Regionally Significant Infrastructure SUB-P6 – Effects of subdivision on infrastructure	Support	The policy approach in the proposed WDP requires that consideration is given to the effects of subdivision on regionally significant infrastructure. This will have the effect of ensuring a consideration of the effects of subdivision activities on flood protection measures.	Retain
Part 2 – District-Wide Matters General District Wide Matters	Coastal environment Introduction	Support in part	To clarify the jurisdiction of the Plan in the Coastal Environment.	Clarify the jurisdiction of the Waitaki District Plan as follows: <ul style="list-style-type: none"> the jurisdiction of the Waitaki district plan is over those areas that are located within the coastal environment but outside the landwards extent of the coastal marine environment and that land use activities in this space are managed by the district plan and activities in the coastal marine area are managed by the Regional Plan: Coast.

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Part 2 - District- Wide Matters General District- Wide Matters	Coastal Environment CE-O6 – Coastal natural hazard risks and new subdivision, use and development CE-O7 – Coastal natural hazard risk and existing development CE-P17 – Natural defences against coastal natural hazards CE-P18 – Hard Protection Structures	Oppose	While both objectives recognise potential natural hazard risk associated with development, they do not recognise the presence of natural hazard mitigation works within the coastal environment. Similarly, the policies are directed towards enabling nature based solutions. Engineering may undertake a variety of works within the coastal hazard overlay, not solely enduring solutions. For example, intervention is frequently required in respect of the opening of coastal mouths throughout the district to enable the discharge of high flows during rain and flood events. It would be appropriate to insert an objective and policy that note that natural hazard mitigation works occur regularly in this environment. With the caveat it is under appeal, the pORPS directs under both CE-05 (Activities in the Coastal Environment) and the method HAZ-NH-M4 to provide for the functional needs of hazard mitigation measures.	<i>Add new objective: CE-Ox “Natural hazard mitigation activities undertaken by the district or regional authority are enabled to be located in the Coastal Environment where there is a functional need. Amend CE-P17 to include an additional (3) Enable natural hazard mitigation works within the coastal environment where these activities have functional need to occur in the coastal environment.</i>
Part 2 - District-Wide Matters General District Wide Matters	Coastal Environment CE-R1 – Planting vegetation within the Coastal Environment Earthworks Standards	Oppose in part	These rules provide for planting as a permitted activity. However, the rules fail to recognise that the Flood Protection Management Bylaw may limit the ability to undertake such planting. The ORC has a designated cross bank partially within the	Amend the rules to include cross reference to the Otago Regional Council’s Flood Protection Management Bylaw 2022.

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			Coastal Environment near the mouth of the Waitaki.	
Part 2 - District-Wide Matters General District-Wide Matters	Coastal Environment CE-R4 – Earthworks within a coastal hazard overlay	Oppose	This rule enables the ORC to undertake earthworks within the coastal hazard overlay where they are for the protection or resotation of natural defences against coastal natural hazards. The Engineering team undertake earthworks within the coastal hazard overlay for a variety of reasons, not solely in response to coastal hazards. For example, intervention is frequently required in respect of the opening of coastal mouths throughout the district to enable the discharge of high flows during rain and flood events. This rule limits responsiveness to coastal hazards only.	Amend the rule as follows: <i>Where earthworks are undertaken by ... Otago Regional Council... or their agents, and are for the protection or restoration of natural defences against coastal hazards or to undertake natural hazard mitigation works.</i>
Part 2 - District-Wide Matters General District-Wide Matters	Coastal Environment CE-R8 – Hard protection structures	Support in part	This rule makes hard protection structures within the coastal environment that protect regionally significant infrastructure a discretionary activity. It is unclear what activity status would be applied to hard protection infrastructures that are regionally significant infrastructure, such as groynes to ensure the security of the river mouth etc.	Provide clarification or guidance as to the applicability of rules for hard protection structures that are regionally significant infrastructure, but which do not protect regionally significant infrastructure.
Part 2 – District-Wide Matters	Earthworks EW-O1 – Earthworks Activities	Support	These policies recognise the positive effects of earthworks in respect of natural hazard mitigation and management.	Retain

Chapter	Objective/policy/ rule/standard/ overlay	Oppose/ support	Reasons	Decision requested
General District Wide Matters	EW-O3 – Protecting communities			
Part 2 - District-Wide Matters General District Wide Matters	Earthworks EW-R5 – Earthworks within a riparian margin	Support in principle, amend to reflect that third parties may undertake planting for erosion control (on behalf of the ORC).	ORC supports the intent of the rule but the rule as currently drafted is overly restrictive and will limit the ability for landowners or groups such as catchment groups to plant for flood and erosion control and undertake repairs to banks. EW-R5 is more restrictive than Rule 13.5.1.4 of the Regional Plan: Water for Otago. Programmes such as the integrated catchment management programme and nature-based solutions to flooding and erosion are often implemented by landowners, and these rules could impact the effectiveness of those efforts.	Amend rule EW-R5 to: <ul style="list-style-type: none"> • encourage good practice and • ensure alignment with the regional plan provisions • avoid restrictions on the type of persons or agencies that can undertake these activities and allow for that third parties to undertake planting for erosion control (on behalf of the ORC).
Part 2 – District- Wide Matters General District Wide Matters	Future Urban Growth FUG-P2 – Structure plans for land within the Future Urban Growth Overlay	Support in part	This policy sets out considerations for the structure plans required for the Awamoa/Beach Road and Weston Road overlay areas only. There is no similar consideration for the Old Mill Road area. As this area will potentially directly impact Glenn Creek, this should be considered.	Amend to also refer to the Old Mill Road area.
Part 2 – District- Wide Matters General District Wide Matters	Future Urban Growth FUG-P2 – Structure plans for land within the Future Urban Growth Overlay	Support	The Structure Plan requires consideration of the natural hazards characteristics and constraints of the site, and stormwater requirements. Inappropriate stormwater management can impact on existing	Retain

Chapter	Objective/policy/ rule/standard/ overlay	Oppose/ support	Reasons	Decision requested
			watercourses, resulting in an exacerbation of natural hazards.	
Part 2 - District-Wide Matters	Future Urban Growth	Support.	<p>The overall policy approach is supported as use of a future urban growth overlay will help achieve strategic and coordinated future development.</p> <p>In particular:</p> <ul style="list-style-type: none"> • Provision for staging to ensure logical development in FUG-P2(7) is supported. • Use of structure planning before residential development is supported. <p>Consistency with Ōamaru, Weston and Kakanui Spatial Plan is supported.</p>	Retain
Part 3. Area Specific Matters	Zones	Oppose in part	ORC considers the inclusion of User Notes in the different chapter of the proposed WDP that make reference to ORC consent requirements for servicing at the time of subdivision would benefit plan users.	Retain
Part 2 - District-Wide Matters Subdivision	Introduction User Notes	Support	ORC supports the inclusion of User Notes in the subdivision chapter of the proposed WDP that make reference to ORC consent requirements for servicing at the time of subdivision.	Retain
Part 3. Area Specific Matters	Zones	Support	Consistency with Ōamaru, Weston and Kakanui Spatial Plan is supported.	Retain

Chapter	Objective/policy/ rule/standard/ overlay	Oppose/ support	Reasons	Decision requested
Appendices	APP9 APP9 – Threatened Environment Classification (TEC) version 2012	Support in part	Support the use of TEC as a spatial threshold for activity status of vegetation clearance, as provided through the ECO Standards, specifically ECO-S3. Interpretation and implementation of the TEC by plan users can be aided by incorporating the TEC map into the ePlan spatial layers.	Include TEC map in the ePlan spatial layers.
Map Layers	District Plan – Natural Hazards – Otago Flood Assessment Overlay	Support in part	<p>ORC support the inclusion of the Natural Hazards – Otago Flood Assessment Overlay Maps in the proposed WDP. However, recent work by ORC suggests that some of the map layer may be inaccurate in a confined geographical context.</p> <p>ORC will soon be able to provide a draft report to WDC to introduce the findings of the work and give sufficient details to support this position and for WDC to consider necessary changes. ORC will also undertake community engagement to introduce the work and its findings, and we expect all information will be sufficiently advanced prior to any hearing on the notified WDP.</p>	<p>ORC recommends that the Waitaki District Council:</p> <ul style="list-style-type: none"> reconsiders the Otago Flood Assessment Overlay in the proposed WDP maps (or any other relevant provisions in the proposed WDP) once provided with new information on flood overlay mapping from ORC. Consider all available procedural options to ensure the information, once available, can be appropriately considered by any interested parties within the draft plan process.